

Atlas of
Palestine

1917-1966

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1917-1966

SALMAN H. ABU-SITTA

PALESTINE LAND SOCIETY
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*To the People of Palestine
At home and in exile
May their geography and history
Be united again.*

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Salman Abu Sitta
May 2010

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Part I

General Review

Chapter I

Historical Overview

I.1 The British Mandate

On the evening of October 31, 1917, with overwhelming force, the British army over-ran the small Turkish garrison in the town of Beer Sheba in a surprise attack from the south and east. The attack had been expected from the west. The Turkish flag opposite the mosque was lowered and the Union Jack was raised. Thus ended 1400 years of Arab Islamic rule.

The British invading army - known as the Egyptian Expeditionary Force (EEF) - was led by General Allenby. Allenby had succeeded General Murray in June 1917 after Murray had twice failed to take Gaza. British forces had sustained high casualties in the failed attack. General Allenby's guns and new tanks, however, reduced many buildings in Gaza to ruin including historic buildings such as the government *saraya* (mansion). The ancient al-Omari mosque also sustained heavy damage.

The British invading army consisted of 150,000 soldiers from the British Dominions, which included British, Australian, New Zealand and Indian regiments. The hard work of building railways to carry supplies, installing water pipes across the Sinai, building camps and stores, carrying ammunition and unloading ships was left to a 150,000-strong Egyptian labour force who were 'conscripts' from remote Egyptian villages. Although they had nominal contracts, they were in fact forced labour. They died in the hundreds from dehydration and exploding ammunition, and were buried in large unmarked mass graves.¹

Pleased by the feat of the Australian 4th Light Horse Brigade, which was the first to penetrate the Turkish defences of Beer Sheba, Allenby sent a telegram to London informing him of the capture of Beer Sheba and hoping to be in

Jerusalem by Christmas.² He was right to be pleased. Beer Sheba was the key to Palestine at its southern gate. Palestine now lay open to British occupation.

Several months earlier, and thousands of kilometres away in Britain, talks between a Jewish research chemist, Chaim Weizmann and the British Foreign Secretary, Arthur James Balfour, aimed to facilitate the establishment of a 'national home for the Jews' in Palestine, were under way. Several drafts of a declaration drawn up at Balfour's request were made in the summer of 1917 but it was kept under lock and key, lest the Arabs should know about it. It would be the last case of European colonialism in the East.

When Allenby's telegram carrying the news of British success in Beer Sheba reached London, possibly on November 1, Balfour opened his locked drawer and announced on November 2, 1917 what became known as the Balfour Declaration. The 67-word letter, signed by Balfour, and addressed to Lord Rothschild, a leading English Jew in sympathy with Zionist aspirations, reads:

His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.³

The Balfour Declaration was a crowning achievement for the energetic but still small minority of adherents to political Zionism.⁴ The central tenet of political Zionism was the establishment of a

Jewish state in Palestine. Theodor Herzl, editor of an influential Viennese paper and the founding father of Zionism, first elaborated the idea in his book *Der Judenstaat* [The Jews' State] published in 1896.⁵ A year later in Basle, Switzerland, Herzl convened the First Zionist Congress to promote the idea.

Herzl's efforts to obtain European backing for the idea, however, failed. The Turkish Sultan Abdel Hamid, the absolute ruler of the decaying and poor Ottoman Empire, also rebuffed Herzl. "I cannot sell one square foot of Palestine," said the Sultan. "Palestine is the patrimony of Muslims and I will not sell it for the gold of the world. Let the Jews keep their millions. If the Empire is divided, maybe the Jews will get it for nothing, but only on our dead bodies".⁶ Herzl died without seeing his dream realized.

Following at least two decades of knocking in vain on the doors of European colonial powers, however, the Zionist movement achieved success. With the stroke of a pen, the British Foreign Secretary brushed aside the 1918 Anglo-French Declaration⁷ to set up free and independent governments in the liberated Arab region in favour of the establishment of a Jewish national home in Palestine. Commenting on the implications of the Declaration, Balfour bluntly observed that,

... in Palestine, we do not propose even to go through the form of consulting the wishes of the present inhabitants of the country.... The four great powers are committed to Zionism, and Zionism, be it right or wrong, good or bad, is rooted in age-long tradition, in present needs, in future hopes, of far profounder impact than the desires and prejudices [not the rights] of the 700,000 Arabs who now inhabit this ancient land.⁸

1 For more on the Egyptian Expeditionary Force see, *A Brief Record of the Advance of the Egyptian Expeditionary Force, July 1917-October 1918*, London: HMSO, 1919. See also, Abu Sitta Salman, *Egyptian Labour: Builders of Empire*, [Arabic] *Al Hilal*, Cairo, Vol. 111, April 2003, pp. 42-48.

2 Mark Cocker, *Richard Meinertzhagen: Soldier, Scientist and Spy*. London: Secker and Warburg, 1989, p. 99.

3 The Balfour Declaration is reprinted in *Survey of Palestine*, Vol. I, London: Her Majesty's Stationary Office, Reprinted in Full by the Institute for Palestine Studies, 1991, p. 1.

4 For a critical review of political Zionism see, *Moshe Menuhin*,

The Decadence of Judaism in our Time. Beirut: The Institute of Palestine Studies, 1969; Elmer Berger, *Who Knows Better Must Say So*. 2nd Edition. Beirut: The Institute of Palestine Studies, 1970; Alfred Lilienthal, *What Price Israel?* 2nd Edition. Beirut: The Institute of Palestine Studies, 1969; Bernard Avishai, *The Tragedy of Zionism*. New York: Helios Press, 2002; Baruch Kimmerling, *The Invention and Decline of Israeliness, State, Society and the Military*. Los Angeles: University of California Press, 2001.

5 Theodore Herzl, *The Jewish State*. New York: Dover Publications, 1988.

6 Rafiq Shaker an-Natche, *Sultan Abdel Hamid II and Palestine*. [Arabic], Beirut: Arab Institute for Studies and Publishing, 1991, pp. 178-79. Also see, Hassan Ali Hallaq, *The Ottoman State and Zionism*. Beirut: ad-Dar al-Jamiyya, 1980, p. 122.

7 Joseph M.N. Jeffries, *Palestine: The Reality*. New York: Longmans, 1939, pp. 237-38.

8 Christopher Sykes, *Crossroads to Israel, 1917-1948*. Bloomington: Indiana University Press, 1973, p. 5. For a Jewish study of the Balfour Declaration see, Leonard Stein, *The Balfour Declaration*. Jerusalem: The Magnes Press and Hebrew University, 1983.

Balfour was not only convinced that supporting Zionism was a sound colonial enterprise and that the Jews were its best managers but that the Arabs' rights need not be taken into account because they were,

Wholly barbarous, undeveloped and unorganized black tribes.⁹

The Balfour Declaration followed an earlier agreement between French and British diplomats to carve out respective spheres of influence in the eastern part of the Arab world. According to the 1916 Sykes-Picot Agreement¹⁰, Iraq and Palestine would fall under British control. The British already occupied Egypt. The French would control northern part of greater Syria (eventually divided into Syria and Lebanon). At the same time that diplomats Mark Sykes and Francois Georges Picot were meeting in secret talks to divide the Middle East, Allied planes were dropping leaflets on Arab towns and cities, reaffirming Allied support for Arab independence.¹¹

British and American officials in Palestine acknowledged that it would be difficult to implement the Declaration.¹² The Declaration ushered in more than ninety years of bloodshed and suffering. As the Palestinian jurist, Henry Cattán, observed, "the Balfour Declaration was legally void, morally wicked and politically mischievous."

First, it was legally void, because the consent of the people of Palestine, who were the indigenous and sovereign inhabitants of the country (sovereign in the full sense of the term after their detachment from Turkey), was never asked or obtained. The Balfour Declaration was also void because Turkey, as the legal sovereign over Palestine at the time of the issue of the Balfour Declaration, did not consent to it... [hence the insistence that it should be included in the Peace Treaty with Turkey]. In addition, the Balfour Declaration was also void because the British government, a foreign power in regard to Palestine, did not possess, nor had it ever possessed, any sovereignty, right of disposition, or jurisdiction over Palestine, that enabled it to grant any rights, be they political or territorial, to an alien people over the territory of Palestine.... The Balfour Declaration was tantamount to the issue of a false promissory note.

The Balfour Declaration was morally wicked because it amounted to 'one nation solemnly promising to a second nation the country of the third.' In effect, by its promise of a national

home for the Jews in Palestine, Britain denied to the people of Palestine the attainment of their independence in exercise of their right of self-determination...

[It] was politically mischievous because it has sown the seeds of a bloody conflict between Arabs and Jews who had previously co-existed in peace and harmony for centuries in Palestine and in other Arab countries. Moreover, it brought the most disastrous consequences to the people of Palestine.... Lord Islington [stated], "This scheme of importing an alien race into the midst of a native local race is flying in the very face of the whole of the tendencies of the age.... It is literally inviting subsequent catastrophe."¹³

Having secured the support of the British government for the creation of Jewish state in Palestine, the Zionist movement directed its efforts towards the Paris Peace Conference of 1919 at which the nascent League of Nations addressed the status of those Arab provinces formerly part of the Ottoman Empire. The Mandate System was set up to facilitate the independence of these non-self-governing territories, including Palestine. According to the Covenant of the League of Nations¹⁴, Palestine was considered a Class 'A' Mandate, which recognized its eventual independence. Paragraph 4 of Article 22 of the Covenant reads:

Certain communities, formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone.¹⁵

Zionist officials, however, successfully lobbied for inclusion of the contents of the Balfour Declaration in the Palestine Mandate. Contrary to the purpose of the Mandate System, the Palestine Mandate thus aimed to facilitate colonization of the country through Jewish immigration and settlement in order to secure the establishment of a Jewish national home. According to Article 6,

The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes.¹⁶ [emphasis added]

The Mandate granted full political and civil rights in Palestine to the Jewish minority and the Jewish Diaspora; it failed, however, to recognize the political rights of the indigenous Palestinian Arab majority who comprised 92 percent of the population, and referred to them merely as the *non-Jewish* population of the country.

To advance Zionist aims, Weizmann worked on two political fronts and delivered opposite messages. In meetings with Arab leaders he preached peaceful co-existence and promised bountiful goods coming out of Jewish wealth and industry. In so doing, the rights and interests of the Arab majority in Palestine would not be compromised and,

not a hair on the Arabs' heads will be touched... never it is our objective to turn anyone out of his property.¹⁷

But in his meetings with British colonial officials, he discouraged them from giving any consideration to the rights of the Arab majority in Palestine, because,

The Arab is treacherous ... superficially clever, worships one thing only: power and success... dishonest, uneducated, greedy, inefficient, shifty...¹⁸

On the colonial front he was successful. Great Britain was given the responsibility, as Mandatory power, to provide such administrative advice and assistance until Palestine emerged as an independent state. The inherent contradiction in the Mandate for Palestine plagued the British tenure in the country. According to Ronald Storrs, the British governor of Jerusalem from 1917 to 1926 who considered Zionism a tool to advance British interests in the region, the Palestine Mandate had a peculiar character. While the beneficiary of all other mandates was the actual inhabitants of the country, the Palestine Mandate benefited "any Jew no matter wherever he lives".¹⁹

Herbert Samuel, a proponent of Zionism and a previous adviser to the Zionist Commission under Weizmann, was appointed as the first High Commissioner of Palestine in January 1920. The League of Nations, however, only ratified the Mandate on July 24, 1922, two years after Samuel's appointment. The Mandate could not have fully acquired its proper legal form before August 1924 when Turkey signed a peace agreement with the Allied powers.²⁰ The early appointment of Samuel thus created a legal anomaly.

9 Quoted in: Phillip Knightly and Colin Simpson, *The Secret Lives of Lawrence of Arabia*. London: Thomas Nelson and Sons, 1969, p.112. In 1903, Herzl commissioned David Lloyd George, as a lawyer, to draft the charter for the Jewish Colonization Trust, for the purpose of creating a Jewish colony in East Africa. In 1904, Weizmann, a professor of chemistry introduced Balfour, MP for his Manchester constituency, to Zionism. In 1917, Balfour became Britain's foreign minister and Lloyd George was prime minister. The old charter was amended to suit Palestine with the proviso that the rights of the "existing non-Jewish communities" be taken into account. See, Kattan, Victor, *From Coexistence to Conquest: International Law and the Origin's of the Arab-Israeli Conflict, 1891-1949*, London: Pluto Press, 2009, pp 36-37.

10 See, generally, A.L. Tibawi, *Anglo-Arab Relations and the Question of Palestine 1914-1921*. London: Luzac & Company Ltd., 1977. The agreement later came to light in October 1917 during the Bolshevik revolution that toppled the Czarist regime in Russia. Revolutionaries found the document in the files of the departing Russian government. Russia (and Italy) were each given each a small piece of the Turkish pie under the agreement. The revolutionaries made public the secret agreement to the great embarrassment of the British and French. The revelation did not change the policy of the colonial powers. Also see, George Antonius, *The Arab Awakening: The Story of the Arab National Movement*. New York: Capricorn Books, 1965.

11 *Ibid.*

12 John Quigley, *Palestine and Israel, A Challenge to Justice*. Durham: Durham University Press, 1990, p. 12.

13 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.

14 The Covenant of the League of Nations is reprinted in *Survey of Palestine*, Vol. I, supra note 3, pp. 2-3.

15 *Ibid.*

16 Mandate for Palestine, supra note 3. According to Article 4, An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and co-operating with the

Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country. The Zionist Organisation, so long as its organisation and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish national home.

Ibid.

17 Sykes, supra note 8, p.95. See also David Hirst, *The Gun and Olive Branch*. London: Faber and Faber, 2003, p.162, and Minutes of Meeting with: A.J. Balfour, W. Churchill, Weizmann and others, pp.59-61.

18 Letter from Balfour to Weizmann dated 30 May 1918, quoted in: Doreen Ingrams (ed.), *Palestine Papers, 1917-1922; Seeds of Conflict*. London: John Murray, 1972, p.31

19 Ronald Storrs, *Orientalisms*. London: Nicholson and Watson, 1945, p. 358, n. 3. Also see, Sahar Huneidi, *A Broken Trust: Herbert Samuel, Zionism and the Palestinians*. London: New York: I.B. Taurus, 2001, p. 21.

20 For more on legal issues see, Sykes, supra note 8.

During his tenure (1920-1925), Samuel oversaw the promulgation of some one-hundred ordinances, which paved the way for the establishment of the basic infrastructure of a Jewish state.²¹ This included legislation concerning immigration, land usage, recognition of Hebrew as an official language, acknowledgement of the Sabbath as an official holiday, the opening of credit banks to facilitate land sales, and the establishment of Jewish cooperative societies. The roots of separatism were thus firmly laid for Israel to be built on the ruins of Palestine.²²

A Jewish Agency was set up to coordinate the establishment of a Jewish national home in Palestine with the British administration. Zionist organizations slowly acquired land for Jewish settlement, albeit with limited success. (See, Land in Jewish Possession, Section 2.5.) More importantly, mass immigration resulted in a sizeable Jewish minority. By 1948 the Jewish population constituted 30 percent of the total population of the country.²³ The Zionist movement was able to establish separate armed fighting units, whose number reached the unprecedented ratio of 20% of Jewish immigrants, an educational system, industrial infrastructure including power generation (Rutenberg), water (Mekorot) and construction (Solel Boneh), a banking system, and a Jewish-only labour union (Histadrut).²⁴

This led to problems with the native Palestinian Arab majority who opposed the creation of another state in their country. They expressed grave concern about mass Jewish immigration, loss of land for Zionist colonization, and attempts to change the religious status quo. Every conceivable peaceful means was used to plead their case.²⁵ They demanded the establishment of a democratically elected legislative council and self government institutions as promised by the Allies before and during the war.

Winston Churchill, the Colonial Secretary, would not entertain this kind of democracy as long as the native Arab Palestinians are the majority and the Jewish immigrants had not yet attained at least numerical parity with the Arabs and had not got a strong foothold in the country to impose their dominance by force.

Churchill told a Palestinian delegation in Jerusalem in 1921 when they demanded democratic representation,

Step by step we shall develop representative institutions leading to full self government but our children's children will have passed away before that is accomplished.²⁶

But the Palestinians continued their efforts. They held national conferences attended by leading personalities from every region of Palestine.

They sent delegations to London and petitions to European powers and even the Pope. They also took to the streets to demonstrate. Numerous clashes between Palestinians, the British and Jewish inhabitants and new immigrants took place, including incidents in 1921, 1929 and in the context of a general strike and uprising (Arab Revolt) against British policy that lasted from 1936 to 1939.

After clashes in May 1921, Sir Thomas Haycraft, who headed a commission to investigate the riots, concluded that the root cause of the civil unrest was the Arab resentment of the British policy of allowing Jewish immigrants into Palestine.²⁷ The British government set up another inquiry (Shaw Commission) after serious riots erupted in 1929 when a number of Jews set up appurtenances at Burak Wall (the Western boundary of the Noble Sanctuary, *al-Haram al-Sharif*) known to Jews as the Western [Wailing] Wall. The local Palestinian Arab population viewed the structures as an attempt to change the religious status quo in the Old City. An international commission, which visited Palestine in June 1930 to investigate the matter, concluded that the Wall was Muslim property. Although the Jews should continue to pray there "as per custom", they had no property rights and were thus not allowed to install permanent structures.²⁸

In the early 1930's, the British government dispatched Sir John Hope-Simpson to investigate the agricultural conditions of Arab farmers. Jewish land acquisitions had rendered many Palestinian cultivator-tenants landless. Hope-Simpson was followed by another expert, Lewis French. They both concluded that Jewish immigration and settlement was "not in the best interest of the Arabs".²⁹ Concerned about the threat to Arab living conditions and possible instability in the country, a British government White Paper by Lord Passfield recommended placing restrictions on land alienation in Palestine.³⁰ Palestinian protests and acts of resistance prompted the British government to dispatch yet another commission in 1937. More in tune with Zionist objectives in Palestine, the Royal (Peel) Commission proposed partitioning the country such that the narrow coastal strip, where Jewish immigrants were concentrated, would be a state for the Jews and the rest mostly Arab.³¹

As many British officials had begun to realize, the Mandate had created an impossible situation as they unsuccessfully tried to reconcile the legal obligation to assist Palestinians in building an independent Palestine with the contrary political promise to build a Jewish national home on the same land. As Palestinian resistance increased the British administration adopted increasingly brutal measures to quell the local population. It called up military reinforcements; it dissolved all

Palestinian parties and groups; prohibited the possession of arms; and, applied collective punishment on villages, demolishing houses, destroying provisions and rounding up able-bodied men. Possession of a pistol could lead to execution; possession of a knife to long-term imprisonment. At the same time, British forces provided training and support to the Jewish pre-state militia, the *Haganah*.³² By 1939, the British inflicted an earlier *Nakba* on Palestine.

With WWII looming on the horizon, Great Britain was eventually forced to reconsider its heavy-handed approach towards the Arabs in order to gain their support for the war effort. The Colonial Secretary, Malcolm MacDonald, issued a new White Paper in 1939 in which Britain pledged support for an independent Palestine to be established in ten years.³³ The paper also recommended limits on Jewish immigration (75,000 Jews over five years and thereafter only with the Palestinian Arab consent) and restrictions on the transfer of Arab land. Zionist officials objected strenuously. In May 1942, 600 Zionists met in New York in the Biltmore Hotel and announced a Program that "[all of] Palestine be established as a Jewish commonwealth integrated into the structure of the new democratic world".³⁴

This was another blow to the national aspirations of the Palestinian people. US President Theodore Roosevelt was reminded of this by King Abdel Aziz of Saudi Arabia when they met in February 1945. Roosevelt tried to persuade the King about the need to allow Jews to immigrate to Palestine to relieve their plight in Nazi Germany and asked about his suggestions on the matter. "Let the culprits pay the price; not the innocent bystanders," stated Abdel Aziz. "Why not give the Jewish victims the best of German houses and lands? What harm did we Arabs do to the Jews to pay such a price?" Roosevelt promised not to act in a "hostile" manner against the Arabs.³⁵

As the situation in Palestine continued to deteriorate Zionist militias increased their terrorist activities against British officials and installations in the region. In 1944, for example, Lord Moyne, the Minister for Middle East Affairs and a close friend of Prime Minister Churchill, was assassinated in Cairo. British officers were kidnapped and hung from trees.³⁶ In one of the most infamous attacks, Zionist militias blew up one wing of the King David Hotel in Jerusalem, which housed the British administration in Jerusalem.

The Zionist movement also shifted lobbying efforts to the United States where Harry Truman had assumed the presidency. Truman pressured Britain to admit new 100,000 more Jewish immigrants into Palestine, at a time when the US, with the acquiescence of the Jewish Agency, was placing restrictions on their admittance to the US.³⁷

21 Samuel was assisted in this endeavour by Norman Bentwich, the Legal Secretary who subsequently became the Attorney General. Huneidi, *supra* note 19, pp. 22-23.

22 See the excellent analysis by Barbara Smith, *The Roots of Separatism in Palestine: British Economic Policy, 1920-1929*. London: I.B. Tauris, 1993.

23 The annual rate of Jewish immigration in the mid-1930s rose sharply from 4,565 (1931) to 61,854 (1935). Walid Khalidi, *Fifty Years to the Partition of Palestine (1947-1997)*. [Arabic] Beirut: Dar al-Nahar, 1998, p. 11.

24 Smith, *supra* note 22.

25 For a review of Palestinian political activity see, Huneidi, *supra* note 19; Bayan Nuwayhid al-Hout (ed.), *Documents of the Palestinian National Movement 1918-1939 - The Papers of Akram Zu'aytir, 1918-1939*. [Arabic] 2nd Edition. Beirut: Institute for Palestine Studies, 1984; Bayan Nuwayhid al-Hout (ed.), *The Palestine National Movement - Diaries of Akram Zu'aytir, 1935-1939*

[Arabic] 2nd Edition. Beirut: Palestine Research Centre, 1992; Abd al-Wahab al-Kayyali, *Modern History of Palestine*. [Arabic] 9th Edition. Beirut: Arab Institute for Studies and Publishing, 1985; 'Ajaj Nuwayhid, *Memories of Sixty Years with the Arab March*. [Arabic] Bayan al-Hout (ed.). Beirut: Dar al-Istiqal, 1993; and, *Documents of the Palestinian Arab Resistance against British Occupation and Zionism (1918-1939)*. [Arabic] Beirut: Institute of Palestine Studies, 1968.

26 Hirst, *supra* note 17, p. 180.

27 See, e.g., Mark Tessler, *A History of the Israeli-Palestinian Conflict*. Indianapolis: Indiana University Press, 1994, p. 171.

28 *Report of the Commission appointed by His Majesty's Government with the approval of the Council of the League of Nations to determine the rights and claims of Moslems and Jews in connection with the Western or Wailing Wall at Jerusalem*. December 1930. London: HMSO, 1931.

29 *Survey of Palestine*, *supra* note 3, pp. 28-29. See also Ken-

neth Stein, *Land Question in Palestine: 1917-1939*. Chapel Hill: University of Carolina Press, 1984, p. 164.

30 W.F. Abboushi, *The Unmaking of Palestine*. Brattleboro, Amana Books, 1990, p. 73.

31 Cmd.5479, Report of the Royal (Peel) Commission cited in *Survey of Palestine*, *supra* note 3, p. 40.

32 Huneidi, *supra* note 19, p. 39.

33 *Survey of Palestine*, *supra* note 3, pp. 52-56.

34 Simha Flapan, *The Birth of Israel, Myths and Realities*. London: Croom Helm, 1987, p. 23.

35 Khalidi, *supra* note 23, p. 41.

36 Edward Horne, *A Job Well Done: A History of the Palestine Police Force 1920-1948*. Sussex: The Book Guild Ltd., 2003, pp. 267-313.

37 Abboushi, *supra* note 30, pp. 208-210.

As a last attempt to restore some degree of order, Britain, in a joint plan with the US (1946 Morrison-Grady Plan), suggested the formation of a single federal Palestinian state. Views were so divergent, however, that the plan did not meet general approval. Britain thus decided on April 28, 1947 to throw the whole Palestine question into the lap of the newly-established United Nations. During nearly three decades of British rule, the Jewish population of the country had increased ten-fold, primarily through immigration, while Jewish land-holdings had quadrupled. The British Mandate administration had helped the Zionist movement establish the structures for a provisional government and a fighting force of some 60,000 able-bodied men increased by January 1949 to 120,000. Palestinian leaders meanwhile were deported or banned from political participation, civic structures had come under severe strain, and mechanisms for self-defence were basically non-existent.

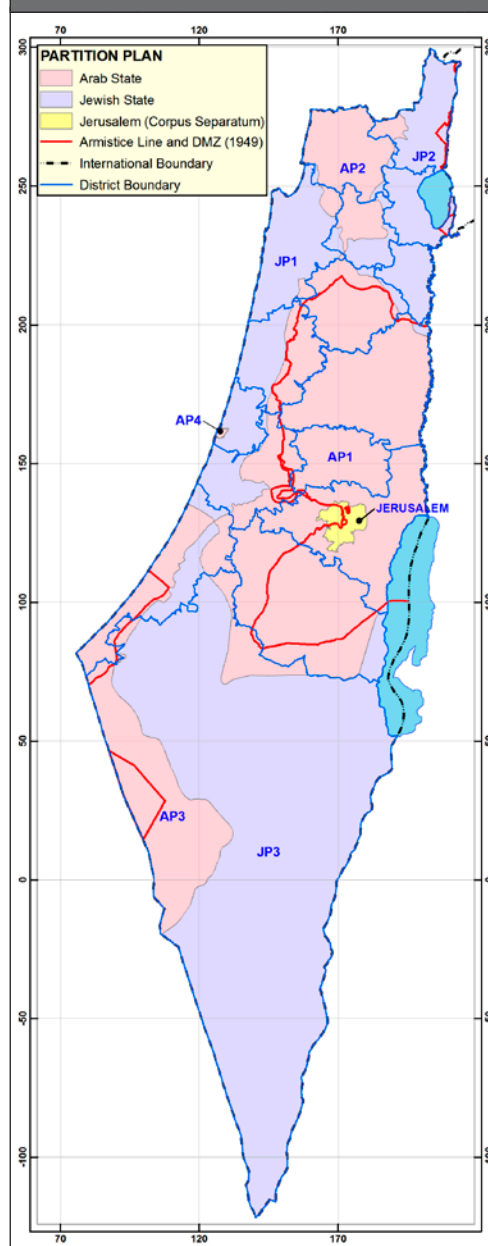
1.2 The Partition Plan

In May 1947, the UN established an eleven-member Special Committee on Palestine (UNSCOP) to make recommendations on the future status of the country. The committee was neither representative nor did its members have much first-hand knowledge of Palestine.³⁸ The decision to set up a special committee, moreover, contravened rules of due process set forth in the Charter for the United Nations for dealing with non-self-governing territories. Termination of a mandate triggered two possible outcomes. Mandate territories either became fully independent states or, alternatively, mandatory powers could request that such territories be placed under a UN trusteeship until such a time as they were deemed ready for independence.

UNSCOP devoted only five months to the problem. It spent short five weeks in Palestine. The Committee then retired to Geneva in late August 1947.³⁹ Members were unable to reach a unanimous decision on all issues. The Committee's final draft report was hastily prepared in three days and its recommendations were made on September 1, 1947. Committee members unanimously approved eleven general recommendations, but were unable to reach consensus on the future status of Palestine.⁴⁰ The majority of the Committee members recommended partition of the country into two states – one for the Jews and one for the native Palestinian Arabs. The remaining Committee members argued in favour of a single federal state to ensure equal rights for Arabs and Jews in a common state.

The subsequent debate at the UN over the following two months exemplified the battle for the control of Palestine. Members of Sub-Committee II,

Map 1.1: The Partition Plan of Palestine according to UN Resolution (181) of 29 November 1947



one of three established by the *ad hoc* Committee on the Palestine Question challenged the legality of the majority plan to partition Palestine. Subcommittee members argued that under its Charter, the UN would have no power to give effect to the Partition Plan and asked for an advisory opinion from the International Court of Justice (ICJ) on the validity and meaning of the Balfour Declaration and subsequently of the Mandate itself. These legal challenges, however, were brushed aside by “the majority of the Delegates’ desire to settle the problem in a certain manner, irrespective of what the merits of the question or the legal obligations of the parties might be”.⁴¹

The Zionist-Jewish lobby in the United States proved to be influential in the debate over the

Partition Plan. Palestinian voices on the other hand were hardly audible. Even so, the two-thirds majority necessary to pass the partition recommendation in the General Assembly was obtained only with great difficulty. Thirty-three countries voted for it, 13 against, and 10 abstained. On November 29, 1947, the Assembly adopted Resolution 181/II (Partition Plan).⁴² The partition resolution only exacerbated the conflict in Palestine. Closer inspection of the partition map (**Map 1.1**) and the accompanying tables reveal the serious problems inherent in the idea of partition.

While the UN recommended splitting the country into two, it was unable to come up with a practical plan to divide the country. Thus, the Jewish state would be the state of most of the Jews (about one half million) (**Table 1.1**), but it would also include an equal number of Palestinians who suddenly found themselves under the sovereignty of mostly foreign immigrants. The Partition Plan allocated 55 percent of the country to the Jewish state, i.e. eleven times the Jews’ Mandate-era possession. See **Table 1.2**. There were 174 Jewish colonies in the proposed Jewish state as compared to 467 Palestinian Arab villages and three cities. See **Table 1.3**. In the coastal strip, where the Jewish concentration of colonies was greatest – 111 out of a total of 172 colonies – the proposed Jewish state would control 2.5 times the land it possessed during the Mandate period. Around the city of Tiberias in the Galilee and upper Jordan, where there were 57 Jewish colonies, the Jewish state would control 3.2 times its earlier possession. Conversely, the Arab state would have a tiny number of Jews (about 8,000). Jerusalem, designated to be a separate international entity (*Corpus Separatum*), would have an equal number of Jews and Palestinians.

In southern Palestine, the situation created by the partition plan was still more dramatic. The Beer Sheba district (*Naqab*) comprised 12.5 million donums (1 donum = 1000 sq. metres or 0.2471 acres). There was practically no Jewish presence in the district until the final months of the Mandate. (See, Beer Sheba, Section 2.7.) Ninety-five percent of its Arab population, estimated by the British to be 127,000, lived in the northern half of the district. Nevertheless, the district was included as part of the Jewish state under the partition plan. Previous proposals for partition had usually designated this area Arab.⁴³ During their short period in Palestine in the spring of 1947, members of the UN Special Committee on Palestine were taken on a tour of the few Jewish outposts and their agricultural show-cases. The Committee was impressed by Zionist efforts.⁴⁴ At the same time, lobbying in the US managed to reverse US policy which had favoured allocation of the district to the Arab state. In a hastily arranged meeting on November 19, 1947, Chaim Weizmann persuaded US President Harry Truman that Beer Sheba should be part of

38 UNSCOP membership (11 states) had no representation from African states, a limited representation from Asian countries; the majority was from Western states. Guatemala’s representative, Granados, an important member of the committee, was openly hostile to the Arabs, as the record of the meetings showed. Ilan Pappé, *The Making of the Arab-Israeli Conflict, 1947-1951*. London: I.B. Tauris, 1992, p. 18.

39 *Report of the UN Special Committee on Palestine, The Question of Palestine*. U.N. Doc. A/364 (1947).

40 This included termination of the mandate, implementation of a transitional period supervised by the United Nations and protection of religious and minority rights (including citizenship and property rights) in Palestine. *Ibid.*

41 From UK Delegation to the UN to Foreign Office, November 20, 1947. Cited in Patricia Toye and Angela Seay (eds.), *Israel: Boundary Disputes with Arab Neighbours, 1946-1964*. Vol. 1 (1948-1950). Reading: Archive Editions, 1995, pp. 643-644.

42 G.A. Res. 181 (II), U.N. GAOR 128th Plen. Mtg. 1st Sess., U.N. Doc. A/64 (1947).

43 This included the 1937 Royal (Peel) Commission, the first proposal put forward by the 1938 British Technical Committee, British government proposals from 1944, and the 1946 Morrison-Grady proposal. Sometimes the southern portion was kept under British Mandate to maintain continuity between Arab countries, east and west of Palestine, which would otherwise be severed, and to maintain the link between British bases in the area.

44 Ruth Kark, “Jewish Frontier Settlement in the Negev, 1880-1948: Perception and Realization,” 17 *Middle Eastern Studies* (1981), pp. 334-356.

45 This unusual story was related by one of the major participants in the lobbying effort. See, Elisha Epstein, *Israel and Elath: The Political Struggle for the Inclusion of Elath in the Jewish State*. London: Weidenfeld and Nicolson, 1966. To commemorate the

event, Epstein changed his name to Elath (Umm Rashrash), the most southern point of Beer Sheba district on the Gulf of Aqaba.

46 G.A. Resolution 181 (II), *supra* note 42.

47 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.

Table 1.1: Population Partitioned by UN Resolution 181

Reference	Population Mid-1948 (Palestinian Villages)			Population Mid-1948 (Jewish Colonies)			Population Mid-1948 (Mixed and Unidentified Villages)			Total Population Mid-1948		
	Arabs	Jews	Total	Arabs	Jews	Total	Arabs	Jews	Total	Arabs	Jews	Total
JP1	137,545	16,902	154,447	4,359	314,189	318,548	68,440	80,308	148,748	210,344	411,398	621,743
JP2	81,027	4,563	85,591	65	18,604	18,669	16,173	9,275	25,448	97,266	32,442	129,708
JP3	97,829	319	98,148		1,500	1,500				97,829	1,819	99,648
JEWISH STATE	316,401	21,784	338,185	4,425	334,292	338,717	84,613	89,583	174,196	405,439	445,659	851,098
AP1	524,122	2,468	526,590		2,425	2,425				524,122	4,893	529,015
AP2	124,794	1,362	126,156		2,021	2,021				124,794	3,382	128,177
AP3	121,274	574	121,848							121,274	574	121,848
AP4	72,265	29,783	102,048							72,265	29,783	102,048
ARAB STATE	842,456	34,187	876,643		4,446	4,446				842,456	38,633	881,089
JERUSALEM	42,208		42,208		394	394	65,476	103,177	168,652	107,684	103,570	211,254
TOTAL LAND	1,201,066	55,971	1,257,036	4,425	339,132	343,557	150,089	192,759	342,848	1,355,579	587,862	1,943,441

Notes:
 1. Population for mid-1948 is derived from Village Statistics 1945 (Vilstat) by upgrading Arab figures by $(1+3.5\%)^{2.5} = 1.089810$ and Jewish figures by $(1+2.5\%)^{2.5} = 1.063677$
 2. Population of villages with no village boundaries has been added to the nearest village. This population is 8,148 Jews and 8,304 Arabs. Total 16,452.
 3. For Beer Sheba District population, Vilstat figures are underestimated. The revised figure for Arabs is 86,497 (1945). It is divided roughly: 90% in JP3 and 10% in AP3, with 180 Jews in Beer Sheba District.

Table 1.2: Land and Villages Partitioned by UN Resolution 181

Reference	Measured Land Area (donums)	% of Total Area	Number of Villages							Mixed	Unidentified	Total Villages
			Palestinian Villages			Jewish Colonies						
			Capital	Non Capital	Virtual	Capital	Non Capital	Virtual				
JP1	2,150,684	8.2%	102	30	7	106	6	-	1		252	
JP2	1,749,858	6.6%	128	27	3	49	9	1	2	2	221	
JP3	10,707,940	40.7%	77	93		3					173	
JEWISH STATE	14,608,482	55.5%	307	150	10	158	15	1	3	2	646	
AP1	7,907,426	30.0%	458	14	2	7					481	
AP2	1,156,276	4.4%	79	18	1	3					101	
AP3	2,444,345	9.3%	36	21							57	
AP4	11,921	0.0%	1								1	
ARAB STATE	11,519,968	43.8%	574	53	3	10	-	-	-	-	640	
JERUSALEM	195,997	0.7%	16			1			1		18	
TOTAL LAND	26,324,448	100.0%	897	203	13	169	15	1	4	2	1,304	
Lake Tiberias	168,278	25.4%									1	
1/2 of Dead Sea	493,306	74.6%									-	
TOTAL WATER	661,584	100.0%	-	-	-	-	-	-	-	1	1	
GRAND TOTAL	26,986,031		896	204	13	170	12	1	4	3	1,305	
			1,113			183						

Notes (refer to Map 1.1):
 1. Areas are in donums (1 donum = 1,000m²). The areas in the table are measured from large scale maps.
 2. Number of Palestinian villages and Jewish colonies is derived from digitized British Mandate maps.
 3. The 10 Jewish colonies in the Arab state are Atarot, Ben Shemen, Har Tuv, Hanita, Kefar Ha Horesh, Kefar Menahem, Kefar Uriya, Nahariya, Neve Ya'aqov and Qiryat `Anavim.
 4. The 3 mixed cities in the Jewish state are Haifa, Safad and Tiberias. The fourth mixed city is Jerusalem.
 5. In JP2 Hula lake and Hula concession area are included (under 'unidentified').
 6. Capital = main village. Non Capital = secondary village. Virtual = point created to define a land area. See definition of terms.

the Jewish state. Truman telephoned officials at the Department of State and informed stunned officials of the reversal in US policy.⁴⁵

The Partition Plan never envisaged purely ethnic or religious Jewish and Arab states. The Plan included extensive provisions for non-discrimination and basic human rights protections. Chapters two and three of the Plan addressed civil, religious and political rights of each group, as a minority in the majority state. This included protections for citizenship and property rights. Moreover, the Plan conditioned international recognition of the states on the incorporation of these protections in the constitutions of the respective states.⁴⁶ This provision was a major problem for the Zionist movement which favoured the creation of an exclusive Jewish state in Palestine. Therefore, the idea of population transfer (a.k.a ethnic cleansing) had always been a major component of Zionist theory and practice.⁴⁷

Table 1.3: Comparison between Jewish land and areas allocated to the Jewish and Palestinian states according to the Partition Plan (UN Resolution 181)

Area	Jewish Land	Partition Plan	% Jewish
JP1	871,720	2,150,684	40.53%
JP2	550,201	1,749,858	31.44%
JP3	119,693	10,707,940	1.12%
JEWISH STATE	1,541,614	14,608,482	10.55%
AP1	67,247	7,907,426	0.85%
AP2	34,782	1,156,276	3.01%
AP3	9,616	2,444,345	0.39%
AP4		11,921	0.00%
ARAB STATE	111,645	11,519,968	0.97%
JERUSALEM	18,361	195,997	9.37%
TOTAL	1,671,620	26,324,448	6.35%

Notes:
 1. Areas in donums.
 2. Figure of 1,671,620 d., Jewish land, is measured from Weitz and Lifshitz map of 1944. This figure is an over-estimate (see text).
 3. Total Palestine land area of 26,324,447 d. is measured. It does not contain lakes area.

Much has been said about the fact that Arabs rejected the partition plan and the Jews accepted it. There were legal problems surrounding the validity of the UN recommendation, such as whether the UN have the authority to partition any country and its refusal to take up the matter to ICJ. If there were no legal problems, the recommendation would be implemented only if both parties agreed to it. All of which received little attention. The Arab position must also be viewed in the light of how much the Arabs lost and the Zionists gained through partition. Under the plan, Jewish control of land in Palestine increased eleven-fold. It is important, moreover, to realize that the Zionist movement viewed partition as a first step towards the creation of a Jewish state in all of Palestine. According to David Ben Gurion, the Chairman of the Jewish Agency who became Israel's first Prime Minister, "Every school child knows that there is no such thing in history as a final arrangement. I do not see partition as the final solution of the Palestine question".⁴⁸ In a letter to his wife Paula and to his children, he later wrote that,

A Jewish state is not the end but the beginning.... We shall organize a sophisticated defence force - an elite army. I have no doubt that our army will be one of the best in the world. And then I am sure that we will not be prevented from settling in other parts of the country, either through mutual agreement with our neighbours or by other means.⁴⁹ [Emphasis added]

1.3 The Borders of Palestine

There are few countries in the world whose borders have been the source of so much conflict. Palestine, like Egypt, Syria, Lebanon, Jordan and Iraq, was part of the successive Arab-Islamic empires which at one time stretched all the way from China to Spain. Under Ottoman rule (1517-1917), Palestine, like other Arab provinces (*wilayat*), was divided administratively into regions (*sana'jek*). The four regions of Palestine (1875-1914) were Acre, Nablus, Gaza and Jerusalem. The modern borders of Palestine reflected European attempts to carve out spheres of influence in the region. They also reflected efforts by the Zionist movement to establish an exclusive Jewish state in the country.⁵⁰ The border issue was also addressed in armistice agreements between neighbouring Arab states and Israel after the first Israeli-Arab war and subsequent peace agreements in the region. These agreements always had a negative impact on the local inhabitants living along the newly defined borders. The people themselves were never consulted. The borders of Palestine have been the centre of conflict and war to this day.

(a) The Border with Egypt

The border between Egypt and Palestine in the south of the country was determined by a number

of developments in the region from the middle of the 19th century to the present. These include British and Turkish interests in the region, and the 1979 peace treaty between Egypt and Israel.

The first administrative line delineating the boundary between Egypt and Palestine was described in the *Firman* issued by the Turkish Sultan in 1841. The *Firman* granted Mohamed Ali Pasha and his descendants the rule of Egypt in return for his retreat from greater Syria (i.e., Syria, Lebanon, Palestine and Jordan) which he occupied and held for ten years. According to the *Firman*, the eastern boundary of Egypt under his rule extended from Rafah to Suez in a straight line leaving two-thirds of the Sinai in greater Syria. The Sultan subsequently granted Mohamed Ali permission to establish guard posts on the Egyptian Pilgrim Road (*Darb al-Haj al-Masri*) in the Sinai outside this line all the way from Suez to Aqaba. Sinai thus fell under Egyptian administration.

This tentative boundary would remain unchanged until 1882 when British forces gained a foothold in Egypt after crushing the revolt against Khedive Tewfic, the ruler of Egypt. Tewfic had sought and received military assistance from the British fleet against rebellious Egyptian officers who demanded reform and good governance. The British navy responded by bombarding the coastal city of Alexandria. Following the defeat of the Egyptian officers, the British effectively ruled Egypt until the Suez war in 1956 (the 'Tripartite Aggression') when the last British presence was withdrawn under the leadership of Gamal Abdel Nasser.

Great Britain exercised control over the country for decades; in the period in question through Lord Cromer. During his time in Egypt, Lord Cromer, who did not like the 1841 *Firman* because Rafah and Aqaba both fell outside Egyptian control, sought to strengthen the presence of the British-dominated government in the Sinai. Brigadier General Owen, Chief of Military Intelligence in Cairo, and one of Cromer's assistants, appointed W.E. Jennings Bramly as Inspector of the Sinai, to spy on Turkish forces in Palestine (i.e. southern Syria). After two years in Nekhl, a small village in the middle of the Sinai, Bramly informed Owen that the imaginary straight line between Rafah and Aqaba was not convenient as a separating line from the Turks since the territory of two Palestinian Bedouin tribes, the Tarabin and the Tayaha, extended into the Sinai until the town of al-Arish.⁵¹ Bramly initiated a series of clashes with the Turks, tried to build forward posts into Turkish-controlled southern Palestine, and attempted to gain the allegiance of the Sinai clans.⁵² His activities disturbed the Turks and his superiors found his zealotry difficult to justify diplomatically.

Bramly's local conflict with the Turkish commander at Aqaba turned into a diplomatic and military crisis. The Turks viewed Bramly's moves as a military threat, particularly to their communication

lines, including the new railway line being built from Damascus to Medina. The Turkish governor of Gaza visited Maqhaba and Qossaima, west of the Rafah-Aqaba imaginary line to assert the Turkish rule. Aware of British designs in southern Palestine, the Turks built in 1900 the modern town of Beer Sheba on the old site with the same name as a centre for their forces and supplies. They also strengthened the town of Auja al-Hafir (on the Palestine-Egypt border as later defined) and Aqaba. The British thus concluded that a line separating the two countries should be established.

In discussing the border conflict Lord Cromer claimed that the 1841 *Firman* delineating the administrative line between Palestine and Egypt was missing. Neither the Turks nor their German allies themselves produced this document. In typical gun-boat diplomacy, Britain sent Man-o'-War ships off the shores of Rafah and Aqaba. With them came a notice that Britain would occupy these places unless the Sultan agreed to a boundary stretching between the two in a straight line. The Sultan agreed and issued an *irade* (Royal Wish) on September 12, 1906, a few hours before British soldiers were about to land. Turkish officers were thus forced to sit with British officers and their Egyptian assistants in a tent north of Aqaba to demarcate the boundary.⁵³

The demarcation of the boundary started from the post of Umm Rashrash (later Eilat) east of Taba on the Gulf of Aqaba.⁵⁴ The starting point of the line was 6 km (3.75 miles) west of the fort of Aqaba (*qal'a*) on the shoreline. British surveyors extended the boundary northwards to Rafah in a straight line by marking mutually-visible benchmarks (later pillars) at the peaks of mountains or hills. It was necessary, however, to deviate from the straight line in a number of places due to local problems. A straight line would have dissected the property and livelihood of tribes who lived astride the proposed straight line between Sinai and Palestine. There was the problem of Ein Kadis and Qossaima, west of the proposed straight line, which belonged to Azazema while Terabin and Segeirat of Tayaha had also rights in and about that location. Al Maghaba and al Auja area were the property of Terabin. All these tribes, Terabin, Tayaha and Azazema, had larger presence in Palestine and were considered largely Palestinian. Many of these tribes owed allegiance to the Turkish government and paid taxes to the *Qaimmaqam* of Beer Sheba whose soldiers visited these locations, sometimes up to al Arish, to collect taxes. Solving their disputes and feuds took place in Beer Sheba.

The boundary commission received these Turkish claims to which the British officers responded with a written statement from some sheikhs that they wished to be under the Egyptian government, in view of the prevalent complaints of a brutal Turkish rule.

48 Flapan, *supra* note 34, p. 22.

49 *Ibid.* Also see, Ben Gurion stating that, "[A]fter the formation of a large army in the wake of the establishment of the state, we will abolish partition and expand to the whole of Palestine." *Ibid.*

50 The eastern and northern borders of Palestine, for example, reflected Zionist interests in staking claims to water supplies in the region. For a study of water issues see, Sherif Elmusa, *Water Conflict*. Washington, DC: Institute of Palestine Studies, 1997; Stephen Longren and David Brooks, *Watershed: The Role of Fresh Water in the Israeli-Palestinian Conflict*. Ottawa: IDRC, 1994; *Water Resources of the Occupied Palestinian Territory*, U.N. Doc. UNA/AC.183(02)W21. New York (1992); Basheer Nijm, "Water Resources in the History of the Palestine-Israel Conflict,"

21 *GeoJournal* 4 (1990), pp. 317-323; Donald Neff, "Israel-Syria: Conflict at the Jordan River, 1949-1967," 23 *Journal of Palestine Studies* 4 (Summer 1994), pp. 26-40.

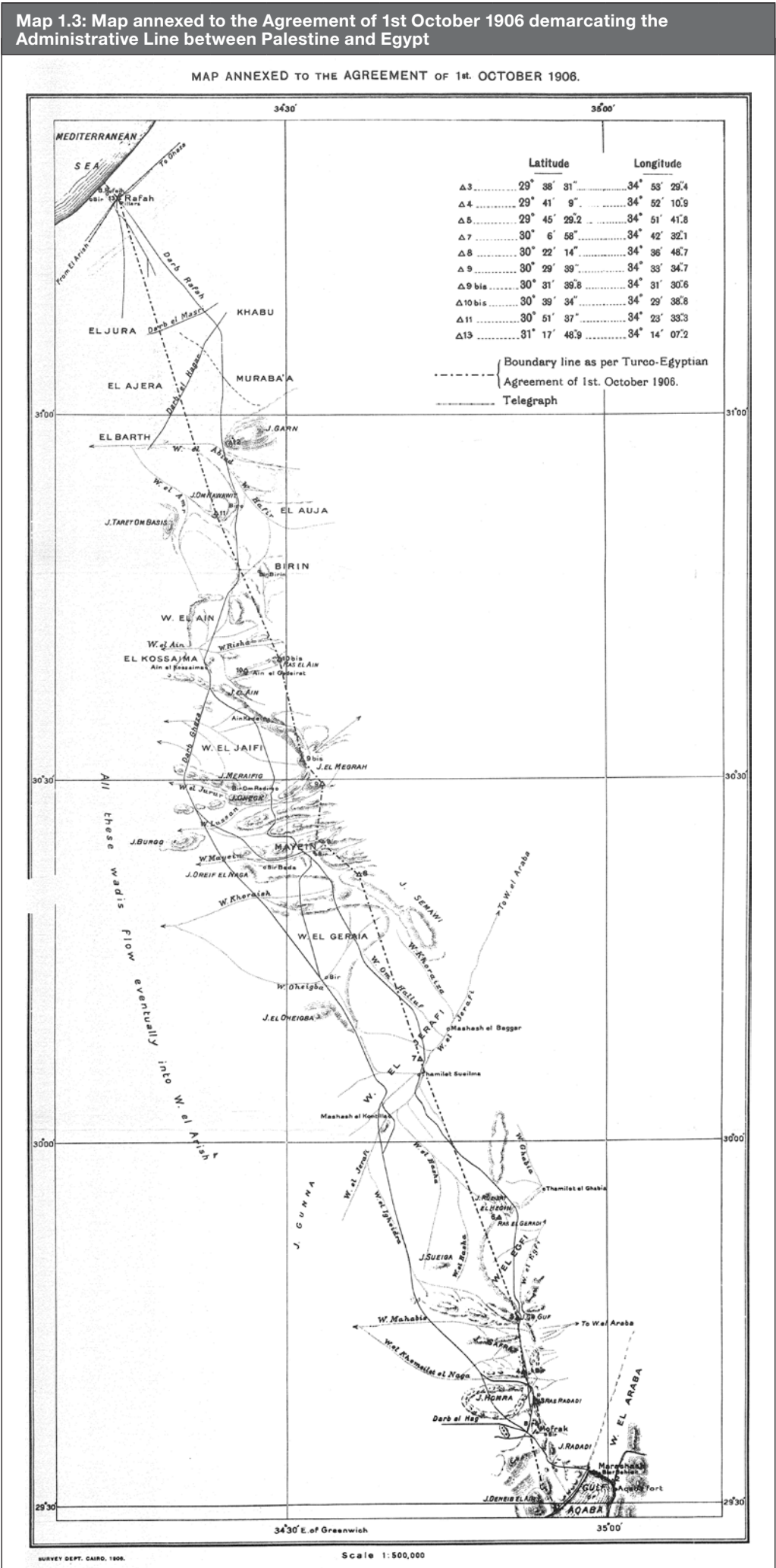
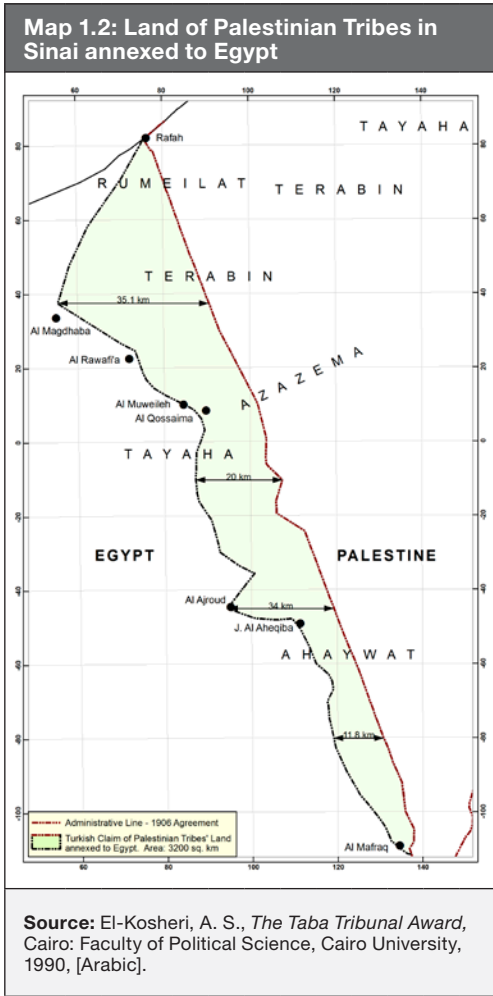
51 Letter from W.E. Jennings Bramly to Brigadier General Owen, August 29, 1902. W.E. Jennings Bramly Papers, London: Royal Geographical Society. Bramly's field reports focus primarily on the strength and armaments held by Turkish forces in Aqaba and Beer Sheba, but they also provide rich details about life in southern Palestine at the time. This includes the number and location of wells, their salinity, use and ownership; the important roads and tracks, who used them and for what purpose; the names of the clans and tribes in the Sinai, their sheikhs, their habits and customs; distinguishing marks (*wasim*) of their cattle; and the size of the clans and tribes, their strength and

their allegiance.

52 Bramly contacted the local sheikhs to ascertain their allegiance. Clan leaders told Bramly that they would fight neither Turkey nor Egypt, both of which were Muslim countries.

53 The full story is told by Na'um Shuqair, *History of Sinai*. [Arabic]. Beirut: Dar al-Jeel, 1991, pp. 588-616. Shuqair was the Secretary of the boundary Committee.

54 A letter from the British Ambassador in Constantinople to London on May 3, 1906 described Taba as "indisputably within Egyptian Territory". From N. O'Conor to Sir Edward Grey, Constantinople, May 3, 1906, Correspondence Respecting the Turco-Egyptian Frontier in the Sinai Peninsula, p. 7, Presented to both Houses of Parliament, July 1906, HMSO, London.



After acrimonious debates, the boundary line remained a straight line, with some slight deviations. An area of 3200 sq.km belonging to Tarabin, Tayaha and Azazema tribes whose larger territory was in Palestine was annexed to Egypt. See **Map 1.2**. The annexed area west of the proposed line included many wells and cultivated areas. Not surprisingly, members of the tribes attacked the demarcation committee during its work. The dispute was eventually resolved through amendments to the boundary agreement allowing the tribes free access to their land and water on either side of the line.⁵⁵

The final agreement marking the 'administrative line' (not a border) between *Wilayat al-Hijaz wa Mutassarrifiyat al-Quds* (the Hijaz province and Jerusalem District) and *Shibh Jazirat Tour Sinai* (the Sinai Peninsula) was signed by the representatives of Egypt and Turkey on October 1, 1906.⁵⁶ See **Map 1.3**. The agreement, however, included clauses protecting the interests of the local tribes affected by the line. According to clause 6, "[a]ll tribes living on both sides of the line have the right of access to water supply as by previous custom, that is, the old practice remains without change as to their rights before the line was drawn".⁵⁷ Clause 7 allowed unhindered traffic across the line but prohibited Turkish soldiers from crossing the line westwards "while carrying arms".⁵⁸ Clause 8 stated that "[t]he inhabitants and tribesmen of both sides [of the line] shall remain in possession of their lands, fields and water sources as was [previously] accepted by custom between them".⁵⁹

55 This subject had occupied 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.
 56 Shuqair, *supra* note 53, pp. 613-614; Text of the Agreement Defining the Turco-Egyptian Boundary (in English). *Palestine Boundaries 1833-1947*, Reading: Archives Edition, 1989, Vol.

1, pp. 693-694.
 57 *Ibid.*
 58 *Ibid.*
 59 *Ibid.*

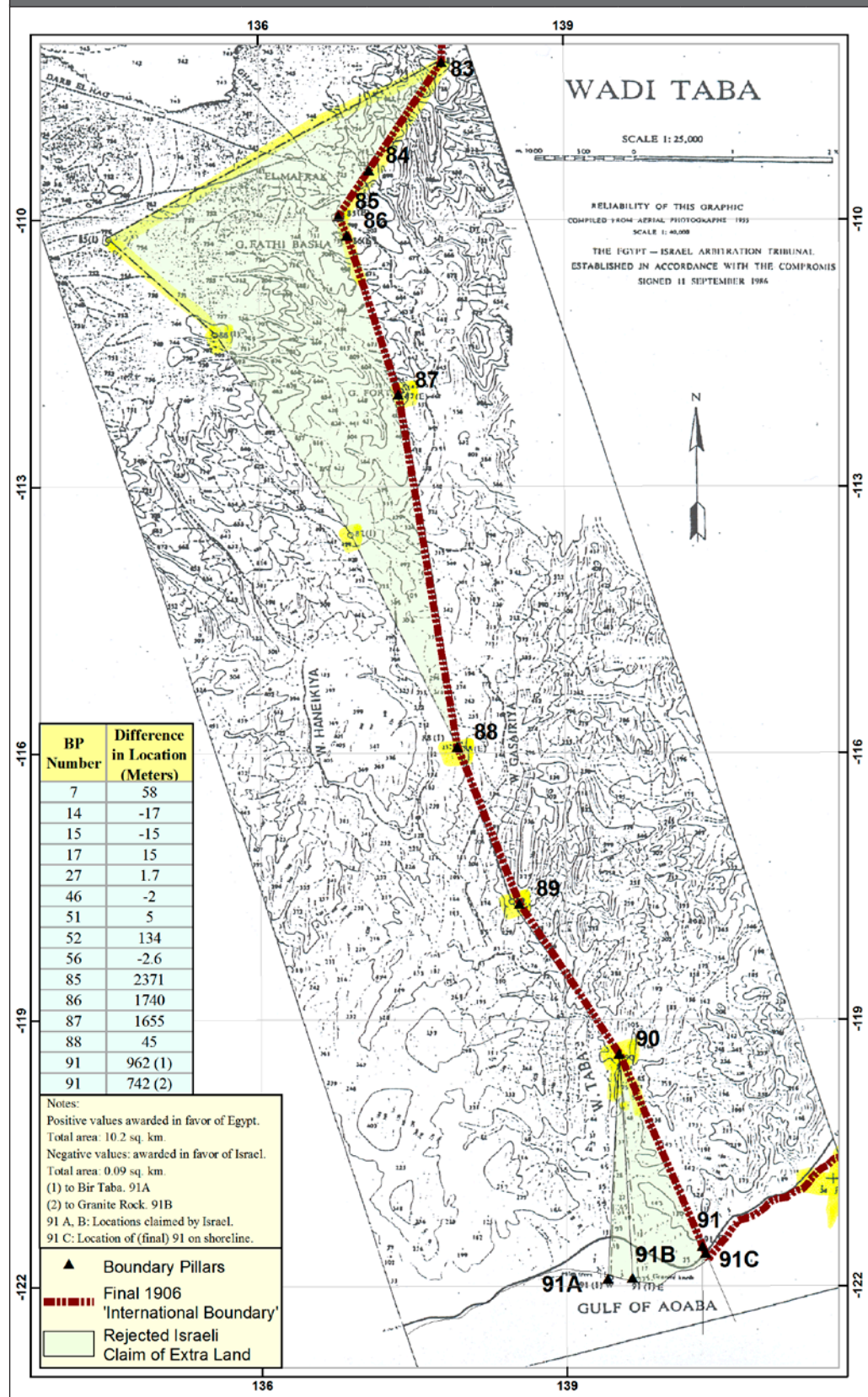
The status of the administrative line remained essentially unchanged following the British occupation of Palestine in 1917 and the establishment of the Mandate government (1920-1948). Although Egyptian police had posts in Rafah, al-Arish and Qantara on the Suez Canal along the Egypt-Palestine Railway line, it was only in Qantara that Palestinian passports were stamped as passengers entered Egypt proper. With the signing of the Armistice Agreement between Israel and Egypt on February 24, 1949⁶⁰ (see Armistice Agreements, Section 3.2), this line became a *de facto* border.

Approximately one week after the signing of the Armistice Agreement, however, Israel occupied all of the area south of Beer Sheba to the Aqaba coast, including Umm Rashrash (later Eilat). In 1951, Egypt submitted a Note⁶¹ to the United States protesting Israel's occupation of Umm Rashrash in violation of the Armistice Agreement. During the 1967 war Israel occupied all of Sinai including Taba south west of Umm Rashrash.

Egypt and Israel later recognized the 1906 administrative line as an international boundary when the two countries signed a peace treaty on March 26, 1979.⁶² Under the agreement, Israel acknowledged the territory west of the line to be Egyptian, which is simply a statement of undisputed fact well before Israel's creation; Egypt recognized the territory east of the line to be 'Israeli' (i.e., not Palestinian) even though most of it was conquered by Israel after the signing of the 1949 Armistice Agreement.⁶³ The portion of the line at Rafah, marking the western boundary of the Gaza Strip, however, was not recognized by Egypt to be Israeli.⁶⁴ Article II of the 1979 treaty states that "[t]he permanent boundary between Egypt and Israel is the recognized international boundary between Egypt and the former Mandated Territory of Palestine, as shown on map at Annex II, without prejudice to the status of the Gaza Strip."⁶⁵ On the same date of the Treaty and in the form of a letter to the USA President, Israel and Egypt declared their intention to enter into negotiations to establish a "self-governing authority" in the West Bank and Gaza Strip and to "define its powers and responsibilities". Jordan and Palestinians would be invited to join the negotiations. As it happened, the negotiations did not take place under this framework. If they did, the legality of disposing of Palestinian rights without the Palestinian approval is questionable.

Egypt agreement that the Palestinian territory east of the 1906 administrative line, which was occupied in violation of the Armistice Agreement with Egypt and contrary to the Security Council resolutions of 4 and 16 November 1948,⁶⁶ which called for the withdrawal of Israeli forces from lands occupied in Palestine before this date and obviously later, is "Israeli" territory, absolves Egypt from its responsibility towards Palestine which it came to defend in 1948 and lost. This does not bestow any rights on Israel or its occupation of this territory. Ralph J. Bunche, UN Acting Mediator on Palestine made a statement to the Security Council on 4 August 1949, in which he said,

Map 1.4: The Final Location of Disputed Boundary Pillars as awarded by the Taba Arbitration Tribunal



These [Security Council] resolutions continue in force [after signing armistice agreements], however, and will continue in force until the Security Council takes appropriate action concerning them.⁶⁷

Israel's illegal occupation of *Naqab* was the basis of its claim of sovereignty over this part of southern Palestine. Nine years after Peace Treaty with Egypt, Israel entered into a dispute with Egypt over the location of the boundary pillars (BP)

of the 1906 administrative line, particularly the location of Taba hotel. Israel was not satisfied with the implied Egyptian acceptance of its claim over occupied Palestinian land, it challenged the extent of Egyptian territory itself.

The dispute was put to arbitration⁶⁸ regarding the location of BP 7,14,15,17,27,46,51,52,56,85,86,87, 88 and 91. The latter, BP 91, close to Aqaba Gulf shoreline was the most important as it determined on whose side Taba was. The Arbitration Award

60 Egyptian-Israeli General Armistice Agreement, U.N. Doc. S/1264/Corr.1, 24 February 1949.
 61 Aide-Memoire from the Egyptian Ministry of Foreign Affairs enclosed with the British Embassy letter, Cairo to London, May 18, 1951. Cited in Toye and Seay, Vol. 5, *supra* note 41, p. 81.
 62 Peace Treaty between Israel and Egypt ['Camp David Agreement'], March 26, 1979.

63 See, Article II and Annex II (Map of Israel-Egypt International Boundary), *ibid.*
 64 *Ibid.*
 65 *Ibid.*
 66 S/RES/61 (1948), S/1070 and S/RES/62 (1948), S/1080.
 67 S/1363 (1949). See also <http://content.cdlib.org/xtf/>
 68 See Taba Arbitration (Egypt v Israel) (1988) 80 ILR 226. Also, Israel

and Egypt, Arbitration Compromis regarding the Permanent Boundary between Israel and Egypt, Giza, 11 September 1986, UN Treaty Series No. 29013. See the arbitration award: Israel and Egypt, Agreement regarding the Permanent Boundary, 29 September 1988, UN Treaty Series No. 29014.

determined in favour of Egypt for 10 BPs including BP91 and in favour of Israel for 4 BPs. The location of the critical BP91 is shown in **Map 1.4** as claimed by either party. Egypt gained 10.2 sq. km and Israel gained 0.09 sq.km with respect to their claims. The dispute over Taba was explained at length by Egyptian jurists.⁶⁹

According to the Peace Treaty with Israel, Egypt has full civil control over Sinai but limited military control. Sinai is divided into 4 north-south strips with restricted Egyptian military presence, least of all in the strip parallel to the Palestine border.

(b) The Border with Syria and Lebanon

The border between Palestine and Syria and Lebanon in the northern part of the country was influenced by the terms of the mandates established under the League of Nations, the related Anglo-French interests in the region and the struggle to control water resources.

After WWI and in accordance with the 1916 Sykes-Picot Agreement⁷⁰ between Great Britain and France, greater Syria was divided into Syria and Lebanon. The League of Nations accorded France mandatory powers in Lebanon while Palestine and Transjordan (Jordan today) were placed under British Mandate. During the Peace Conference at Versailles in 1919, French, British and Zionist officials put forward proposals regarding the borders of Palestine that would serve their respective interests.

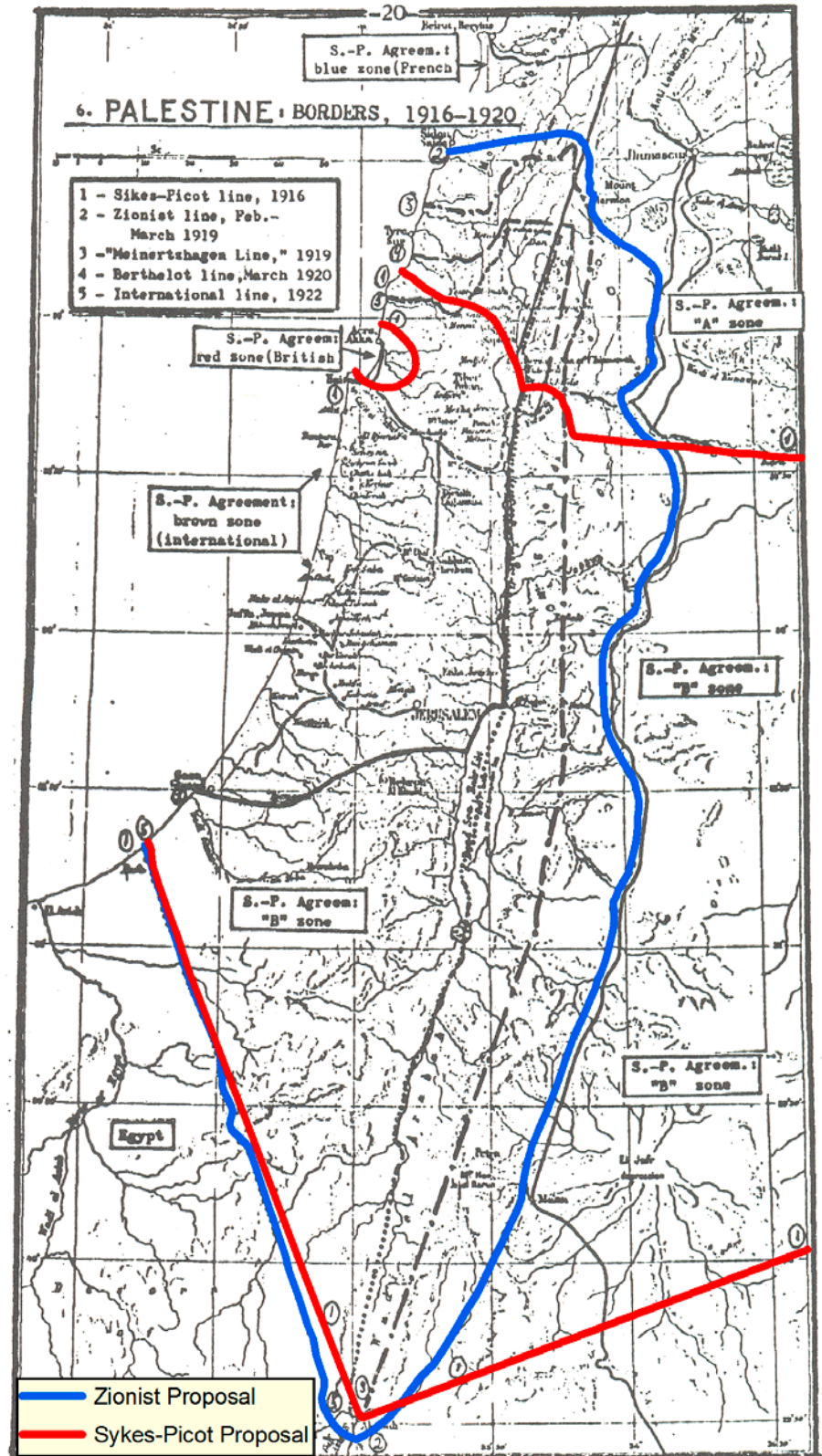
While Allenby's campaign to conquer Palestine and Syria was proceeding in 1918, the Zionists pressed their demands to expand the frontiers of Palestine as much as possible to include all water resources of the Jordan River, Litani, Yarmouk and Jabal esh. Sheikh (Mt. Hermon). Their demands were supported by Meinertzhagen, Allenby's Political Officer and an ardent Zionist and by the close working relationship between Balfour and Ch. Weizmann. This relationship enabled Zionists not only to have influence on the final outcome but also in drafting the wording of political agreements.

In their statement to the Paris Peace Conference, the Zionists referred to Palestine as "the historic home of the Jews", and, to dispel fears, noted that "[t]he greater part of the fourteen million [Jews]... must remain in their present localities".⁷¹

This statement also claimed that Palestine was "desolate". Only 'nomads' were roaming the country for grazing. To support this, the Zionists produced a map hatched all over Palestine, except the mountainous area, with the word "grazing" spread over it, ignoring about 1000 ancient towns and villages in the land. By way of contrast, the statement said that Palestine needed "energetic, intelligent and devoted" population "backed by large financial resources" and that "[s]uch a population the Jews alone can supply".

In describing the desired boundaries for Palestine, it was emphasized that "the necessary economic foundation of the country" under a "modern civilized government" using "modern scientific meth-

Map 1.5: The Zionist and Sykes-Picot Border Proposals to the Peace Conference, Paris, 1919



Source: Statement of the Zionist Organization to the Paris Peace Conference regarding Palestine, Feb 3, 1919, Political Report, Reports of the Executive of the Zionist Organization to the XII Zionist Congress, 1921, pp.74-83, quoted in: P.Toys (ed), *Palestine Boundaries 1833-1947*, Cambridge: Archive Editions, 1989, Vol. 2, pp. 213-223.

ods", requires all the available water resources. Hence the boundary proposed by the Zionists was as follows: See, **Map 1.5**.

The boundaries of Palestine shall follow the general lines set out below:-

Starting on the North at a point on the Mediterranean Sea in the vicinity south of Sidon

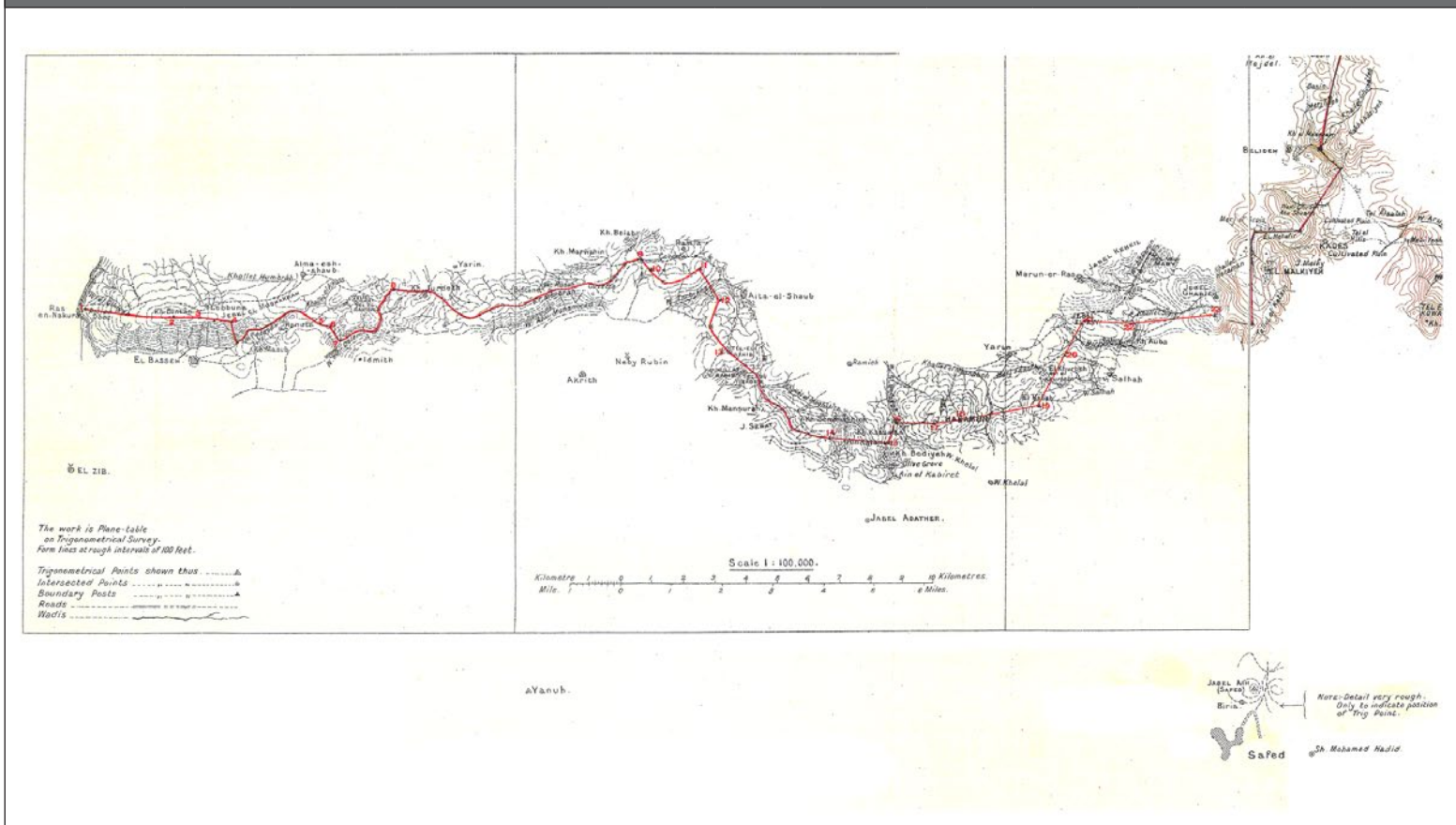
and following the watersheds of the foothills of the Lebanon as far as JISR EI KARAON, thence to EL BIRE, following the dividing line between the two basins of the WADI EL KORN and the WADI ET TEIM, thence in a southerly direction following the dividing line between the Eastern and Western slopes of the HERMON, to the vicinity west of BEIT JENN, thence eastward following northern watersheds of the NAHR

69 See, Yunan Labib Rizk, *Taba, The Century Case* [Arabic]. Cairo: al-Ahram Translation and Publishing Co., 1989. Rizk was on the Egyptian Team of Arbitration. Also see, Ahmed Fouad Mutwalli, *Taba Case between the Past and the Present* [Arabic]. Cairo: al-Nahda al-Misriya Bookshop, 1989. Also see, Ahmed S. El-

Kosheri, *The Taba Tribunal Award*, Cairo: Faculty of Political Science, Cairo University, 1990. [Arabic].
70 *Supra* note 10.
71 Statement of the Zionist Organization to the Paris Peace Conference regarding Palestine, Feb 3, 1919, Political Report, Reports

of the Executive of the Zionist Organization to the XII Zionist Congress, 1921, pp.74-83, quoted in: P.Toys (ed), *Palestine Boundaries 1833-1947*, Cambridge: Archive Editions, 1989, Vol. 2, pp. 213-223.

Map 1.6 (a): Map showing the Demarcated Boundary between Palestine and Syria/Lebanon on 3rd February 1922 by Newcombe and Paulet (part: Sheet I, II)



MUGHANIYE close to and west of the Hedjaz Railway.

In the east a line close to and west of Hedjaz Railway terminating in the Gulf of Akaba.

In the south a frontier to be agreed upon with the Egyptian Government.

In the west the Mediterranean Sea.

The details of the delimitations or any necessary adjustments of detail, shall be settled by a special commission on which there shall be Jewish representation.⁷²

These maximalist demands were at variance with the division of Arab lands between the colonial powers according to Sykes-Picot Agreement of 1916, as shown on Map 1.5. Clearly, Zionist officials submitted the above map showing the boundaries of Palestine as they wished Britain to grant them in order to establish a “national home for the Jews”.⁷³ These boundaries went deep into Transjordan and enveloped all water sources in Palestine at Yarmouk, Tiberias, Hula, Golan and south Lebanon rivers until the ancient Mediterranean port of Tyre (Sur). British officials proposed a boundary which contained less territory than the Zionist plan, but nevertheless annexed all major water sources.⁷⁴ The French were keen to establish a Christian state in Lebanon and wanted the territory to be viable.

That meant expansion of the proposed territory from the Lebanese mountains to the south, where a large Shi’ite (*Metawla*) community lived. This poor community was considered harmless and will not pose a threat to the Christian state of Lebanon.

Under the compromise reached between Britain and France, the boundaries of Palestine incorporated the mouth of the Yarmouk River until the village of al-Hamma, all of Lake Tiberias and a ten meter strip around it, all of Lake Hula, and a strip east of the Jordan River, up to Tell al-Qadi (owned by a Lebanese family). The boundary then veered south around Metulla, keeping Banyas in Syrian territory, until it left almost no Shi’ites in Palestine and met the Mediterranean at Ras al-Nakoura. The northern boundary of Palestine extended for 77.63 km with Syria and 82.27 km with Lebanon as measured by GIS on the curved line.

Lt. Colonel Stuart Newcombe and his French counterpart Lt. Colonel M. Paulet surveyed the boundary as agreed and submitted their report on February 3, 1922.⁷⁵ See **Maps 1.6**. The border agreement was ratified on March 7, 1923 between the representatives of the French and the British Mandates.⁷⁶ As happened in the south, the decision to demarcate the border met local resistance, especially among those directly affected who had not been consulted. Thirty-one Palestinian villages in the districts of Safad and Acre were divided by the border.⁷⁷ Homes, water

supplies, fishing waters, fields, and grazing land were split on both sides of the new boundary. The whole agreement fell into jeopardy. A similar case took place twenty-six years later during the demarcation of the Armistice Line. (See Armistice Agreements, Section 3.2.)

The ‘Good Neighbourly’- *Bon Voisinage* - Agreement⁷⁸ was signed on February 2, 1926 by the French and British High Commissioners of Lebanon and Syria, and Palestine respectively to address some of the hardships created by the 1923 agreement. The new agreement included many of the same features of the 1906 agreement demarcating the administrative line between Egypt and southern Palestine. It ensured protection of the rights of the population on both sides of the border in the use of water, navigation and fishing, crossing the border without passports, transportation of goods either way and paying the lesser of taxes applicable on both sides of the border. These provisions only applied to the population living in the border region. Unlike the 1906 agreement, however, the Good Neighbourly Agreement stipulated that disputes, if not resolved amicably by a special committee of the three governments, could be referred to an international court.⁷⁹

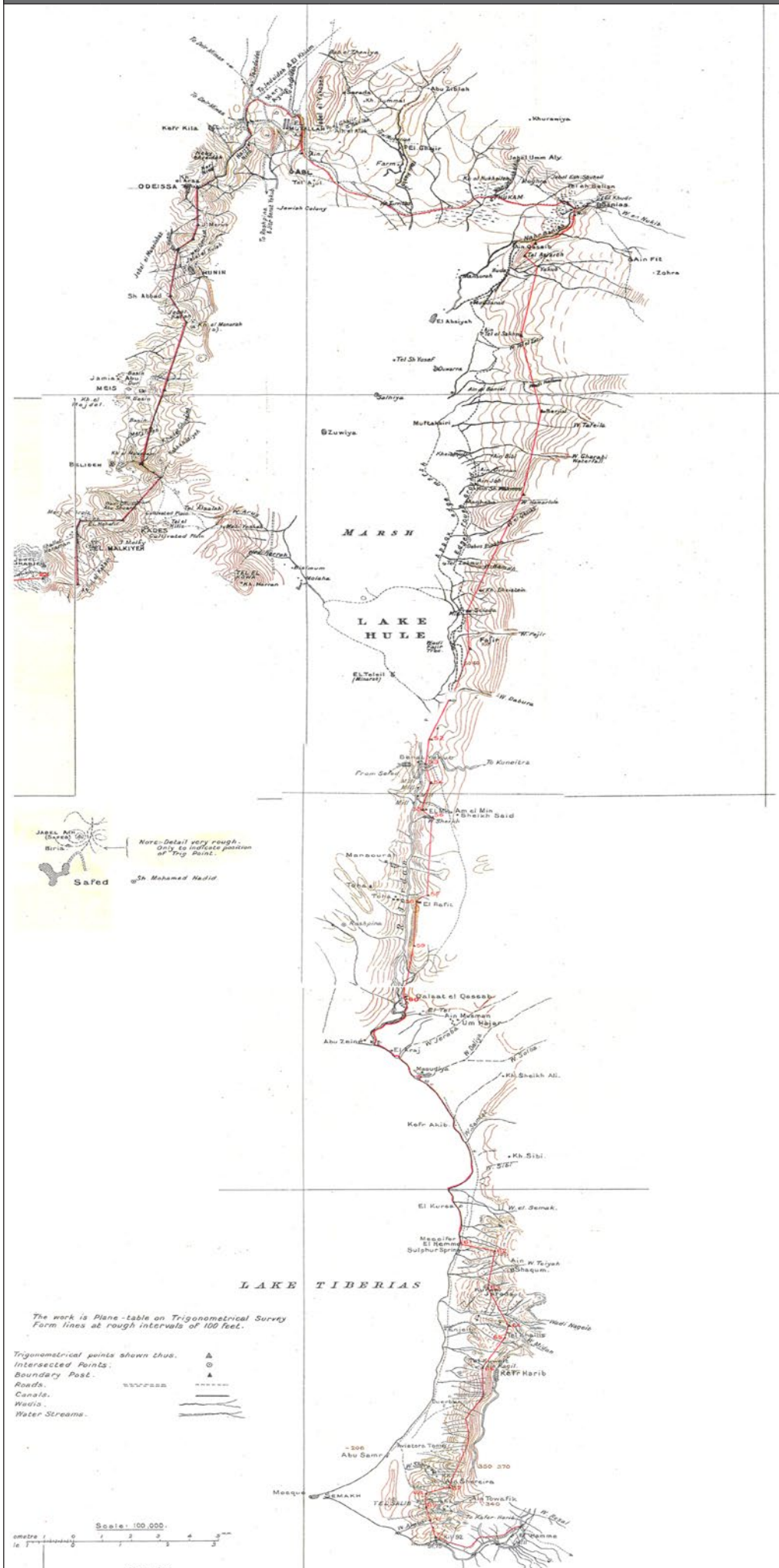
The old Zionist ambition to expand the territory they controlled and tap Litani waters did not cease after creating Israel within Palestine in 1948. Israel invaded and occupied south Lebanon, in addition

72 *Ibid*, item: *The Boundaries of Palestine: Schedule*, p.11 of the Report, p. 214 of the Archives.
 73 Gideon Biger, *An Empire in the Holy Land: Historical Geography of the British Administration in Palestine, 1917-1929*. New York: St. Martin's Press and Jerusalem: The Magnes Press and Hebrew University, 1994, p. 47.
 74 One of the British proposals was put forward by Meinertzhagen, a British colonial officer who came from Africa to be General Allenby's chief intelligence officer in Palestine. Meinertzhagen was known for his anti-Arab sentiments. For his racism and hatred of the Arabs see, Colonel R. Meinertzhagen, *Middle East Diary, 1917-1956*. London: The Cresset Press, 1959. Although

described as a diary, some scholars reckon it was written in his retirement because of contradictions and inconsistencies.
 75 For more details see, Toye and Seay, especially Vol. 1 to Vol. 5, *supra* note 41; Moshe Brawer, *The Frontiers of the Land of Israel: Past, Present and Future*. [Arabic] Amman: Dar al-Jalil, 1990; and, Muhammad Mahmoud ad-Deeb, *Palestine Borders: Analysis of Mandate Documents*. Cairo: Arab Research and Studies Institute, 1977.
 76 *Ibid*.
 77 These villages include: al-Metulla, al-Nakhila, Alma, Iqrit, Hanuta, Ma'suba, Duhairja, Jurdieh, Kafir Bir'im, Sarouh, Nabi Rubin, al-Na'ima, al-Khalisa, al-Zawiya, al-Mansura, al-Zuq al-Tahtani,

al-Zuq al-Fauqani, Khan al-Duwayr, al-Khisas, Dafna, al-Lazaza and three others in addition to the so-called “seven villages” which are: Abl al-Qamh, Hunin, Malkiya, Tarbikha, Qadas, Saliha and Nabi Yusha'. The exact number and identification of these villages vary to some extent. However the 'seven villages' were recognized after 1948 by Lebanon to be Lebanese. Their inhabitants, although registered Palestinian refugees, were granted Lebanese citizenship.
 78 For more details see, Toye and Seay, *supra* note 41; Brawer, *supra* note 75, pp. 129-132; and, ad-Deeb, *supra* note 75, pp. 65-77.
 79 See, Clause 12 of the Good Neighbourly Agreement, in ad-Deeb, *supra* note 75, pp. 76-77.

Map 1.6 (b): Map showing the Demarcated Boundary between Palestine and Syria/ Lebanon on 3rd February 1922 by Newcombe and Paulet (part: Sheet II, III)



to other key locations, and stayed 22 years before withdrawing on 24 May 2000. This border area has been subject to frequent raids and incursions by land, air and sea until today.

The Armistice Line between Israel and Lebanon remains the 1923 international boundary as agreed between the British and French Mandate authorities. There is no treaty between the two countries defining this border.

During the Mandate, both authorities installed 71 Boundary Pillars to demarcate Palestine's boundary with Syria and Lebanon including 40 in the latter. The British Mandate government installed 85 "blockhouses" (observation posts) near the border to prevent material and volunteers reaching Palestine during the Arab Revolt (1936-1939).

Israel constantly dispute the borderline with Lebanon. Although solid pillars were erected long time ago, the line between them was disputed by Israel on the basis that various sections of the border were not finally settled. **Map 1.7** summarizes this situation. Map 1.7 shows the international boundary with numbered boundary pillars starting from no. 1 on the Mediterranean Sea. Pillar No. 71 is located at the Syria/Jordanian border at Yarmouk river. It will be noted that the international boundary, plotted from Survey of Palestine (1:20,000 sheets), coincides with the UN "Blue Line" (Map 4143 rev. 1) published in July 2000. Both pass through boundary pillars. Map 1.7 also shows the Palestinian villages south of the border, most of which had been depopulated and exiled to Lebanon, including the Seven Villages. Map 1.7 also shows 15 of the "blockhouses" and the Israeli claims of border dis/agreement conditions including the sectors of border incursions.⁸⁰

The Palestine boundary with Syria is more complicated. Israel over-ran the DMZ of northern Palestine and the Golan heights in Syria in the period 1950-1967, following signing of the Armistice Agreements with Syria on 20 July 1949. These details are described later. (See Armistice Agreements, Section 3.2.)

(c) The Border with Jordan

The location of the border between Palestine and Jordan was also influenced by the terms of the mandates established by the League of Nations and later by the peace treaty between Jordan and Israel.

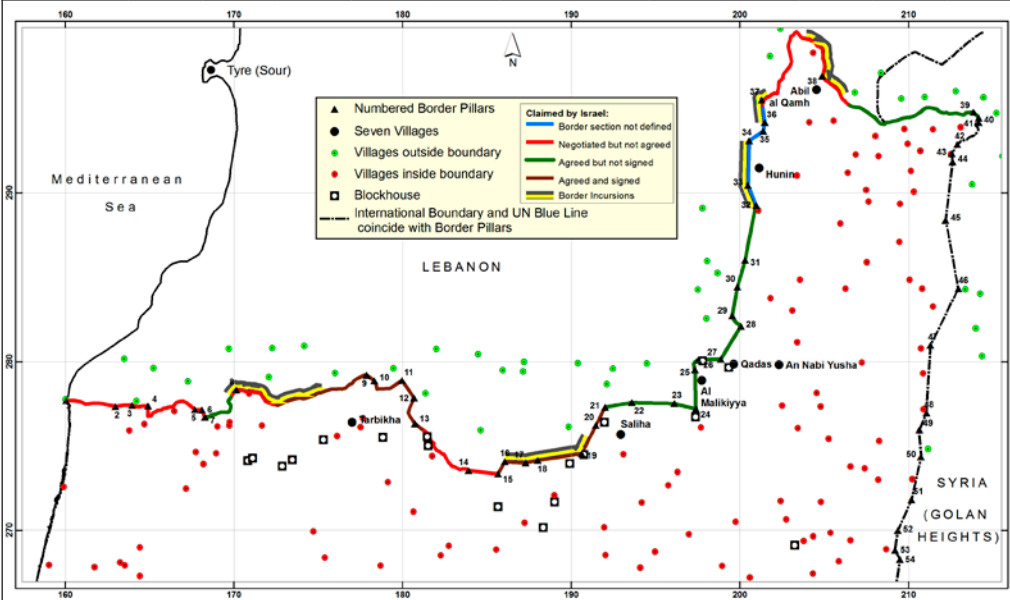
In 1921, Winston Churchill, the British Colonial Secretary, decided to recognize Transjordan as a separate territorial unit under Amir (later King) Abdullah, son of Sherif Hussein. The latter had led the Arab revolt against Turkish rule during WWI. Churchill's decision was regarded as partial recompense for the British betrayal of its promises to the Arabs of unfettered complete independence in their territories.⁸¹ The town of Ma'an, located on the eastern border of Wadi Arabah and previously part of Hijaz, was annexed to Transjordan Emirate in 1927. Ma'an province provides Jordan's outlet to the sea at Aqaba.

80 The Israeli claims are derived from: David Eshel, *The Israel-Lebanon Border Enigma*, University of Durham, IBRU Bulletin,

Winter 2000-2001. Border BPs, villages, blockhouses are based on Survey of Palestine Sheets 1:20,000.

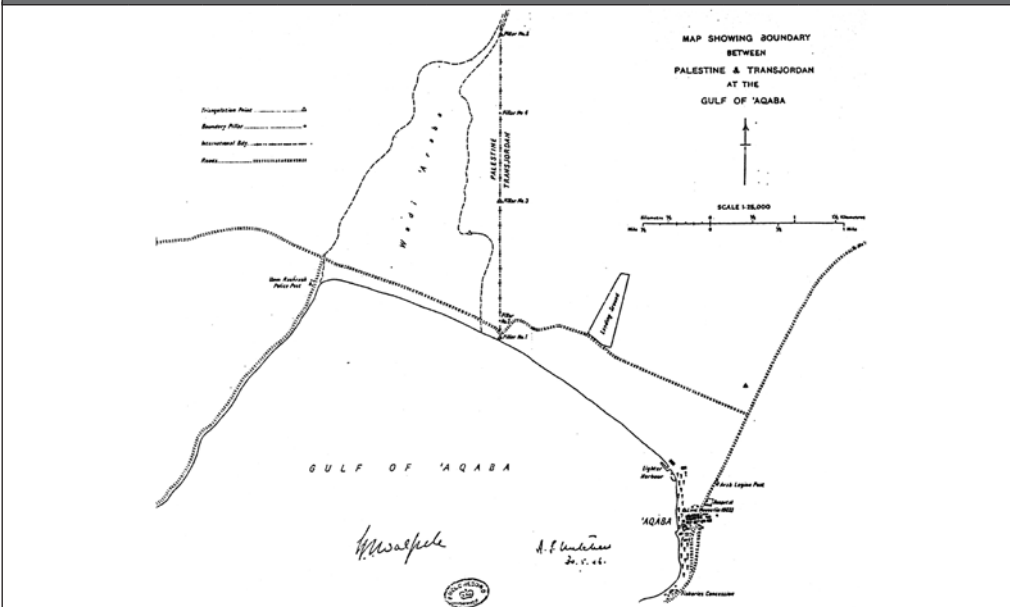
81 For a summary see, Mary C. Wilson, *King Abdullah, Britain and the Making of Jordan*. Cambridge: Cambridge University Press, 1987, p. 53.

Map 1.7: Boundary Pillars on Palestine Border with Syria and Lebanon showing Israeli Claims of Border Disputes



Source: Survey of Palestine 1:20,000. Israeli Claims derived from: David Eshel, IBRU Bulletin, Winter 2000-2001.

Map 1.8: Map showing the Boundary Point on the Gulf of Aqaba as agreed by the British Representatives of Palestine and Transjordan on May 30, 1946



The border remained quiet until 1946 when Zionist militias blew up the bridges on the Jordan River to prevent Arab reinforcements from reaching Palestinians.⁸² On June 3, 1946, Sir Alec Kirkbride, the British representative in Amman, wrote to London asking for guidance about the territorial integrity of Transjordan as Zionist designs became more ominous. Kirkbride noted that “so long as both countries [Palestine and Transjordan] formed part of the same [British] Mandated territory, the present arrangement served all practical needs but now that Transjordan has become independent, the position should be regularized”.⁸³

As a precaution Kirkbride had already come to an agreement with the British High Commissioner in Palestine about the need to demarcate the boundary.⁸⁴ The British Directors of the Survey

Departments in Jerusalem and Amman, A.P. Mitchell and G.F. Walpole respectively, signed an agreement on May 5, 1946⁸⁵, defining the border point on the Gulf of Aqaba to be two miles (3.2 km) west of the most western house in the town of Aqaba. The boundary then headed straight north until it met the *thalweg* (middle lowest point) of Wadi Arabah. See **Map 1.8**. Both banks of Wadi Arabah at Aqaba were thus located in Palestine. Thereafter, the boundary followed the centre of Wadi Arabah as a natural physical landmark.

The border between Palestine and Transjordan proved to be a constant source of dispute after the creation of Israel in 1948. In addition to the clashes at the armistice line in Palestine (See Armistice Agreements, Section 3.2), there were four areas of dispute between Jordan and Israel: (1) al-Baqura or Jisr al-Majami’; (2) the boundary

line along the Jordan River; (3) Wadi Arabah; and, (4) land claimed to be bought by Jews from Transjordan notables.

The al-Baqura problem began in 1927 when Pinhas Rutenberg, a Zionist engineer who came to Palestine in 1919 from the Ukraine, obtained a permit from the Mandate government to buy 6,000 donums at the crossing of the Jordan and Yarmouk rivers.⁸⁶ He also received a licence to build a power-generating station. This land was in Transjordan territory but it served the Palestine Electric Corporation, a Zionist enterprise founded by Rutenberg in 1923. The railway line from Baysan to Samakh on Lake Tiberias passed through this land for 4 km before it re-entered Palestine. The area contained the Yarmouk reservoir, a telegraph line, customs office, a landing strip and a Transjordan Frontier Force post. Rutenberg subsequently found that he did not need 6,000 donums and sold the land for Jewish colonization instead of returning it to the government.⁸⁷ The Zionist settlement of Naharayim was later built on this land. See **Map 1.9**.

In the summer of 1950, Israel occupied Jisr al-Majami’ leading to al-Baqura based on the claim that both lay on the Israeli side of the Armistice Line.⁸⁸ The Hashemite Kingdom of Jordan (i.e., Transjordan and the Palestinian territory of the West Bank which Jordan annexed in 1950) appealed to Britain, France and the United States on the basis of the 1946 Anglo-Jordanian Treaty⁸⁹ and the 1950 Tripartite Declaration.⁹⁰ It turned out neither the Treaty nor the Declaration was of any assistance to Jordan. The subject remained a source of frequent friction and popular discontent for about half a century. The dispute was officially resolved when Israel and Jordan signed a peace treaty on October 26, 1994.⁹¹ Under the Treaty, Israelis in Naharayim, visitors, labour and staff are permitted to cross the Jordan border without hindrance. They are also exempt from taxes and customs. Israeli police can enter the area at will. Israeli law is applicable in Naharayim. No armed Jordanians are allowed to enter the area. In return, Israel recognizes Jordan’s (inoperative) sovereignty on the area.

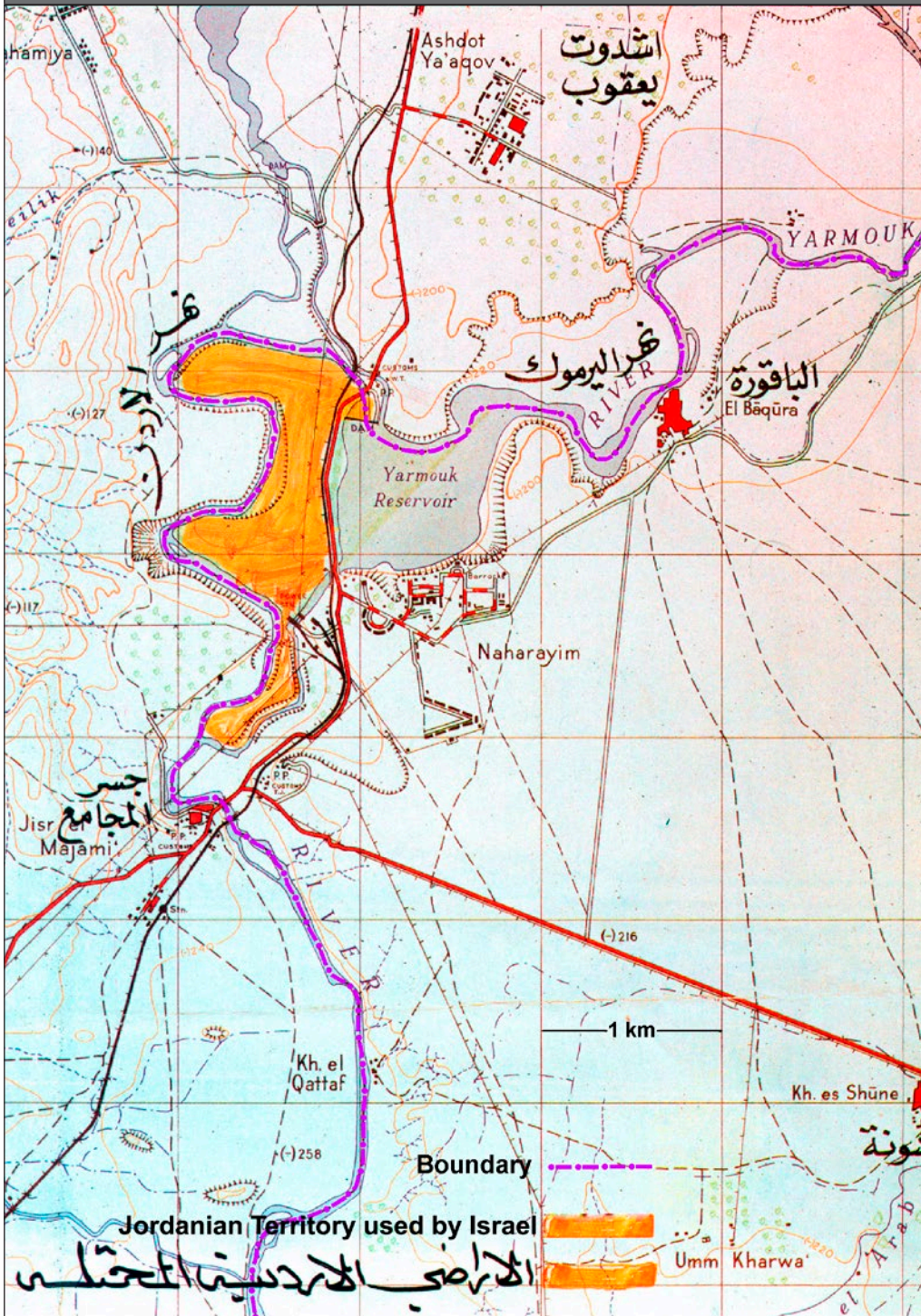
The second area of contention was the boundary along the Jordan River from Lake Tiberias to the Dead Sea. According to the 1994 Peace Treaty, Israel and Jordan agreed that “the boundary shall follow the new course of the flow...in the event [only] of natural changes”.⁹² Otherwise, “the boundary shall not be affected unless otherwise agreed”.⁹³ To test this case, our study compared the 1924 maps from the *Survey of Palestine* with the aerial photos taken by the Royal Air Force (RAF) in 1945 for several locations. See **Map 1.10**. There was no appreciable change in the course of the river during this period (1924-1945). However, if the same old boundary is compared with the course of the river according to Israel’s 1998 maps, the river takes short cuts, such that, on the average, Israel/Palestine gains and Jordan loses territory. Whether this was a natural phenomenon or man-made is not clear without proper investigation.

82 Letter from A. Kirkbride to Ernest Bevin, Secretary of State for Foreign Affairs, June 28, 1946, in Toye and Seay, Vol. 1, *supra* note 41, p. 433.
83 *Ibid.*, p. 440.
84 Letter from Kirkbride, British Resident, Amman to High Commissioner for Transjordan, Jerusalem, October 2, 1945, in Toye and Seay, Vol. 1, *supra* note 41, p. 395.
85 *Ibid.*, p. 413.

86 Wilson, *supra* note 81, p. 100.
87 *Ibid.*, p. 105.
88 Monthly Situation Report of Jordan for September 1950, October 1, 1950 from the British Legation, Amman in Toye and Seay, *supra* note 41, Vol. 2, pp. 669-770.
89 Wilson, *supra* note 81, p. 148.
90 Tessler, *supra* note 27, p. 275. The Declaration was made by the three big powers to stand by any party in the Middle East

subject to aggression by another party which would change the outcome of the 1948 war.
91 Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, 26 October 1994, Article III, paragraph 8, and Annex 1(b).
92 Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, Article 3, paragraph 5, *supra* note 91.
93 *Ibid.*

Map 1.9: Map showing Al Baqura, Naharayim and Jisr al Majami', as annexed to the Jordan-Israel Peace Treaty of 1994



The third area of dispute was Wadi Arabah. Following signing the Armistice Agreement with Egypt on 24 February 1949, limiting Israeli forces' presence down to a horizontal line between Beer Sheba and Auja (Nitzana), with the latter being DMZ, two Israeli columns crossed this line and advanced towards Aqaba and Umm Rashrash (on which Eilat was later built). One column advanced through central Naqab, crossing into Egyptian territory near Taba. The other followed a path close to Wadi Arabah. The columns planted the Israeli flag at Umm Rashrash on 10 March 1949. Thus Israel occupied 7,000 sq. km of southern Palestine without a single shot by Egypt or Jordan, (then Transjordan), the two neighbouring states to Palestine. This occupation was in clear violation of the two Security Council resolutions of 4, 16 November 1948 and of the Armistice Agreement with Egypt. There is no armistice agreement dealing with this occupation. It was also an embarrassment to Jordan government, which was at the time negotiating an armistice agreement with Israel in Rhodes and to its British-led forces which did not resist this occupation although British forces in Aqaba were within sight of Umm Rashrash.

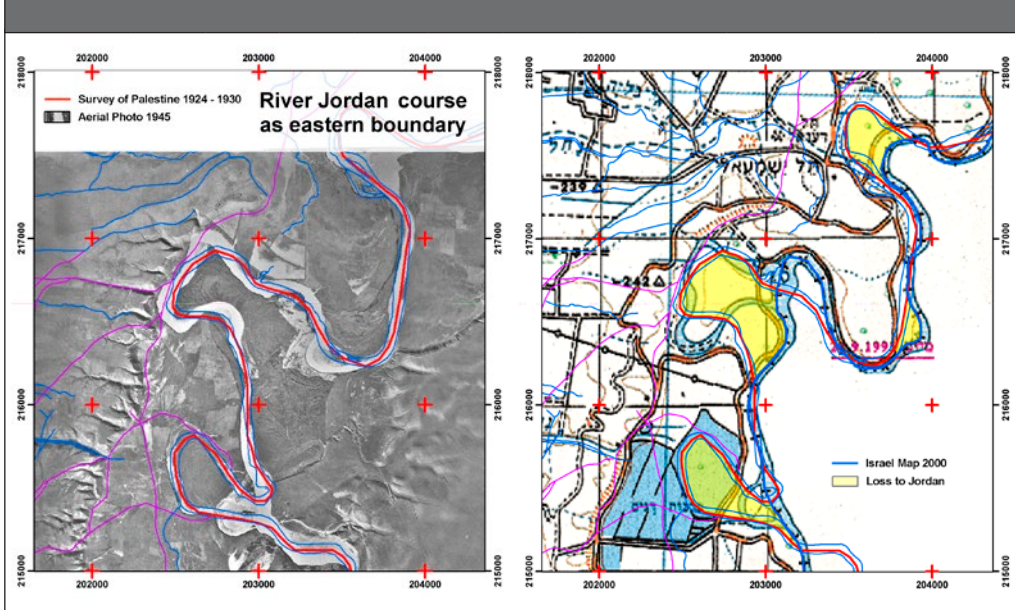
The Israeli occupation of Arab land did not stop at this point. The Israelis built a new road along Wadi Arabah ('Elath road') well into Jordanian territory. In 1951, Jordan informed the Mixed Armistice Committee (MAC) that in the "area between K.74 and K.78 on Wadi Arabah" Israel trespassed on Jordanian territory to a distance "of 4.7 km in length and a penetration of 500m" along Wadi Arabah between coordinates 164.351, 957.211 (-42.789) and 165.456, 952.800 (-47.200).⁹⁴ That was the finding of a joint Jordanian-Israeli survey team accompanied by UN observers which carried out the survey around the end of 1950. Israel crossed the old road along Wadi Arabah which Jordan used to reach Aqaba for at least the previous 30 years and penetrated Jordan territory. This territory is Jordanian according to the triangulation points on the 1:100,000 maps. Israel refused to accept these maps or the customary practice that the border coincides with the middle or *thalweg* of the Wadi and in accordance with the 1922 Order in Council and insisted on adopting the less accurate 1:250,000 maps.⁹⁵

British officers subsequently sent a report to their superiors about the dispute. The report, which was passed on to London and produced in a *Note*, is revealing about the circumstances of the problem.

This Wadi Arabah incident emphasizes the two real controlling factors of the situation: (1) The Mixed Armistice Commission is completely powerless and can do nothing unpalatable to Israel. (2) The Jews are militarily stronger than Jordan and are determined, at all times, not to negotiate but to dictate. When, as in the Wadi Arabah case, they are obviously in the wrong, they become threatening and defiant.⁹⁶

The trespassing into Jordan's territory continued unabated. But it took tremendous proportions after the 1967 occupation of the West Bank, Sinai

Map 1.10: Map showing an Example of Changes in the Course of River Jordan



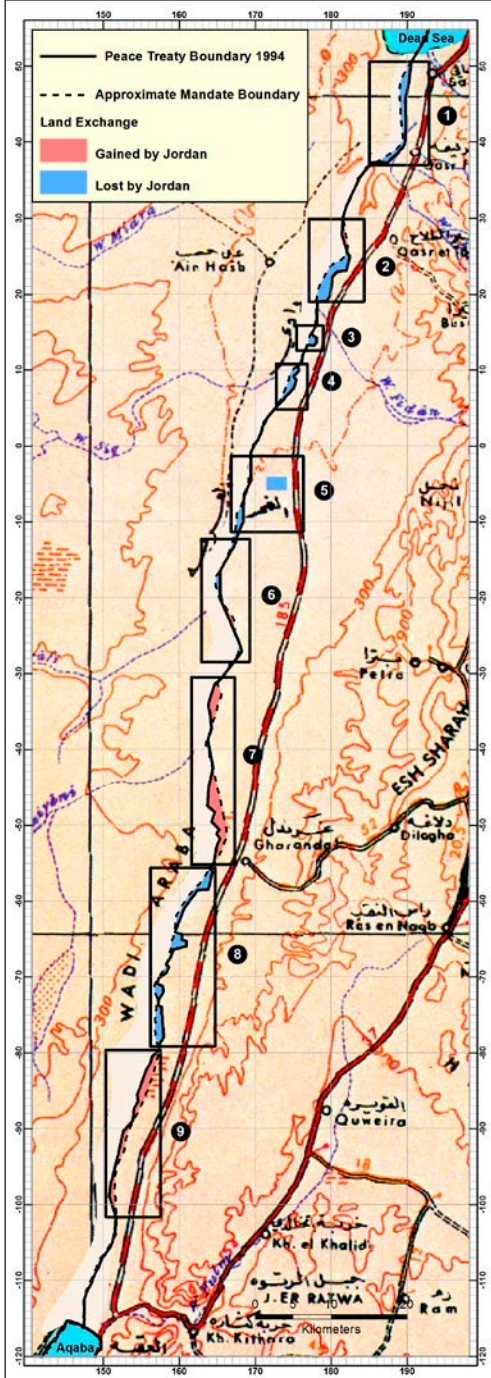
Notes: The map and photo (above) show no change in about 20 years (1924-1945). Considerable changes are shown (below) in the period (1967-2000) resulting in loss of land to Jordan.

⁹⁴ Minutes of the 47th MAC Meeting held on 6 February 1951, quoted in: Israel: Boundary Disputes with Arab Neighbours, 1946-1964, Toye and Seay (ed.), Archive Editions, 1995, *Supra* note 41, Vol. 5, p. 291.

⁹⁵ See, Note on the Situation on the Israeli-Jordanian Demarcation Line, February 12, 1951 Toye and Seay, Vol. 5, *supra* note 41, pp. 460-464.

⁹⁶ *Ibid.*, p. 461.

Map 1.11.00: Showing the Exchanged Lands between Jordan and Israel at Wadi Arabah based on Jordan-Israel Peace Treaty of 1994 from available Maps with 9 details



and Golan. Between 1968 and 1970, the Israeli army, led by Sharon, took over a large territory, estimated to be 344 sq. km, which covered an overall length of 100 km and a max depth of 8.5km.⁹⁷ In the following years, until the mid 1990's, Israel established garrisons in and around farms on Jordanian soil, drawing water from wells dug in Jordan's territory.

This trespassing was addressed in the 1994 Peace Treaty between Jordan and Israel, which was signed, appropriately enough, in Wadi Arabah, on 26 October 1994. According to the Treaty, Israel would continue to hold these farms as Israeli territory and Jordan would be 'compensated' by an equivalent ingress in Wadi Arabah on the Palestinian side.⁹⁸ The old smooth Palestine's Mandate boundary is replaced by a crooked line with sharp bends to accommodate Israeli

demands. Fischbach estimates that Jordan thus recovered the lost 344 sq. km.⁹⁹ The following maps show a different picture.

Land exchanges according to the Treaty are shown in **Map 1.11.00** and 9 details. In this map and subsequent details, Palestine's Mandate boundary is plotted from the Survey of Palestine 1:100,000 maps which generally follow the *thalweg* of Wadi Arabah. This Mandate boundary was reproduced in Israeli maps of 1952. The shown new (1994) boundary is based on Israeli maps (1:50,000 of 2000) and the Jordanian maps published as a general explanation of the Treaty but not distributed widely.

The Jordanian maps showed the wire-fenced area controlled by Israel prior to the Treaty. This area may be divided into two parts (1) between coordinates +18.00 and -48.00 North, an area of 311.4 sq. km, roughly 68 km long by 4.5 km wide and (2) between coordinates -58.00 and -80.00 North, an area of 60.5 sq. km, roughly 20 km long by 3 km wide. The total is 371.90 sq. km, which is slightly largely than 344 sq. km mentioned above. However there is no proof that this area was totally controlled and used by the Israelis. It is merely an indication of the extent of Israeli trespassing.

What is beyond doubt, however, is the exchange of land between the old Mandate boundary and the new Treaty boundary, shown in Map 1.11.00. The total area lost by Jordan and annexed to Israel is 52.39 sq. km which contained Israeli farms, civil and military installations. In return, Jordan gained 35.01 sq. km in Palestine, not equivalent in value or importance. The net loss to Jordan is 17.39 sq. km. The following nine enlargements show details of the land exchange.

Detail 1.11.01 shows the area in Qa' es Safi, El Sabkha and Ghor Feifa including salt pans lost by Jordan. Detail 1.11.02 shows the farms in Wadi el Jeib, near Suleimaniya, annexed to Israel and the land gained by Jordan. Approximate distance along the road from Amman to the Dead Sea then following road no. 65 is also shown.

Detail 1.11.03 shows the projection of a restricted area annexed to Israel at K.174 from Amman. Detail 1.11.04 shows 'Ein el Hufeira at the mouth of Wadi el Mahalla, at a distance of about 180 km from Amman. At this site, 'En Yahav colony was established. Its extension into Jordan was annexed to Israel.

Detail 1.11.05 shows the land exchange, but most importantly shows the wells dug into Jordanian territory, at el Ghamr (Zofar). The area containing Israeli farms and wells is stated to be under Jordan sovereignty, but like Baqura, Israelis can maintain farms and run wells unhindered in an area of about 30.6 sq.km including 4.3 sq.km of farms protruding into Jordan to a distance of 5 km.

According to the Peace Treaty (Article 6: Water, Annex II, Article IV):

Para 1: "... Some wells drilled and used by Israel along with their associated systems fall on the

Jordanian side of the borders. These wells and systems are under Jordan's sovereignty. Israel shall retain the use of these wells..."

Para 3" "Israel may *increase* the abstraction rate from wells and systems in Jordan by upto 10 million cubic metres (mcm) per year above the yields referred to in para 1 above..." [Emphasis added.]

Jordan explained this situation as follows:

"We have increased our water resources by negotiations. In addition to restraining Israel from [all] Yarmouk water, the Treaty allocated 50 mcm from additional water to Jordan. We have to cooperate with Israel to find these sources in a year. We succeeded in arranging an exchange of water by which Israel takes 10 mcm of low quality water in Wadi Arabah while we take the same quantity from Israel desalination plant when built. Until then we get this water from Tiberias."¹⁰⁰

Detail 1.11.06 shows land exchanged just west of Petra at about 220 km from Amman. It is clear from this detail and others that lands annexed to Jordan are desolate and are not used or inhabited by Jordanians.

Detail 1.11.07 at El Risha shows this clearly: the new Jordanian land is bounded by inaccessible and uncultivable mountain tops. By contrast, Detail 1.11.08 shows Israeli farms protruding into Jordan in Baiyan and Naqb Turaba, 40 km north of Aqaba. Detail 1.11.09 is another example of land gained by Jordan in Palestine but not used although it is only 15 km north of Aqaba, rich in water and serviced by road no. 65 to a distance of 1 km from the road.

Finally, border disputes between Israel and Jordan arose in relation to land that Jews claim to have purchased or leased in the first half of the 1930's from Transjordanian notables. British reports of the period are replete with information that the Jewish Agency and Jewish National Fund were active seeking purchase or lease of land mainly on the river and the Dead Sea on the eastern side either directly or through Arab intermediaries and front men. These reports and others indicate that Transjordanian notables were keen, even eager, to enter into such transactions and have met frequently with Jews in Palestine.¹⁰¹

Jews claim to have entered into lease arrangements, or options, for tens of thousands of donums in these locations: Ghawr al-Kibid, Ghawr al-Kafayn, Ghawr Nimreen, Zawr al-Kattar, 'Ayn Hummar, Zizia, Jiza, Barazayn, Ghor es-Safi and Udeissah, south of Yarmouk.¹⁰²

The British government, through its representative, the British Resident, objected to these transactions as they constitute a risk "to [the] security and good will of the people".¹⁰³ None of these transactions were put through the Land Registry¹⁰⁴, although several attempts were made to get formal approval and registration. Recent research has shown that such transactions do not exist in government records.¹⁰⁵ It is not known how this matter was settled.

97 Michael R. Fischbach, Settling Historic Land Claims in the Wake of Arab-Israeli Peace, 27 *Journal of Palestine Studies* 1 (1997), p. 42, pp. 38-50.

98 Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, Article III, paragraph 9, and Annex I(c), *supra* note 91.

99 Fischbach, *supra* note 97, p. 44.

100 Munther Haddadin, *Peace on Yarmouk: Confrontation and Negotiations, 1967-2000*, [Arabic], n.p., 2007, pp. 251-252.

101 See for example: Reports from C.H.F. Cox, the British Resident in Amman to London, dated from 7 March 1932 to 3 March 1936, p. 340, 402, 407, 420, 438, 482, 542, 545, 586, 587, 598, 599, 613, 622 and 697 in: Robert L. Jarman(ed.), *Political Diaries of the Arab World: Palestine and Jordan*, Cambridge: Archive

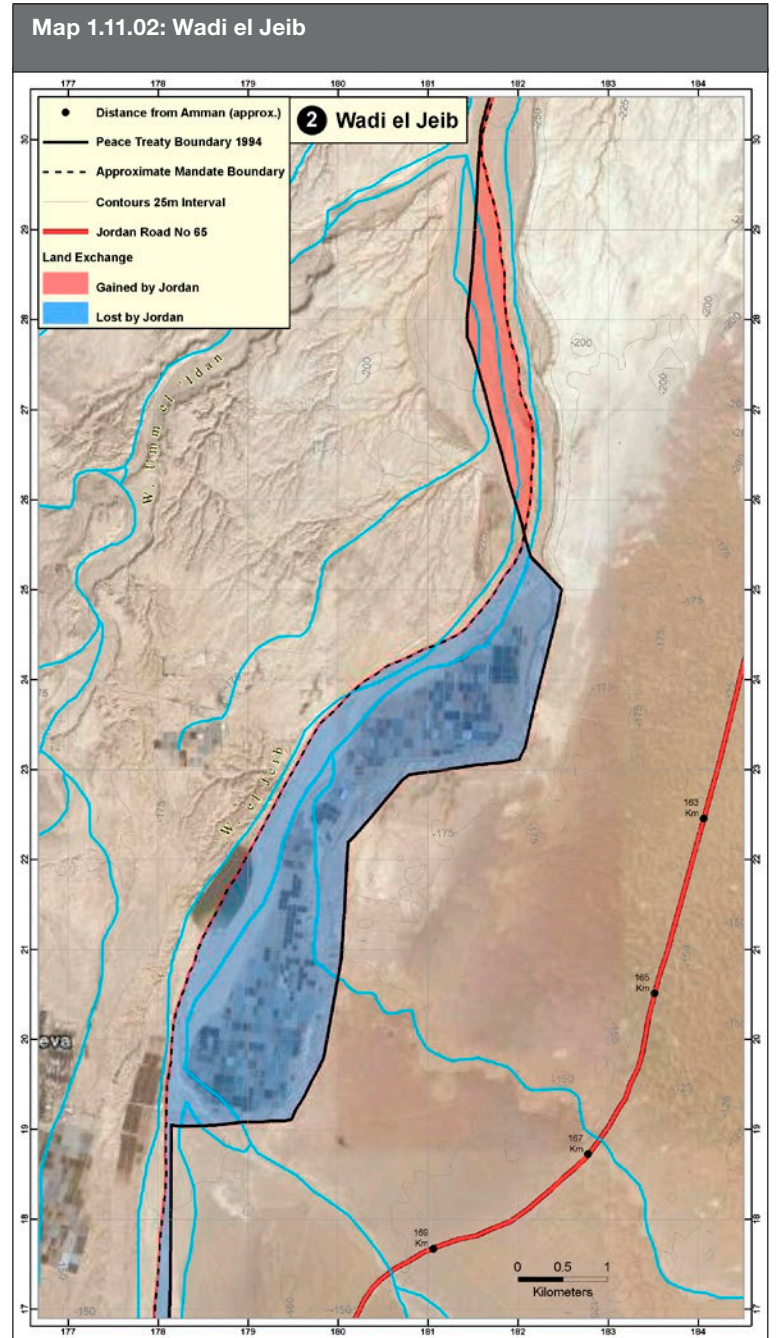
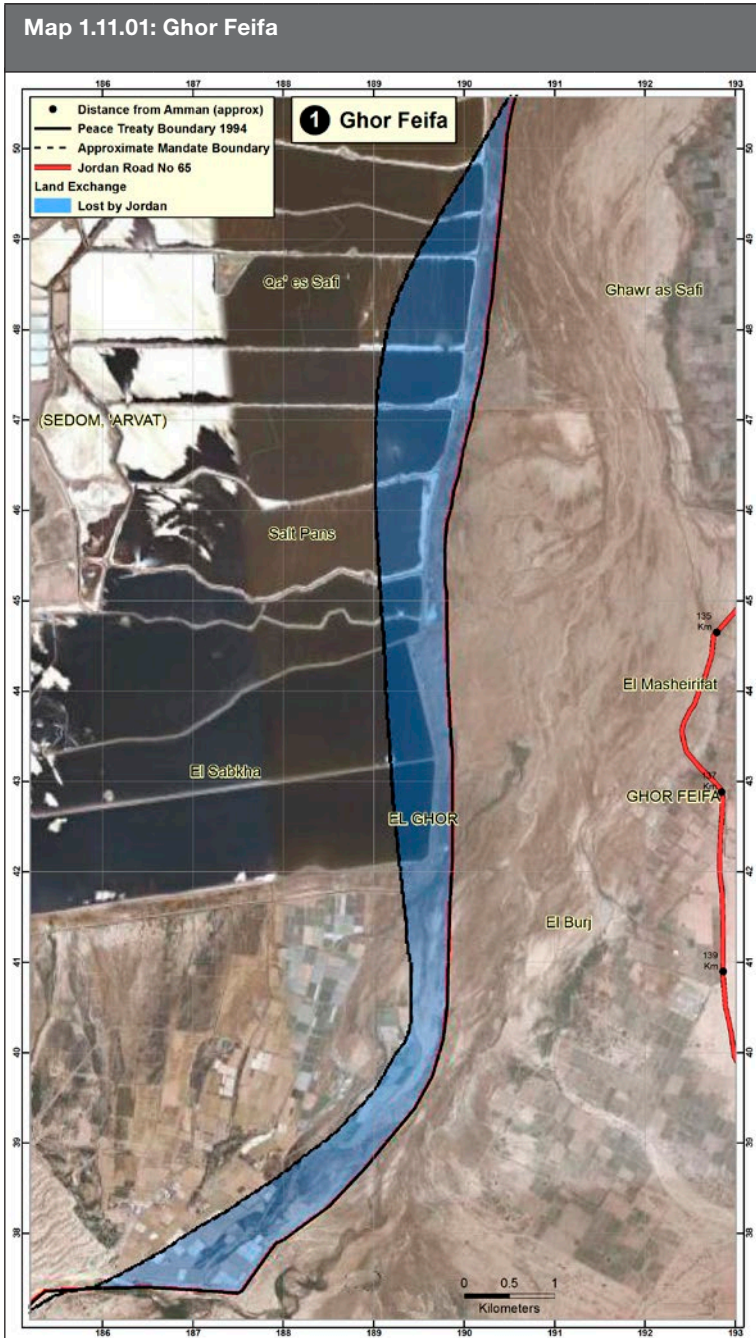
Editions, 2001, Vol.2 1924-1936.

102 Wilson, *supra* note 81, pp. 105-110.

103 Cox, *supra* note 101, p. 407.

104 Cox, *supra* note 101, p. 546.

105 Michael R. Fischbach, *State, Society and Land in Jordan*, Leiden, Boston: Brill, 2000, pp. 178-187.



In summary, it appears that under the settlement described above Israel actually acquired more land. The *Statistical Abstracts of Israel*, issued annually by the Central Bureau of Statistics, for example, show an increase of 192 sq. km in Israel's official area just after the 1994 Peace Treaty. The Abstracts state that these changes in the area were due to the Israel-Jordan Peace Treaty.¹⁰⁶ For more details, see Table 4.10 Changing Areas of Israel.

Unlike the Egypt-Israel Peace Treaty, no specific mention or reservation was made in the Jordan-Israel Peace Treaty of the land rights of the Palestinians, west of River Jordan, in the West Bank.

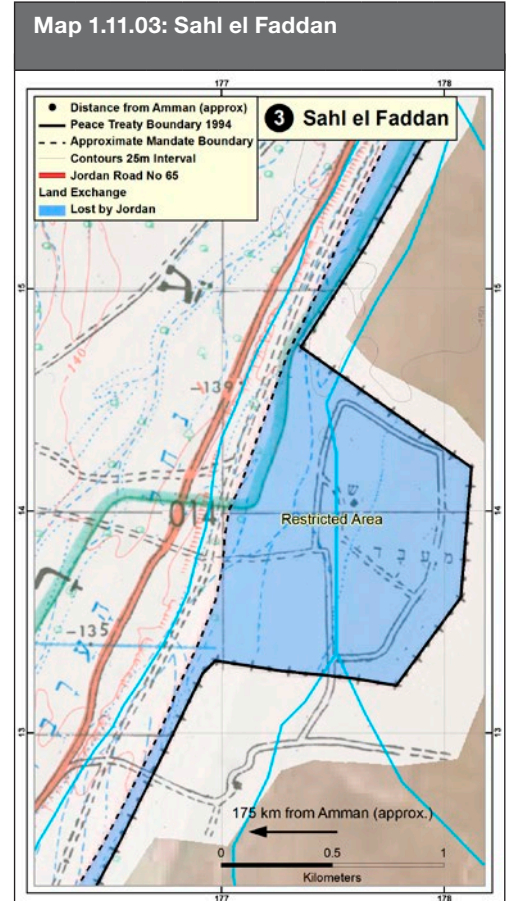
The Jordan-Israel Peace Treaty has the greatest impact on Palestinian rights because the West Bank (20% of Palestine which was unoccupied by Israel in 1948-1967) was under the jurisdiction of Jordan for four decades. A considerable number of Palestinians live in Jordan. The Treaty fell short of addressing this issue adequately.

The Treaty is totally silent on the Palestinian water rights in the West Bank (Article 6: Water). Thus

Israel was negotiating with Jordan on Jordan's water rights with the implicit understanding that Israel speaks for all Palestine including the West Bank. In fact, since 1967, Israel maintains full control over the West Bank, including its water. Palestinian water rights remain unfulfilled. See Section 4.7 Water and Agriculture.

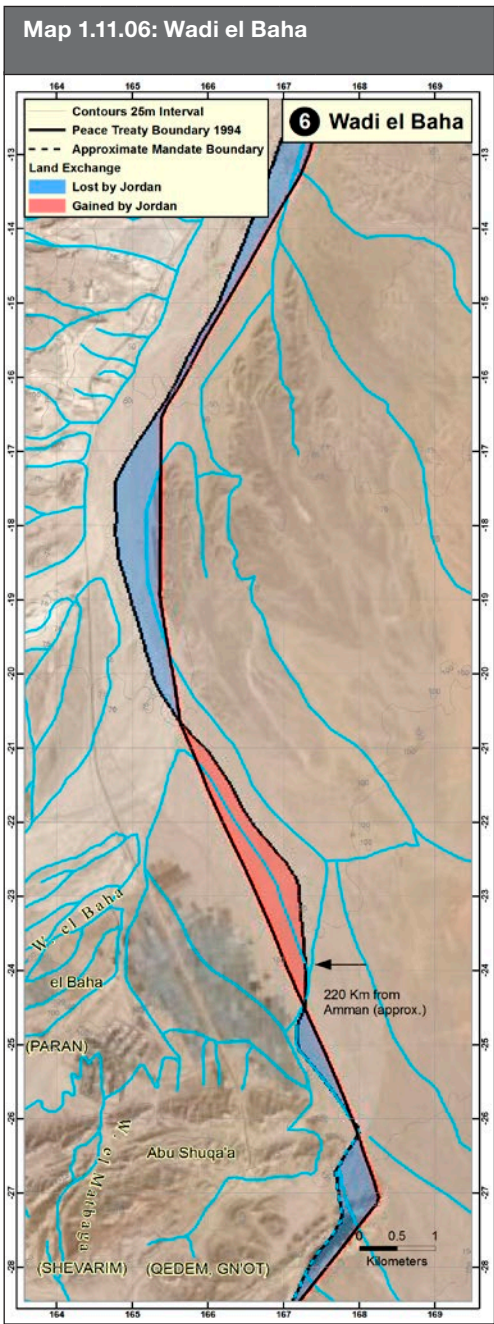
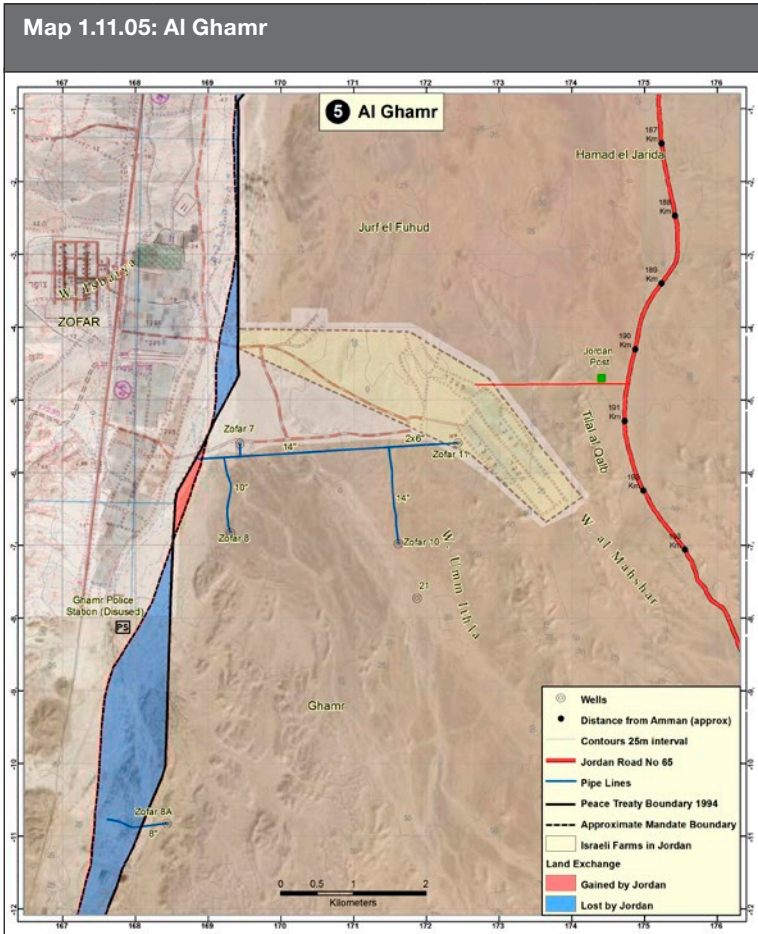
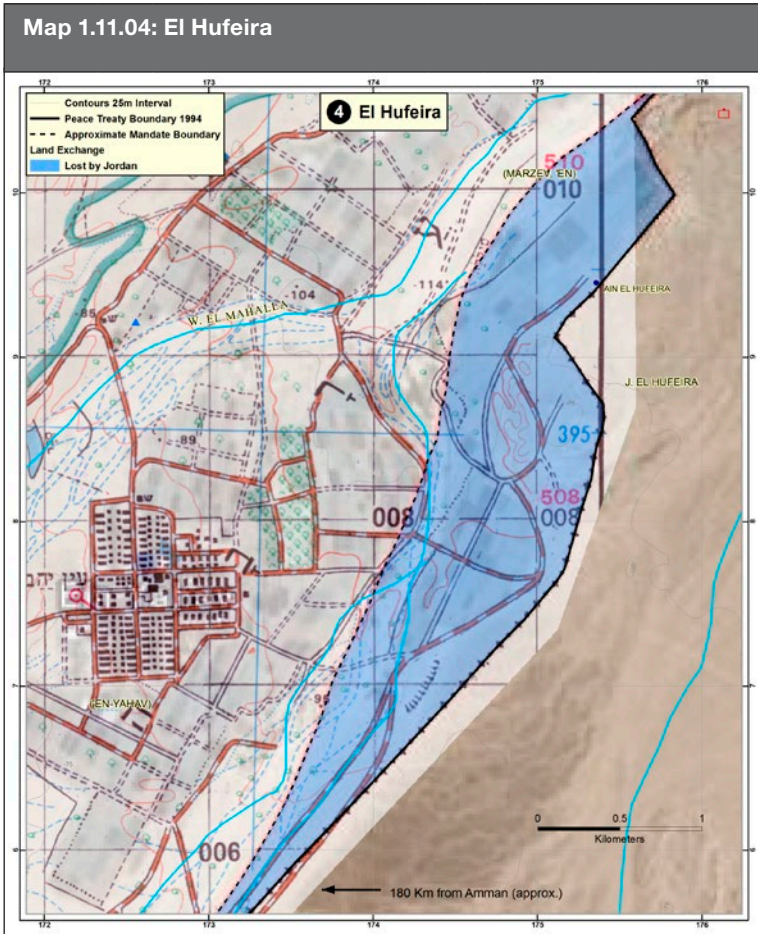
Regarding the major issue of the return of the refugees to their homes, many of whom are Jordanian citizens, it was downgraded to a humanitarian issue. Article 8 of the Treaty recognized "the massive human problem" of the refugees and proposed its solution through "UN programmes and other agreed international economic programmes concerning refugees and displaced persons, including assistance to their settlement" (emphasis added). "Settlement" here means resettling them away from their homes. No mention was made of the relevant UN resolutions, especially UN resolution 194, calling for the return of the refugees or the UN recognition of the "inalienable Right of Return".

Regarding Palestine territory in the West Bank held by Jordan (1948-1988), there was a passing reference in Article 3 (International Boundary),



106

See, for example, Table 1.1, *Statistical Abstracts of Israel*, No. 50. Jerusalem: Central Bureau of Statistics, 1999, n.1.



para 2: “.. without prejudice to the status of any territories that came under Israeli military government control in 1967”, (emphasis added). These “territories” were not named Palestinian. Nor was there any reference to the Armistice Line delineating the West Bank from the rest of Palestine which was the subject of Israel-Jordan Armistice Agreement of 1949. See Section 3.2 The Armistice Agreements.

Furthermore, the Treaty acknowledges that Palestinian land west of Wadi Arabah is Israeli, although, as shown earlier, it was occupied after, and in violation of, the Armistice Agreements with Egypt and Jordan whose forces controlled the perimeter and parts of this territory till 1949.

(d) The Legacy of Creating Palestine Borders

Borders between nations are normally created over a long period of time by a slow natural process. Traditionally, nations or ethnic groups are separated by natural barriers, such as seas, rivers or mountain ranges, or by distinct differences in culture, language, religion or self-rule across vast areas of deserts or plains.

If homogeneous nations within one accessible territory are divided by violent civil war or by foreign forces, often a colonial power, as was common in the nineteenth century and the first half of the twentieth century, this imposed division would remain unstable causing wars, rebellion or unrest.

The story of Palestine borders is the story of the last colonial project in the world. The first feature of these borders is this: All its boundaries have been determined by foreign powers. With the exception of Palestine-Egypt administrative line agreed to in 1906 between the British-led Egyptian government and the Turkish government ruling greater Syria, before the onset of Zionism and the Israeli invasion of Palestine,

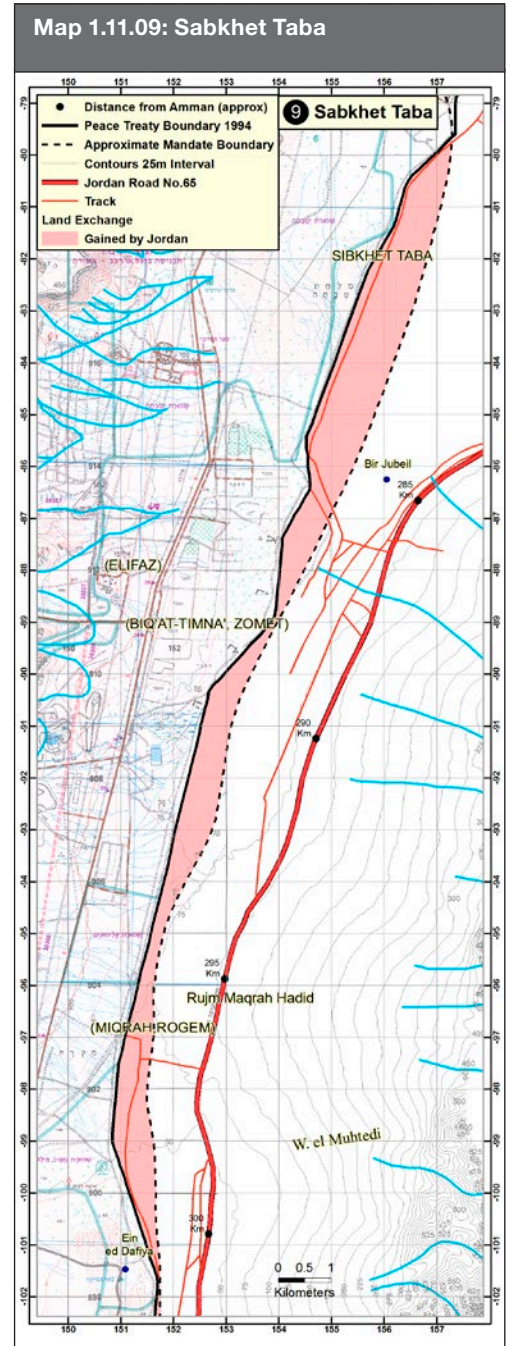
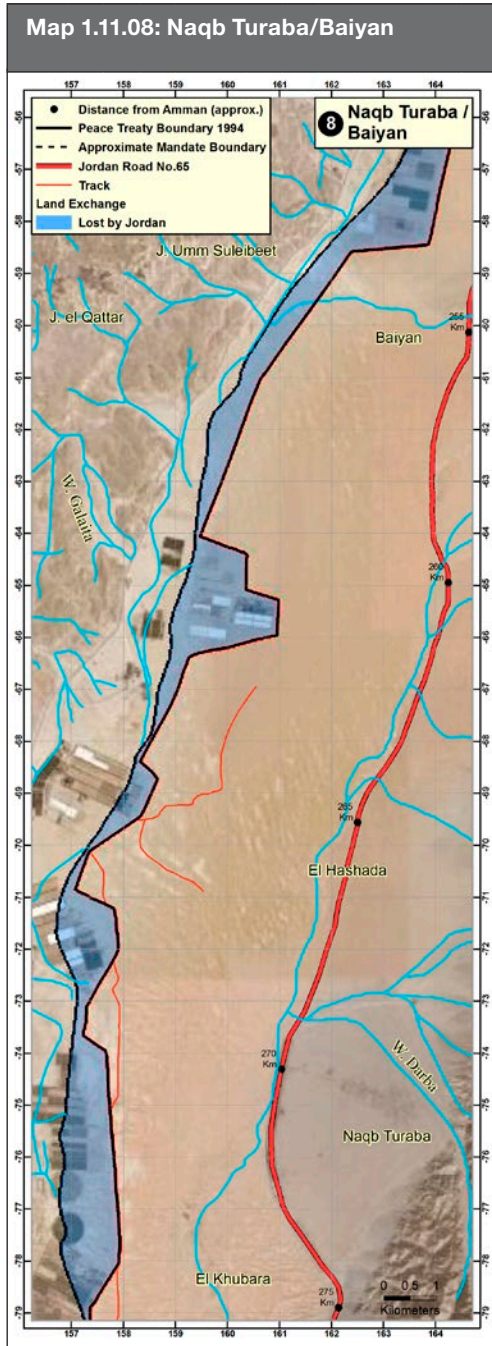
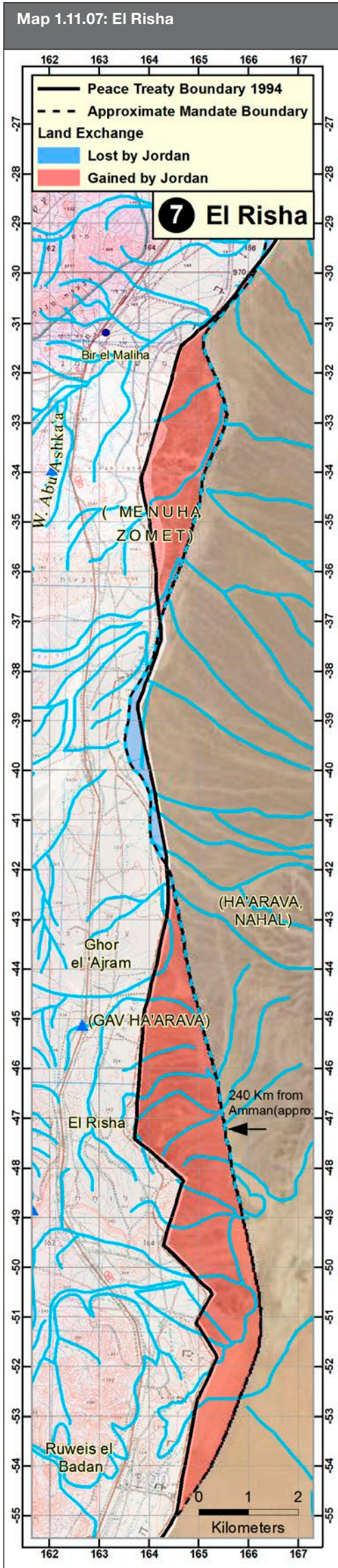
all the critical eastern and northern boundaries have been determined by the colonial powers of Britain and France under the strong influence of Zionists.

A second feature of these borders is that the natural inhabitants of the border regions, or the hinterland, were never consulted about the dismemberment of their territory. No consideration was given to their rights or interests, except in a very small measure when they agitated and caused difficulties in the execution of border agreements. Needless to say, these borders were designed to serve the interests of the colonial powers. Hence the dissatisfaction and unrest of the population was a secondary consideration to be dealt with by these powers firmly and quickly.

The third feature is that these borders were, and still are, a continuous source of friction, clashes and indeed wars for the good part of a century. By contrast, none was experienced in several preceding centuries because no borders existed in the vast largely homogeneous state under Islamic and Arab rule.

The fourth feature is that the Armistice Agreements signed by Israel and neighbouring Arab countries in 1949 within Palestine had the same effect on population as the border agreements, although they have no legal weight as international borders. They too dismembered towns and villages and separated families. But the protection theoretically afforded by a sovereign state to its citizens was non-existent. Unlike the border agreements with Egypt, Syria and Lebanon, there was no provision for the inhabitants to have access to their water resources, fields, places of worship or cemeteries across the dividing line, although the Armistice Line was not a boundary.

The fifth feature is that Israel assumed for itself the position of the successor of Palestine without any legal basis. Disputes about the location of the



boundary on all fronts was raised by Israel, causing constant friction. Taba case on the Egyptian border was solved by international arbitration. The Jordan border, especially in Wadi Arabah, was resolved in a peace treaty agreed under the prevailing balance of power, not under principles of equity and justice. The Lebanese border is not agreed by Israel in its entirety until now and is, again, a source of friction. The location of Shab'a farms, whether in Syria or Lebanon, would have no significance had these colonial borders were not created. The population of the Golan Heights, now under Israeli occupation since 1967, would have lived and moved freely in and out of their land using their water resources if these colonial borders were not created.

The sixth feature is that none of these borders acted as a normal border whereby neighbours can cultivate their lands upto the last metre next to the fenced border, a fence which did not exist in many cases, can exchange goods or at least greetings across the border, or drive to the nearby store across the border, as in the French-Swiss border. Since Palestine borders are the product of colonialism and wars, the people on both sides are separated by a buffer zone which ranges from 0.5 km to 5.0 km in width. Precisely because these buffer zones are dictated by Israeli military conquest, these zones extend almost totally on the Arab side. The Israeli farmer can cultivate the

last metre on his side. The Arab farmer cannot, (except probably in limited locations along the Lebanese border as an act of defiance). This also applies to the Armistice Line. The tiny Gaza Strip is shrinking in usable area as the Israelis prohibit, under the pain of death, any Palestinian farmer from approaching the barbed wire closer than 0.5-1.0 km.

The seventh feature is that the forced separation of the people in the Middle East, especially in Palestine, Jordan, Lebanon, Syria and Iraq, into confined spaces following the work of Sykes, Picot, Balfour and Ben Gurion, has created distinct political entities and leaders with diverse local interests, often contrary to the interest of the whole region. It also created, to a lesser extent, a cultural and social segmentation of the people of the region. While colonial powers have already departed or will depart sometime, the scars created by these colonial borders will remain for much longer. However this would only be a brief moment in the region's long history.

Chapter 2

The People and Land of Palestine

2.1 Population

The population of Palestine before 1948 can be derived from a number of sources. These include Ottoman records, census conducted by the British Mandate government, and compilation of population and land ownership statistics prepared by government and published as *Village Statistics*.

The Ottomans kept fairly periodic and reliable records of population (*nufus*).¹⁰⁷ Early Ottoman taxation records provide a useful and detailed listing of the population, its ethnic and social composition, the number and size of villages, and economic activity in those parts of Palestine that were formerly part of the Ottoman Empire. The *dafter-i-mufassal* (detailed register) covers the population of greater Syria as of 1596, seventy-nine years after Palestine was subsumed by the Ottoman Empire.¹⁰⁸ The register lists 955 villages in Palestine. Only 196 have different or unknown names today. Allowing for the slightly different boundaries of Palestine then from that of the Mandate period, the number and names of 759 identified villages in 1596 can be compared with 827 (main) villages in 1948. The correspondence between villages in the two records over 350 years is quite remarkable. According to Ottoman records at the beginning of the WWI, the population of Palestine (1914-1915) was 722,143, of which 602,377 were Muslims, 81,012 Christians and 38,754 Jews.¹⁰⁹ Of the Jewish population, 12,332 were Ottoman subjects.¹¹⁰ The rest were European immigrants.

The British Mandate government also kept fairly regular and detailed population statistics. The government conducted census in Palestine on two occasions: October 23, 1922 and November 18, 1931. The second census was considered to be “a very detailed one, conducted along scientific lines [which] gave a fairly complete picture of the demography of the country”.¹¹¹ The population

as per the 1931 Census was 1,033,314. A slightly adjusted second figure of 1,035,821 accounted for different estimates of the number of Bedouins and British forces in the country. Both figures, however, undercounted the number of women and children. If this defect is corrected, the total population of Palestine in 1931 is estimated to have been 1,054,189, which included 775,181 Muslims, 92,802 Christians, 175,936 Jews, and 10,270 ‘others’.¹¹² Due to the disturbances in the country resulting from Jewish immigration and WWII no other census was undertaken thereafter. However, the Government Department of Statistics released annual estimates.

These figures suffered from two important additional defects: (1) an under-estimate of the size of Bedouin clans in the Beer Sheba district; and, (2) an under-estimate of the number of Jewish immigrants in Palestine. Aref al-Aref, a Beer Sheba district officer, conducted the first census of the Beer Sheba district in 1931. This census, however, under-estimated the female population and omitted inaccessible Bedouin clans. Curiously, the 1931 figure – 66,553 for all clans in Palestine, i.e., Beer Sheba and the north – remained unchanged until the end of the Mandate in 1948. No allowance for natural increase or undercounting was made. Some government figures avoided the whole problem by referring only to the terms “settled population”. The term was never clearly defined in government documents. According to the Palestine Mandate government, Jewish immigrants illegally entered the country by evading control points, landing on beaches at night, overstaying their tourist visa and through fictional marriages. Government estimates refer to these illegal immigrants as *de facto* population. The 1931 Census estimated the total number of illegal Jewish immigrants to be between 50,000 and 60,000.¹¹³ Jewish Agency figures regularly exceeded those provided by the Department of Statistics. These figures were used to buttress claims for the establishment of a Jewish state in Palestine.¹¹⁴

Year	Total Population	Of which: Jews
1922 (Census)	752,048	83,790
1923 mid-year	778,989	89,660
1924 mid-year	804,962	94,945
1925 mid-year	847,238	121,725
1926 mid-year	898,902	149,500
1927 mid-year	917,315	149,789
1928 mid-year	935,951	151,656
1929 mid-year	960,043	156,481
1930 mid-year	992,559	164,796
1931 (Census)	1,033,314	174,606
1932 (31st Dec.)	1,073,827	192,137
1933 (31st Dec.)	1,140,941	234,967
1934 (31st Dec.)	1,210,554	282,975
1935 (31st Dec.)	1,308,112	355,157
1936 (31st Dec.)	1,366,692	384,078
1937 (31st Dec.)	1,401,794	395,836
1938 (31st Dec.)	1,435,285	411,222
1939 (31st Dec.)	1,501,698	445,457
1940 (31st Dec.)	1,544,530	463,535
1941 (31st Dec.)	1,585,500	474,102
1942 (31st Dec.)	1,620,005	484,408
1943 (31st Dec.)	1,676,571	502,912
1944 (31st Dec.)	1,796,537(2)	528,702(1)
1945 (31st Dec.)	1,871,271(2)	554,329(1)
1946 (31st Dec.)	1,952,920(2)	583,327(1)

Source: *Survey of Palestine*, Vol. 1, Table 1, p.141 and Supplement p.10. See also McCarthy Table A3-1, p.65.

Notes:

1. Revised de facto figures
2. Corrected from Village Statistics for tribes population and increased at 3.5% per annum for 1944-1946.
3. Figures for 1932 to 1943 include a fixed figure of 66,553 for all tribes which are a gross-underestimate. This is corrected for 1944-1946.

Despite these discrepancies, official figures provide a fair representation of the population of Palestine during the British Mandate (1922-1948).

107 For a compendium of population records from Ottoman, European and Mandate sources starting in 1877, with estimates before this date see, Justin McCarthy, *The Population of Palestine: Population History and Statistics of the Late Ottoman Period and the Mandate*. New York: Columbia University Press, 1990.

108 The *dafter-i-mufassal* has been analyzed in detail by scholars.

See, e.g., Wolf-Dieter Hütteroth and Kamal Abdul Fattah, *Historical Geography of Palestine, Transjordan and Southern Syria in the late 16th Century*, Selbstverlag der Fränkischen Geographischen Gesellschaft. Erlangen: University of Erlangen, 1977, p. 15.

109 Table 1.4D, McCarthy, *supra* note 107 p. 10.

110 Table 1.7, *ibid.*, p. 14. The figure is for 1912. Zionist sources tend

to inflate this number, which is in any case very small.

111 *Survey of Palestine*, Vol. 1, *supra* note 3, p. 160.

112 Table 2.14, McCarthy, *supra* note 107 p. 35.

113 *Survey of Palestine*, *supra* note 3, Vol. 1, p. 210.

114 *Ibid.*, p. 163.

Table 2.2: Population of Palestine, Including Jews, Classified by Sub-District (Total, Rural) and by Town (Urban) according to 1931 Census

Sub District 1931	Total Population	Of which: Jews	Rural Population	Of which: Jews	Towns	Urban Population	Of which: Jews
Gaza	94,634	421	67,551	417	Gaza	17,046	1
					Khan Yunis	3,811	3
					Majdal	6,226	
Beer Sheba	51,082	17	48,123	6	Beer Sheba	2,959	11
Jaffa	145,502	69,789	47,535	17,016	Jaffa	51,866	7,209
					Tel Aviv	46,101	45,564
Ramle	70,579	8,496	48,908	8,460	Ramle	10,421	8
					Lydda	11,250	28
Hebron	67,631	135	50,100		Hebron	17,531	135
Bethlehem	23,725	42	14,180	39	Bethlehem	6,815	2
					Beit Jala	2,730	1
Jerusalem	132,661	54,538	42,158	3,316	Jerusalem	90,503	51,222
Jericho	3,483	243	3,483	243			
Ramallah	39,062	1	34,775		Ramallah	4,287	1
Tulkarm	46,328	666	41,501	648	Tulkarm	4,827	18
Nablus	68,706	10	51,517	4	Nablus	17,189	6
Jenin	41,411	4	38,705	2	Jenin	2,706	2
Haifa	95,472	23,367	42,245	7,443	Haifa	50,403	15,923
					Shafa 'Amr	2,824	1
Nazareth	28,592	3,172	19,836	3,093	Nazareth	8,756	79
Beisan	15,123	1,950	12,022	1,862	Beisan	3,101	88
Tiberias	26,975	7,785	18,374	2,404	Tiberias	8,601	5,381
Acre	45,142	296	37,245	59	Acre	7,897	237
Safad	39,713	3,678	30,272	1,131	Safad	9,441	2,547
TOTAL	1,035,821	174,610	648,530	46,143		387,291	128,467

Source: *Survey of Palestine*, Vol. 1, Tables 7a, b, c, pp.147-149.

Notes:

- Figures include British forces (2,500) and rough estimates of tribes. Hence totals are slightly different from Table 2.1.
- Sub-district designation as current in 1931. In 1944, boundaries of sub-districts were somewhat changed. All data in this work are according to 1944 sub-divisions unless otherwise noted.

Between 1922 and 1946, the Arab population increased 2.05 times due to natural increase. The Jewish population increased seven times, largely due to immigration. See **Table 2.1**. Seventy-five percent (376,415 persons) of the total increase in the Jewish population (499,537) was due to immigration. The percentage of Jews to total population rose from eleven percent in 1922 just after the Mandate administration assumed office to thirty percent in 1946, just before the British departure. Had there been no Jewish immigration since the British occupation of Palestine in 1917, the Jewish population would have been some 90,000 in 1946 based on the average rate of natural increase. The actual number of Jews (583,327) in Palestine in 1946 shows an additional increase of about 500,000 Jewish immigrants and their off-spring. In other words, Jewish immigration during the British Mandate was equivalent to 80 percent of the Muslim population of Palestine in 1917.

Table 2.2 shows the total and rural population per sub-district according to the administrative boundaries of 1931 and urban population per designated towns. The sub-district boundaries changed in 1944.¹¹⁵ Palestine was divided into six districts (Galilee, Haifa, Samaria, Jerusalem, Lydda and Gaza) comprising sixteen sub-districts, each sub-district consisting of a number of town and village units. All data in this work are based on the 1944 sub-districts unless otherwise

noted. The government's definition of 'urban' and 'rural' population in Table 2.2 is not clear except that 'urban' means inhabitants of the listed towns. Although this is imprecise, it shows definite trends. Seventy percent of the Muslim population lived in villages in 1931, a decrease of six percent from 1922, indicating a definite trend towards urbanization. They mostly moved to Jerusalem, Haifa, Jaffa and Gaza, and less to Hebron and Nablus. The total number of Jews living in villages, on the other hand, increased from eighteen percent in 1922 to twenty-five percent in 1944. Despite this increase, however, "the fundamental character of the Jewish community remain[ed] that of an urban population, about two-thirds of all the inhabitants being resident in the four large towns: Tel Aviv, Jerusalem, Haifa and Jaffa."¹¹⁶ The surge in Jewish rural population can be attributed to Zionist settlement policy, which focused on the development of collective farms (kibbutzim) where immigrants were settled to work the land.¹¹⁷

Jewish immigration is a principal component in the Zionist project. A 'national home' as promised by Balfour in Palestine was intended ultimately to be a state. The state needed citizens. It needed working hands to cultivate and build on purchased or acquired land. Above all, it needed young, strong and committed people to be its fighting force, to protect and expand the small base created under the British colonial

Table 2.3: Jewish Immigration to Palestine (1920-1945)

Year	Authorized Jewish Immigration
1920	5,514
1921	9,149
1922	7,844
1923	7,421
1924	12,856
1925	33,801
1926	13,081
1927	2,713
1928	2,178
1929	5,249
1930	4,944
1931	4,075
1932	9,553
1933	30,327
1934	42,359
1935	61,854
1936	29,727
1937	10,536
1938	12,868
1939	16,405
1940	4,547
1941	3,647
1942	2,194
1943	8,507
1944	14,464
1945	12,751
1946	7,851
TOTAL	376,415

Source: *Survey of Palestine*, Vol.1, Table 1, p.185 and Supplement; and McCarthy, Table A9-1, A9-2, p.171.

Note: Figures include authorized immigrants and others who entered as tourists and subsequently registered as immigrants. Figures do not include illegal/smuggled immigrants.

administration. **Table 2.3** shows 'authorized' Jewish immigration in the Mandate period. During Herbert Samuel tenure, the immigration shot up from 5,514 in 1920 to 33,801 in 1925, the year he left. The immigration dwindled thereafter for various reasons until 1933 when large numbers of European Jews immigrated to Palestine. The largest number of immigrants in the history of the Mandate reached 61,854 in 1936 or 11 times the first batch of 1920.

2.2 The Geography of Palestine

Palestine has the unusual characteristics of great variation in terrain within a small area, from the coastal plain to the central mountain ridge ending with al Ghor at the Jordan valley, where the lowest point on earth is located at the Dead Sea.

Palestine can be divided into seven geographic regions:

- Maritime Plain:** extending north from the Egyptian frontier and terminating at Mount Carmel, just south of Haifa;
- Coastal Plain of Acre:** extending from Carmel north to the promontory of Ras en-Naqla;
- A Broad Plain Running South-East from Haifa to the Jordan Valley:** the western portion of this plain is Marj ibn 'Amer (Esdraelon).

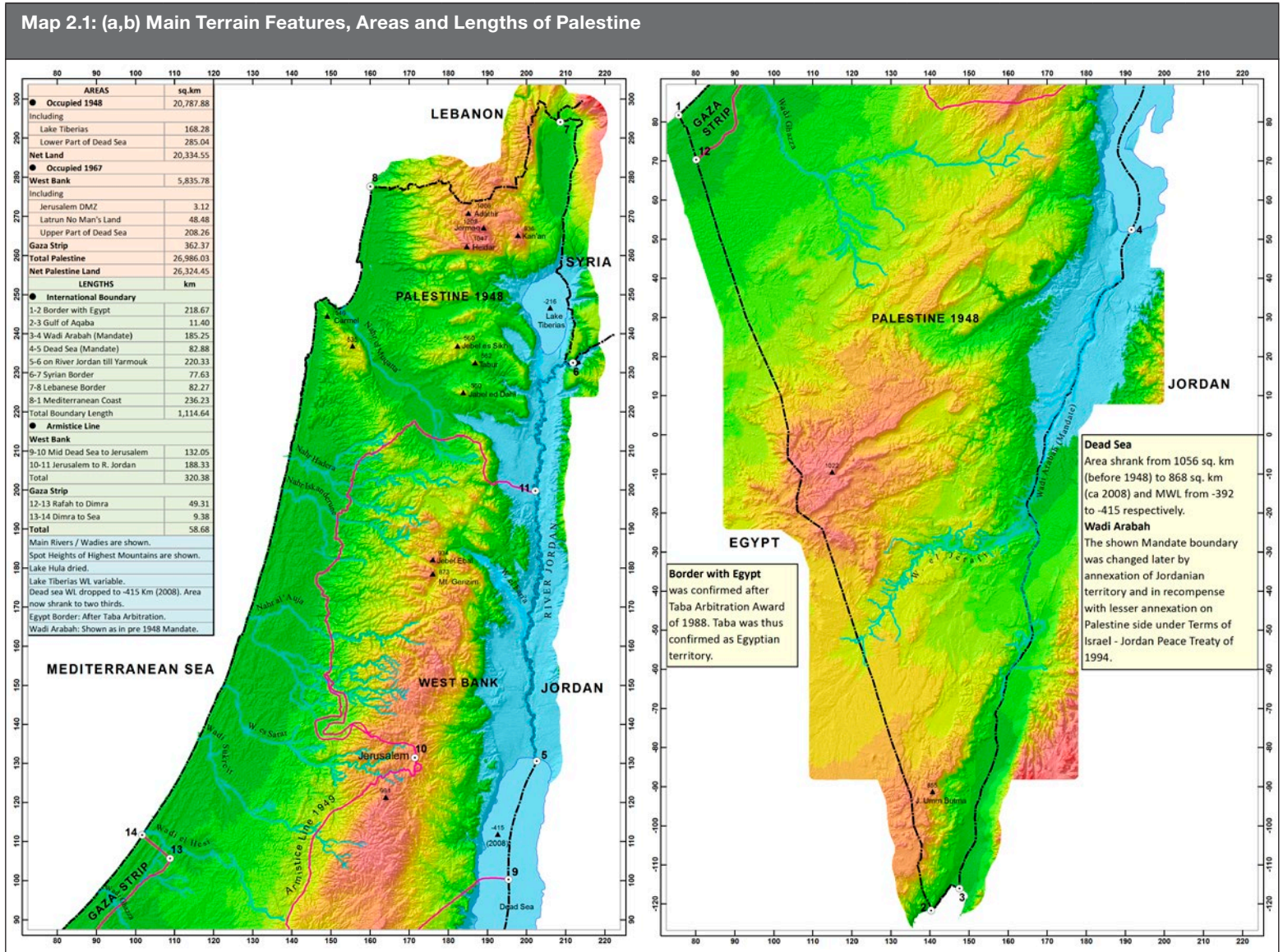
115 1945 Administrative Divisions (Amendment) Proclamation, *Palestine Gazette* No. 1415, June 7, 1945.

116 *Survey of Palestine*, Vol. I, *supra* note 3, p. 158.

117 This situation has changed dramatically since then. Today the

population of kibbutzim is dwindling. In 2002, the rural population of Israel comprised 10 percent of the Jewish population. The population of kibbutzim comprised two percent of the Jewish population in Israel or 1.6 percent of the total population of the

country. Table 2.6, *Statistical Abstract of Israel*, no. 54. Central Bureau of Statistics (2003).



The eastern section is known as the Valley of Baysan (Jezreel);

- Central Range:** comprising the hills of Jerusalem and Nablus. The highest point in this region, Mount Ebal (934 m.), is in Nablus;
- Hills of Galilee:** comprising the whole of the north of Palestine except the narrow plain of Acre and the Jordan Valley. The highest point is on Jebel Jarmaq (1,208 m.), the highest mountain in Palestine. In the same area is Jebel 'Adathir (1,006 m);
- Jordan Valley:** extending from the Syrian frontier to the Dead Sea. The northern most section is often considered separately as the Huleh basin;
- District of Beer Sheba:** an immense triangle with its apex at the Gulf of Aqaba which contains nearly half the land of Palestine (approximately 12,576 km²).

Map 2.1 (a and b) shows terrain, heights, lengths and areas of the main features of pre-1948 Palestine and today as measured.

The longest and most important river in Palestine is the Jordan River. The total length of the Jordan River from its source near Banyas in the extreme north-eastern tip of Palestine to the Dead Sea is 252 km; north of Lake Huleh, 14 km; through Lake Huleh (now dried), 5 km; from Lake Huleh to Lake Tiberias, 18 km, in the course of which it dropped about 280 m; through Lake Tiberias, 21

km; and from Lake Tiberias to the Dead Sea, 194 km. The Yarmuk river, which enters the Jordan near Jisr al Majami', a few kilometres south of Lake Tiberias, is 40 km long, of which only 17 km were in Palestine. Al-Muqattat' (Qishon) river which enters the Bay of Acre a short distance east of Haifa is 13 km long. The Auja (Yarkon) which enters the Mediterranean north of Jaffa is 26 km long. There are over 3,000 wadis and ravines in Palestine, the most important are shown in Map 2.1.

Pre-1948, the total area of Palestine (land and water surface) was 27,024 sq. km. Now, it is 26,986 sq. km as measured. Previously the inland water consisted of Lake Huleh with an area of 14 sq. km at 70m above sea level; Lake Tiberias with an area of 165 sq. km, at 209m below sea level; and the Dead Sea with a total area of 1,050 sq. km, half of it within Palestine border, at 392 m below sea level.

Now Lake Huleh was dried. The area of Lake Tiberias remained around 168 sq. km with a variable elevation below sea level. The Dead Sea has shrunk considerably by diverting the waters of River Jordan and evaporation. Now the Dead Sea area on the Palestinian side is 443.58 sq. km including salt pans (instead of 525 sq. km before 1948) at 415 m. below sea level, of which 175.5 sq. km belongs to the West bank. These major physical changes are discussed in detail in **Section 4.5 Changing the Landscape**.

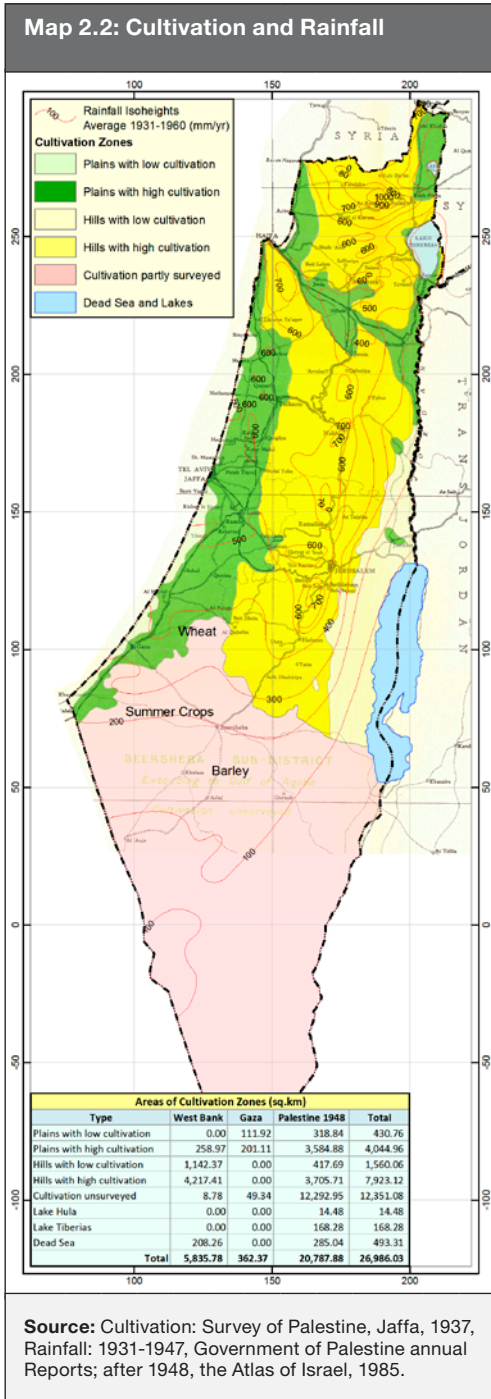
Climate, Soils and cultivation¹¹⁸

The most striking feature of the Palestine climate is the occurrence of two distinct seasons, those of winter rains from late-October to mid-April and of the six dry months which follow. Moisture, or the lack of it, is the controlling factor in agricultural production. Where irrigation water is plentiful to supplement the rainfall (from bores and a few springs) and in the Huleh area and the perimeter of the Jordan. See **Section 4.7 Water and Agriculture**. The land can produce intensively almost all the year round. Under natural conditions, however, summer cropping is dependent entirely on the amount of soil moisture that can be conserved during the rainy season by repeated cultivations of the bare fallow; over a large part of the country (Beersheba area and in the Jordan valley from below Tiberias to the Dead Sea) the rainfall is insufficient for this form of conservation and it is frequently insufficient or too poorly distributed for even a winter crop sown during the rains.

The average total rainfall varies from 150 millimetres in Jericho to 220 millimetres in Beersheba, from 370 millimetres in Gaza to around 500 millimetres along the maritime plain, and from 600 to 800 millimetres in the hills. Southward of Beersheba town the rainfall decreases rapidly to as little as 120 millimetres at Asluj and 100 millimetres at El Auja.

Whilst the soils frequently show great variations even within narrow limits they are generally

118 Based on the Survey of Palestine, *supra* note 3, Vol I, Chapter IX, p. 309 ff.



speaking remarkably fertile considering that they have received little, if any, farmyard manure for centuries. The maritime plain, with large tracts of sandy or sandy-loam soils intersected with considerable area of heavy land, is very fertile and includes the citrus belt. The inland plain, such as Marj ibn Amer (Esdraelon) and the Huleh, are heavy alluvium and well suited to grain. The hills of the central region and Galilee hold pockets of red earths and are productive of fruit, vines and olives. In the lower Jordan valley the soils suitable for agriculture are limited to where sediments cover the marls and those which can be leached of salts; the hot climate permits of the growth of tropical crops on productive soils under heavy irrigation. The Beersheba plateau, the largest stretch of plain land in the country, is of loess (wind-blown) formation; it is "good barley land" in winters of sufficient rainfall, but the rainfall is so fickle that in many years no harvest at all is possible. **Map 2.2** shows high and low cultivation areas and the average rainfall for 1931-1960.

Cereal growing is the most important activity of the majority of Arab cultivators. The rotations vary

from (a) barley every year, as on the light lands in the dry Beersheba area, to (b) a two-year course by which winter crops of wheat or barley are rotated with summer crops of *dura* (millet) or sesame and to (c) a three year rotation in which a legume is introduced as an additional winter crop. The following is the most common rotation:

Wheat or barley sown November-December and harvested May-June, followed by a **Bare fallow** until the following April when the land is sown with **Dura or sesame** which is harvested in August and followed again by wheat or barley (or by a legume in a three-year rotation).

Wheat and barley are the chief winter cereal crops. Wheat is usually grown on the heavier types of soil, while barley is grown on the lighter soils, particularly in the south and in Beersheba, where not only is the rainfall much lower than in the north but the rainy season is also shorter. The total area under both crops is estimated by the Palestine Department of Agriculture to exceed 4,500,000 donums, the actual area varying annually according to weather and rotation; the proportions under each crop are approximately equal.

Beer Sheba District is the bread basket of Palestine. Ships laden with wheat and barley sailed from Gaza port in the nineteenth and the early twentieth century. This is grown in the northern and the western zone of the District where the rainfall is over 100 mm/year. The Department of Agriculture reported the following:

It is only in this zone in which agriculture, other than on discontinuous patches in the wadi beds, is possible. This zone contains some 1,640,000 donums of cultivable land and every donum which can be economically sown is cultivated by the Bedouin inhabitants. The Bedouin are keen farmers and very much alive to possibilities of improving their agricultural methods. Tractor ploughing has made considerable strides within recent years and an increasing area is being planted each year with fruit trees. A considerable part of this comparatively fertile zone is covered by a block of shifting sand.

The area of the Naqab may accordingly be subdivided as follows:

	Donums	Donums
Zone (c)		
(North and West):		
Cultivable area	1,640,000	
Uncultivable area	1,260,000	2,900,000
Zones (a) and (b):		
(Southern East and West)		9,676,000
Total		12,576,000

It will also be evident that the great obstacle in the way of increasing productivity is the shortage of water; the rainfall is scanty and uncertain and investigations for underground supplies have proved extremely disappointing.¹¹⁹

This estimate of cultivated area in Beer Sheba (1,640,000 d.) is extremely low and may have been during a drought year. The Department of Agriculture estimated the cultivated area of wheat and barley to be 4,500,000 d. in the previous paragraph, but this included smaller cultivation areas in other parts of Palestine.

Table 2.4: Cultivated Areas under Principal Crops 1945

Agricultural Produce	donums (1945)
Grains and Legumes:	
Wheat	1378.50
Barley	1575.90
Others	1413.20
Sub total	4367.60
Vegetables	279.90
Plantation crops:	
Olives	600.10
Grapes	178.30
Almonds	38.10
Figs	108.00
Apples	17.70
Plums	6.50
Bananas	8.00
Citrus	293.00
Others	36.40
Sub total	1286.10
Melons	126.00
Tobacco	22.30
Total	6081.90
Total, correcting for wheat, barley	7,627.50

Source: Survey of Palestine, *supra* note 3, Vol. I, adapted from Table 1, p. 320.
Note: Department of Agriculture estimates the figures for wheat and barley to be 4,500,000 d.

Referring back to Map 2.2, the area measured in Beer Sheba District with rainfall between 100 and 200 mm/year is 3,060,000 d., while that between 200 and 300 mm/year is 950,000 d. and over 300 mm/year 500,000 d. which is very close to the figure of 4,500,000 d. by the Department of Agriculture. This is also close to the figure of cultivation in Beer Sheba.¹²⁰

Cultivation in higher rainfall zones is extensive particularly where there are other water sources, such as wells and springs. The Palestinian farmer is energetic. Even the rocky slopes are levelled into steps and planted. Hardly any piece of land worth cultivating was left barren taking into account the available capital and machinery. Map 2.2 shows that, other than Beer Sheba District, cultivation is high in the plains (measured area 4,045,000 d.) and in the hills (7,923,000 d.) and low in the plains (430,000 d.) and in the hills (1,560,000 d.).

Other than wheat and barley, Palestine was famous for its olives. The olive is the principal tree of Palestine for centuries. In pre-1948 Palestine 600,000 donums were olive plantations, all Arab except 1%.

The other famous agricultural product is Citrus trees of different varieties, generally known as Jaffa oranges (Shammouti and Valencia) in addition to grape-fruit and lemon. In 1939, the cultivated area was 293,000 d., half of it Arab owned. The relatively large Jewish percentage is due to the early arrival of Jewish immigrants at Jaffa port and their settlement in Jaffa environs. They bought some plantations and built a suburb in Jaffa named Tel Aviv.

Grapes are of great importance to Palestine; they were grown in almost all parts of the country.

119 Survey of Palestine, *supra* note 3, Vol. I, p. 370.

120 See Section 2.7, Table 2.23. However fiscal record of the Govern-

ment of Palestine shows taxable cereal land of 6,317,285 d. and non-taxable cereal land 951,343 d. See Section 2.8 Table 2.29.

Table 2.5: Seasonal Distribution of Crops 1944-1945

Crop	Winter	Summer	Winter and Summer	Plantation (Perennial)	Total
Grains	3,388,000	972,000	7,561	-	4,367,561
Fodder	91,000	29,877	23,264	-	144,141
Vegetables	34,733	111,284	133,923	-	279,940
Melons	-	125,979	-	-	125,979
Tobacco	-	28,169	-	-	28,169
Plantation	-	-	-	1,259,059	1,259,059
Total	3,513,733	1,267,309	164,748	1,259,059	6,204,849

Source: Survey of Palestine, *supra* note 3, Vol. I, Table 2, p. 321.

Notes: 1. Area in donums. 2. Grains are under estimated by 1,545,000.d. 3. Plantation includes Citrus.

Cultivated area is 178,000 d., 86% of which is Arab owned. Figs are also grown as another old culture, blessed in al Qur'an. The cultivated area is 106,000 d, almost entirely confined to Arab farmers. The almonds had long been planted in Palestine; the cultivated area is about 40,000 d., all but 4% are Arab. Other planted fruits include apricots, peaches, bananas, guava, mango, dates; cultivated areas are predominantly Arab owned.

Table 2.4 summarises the areas under principal crops in the year 1945. **Table 2.5** shows the seasonal distribution of key crops.

2.3 Surveying the Land

There are few countries in the world in which surveying and mapping played so much important role in its history. Palestine, the Holy Land, was long coveted by foreigners, primarily the Crusades and European colonists. They wanted to know its physical and historical characteristics as a prelude to conquering the land.

Europe intensified its efforts to rediscover Palestine in the second half of the nineteenth century.¹²¹ Of these efforts, the work of Palestine Exploration Fund (PEF) stands out in its geographical scope and comprehensiveness. Palestine was surveyed from Tyre (Sour) in the north to Wadi Ghazza in the south and plotted in 26 sheets to a scale of 1:63,360. The accompanying ten volumes covered archaeological features, fauna, flora, Jerusalem and 10,000 Arabic place names with English transliteration.¹²²

The declared purpose of PEF survey was "investigating the Archaeology, Geography, Geology and Natural History of Palestine".¹²³ However the 'underlying wish' of the founding subscribers to PEF was to find the location of Solomon Temple, the date of the construction of the Dome of the Rock and the original site of the Church of the Holy Sepulchre.¹²⁴

Apart from the Biblical research, PEF survey collected valuable data on Palestinian villages, wells, religious sites, roads and terrain eventually which served the purposes of the British occupation of Palestine in 1917-1918. To prepare for this campaign, known as the Egyptian Expeditionary Force (EEF), (See **Section 1.1**), more mapping was needed. The veteran surveyor, Capt. S. F. Newcombe surveyed the southern country (*Naqab*) from Gaza to Aqaba in 1914.¹²⁵

For military purposes this was not enough. To identify Turkish fortifications and town plans, aerial survey was undertaken for the first time.¹²⁶ Aerial photos were taken and developed into maps as fast as the army had advanced or sometimes the opposite. A notable example for the use of these photos is Gaza. The artillery map of Gaza was prepared almost entirely on the basis of aerial photos with little field data.¹²⁷

While earlier maps were prepared for historical or military purposes, surveying of Palestine 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 prepared for the eventual take over of territory in Palestine. Chaim Weizmann headed the newly formed Zionist Commission for Palestine and appointed Herbert Samuel, the Jewish future High Commissioner for Palestine, as the head of its Advisory Committee.¹²⁸

Weizmann urged the British to close the Land Registry books to prevent rise in land prices and called for forming a Land Commission (See **Section 2.6 State Domain**) 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,¹²⁹ whose definition was left to interpretation.

The land was held under Islamic law for centuries for the benefit of Muslims, major inhabitants of

this land. The meaning of state land or waste land was defined by the latest Ottoman Land Code of 1858 and its amendments, for the benefit of the natural inhabitants of the country.

When Samuel took his post as High Commissioner of Palestine under the Mandate, he changed all that. 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 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.

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. The aim was to undertake "legal examination of the validity of all land title deeds in Palestine".¹³⁰ 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.

A survey department was hastily established using the services of experienced British colonial officials, particularly from Egypt. 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. It was guided by the triangulation network established by PEF survey 50 years earlier.¹³¹ By the end of 1946, triangulation was completed for Palestine from Khalasa in the south to el Khalisa in the north. See **Map 2.3**. The emphasis was always on the coastal plain and water resources and, in particular, on areas with Jewish land ownership. Recently, the triangulation was extended to the Gulf of Aqaba, River Jordan and Golan with new baselines.

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") were promulgated in 1928. The system worked as follows:

A separate map was drawn for each village, which became the basis for (1) 1:20,000 topographical maps (2) the assessment of rural property tax and (3) a guide for the 'settlement

121 The first field mapping of the coastal plain using modern surveying methods was prepared by Capt. Jacotin following the trail of Napoleon's army marching toward Acre in 1799. Jerusalem was mapped by F.W. Sieber (1818), F. Catherwood (1833) and British Royal Engineers (1841). The most detailed map of Jerusalem was prepared by Capt. Charles Wilson (1865) which remained the primary reference till 1937. The Dutch officer C.M.W van de Velde prepared a highly accurate map in his time of greater Syria including Palestine, published 1851, with a detail of Jerusalem. Other specialized maps by the Ottomans, Americans and Jewish settlers were prepared for special purposes or locations.

122 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.

123 See for example, Yolande Hodson and David M. Jacobson, *The Survey of Western Palestine: Introductory Essays*, London: PEF, 1999, p. 4. See also, John Moscrop, *Measuring Jerusalem: The*

Palestine Exploration Fund and British Interests in the Holy Land, London and New York: Leicester University Press, 2000.

124 *Ibid*, Hodson p. 5.

125 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, some 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).

126 D. Gavish and G. Biger, *Innovative Cartography in Palestine: Initial use of Aerial Photography in Town Mapping*, London: *Survey Review* 27 (1983) 208: pp. 81-91.

127 Gaza map, scale: 1:7500, prepared from a series of Aircraft Photographs, the Survey of Egypt, 25th Jan 1917. This artillery map was divided into 28 squares, each side 1000 yards. It had no coordinates. It had few place names, identified by an English missionary who was resident in Gaza.

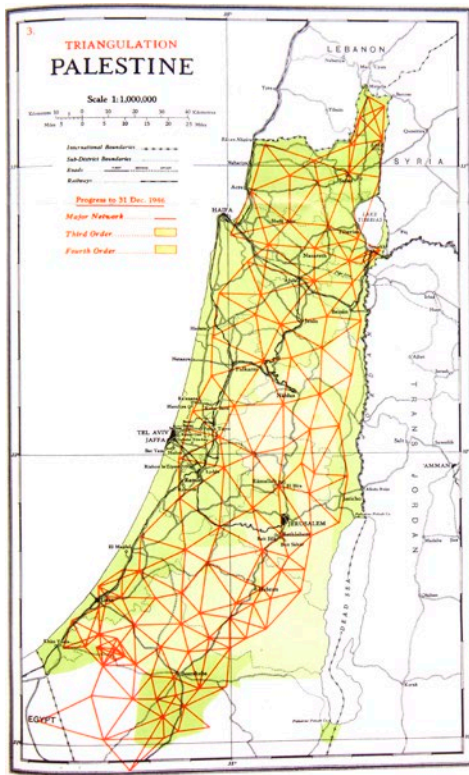
128 Don Gavish, *A Survey of Palestine under the British Mandate, 1920-1948*, Oxford: Routledge-Curzon, 2005, p. 33.

129 *Ibid*, pp. 32-33.

130 *Ibid*, p. 32.

131 This map is reproduced in: Survey of Western Palestine *supra* note 122, Vol.1, frontispiece. The triangulation network of 1921 was expanded slightly into Egypt and to the east and north. After 1948, the Israelis adopted the same Mandate network and expanded it in the south till Umm Rashrash (Eilat). See, *Atlas of Israel*, Tel Aviv: The Survey of Israel, London: Collier MacMillan, New York: MacMillan Publishing, Third Edition, 1985.

Map 2.3: Triangulation Network of Palestine as on 31 December 1946



Source: Palestine Government, Department of Surveys, Annual Reports of the Director of Surveys, 1940-1946, with supplement for 1947-1948.

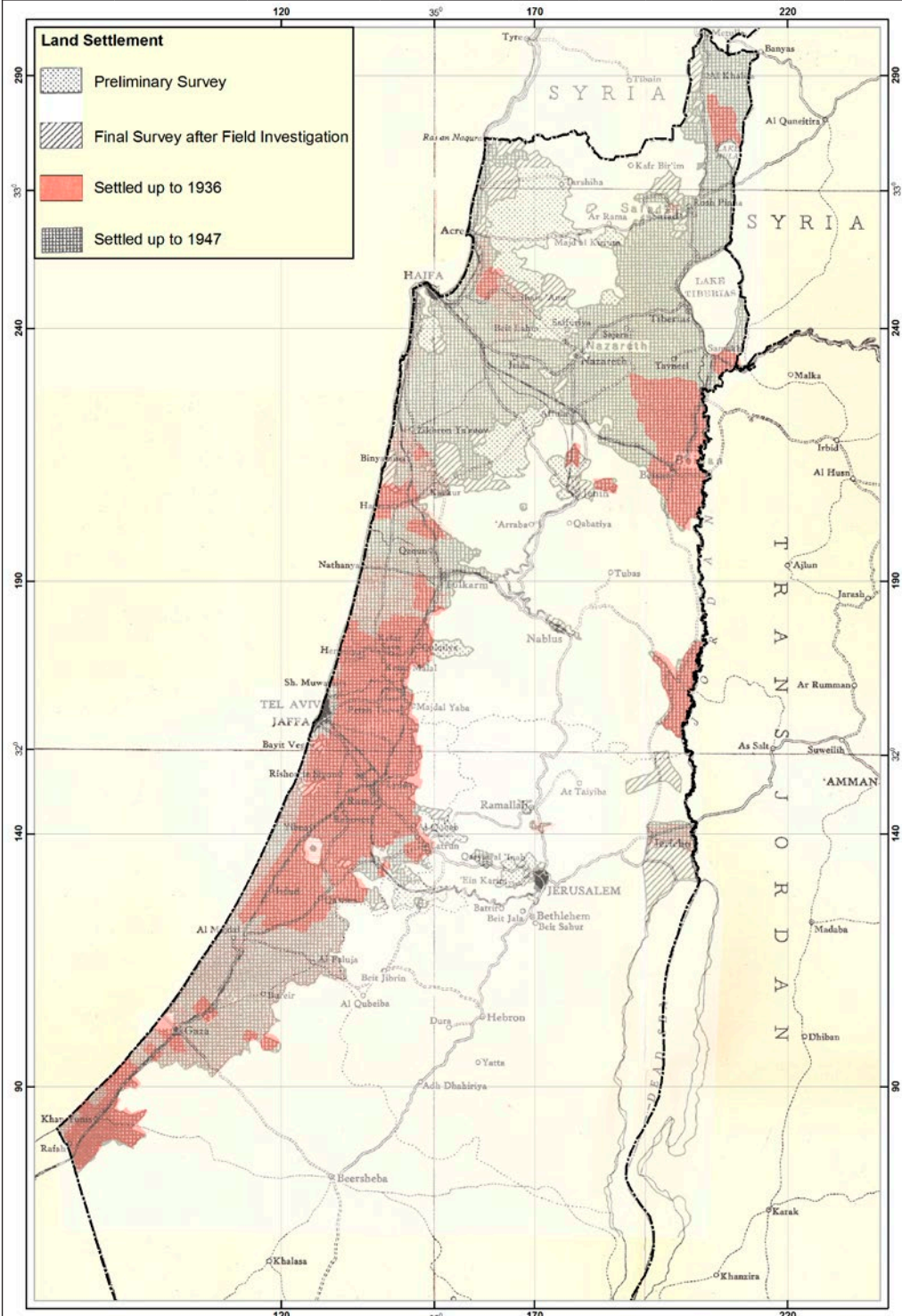
of title' operations. There were 16 sub-districts and over 1000 villages in Palestine. Each village is split into blocks, usually about 600 donums. It was estimated that 20,000 blocks would cover the 'settled' lands. Each block would be divided to one up to over hundred parcels. The average size of the parcel is 15 donums. A property would be described uniquely by its block and parcel number, which was, in turn, defined by coordinates.

If there is a dispute about ownership, this was usually settled on the spot. Survey and land settlement were working together in the field. Thus the description of land and property, property's exact area, location and its ownership are all generally determined by the same group of officers.¹³²

Although Torrens system had some defects and problems, it provided an up-to-date and accurate data about property ownership. One advantage it had: it superseded the Turkish system which gave only descriptive boundaries to a property, e.g. from Ali's tree to the Wadi.

But there are two major drawbacks in the application of Torrens system in Palestine. The first is that the procedure required the following: "Every transfer of ownership would, so to speak revert to the State (the Crown); the State would investigate and check new rights in the property in every single transfer and then the Registrar would enter the rights in the land registry book (*tabu, tapu*) and would issue a document attesting the rights (*Kushan*). According to this 'quasi-feudal' system, there would be no indication of absolute ownership of the land but only tenure granted by the State".¹³³ This meant that the Mandate

Map 2.4: Completed Land Settlement 1936, 1947



Source: Survey of Palestine 1936 and Maps of Palestine, the UN Special Committee on Palestine (UNSCOP), June 1947, prepared by the Survey of Palestine.

government effectively held all land in Palestine under its control and released to the owner only those lots for which the owner provided absolute proof of his ownership. The second is that since many lands were held by Custom Law – long term recognition of ownership – or held in common ownership (*Masha'*) or used for grazing or woods, this system was detrimental to the historical rights of the Palestinian inhabitants in their land. Recalling the Zionist motives behind the British survey, it was resisted by the Palestinians to the extent of chasing the surveyors away or destroying their equipment.

Accordingly, the cadastral survey proceeded in fits and starts, through the Great Revolt of 1936-1939

and WWII. By the end of the Mandate, the land area whose title was "settled" in the government register (not be confused with population settlement) was 5,243,042 donums or 20% of Palestine¹³⁴. This is the area within which Jewish colonies were built, in the coastal plain, Marj Ibn Amer valley and north of Lake Tiberias by River Jordan. **Map 2.4** shows the areas of Land Settlement in the years 1936 and 1947 (the last). The area in which Land Settlement was not completed is almost wholly Arab.

The map of Land Settlement, either up-to 1936 or 1947, corresponds very closely to the area in Palestine proposed to be a Jewish state under the Partition Plan of 1947. In this area lies the

132 Full explanation of the Torrens System, its advantages and problems is given by the last superintendent of Survey of Palestine. See, J.W. Loxton, Systematic Surveys for Settlement of Title

and Registration of Rights to Land in Palestine, *Conference of British Commonwealth Survey Officers*, 1947, Report of the Proceedings, London: HMSO, 1951.

133 Gavish, *supra* note 128, p. 150.

134 Survey of Palestine, *supra* note 3, Vo.I p. 237, 241 and Supplement p. 29.

Table 2.6: Series of the 100,000 Scale Topographic Maps, Names and Numbers

Sheet No.	First series 1934-1938	New series 1938-1942	16-sheet series 1942
1	Haifa (1935)	Haifa	Metulla
2	Safad (1935)	Safad	Haifa
3	Zikhron (1938)	Zikhron	Safad
4	Beisan (1937)	Beisan	Zikhron
5	Tulkarm (1937)	Jaffa-Tel Aviv	Nazareth
6	Nablus (1936)	Nablus	Jaffa-Tel Aviv
7	Jaffa-Tel Aviv (1935)	Gaza	Nablus
8	Jerusalem (1934)	Hebron	Yibna
9	Gaza (1936)	Jerusalem	Ramle
10	Hebron (1936)	Rafah (1938)	Jerusalem
11	Bethlehem (1937)	Beersheba (1938)	Gaza
12		Zuweira (1938)	Hebron
13			Dead Sea
14			Rafah
15			Beer Sheba
16			Jebel Usdum

Source: Davish, *supra* note 128, p. 227. See also Map 2.5.

Table 2.7: Early Field Surveys and Detailed Mapping 1921-1927

Year	Region	Scale	Area in Turkish donums
1921	Gaza vicinity, Jerusalem	1:2,000	No data
1922	Beisan	1:4,000	No data
1923	Jericho	1:2,000	No data
1924	Deir Suneid, Muharraqa, Huj, Deir el-Balah	1:2,000	120,000
	Khan Yunis, Rafah, Sumsum, Bureir	1:2,500	101,000
	Dunes area (coastal)	1:5,000	56,000
1925	Bureir, Beit Tima, Beit Jirja	1:2,500	81,940
	Orchards at Jaffa and Tel Aviv	1:2,500	18,680
	Twelve villages in the vicinity of Jaffa	1:2,500	103,000
	Caesarea (Kabara Concession)	1:2,500	18,000
	Southern Palestine	1:5,000	17,000
	Jaffa Sub-District	1:5,000	1,000
	Caesarea	1:5,000	30,000
	Lydda, olive groves		12,000
1926	Jaffa Sub-District (without Petah Tiqvah)	1:2,500	400,000
	Jaffa Sub-District	1:5,000	49,000
	Jaffa Sub-District: gardens and orchards		74,000
1927	Mount Carmel [all area from now in metric donums]		37,000
	Jordan Valley	1:5,000	150,000
	Coastal plain south of Rehovoth	1:10,000	320,000
	Haifa, Hadera, Tulkarm, Herzliya	1:2,500	36,500
	Yazur, Saqiya, Kafr Ana	1:500	No data
	Acre	1:2,500	No data

Source: Government of Palestine, Annual Report of Director of Surveys, 1921-1927. Quoted in Gavish, *supra* note 128, p. 123
 Note: Turkish donum = 0.919 metric donum.

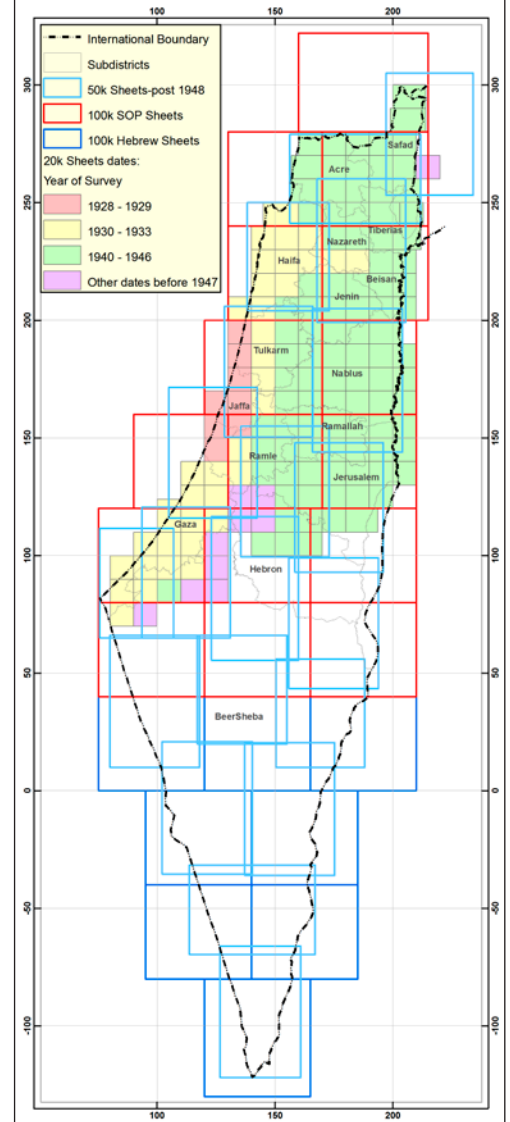
Jewish-held land during the Mandate, which was about 5% of Palestine. As described earlier, the Partition Plan allocated 56% of Palestine to a Jewish state, which roughly corresponds to the 'settled area'. As it happened, Israel occupied in 1948 all the 'settled' area, Beer Sheba (*Naqab*) and Galilee, totalling 78% of Palestine.

This is one of many instances in which the survey of Palestine was used to serve a military or political purpose for Britain or Zionism. There are others. With the rise of Jewish immigration into Palestine and the Zionist threat of taking over Palestine on the one hand and the failure of Palestinian protests

and peaceful demonstrations to produce any results, a general revolt loomed in the horizon. The survey department rushed to complete the topographical maps of the uncompleted hilly areas just before the arrival of two Divisions of British forces which came to crush the revolt. The Director of Survey reported the event,

[I]t was by the greatest luck that I had completed the sheets in the area where most of the troops were: Tulkarm, Nablus and Jenin, which is the worst country for bandits and raiders (sic). So that as soon as the two Divisions came, I was able to issue them sheets...¹³⁵

Map 2.5: Layout of Cadastral and Topographic Sheets



He was duly thanked by Lt. Gen. J.G. Dill, the commander of British forces in Palestine.

The military needs of WWII, including possible German invasion of Palestine from the west, the friction with French forces in Syria and Lebanon in the north and the possibility of renewed Palestinian revolt against Zionist imminent control of Palestine required the updating and hasty production of the topographic 1:100,000 series. This was done in time.

Table 2.6 shows the progress of the topographic 1:100,000 series, the last of which contained the latest data which was not included in the earlier 1:20,000 cadastral sheets. The 1:20,000 cadastral sheets and the 1:100,000 topographic sheets sum up the most important work done by the survey department. **Map 2.5** shows the layout of these sheets and the date of survey for 1:20,000 sheets.

There were many other detailed maps prepared for towns and special locations. **Table 2.7** shows some of these details with their date and scale. In addition to town plans for all Palestinian towns, Jerusalem had been extensively surveyed.

After *al Nakba* and Israel's takeover of Palestine, the Survey of Israel produced a large number of sheets (one example is shown in Map 2.5) with different layouts and scales. For the first 10-20

years of its life, Israel used Palestine maps by keeping the Arabic names (in English) of Palestinian villages and overprinting new names in Hebrew. Then new maps were produced in which depopulated Palestinian villages and secondary roads were erased and the new Kibbutzim built on the refugees' land with new secondary road system were shown with Hebrew names.

Following the end of WWII and the rise of Jewish terrorism against the British and the Arabs, the Mandate government felt, once again, obliged to complete the survey of Palestine, if not for its own obligations as the Mandatory power, but for the new phase in which Britain was ready to surrender Palestine to the UN.

The Royal Air Force (RAF) carried out extensive aerial survey of Palestine in 1945-1946 and produced 5000 photographs of 21x21 cm, mostly at a scale of 1:15,000. The area covered was again the coastal area and the hilly areas (now called the West Bank), along the eastern boundary of Palestine at River Jordan and some areas in Gaza – Beer Sheba – Auja triangle in the south. There were also sporadic surveys of battle zones in 1948.

Thus, in just over 20 years the British Mandate produced a wealth of information contained in hundreds of sheets. Together with Land Settlement records, this total sum of maps and records, in spite of its deficiencies and omissions, documented Palestine patrimony which was lost in 1948, and consequently helped the nascent Israeli state to utilize the territory of Palestine it conquered.

The loss was not only in land and property itself. All its records and maps were confiscated by the Israelis. A.P. Mitchell, Director of Palestine Survey at the end of the Mandate, decided to distribute the available survey material to Jews and Arabs according to the areas of the Partition plan.¹³⁶ The *Haganah*, the pre-state army, arranged the secret transfer of all maps, books and list of coordinates to Tel Aviv and the copied documents to be shipped to Britain. The British turned a blind eye to this operation; they could have stopped it. Don Gavish of the Geography department of the Hebrew University, where much of the diverted material is now housed, writes in detail about this theft. It is worth quoting some paragraphs in full:

[T]he Hagana also managed to capture some of the British lorries [carrying the maps to the Arab side] on the way and to hide the loads in the cellar of one of the buildings in Sarona....

The first task of the British and Arab Survey workers in Ramle [the new Arab office of the Survey Dept.] was to check the material transferred to them. This is attested by the files found by Israel entitled 'Missing Documents', 'Stolen Documents', 'List of Documents of the Arab State Transferred to Ramle'. Among the files

there were lists of blocks missing in the Arab and the international parts; field books that had been transferred to Ramle by mistake [containing records of Arab and Jewish property] that belonged to the Jewish part, and field books of the Arab part that did not reach Ramle; city maps that disappeared (Jaffa and Tiberias to a scale of 1:1,250); a list of stolen registry blocks in the Jerusalem region – 'Ein Karim, Lifta, Deir Yasin, Beit Safafa, Qaluniya, and Motsa; the list of maps of contour lines that disappeared; and others. Presumably, much of the material moved to Ramle was eventually returned [redirected] to Tel Aviv...

The British left the Survey Department without taking with them the archives of documents and maps of the department; nor did they take the Land Registry books and the Land Settlement documentation, but micro-filmed them for back-up. These back-up photographs were subsequently returned to the Government of Israel....

The Survey of Israel took over the property of the Mandate Survey of Palestine. The printing plates of the topographic maps of the Palestine passed through many hands....¹³⁷

It is of interest to note that Jarvis, the UN Land Expert, noted in his 1964 report of Arab property assessment in Palestine that his records were incomplete for villages in the Israeli occupied Jerusalem and Ramle sub-districts because he did not have these records.¹³⁸ These villages are among those whose records were "stolen".

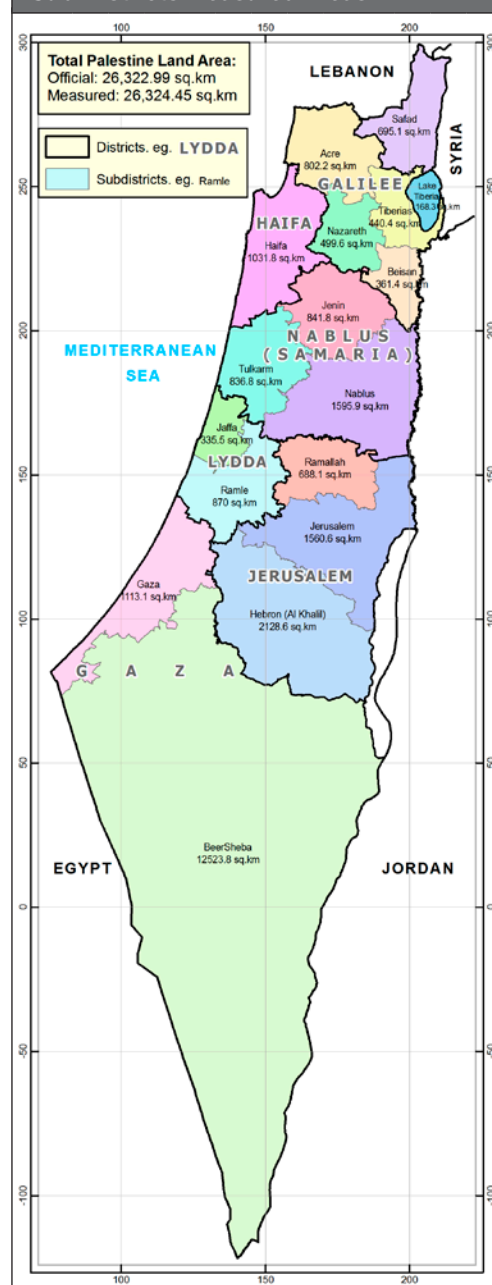
All these documents for Palestine are now housed in the Survey of Israel offices, the Ministry of Agriculture (in order to allocate Palestinian land to the Kibbutz), the Haganah, the Ministry of Defence and the Hebrew University in Jerusalem. There are other locations outside Israel which may have some information about the whereabouts of the records.¹³⁹

2.4 Village Statistics, 1945

Palestine was divided into districts and sub-districts. A sub-district contains few towns and several hundred villages, each has a well-defined area. See **Map 2.6** for the administrative divisions and their areas in 1944, that is: Palestine (sub)-districts official areas compared with measured areas. As noted, the main difference is in Beer Sheba due to the uncertainty of the boundary at *Wadi Arabah*.

Table 2.8 shows the official listing of Districts (*Liwa*), Sub-Districts (*qada*) and official land areas in square kilometres.¹⁴⁰ In common use and mostly in official use, the sub-district (*qada*) is referred to most often. The term 'District' in reference to sub-district is used here for simplicity.

Map 2.6: Palestine Districts and Sub-Districts Measured Areas



The major source of statistical information on land and people during the Mandate period is *Village Statistics* (1945).¹⁴¹ This compilation of statistical material includes both population and land ownership in Palestine. The first edition of *Village Statistics* was prepared in 1936 when the government of Palestine was asked to compile statistical data relating to land ownership in Palestine for the Royal Peel Commission.¹⁴² The schedules were treated as 'strictly secret'. In 1943, however, the Mandate Government decided to make such statistical information public, and the Department of Land Settlement thereupon issued the first printed edition *Village Statistics*. Circulation of this publication was limited to government offices and a few interested private organizations.

In 1946, the Government was requested to update the information for the Anglo-American

136 Mitchell, having tried to give the Arabs their share of the survey material, left the (Arab) survey office in Ramle on 25 March 1948 and left Palestine in April. Loxton, the last to leave, took a lift home in the last aircraft carrying Lydda airport staff on 23 April 1948. On this date, Jaffa and Haifa were burning under continuous barrage of Jewish mortars, its inhabitants were driven out of their homes to the Mediterranean sea, the only escape route left on purpose.
137 Gavish *supra* note 128, pp. 249-255.
138 Jarvis Report, UNCCP, A/AC.25/W. 84, 28 April 1964, para 16.
139 The description of land registration in Palestine and the whereabouts of its records are found in a 52-page report with Appendices dated October 1948 by J.F. Spry, formerly Assis-

tant Director of Land Registration, Palestine. See also British National Archives CO 733/494/3, FO 371/91743 (ER 1462/10) and FO 371/91752 (ER 1462/9).
A brief report about land registration by the UK National Archives (previously Public Record Office) gives a useful summary of record locations. See Research Note 3: Registration of Land in Palestine and Trans-Jordan before 1948, accessed June 2009 at: <http://www.nationalarchives.gov.uk/catalogue/RdLeaflet.asp?sLeafletID=382>.
140 *Survey of Palestine*, Vol. I, *supra* note 3, p. 104.
141 *Village Statistics*. Jerusalem: Government Printer, 1945; and Sami Hadawi, *Village Statistics 1945, A Classification of Land and Area Ownership in Palestine, With Explanatory Notes, Facts*

and Figures No.34. Beirut: PLO Research Center, September 1970.
142 *Supra* note 31. The Department of Land Settlement, the authority responsible for the country's fiscal assessment records from which this information had to be extracted, was approached by the Commission's liaison officer, Mr. L.Y. Andrews, Development Officer of the Government, to make available the data needed. Sami Hadawi believed that the idea of the partition of Palestine, as later recommended by the Royal Commission, was inspired by Mr. Andrews, whose friendly relations and cooperation with the Jewish Agency were then no secret. Particulars of the location of Jewish land holdings were needed by the Commission to decide the boundaries of their proposal for a 'Jewish state'.

Committee of Inquiry.¹⁴³ The Department of Statistics and the Department of Land Settlement cooperated in the preparation of this information which was eventually released as *Village Statistics* (1945) [hereinafter *Village Statistics* or *Vilstat*]. This was the last such publication issued by the Palestine Government before the termination of the Mandate on May 14, 1948. The difference between the 1943 and 1945 editions is that whereas the former gave only particulars as between Jews and non-Jews, the latter was more detailed and included information on estimated population by community as at the end of 1944 and land holdings categorized according to Arabs, Jews, Public (i.e., government, municipalities and local councils) and Others.

The village names appearing in *Village Statistics* are in accordance with the administrative divisions of 1931, as revised in 1944.¹⁴⁴ *Village Statistics* divides Palestine into administrative units, each centered on a town or a main village. Each administrative unit had a well-defined urban and rural area of land. For convenience, the urban and rural area of each town is combined. The limits of towns were as defined under the *1928 Urban Property Tax Ordinance*.¹⁴⁵ The village built-up areas were those lands in category 4 under the *1935 Rural Property Tax Ordinance*.¹⁴⁶ The Beer Sheba district was not similarly divided as land belonging to the various clans was traditionally held through customary ownership. (See Beer Sheba, Section 2.7.)

In cases where village land contained more than one village, the following designation was used:

- (a) **Where a territorial unit included two or more administrative units which were not territorially separated from one another and were of equal importance;** Example: Sur Bahir and Umm Tuba
- (b) **A unit which included a Khirbet (hamlet) or a previously declared village which was no longer recognized as a separate village entity;** Example: Bayt Kahil (includes Khirbet Jamrura)
- (c) **Change of name;** Example: 'Ein hash Shofat (previously Ji'ara)
- (d) **An entity known by two names.** Example: Khirbet Samah (Eilon)

A typical Jewish colony started as a farm on a small plot of a Palestinian village land. When it grew, it applied for a separate status, which was frequently granted by The Mandate. Its area and population remained much smaller than that of a typical Palestinian village. To verify its land area in order to compare it with the official area was very difficult due to the lack of large scale maps. When appropriate, a cluster of such colonies was listed together in the master table.

The figures in *Village Statistics* for land ownership were compiled from two sources. Where settlement of title to land had been completed in any

District	Area (Sq. kms.)	Headquarters	Sub-districts	Area (Sq. kms.)
Gaza	13,689	Gaza	Gaza	1,113
			Beersheba	12,576
Lydda	1,206	Jaffa	Jaffa	336
			Ramle	870
Jerusalem	4,334	Jerusalem	Jerusalem	1,571
			Hebron	2,076
			Ramallah	687
Samaria	3,266	Nablus	Nablus	1,637
			Jenin	839
			Tulkarm	790
Haifa	1,021	Haifa	Haifa	1,021
Galilee	2,804	Nazareth	Nazareth	499
			Acre	810
			Beisan	361
			Safad	695
			Tiberias	439
TOTAL	26,320			26,320

Note: In what follows, we shall use 'District' in lieu of 'Sub-District' and drop 'District' for simplicity.

S. No.	District Name	Population			Land (donums)				Measured Area
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total	
1	Safad	46,920	6,700	53,620	490,863	121,488	83,780	696,131	695,123
2	Acre	65,380	2,950	68,330	697,751	24,997	76,915	799,663	802,198
3	Haifa	120,120	104,510	224,630	459,791	364,276	207,688	1,031,755	1,031,758
4	Tiberias	26,100	12,140	38,240	231,761	167,406	41,802	440,969	440,435
5	Nazareth	38,500	7,600	46,100	263,088	137,382	97,063	497,533	499,623
6	Beisan	16,590	7,000	23,590	164,948	124,755	77,384	367,087	361,362
7	Jenin	56,880	0	56,880	702,093	4,251	128,870	835,214	841,783
8	Tulkarm	71,240	14,900	86,140	650,695	141,361	43,280	835,336	836,767
9	Nablus	89,200	0	89,200	1,406,669	15	185,034	1,591,718	1,595,866
10	Jaffa	109,700	264,100	373,800	177,354	129,439	28,573	335,366	335,453
11	Ramle	97,850	29,420	127,270	686,056	122,159	61,977	870,192	870,006
12	Ramallah	47,280	0	47,280	682,504	146	3,914	686,564	688,056
13	Jerusalem	147,750	100,200	247,950	1,388,854	33,401	148,530	1,570,785	1,560,553
14	Gaza	134,290	2,890	137,180	841,804	49,260	220,437	1,111,501	1,113,124
15	Hebron	89,570	80	89,650	1,985,922	6,132	84,131	2,076,185	2,128,590
16	Beer Sheba	86,497	180	86,677	12,509,490	65,231	2,279	12,577,000	12,523,751
	TOTAL	1,243,867	552,670	1,796,537	23,339,643	1,491,699	1,491,657	26,322,999	26,324,448

Notes: Village Statistics (Vilstat) 1945 refers to 31 December 1944. Beer Sheba population figures are adjusted due to a gross underestimate. Areas measured by GIS are shown in the right hand side column. The biggest difference is due to uncertainty of Wadi Arabah boundary. Safad district includes Lake Hula and Concession. Lake Tiberias and Dead Sea are not included. Misc. population is added to the nearest village.

village or part thereof, the *Tax Distribution Lists* for such lands were compiled to conform to the names of owners and areas appearing in the Land Settlement records. Where no land settlement of title operations had taken place, the data for *Village Statistics* was extracted from the lists of tax-payers prepared by a village tax distribution committee which was specifically appointed under the Rural Property Tax Ordinance to distribute the tax assessed on the lands of the village. Since tax was the criterion, the tax distribution committee ignored non-taxable land, and in the majority of cases did not enter any particulars in the tax list about such lands. This was not unusual as

it had always been the practice, since Ottoman times, to ignore non-taxable land. As regards the Beer Sheba sub-district, the names of the taxpayers were extracted from the Commutation of Tithe Lists which showed the tax due by tribe or sub-tribe, but seldom gave the names of the individuals or the area of their land.

When the Department of Land Settlement began the preparation of the schedules on which the *Village Statistics* was based, it realised that the total area of the village as it actually existed did not tally with the figures extracted from the fiscal records for non-settled land. For convenience, the

143 This committee was appointed jointly by the British and United States Governments to examine, among other things, the political, economic and social conditions of Palestine and to make recommendations for a settlement. See, Cmd. 6808, Report of the Anglo-American Committee of Inquiry cited in *Survey of*

Palestine, Vol. I, *supra* note 3, p. 86.
 144 *Supra* note 115.
 145 1927 Urban Property Tax Ordinance. For further discussion see, Sami Hadawi, *Palestinian Rights and Losses in 1948, A Comprehensive Assessment*. London: Saqi Books, 1988, p. 47.

146 1935 Rural Property Tax Ordinance. The last revised law was published in the *Laws of Palestine 1944*, Vol. I, p. 32; and Ordinance No. 8 of 1945, Supplement No.1, p. 47. For further discussion see, Hadawi, *supra* note 145, pp. 48-51.

Classification of Land in Palestine

To understand the extent of the defect of land ownership in the *Village Statistics*, it is necessary to review the tax laws which were applicable to agricultural land in Palestine during the period of the Mandate. Property in urban areas presented no appreciable difficulties insofar as areas and ownership were concerned.

The taxation system inherited by the British Mandatory from the Turks concerning agricultural land was based on the tithe, a tax which was supposed to be equal to one-tenth of the produce. The collection of the tithe used to be farmed out by public auction, usually to influential persons. Assessment of the produce was made by assessors at the time of harvest. This practice, being open to abuse, was discontinued after the British occupation.

In 1928, the Palestine Government replaced this system by a commutation of tithes, that is, a fixed aggregate amount paid annually irrespective of production. The tax was, however, related to the average amount of tithe that had been paid by the village during the years immediately preceding the application of the Commutation of Tithes Ordinance to it, and was distributed by village committees under official supervision on the basis of the productivity of the land in cereals or fruit trees. The extent of the areas cultivated was not taken into account.

In 1935, the taxation system was once again changed by the enactment of the Rural Property Tax Ordinance which remained in force in Palestine (except in the Beer Sheba sub-district where the Commutation of Tithes applied) until the termination of the Mandate, and on which the figures in the *Village Statistics* were based.

For the operation of this Ordinance, plans were prepared showing the boundaries of all villages and settlements, the boundaries and names of the various localities or blocks, the area planted with fruit trees and the cultivable and non-cultivable land. Villages and settlements were divided by official valuers into blocks of land of a roughly similar ground crop productivity value, and the category was determined in which each block should be placed. The following categories were decided upon:

Category and Description

- 1 Citrus (excluding Acre sub-district)
- 2 Citrus (Acre sub-district)
- 3 Bananas
- 4 Village built on area or land reserved therefore and any area which in the opinion of the Official Valuer is reserved for the erection of buildings.
- 5 1st Grade Irrigated Land and 1st Grade Fruit Plantation
- 6 2nd Grade Irrigated Land and 2nd Grade Fruit Plantation
- 7 3rd Grade Irrigated Land and 3rd Grade Fruit Plantation
- 8 1st Grade Ground Crop Land, 4th Grade Irrigated Land and 4th Grade Fruit Plantation
- 9 2nd Grade Ground Crop Land, 5th Grade Irrigated Land and 5th Grade Fruit Plantation
- 10 3rd Grade Ground Crop Land, 6th Grade Irrigated Land and 6th Grade Fruit Plantation
- 11 4th Grade Ground Crop Land, 7th Grade Irrigated Land and 7th Grade Fruit Plantation
- 12 5th Grade Ground Crop Land, 8th Grade

- Irrigated Land and 8th Grade Fruit Plantation
- 13 6th Grade Ground Crop Land, 9th Grade Irrigated Land and 9th Grade Fruit Plantation
- 14 7th Grade Ground Crop Land, 10th Grade Irrigated Land and 10th Grade Fruit Plantation
- 15 8th Grade Ground Crop Land
- 16 Forests planted and indigenous and uncultivable land
- 17 Fish ponds

The first thirteen categories were taxed according to the estimated productivity of the soil, and in some relation to the net annual yield. Generally, the rates of tax per donum approximated to 10 per cent of a low estimated net annual value of the several categories of land. The last three categories, namely, 14, 15 and 16, were exempt from taxation. In 1943, however, the Government decided, as a war measure, to levy tax on categories 14 and 15 and to impose a tax on fish ponds which were then coming into being (category 17). Category 16 remained exempt until the termination of the Mandate.

The soil of Palestine differed considerably even within the limits of a single village, particularly in the hill regions. The usage to which certain lands could be put depended largely on the availability of sufficient rainfall. It was for these reasons that the Government of Palestine decided upon as many as sixteen categories of land for the purpose of taxation, while classification was not as rigid as it might have been since it bore no relation to actual capital value, in the sense that two plots of land with the same productivity but falling in different locations (and of different capital values) were taxed alike.

It should be noted that in the majority of cases Arab methods of cultivation were still primitive; and owing to the hunger for land, especially in the hill regions, the Arab farmer paid no attention to economic considerations and could be seen engaged in the cultivation of small patches of soil between the rocks sometimes by means of a pick-axe, or in terracing still smaller pockets and placing olive tree-shoots in them in the hope that they would survive. Many village families were able to subsist, though miserably, on such marginal land, which, according to Government standards, was classified as non-cultivable and therefore non-taxable. While such land was held in individual ownership, the tax distribution committee failed to enter the land and ownership in the tax lists because there was no tax to be assessed, and the owner was only too pleased to evade payment of the tax. Cases are known to exist in which influential members of the tax distribution committee would include their own lands under the non-taxable category in order to escape taxation.

The defect in the government classification of 'cultivable' land was condemned by Mr. Maurice Hexter, of the Jewish Agency, before the Royal (Peel) Commission. Hexter told the Commission that "the figures, based on a fiscal survey, were necessarily falsified by the natural desire to evade the tax." They were compiled, he said, "by surveyors unable to classify cultivability, and limited to recording areas actually under cultivation, omitting fallow lands." The estimate of Government, he went on, "excludes all or nearly all land not under cultivation; secondly, it excludes all or nearly all land requiring considerable capital outlay; thirdly, it excludes all

land under water, such as Huleh; fourthly, it does not distinguish between quality and productivity of the soil; fifthly, the figures are still estimates; sixthly, their present basis seems to us no more final than the estimates which they displace; and lastly, the definition is unrelated to realities, because it omits, as it shows by its very contents, technology, capital, education, skill and markets".

Another critic of the government classification of 'cultivable' land was Mr. A. Granovsky (Granott), one of the foremost Jewish land experts. To support his argument, he said: "In order to test the accuracy of the survey statistics, Jewish Agency experts classified the lands of two villages into the prescribed categories. In one village, near Jerusalem, where the survey made for the introduction of the Rural Property Tax, had shown 2,794 donums, or 51.8 per cent, of the lands as uncultivable, the Jewish Agency experts could find only 975 donums, or 18.8 per cent, of uncultivable land. In the second village, near Haifa, where 2,185 donums, or 28.1 per cent were registered as uncultivable by the Government, the Jewish experts found no more than 726 donums, or 9.3 per cent, of such land".

Mr. Granovsky then explained: "It would also seem that the terms 'cultivable' and 'cultivated' were often used interchangeably during the survey, and that only such lands were registered as 'cultivable' as were then actually under cultivation. That this was an erroneous appraisal is proved by the very fact that many new stretches of land have since been brought under tillage. With the extension of the cultivated area, the area of the cultivable lands has also been enlarged. The total area of cultivated land has been extended year by year, and thus considerably enlarged in the course of time". While this was true, the tax records carried the same figures of 'cultivable' land as originally classified. Mr. Granovsky then quoted as an example the figures for 1930-1931 which, he said, showed that "the whole area under cultivation [excluding Beer Sheba] was 3,866,189 donums, while by 1934-1935 it has been extended to 4,529,906; that is to say, 663,717 donums, or 17 per cent more of the land was being worked. These figures", he explained, "apply only to winter and summer fruits and to vegetables, while the 'krab' areas, that is to say, the lands which it is customary in Palestine to leave fallow every other year, were not taken into account".

The contention of the Jewish Agency experts on 'cultivable' land was not lost on those responsible in the Department of Land Settlement for the classification of land. As Official Valuer, Sami Hadawi more than once drew attention to the discrepancy and suggested a revision of the survey. It was, however, pointed out that the expenditure involved would more than outweigh the expected increase in the incidence of the tax. While the Government was willing to forego its tax, it was not realised that the extent of Arab-owned land in Palestine is not adequately represented by the figures in *Village Statistics*, which were compiled from classifications intended for taxation purposes only, with all the short-comings and under-estimations of these figures.

Based on Sami Hadawi, *Village Statistics 1945, A Classification of Land and Area Ownership in Palestine, With Explanatory Notes, Facts and Figures No.34*. Beirut: PLO Research Center, September 1970.

difference was entered in *Village Statistics* under the column of 'Public' whether or not it was owned by the government. Strictly speaking, this action was inappropriate because no authority other than the tax distribution committee was entitled to alter the records in this respect. It was the function of the committee to divide the land and apportion the tax at the time of the original distribution but this was not done. No harm was seen by this de-

partmental action at the time, however, since land settlement of title operations when they reached the village would adjust the ownership situation to agree with the actual position.

The main defect in the *Village Statistics* lies in the classification of land for tax purposes which in turn affected the extent of Arab ownership. See **Box**. No problem arose in respect of Jewish-

owned lands because Jewish purchases had been properly surveyed and registered.

Table 2.9 and the accompanying notes provide a summary of *Village Statistics*. **Table 2.10** includes the full text of the *Village Statistics* per town/village and (sub)-districts, under the same headings as in Table 2.9 and with the notes and limitations previously described.

Count	Name	Population			Land (donums)				
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total	
1	Abil el Qamh	330		330	3,116	1,327	172	4,615	
2	'Abisiya, El and Kefar Szold (includes 'Azazyat, 'Ein Fit and Khirbat es S'umman)	1,220	290	1,510	13,671	1,257	501	15,429	
3	Aiyet hash Shahar and Yarda	20	540	560	1,367	6,549	457	8,373	
4	'Akbara	390		390	3,167		57	3,224	
5	'Alma	950		950	17,240		2,258	19,498	
6	'Ammuqa	140		140	2,571		3	2,574	
7	'Arab esh Shamalina (Khirbat Abū Zeina) (includes El Buteiha)	650		650	16,690			16,690	
8	Beisamūn	20		20	2,057		45	2,102	
9	Biriya	240		240	408	5,170	1	5,579	
10	Buweziya, El (includes Meis)	510		510	13,226	503	891	14,620	
11	Dafna		380	380	252	2,189	222	2,663	
12	Dallāta	360		360	9,072		2	9,074	
13	Dan (Previously Khān ed Duweir)		260	260	2,163	3,054	371	5,588	
14	Darbashiya, Ed	310		310	2,767		116	2,883	
15	Dawwāra, 'Amir and Kefar Nehemya	700	400	1,100	2,547	2,753	170	5,470	
16	Deishūm	590		590	22,393		651	23,044	
17	Dhāhiriya el Fauqā,					15,997	307	16,304	
18	Dhāhiriya et Tahtā,	350		350	6,771		2	6,773	
19	'Ein ez Zeitūn	820		820	1,054		46	1,100	
20	'Ein Zeitim				4	3,707	1,358	5,069	
21	Fāra	320		320	7,225		4	7,229	
22	Farrādiya	670		670	15,228		4,519	19,747	
23	Fir'im	740		740	2,023	163	5	2,191	
24	Ghabbātiya	60		60	2,381		552	2,933	
25	Ghurāba	220		220	2,935	478	40	3,453	
26	Harrāwī				2,255	1,471		3,726	
27	Hatsor				2	2,104	113	2,219	
28	Hūla Concession Area		190	190	15,608		41,326	56,934	
29	Hūnīn (includes Hūla and 'Udeisa)	1,620		1,620	13,623	486	115	14,224	
30	Hurfeish	830		830	14,623		2,281	16,904	
31	Jāhūla	420		420	1,991	583	1,295	3,869	
32	Jā'ūna	1,150		1,150	824	7	8	839	
33	Jish	1,090		1,090	12,430	24	148	12,602	
34	Jubb Yūsuf	170		170	11,230		95	11,325	
35	Kafr Bir'im	710		710	12,244		6	12,250	
36	Kefar Gil'adi (Tel Hai)		650	650	260	4,184	1,554	5,998	
37	Khāliisa, El	1,840		1,840	10,773		507	11,280	
38	Khirbat el Hiqāb				3,280			3,280	
39	Khisās	470	60	530	1,480	2,738	577	4,795	
40	Khiyām el Walīd	280		280	161	3,901	153	4,215	
41	Kirād el Baqqāra	360		360	2,141	121		2,262	
42	Kirād el Ghannāma	350		350	3,795	175	5	3,975	
43	Lazzāza and Beit Hillel	230	100	330	377	942	267	1,586	
44	Mahanayim		110	110	52	2,407	13	2,472	
45	Mālikīya, El (includes 'Eitarūn)	360		360	7,326		2	7,328	
46	Mallāha and 'Arab Zubeid	1,710		1,710	1,838	294	36	2,168	
47	Manāra, El		70	70	1,615	935		2,550	
48	Mansūra, El	360		360	1,254	175	115	1,544	
49	Mansūrat el Kheit	200		200			6,735	6,735	
50	Mārūs	80		80	3,181		2	3,183	
51	Mazāri' ed Daraja and Dardarā, (includes Dureijāt, 'Ein et Tina, Jalabīnā and Weiziya ('Almīn))	100		100	4,443	1,829	89	6,361	
52	Meirūn	290		290	6,765	5,839	1,510	14,114	
53	Metulla (includes Deir Mamās, Hūra and Kafr Kīla)		220	220	2,010	5,002	78	7,090	
54	Mishmar hay Yarden		130	130		5,208	54	5,262	
55	Muftakhira, El (includes El Barjiyāt)	350		350	5,414	3,596	205	9,215	
56	Mughr el Kheit	490		490	6,141	384	102	6,627	
57	Nabi Yūsha', En	70		70	3,616		1	3,617	
58	Nā'ima, En	1,030	210	1,240	4,450	2,414	291	7,155	
59	Qabbā'a and Jazāyir el Hindāj (includes Mughr ed Durūz)	460		460	13,437		380	13,817	
60	Qadas (includes Buleida)	390		390	10,644	3,491	4	14,139	
61	Qadditā	240		240	2,440		1	2,441	
62	Qeitiya	940		940	4,682	183	525	5,390	
63	Qudeiriya, El	390		390	12,487			12,487	
64	Rās el Ahmar, Er	620		620	7,931		3	7,934	
65	Rihaniya	290		290	6,112		25	6,137	
66	Rosh Pinna		340	340	801	6,847	91	7,739	
67	Sabalān	70		70	1,262			536	1,798
68	Safad, Urban & Rural	9,530	2,400	11,930	3,818	256	357	4,431	
69	Safsāf	910		910	5,344			2,047	7,391
70	Sāliha (includes Mārūn er Rās and Yārūn)	1,070		1,070	11,730		5	11,735	
71	Sālihiya, Es	1,520		1,520	4,528	789	290	5,607	
72	Sammū'i, Es	310		310	9,713			5,422	15,135
73	Sanbariyya, Es	130		130	2,284	198		50	2,532
74	Sa'sa'	1,130		1,130	12,822			1,974	14,796
75	Shauqa et Tahtā (includes Mughr esh Shab'ān)	200		200	2,009			123	2,132
76	She-ar Yashuv		100	100	3	1,467	100		1,570
77	Shūna, Esh	170		170	3,476			184	3,660
78	Teitabā	530		530	8,441			12	8,453
79	Tūbā ('Arab el Heib)	590		590	13,684	2,307	1	15,992	
80	Tuleil and El Huseiniya	340		340	3,556	1,753	15	5,324	
81	Ulmāniya, El	260		260	1,169				1,169
82	Weiziya					3,673	153		3,826
83	Yesud ham Ma'ala (includes El Kharrār)	10	250	260	150	10,928	147		11,225
84	Zanghariyya (Zuhluq)	840		840	27,856			62	27,918
85	Zāwiya, Ez	760		760	3,797			161	3,958
86	Zūq el Fauqāni, Ez				1,789			43	1,832
87	Zūq et Tahtāni, Ez	1,050		1,050	9,368	1,630	636		11,634
	SAFAD DISTRICT TOTAL	46,920	6,700	53,620	490,863	121,488	83,780		696,131
1	Abū Sinan	820		820	12,871			172	13,043
2	Acre Urban & Rural	12,310	50	12,360	1,499	6	444		1,949
3	'Amqā	1,240		1,240	6,060			8	6,068
4	Arab el 'Arāmisha and Arab el Quleitāt (includes I'ribbin, Jurdeih and Khirbat Idmīth)	360		360	11,442		21		11,463
5	'Arab es Samniya (includes Khirbat es Suwwāna and 'Arab Tauqiya)	200		200	1,872				1,872
6	'Arrāba	1,800		1,800	30,852	40	74		30,966
7	Bassa, El and Ma'sūb	2,950	150	3,100	25,258	4,178	99		29,535
8	Beit Jann and 'Ein el Asad	1,640		1,640	25,594			17,956	43,550
9	Bi'na, El	830		830	14,839			57	14,896
10	Birwa, El	1,460		1,460	12,939	546	57		13,542
11	Buqe'i'a, El	990		990	10,276	189	3,731		14,196
12	Dāmūn, Ed	1,310		1,310	19,073	687	597		20,357
13	Deir el Asad	1,100		1,100	8,366		7		8,373
14	Deir Hannā	750		750	15,350		8		15,358
15	Fassūta, Deir el Qāsi and El Mansūra	2,300		2,300	26,619			7,392	34,011
16	Ghābisiya, El and Sheikh Dāwūd (includes Sheikh Dannūn)	1,240		1,240	11,771			15	11,786
17	Hānitā		240	240		3,986	5		3,991
18	Iqrit	490		490	21,711			3,011	24,722
19	Jatt	200		200	5,907			2	5,909
20	Judeida	280		280	5,215		4		5,219
21	Jūlis	820		820	12,835			1,873	14,708
22	Kābūl	560		560	10,320			19	10,339
23	Kafr l'nān	360		360	5,424			403	5,827
24	Kafr Sumei'	300		300	7,150			3	7,153
25	Kafr Yāsif	1,400		1,400	6,729	8	26		6,763
26	Khirbat Jiddin				4,238	3,349			7,587
27	Khirbat Samah (Eilon)		270	270		3,940	48		3,988
28	Kisrā	480		480	10,598			2	10,600
29	Kuweikāt	1,050		1,050	4,668			65	4,733
30	Majd el Kurūm	1,400		1,400	17,828			2,214	20,042
31	Makr, El	490		490	8,661	96	34		8,791
32	Manshiya	810	270	1,080	12,522	1,895	469		14,886
33	Mazra'a, El, Shavei Zion, 'Ein Sara and Ga'aton	430	530	960	3,116	4,001	290		7,407
34	Mi'ar	770		770	10,785			3	10,788
35	Mi'ilya	900		900	19,136			9,948	29,084
36	Nahariya		1,440	1,440	13	1,986	190		2,189
37	Nahf	1,320		1,320	15,654			91	15,745
38	Nahr, En	610		610	5,243			18	5,261
39	Rāma, Er	1,690		1,690	23,701			815	24,516
40	Ruweis, Er	330		330	1,159			4	1,163
41	Sājūr	350		350	8,172			64	8,236
42	Sakhnin	2,600		2,600	70,181			11	70,192

Table 2.10: The Full Text of Village Statistics 1945 by Village/Town and (Sub)-District, Continued

Count	Name	Population			Land (donums)			
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total
43	Sha'b	1,740		1,740	17,870		121	17,991
44	Suhmâtâ	1,130		1,130	9,572		7,484	17,056
45	Sumeiriya, Es	760		760	7,935		607	8,542
46	Tamra	1,830		1,830	30,549		10	30,559
47	Tarbikhâ (includes En Nabî Rubin and Surûh)	1,000		1,000	12,548		6,015	18,563
48	Tarshihâ and Kâbrî	5,360		5,360	37,308	90	10,030	47,428
49	Umm el Faraj	800		800	821		4	825
50	Yânûh	410		410	12,466		370	12,836
51	Yirkâ	1,500		1,500	30,597		1,855	32,452
52	Zîb, Ez (includes Manawât)	1,910		1,910	12,438		169	12,607
	ACRE DISTRICT TOTAL	65,380	2,950	68,330	697,751	24,997	76,915	799,663
1	Abû Shûsha	720		720	5,883		3,077	8,960
2	Abû Zureiq	550		550	4,401		2,092	6,493
3	'Arab el Fuqarâ	310		310	15	2,513	186	2,714
4	Arab el Ghawarina (Jîsr Zerqa)	620		620	2,531	526	371	3,428
5	'Arab en Nufei'ât	820		820		7,466	1,471	8,937
6	'Ar'ara	2,290		2,290	29,537		5,802	35,339
7	'Atlit	150	510	660	15	5,262	3,806	9,083
8	Balad esh Sheikh	4,120		4,120	5,844	285	3,720	9,849
9	Bat Shelomo		90	90	116	7,501	404	8,021
10	Beit Lahm	370		370	7,439		87	7,526
11	Beit She'arim		330	330		4,045	159	4,204
12	Binyamina	270	1,250	1,520		14,724	677	15,401
13	Bureika	290		290	1,864	9,384	186	11,434
14	Buteimât, El	110		110	3,832	4,724	1	8,557
15	Dâliyât el Karmil	2,060		2,060	19,741	1,736	10,253	31,730
16	Dâliyât er Rûhâ and Dalia	280	320	600	178	9,614	216	10,008
17	Dumeirâ, Ed (Dumeirî)	620		620	775	612		1,387
18	'Ein Ghazâl	2,170		2,170	14,628	424	3,027	18,079
19	'Ein hash Shofet (previously Jî'ara)		320	320		4,542	69	4,611
20	'Ein Haud	650		650	6,656		5,949	12,605
21	El Ro-i (previously part of Esh Sheikh Bureik)		360	360		569	85	654
22	'Emeq Zevulun (Jidru Ghawârîna), Kefar Masaryk and 'Ein ham Mifrats	790	530	1,320	793	32,342	7,178	40,313
23	Fureidîs, El	780		780	4,220	132	98	4,450
24	Ghubaiyat (includes El Ghubaiya el Fauqâ, El Ghubaiya et Tahtâ and En Nagnnagiya)	1,130		1,130	11,607		532	12,139
25	Giv'at 'Ada (El Marâh)		160	160		7,562	297	7,859
26	Giv'ot Zeid (previously part of Esh Sheikh Bureik)		110	110		1,581	8	1,589
27	Hadera Urban & Rural	20	7,810	7,830	121	20,254	1,090	21,465
28	Haifa (Urban) includes Ahuzzat Sir Herbert Samuel	62,800	75,500	138,300	12,911	27,623	13,771	54,305
29	Haz Zorea' (previously part of Qîra wa Qâmûn)		290	290		3,215	103	3,318
30	Heftsi Bah		20	20	2	4,898	939	5,839
31	I'billîn	1,660		1,660	16,019		2,613	18,632
32	Ijzim	2,970		2,970	23,619		23,286	46,905
33	Isfiyâ	1,790		1,790	16,811	1,476	14,260	32,547
34	Jaba'	1,140		1,140	4,759		2,253	7,012
35	Kabâra	120		120	1,070	3,487	5,274	9,831
36	Kafr Lâm	340		340	5,104		1,734	6,838
37	Kafr Qari'	1,510		1,510	14,543	3,544	6	18,093
38	Kafrîn, El	920		920	9,981		901	10,882
39	Karkûr		2,380	2,380	10	13,302	520	13,832
40	Kefar 'Atta (Kufrittâ)		1,690	1,690	3	5,194	934	6,131
41	Kefar Brandeis		150	150		4,906	49	4,955
42	Kefar ham Maccabi		210	210		1,660	18	1,678
43	Kefar Hasidim		980	980	2	16,408	592	17,002
44	Kefar Yehoshua'		620	620		7,982	525	8,507
45	Khîrbat ed Dâmûn	340		340		1,904	893	2,797
46	Khîrbat el Burj				15	4,933	343	5,291
47	Khîrbat Lid (Ed 'Awâdin)	640		640	13,218		354	13,572
48	Khubbéiza	290		290	2,828	2,024	2	4,854
49	Khureiba, El					3,911	3,996	7,907
50	Mansi', El ('Arab Banihâ)	1,200		1,200	7,611		4,661	12,272
51	Mazâr, El	210		210	4,432	856	2,688	7,976
52	Meir Shefeiya		330	330		2,497	57	2,554
53	Mesheq Yagur (includes Mesheq)	1,220	1,220		32	4,084	195	4,311
54	Mishmar ha 'Emeq		390	390		4,736	114	4,850
55	Nesher	1,430	1,400	2,830		2,748	172	2,920
56	Pardes Hanna	670	2,300	2,970	1,113	19,856	1,439	22,408
57	Qannîr	750		750	10,826	50	455	11,331
58	Qiryat 'Amal (previously part of Esh Sheikh Bureik)		530	530		2,832	93	2,925
59	Qiryat Haroshet (previously part of Esh Sheikh Bureik)		240	240	4	715	190	909
60	Qisârîya (Caesarea)	960	160	1,120	20,959	874	9,953	31,786
61	Ramat hash Shofet		240	240		5,459	121	5,580
62	Ramat Yishai (previously Jeidâ)		50	50		2,792	202	2,994
63	Ramat Yohanan			420				420
64	Rihâniya, Er			240			1,885	45
65	Sabbârîn	1,700		1,700			19,840	4,209
66	Sarafand, Es	290		290			3,486	1,923
67	Sede Ya'aqov (previously part of Esh Sheikh Bureik)			350				8,417
68	Shafâ 'Amr Urban & Rural	7,190	10	7,200	58,725		7,621	31,260
69	Sh'ar ha 'Amaqim (previously part of Esh Sheikh Bureik)			360				2,676
70	Sindiyâna, Es	1,250		1,250	9,706		864	4,602
71	Tantûra	1,490		1,490	11,758		2,051	711
72	Tira, Et	5,270		5,270	23,940		6,553	14,769
73	Tivo'n (Alonim) (previously Qusqus-Tab'ûn)	370	320	690			7	5,771
74	Umm esh Shauf	480		480			6,320	1,106
75	Umm ez Zînât	1,470		1,470	18,684		51	3,421
76	Usha	180		180				894
77	Wâdi 'Ara	230		230			7,846	1,949
78	Waldheim (Umm el 'Amad)	260		260				9,194
79	'Ya'arot hak Karmel (previously Khirbat Shallâla)			360			64	6,213
80	Yâjûr	610		610			344	486
81	Yoqne'am (previously part of Qîra wa Qâmûn)	410	280	690			7	13,265
82	Zikhron Ya'aqov			1,740	1,740		13	11,860
	HAIFA DISTRICT TOTAL	120,120	104,510	224,630	459,791	364,276	207,688	1,031,755
1	'Ein Gev (Nauqeib)	320	420	740			967	9,851
2	Afiqim		790	790				640
3	Ashdot Ya'aqov		1,020	1,020			60	6,343
4	'Ulam	720		720		10,816	7,725	5
5	Beit Gan		170	170		84	8,221	270
6	Beit Zera' (Kefar Gun)		310	310				1,398
7	Bitanya							968
8	Dalhamiya	410		410		1,756	746	350
9	Deganiya "A"		290	290				1,118
10	Deganiya "B"		380	380				1,915
11	'Eilabûn	550		550		11,190		3,522
12	Ghuweir Abû Shûsha and Genossar	1,240		1,240		8,609	3,439	50
13	Hadatha	520		520		8,621		1,689
14	Hamma, El	290		290		1,105		587
15	Hittin	1,190		1,190		22,086	147	531
16	Kafr Kamâ	660		660		8,395		424
17	Kafr Sabt	480		480		4,295	5,110	445
18	Kefar Hittim		230	230			96	3,929
19	Kinneret		220	220			4,798	329
20	Kinneret Group		460	460				3,288
21	Lubiya	2,350		2,350		32,895	1,051	5,683
22	Ma'dhar	480		480		6,045	5,287	334
23	Majdal	360		360		88		15
24	Nasr-ed-Dîn / Manâra, El	580		580		4,185	1,410	1,202
25	Menahamiya		230	230				8,317
26	Migdal	240		240		25	5,770	67
27	Mitspa	90		90		550	3,621	674
28	Maghâr and El Mansûra	2,140		2,140		45,590	1	9,992
29	Nimrîn	320		320		8,306	3,224	489
30	Poriya		130	130				2,909
31	Samakh, Massada and Sha'ar hag Golan	3,460		3,460		9,265	8,412	934
32	Samakiya, Es	380		380		10,474		52
33	Samrâ, Es (includes Kafr Harib Lands)	290		290		6,912	1,708	3,943
34	Sejera (Ilanya)		240	240		94	16,707	418
35	Sha'âra and 'Omer		90	90				5,985
36	Shajara, Esh	770		770		2,757	61	936
37	Sharona		110	110				4,814
38	Shorashim						1,297	2,253
39	Tâbigha, Et (includes Tell el Hunûd and Khân el Minya)	330		330		5,287		102
40	Tiberias (Rural / Urban) and Haz Zor'im	5,310	6,130	11,440		4,615	7,811	3,303
41	'Ubeidiya, El	870		870			4,031	1,139
42	Khîrbat el Wa'ra es Saudâ (El Mawâsi and El Wuheib)	1,870		1,870		7,036		
43	Yâqûq	210		210		4,229	4,275	3
44	Yavneel and Mishmar hash Shelosha		590	590				

Table 2.10: The Full Text of Village Statistics 1945 by Village/Town and (Sub)-District, Continued

Count	Name	Population			Land (donums)				
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total	
12	Indūr	620		620	10,414		2,030	12,444	
13	Kafr Hannā	1,930		1,930	18,869		586	19,455	
14	Kafr Mandā	1,260		1,260	12,703		2,232	14,935	
15	Kaukab	490		490	2,134		16,540	18,674	
16	Kefar Barukh		250	250		10,172	263	10,435	
17	Kefar Gid'on		90	90		3,741	54	3,795	
18	Kefar ha Horesh		220	220		8,547	63	8,610	
19	Kefar Tavor (Mas-ha)		230	230		13,866	482	14,348	
20	Kefar Yeladim					784	34	818	
21	Mahane Yisrael				390	3,497	140	4,027	
22	Ma'lūl	690		690	1,949	2,719	30	4,698	
23	Mash-had	660		660	9,852		1,215	11,067	
24	Merhavya Group		350	350		3,014	109	3,123	
25	Merhavya Settlement		270	270		13,979	546	14,525	
26	Mizra'		320	320		2,267	61	2,328	
27	Mount Tabor (in-cludes Umm el Ghanam)				7,067		1,342	8,409	
28	Mujeidil, El	1,900		1,900	18,165	485	186	18,836	
29	Nahalal and Shimron		1,090	1,090		8,023	302	8,325	
30	Nā'ūra	340		340	5,535	5,299	202	11,036	
31	Nazareth Rural / Urban	14,200		14,200	12,599		2,615	15,214	
32	Nein	270		270	3,737		950	4,687	
33	Ramat David, 'Ayanot / and Hash Sharon		510	510		8,149	232	8,381	
34	Reina, Er	1,290		1,290	15,899		130	16,029	
35	Rummāna	590		590	1,485		8	1,493	
36	Saffūriya	4,330		4,330	41,748		13,630	55,378	
37	Sāriḍ		350	350		4,945	120	5,065	
38	Sūlam	470		470	2,358	3	1,244	3,605	
39	Tamra	160	80	240	3,604	5,568	264	9,436	
40	Tel 'Adashim		360	360		7,261	383	7,644	
41	Tur'ān	1,350		1,350	13,104		16,639	29,743	
42	Umm Qūbei				4,381	15	255	4,651	
43	'Uzeir	150		150	764		2	766	
44	Yāfā	1,070		1,070	16,521	450	838	17,809	
NAZARETH DISTRICT TOTAL		38,500	7,600	46,100	263,088	137,382	97,063	497,533	
1	'Arida, El and Sede Eliyahu	150	180	330	700	1,362	218	2,280	
2	Ashrafiya, El	230		230	4,608	1,293	810	6,711	
3	Avuqa		160	160		885	66	951	
4	Bashātiwa, El	1,560		1,560	14,510	2,252	3,977	20,739	
5	Bawāti, El (Hakimīya)	520		520	5,412	1,305	3,924	10,641	
6	Beisan Rural / Urban, Sede Nahum and Messilot	5,180	540	5,720	15,267	9,254	4,436	28,957	
7	Beit Alfa		430	430		6,616	70	6,686	
8	Beit hash Shitta (Shatta)		590	590	4	6,644	69	6,717	
9	Bira, El	260		260	4,853		2,013	6,866	
10	Danna	190		190	5,177	206	1,231	6,614	
11	'Ein Harod		1,060	1,060		14,066	198	14,264	
12	Farwana	330		330	3,942		1,054	4,996	
13	Fātūr, El	110		110	709		20	729	
14	Gesher		130	130		1,365	91	1,456	
15	Geva'		380	380		3,114	70	3,184	
16	Ghazāwiya, El, Ma'oz Haiyim and Neve Eitan	1,020	620	1,640	5,323	7,625	5,460	18,408	
17	Hamīdiya, El and Hermonim (Hermonim was previously Irgun Deror)	220	100	320	4,814	1,386	4,702	10,902	
18	Hamrā, El	730		730	8,623	2,153	735	11,511	
19	Heftsi Bah		330	330		4,012	82	4,094	
20	Jabbūl and Beit Yosef	250	170	420	5,407	20	9,700	15,127	
21	Jisr el Majāmi'	20	230	250		289	169	458	
22	Kafr Misr	330		330	4,629	4,462	4,139	13,230	
23	Kafrā	430		430	7,409	1,763	9,172		
24	Kaukab el Hawā	300		300	6,125		3,824	9,949	
25	Kefar Yehezqel		430	430		5,396	293	5,689	
26	Khuneizir, El (Ikhneizir)	260		260	1,966	1,000	141	3,107	
27	Masil el Jizl and Kefar Ruppim (Massada)	100	180	280	976	2,222	2,675	5,873	
28	Murassas, El	460		460	9,936	3,002	1,539	14,477	
29	Qūmiya	440		440	4,716	81	101	4,898	
30	Safā, Es	650		650	7,549	2,523	2,446	12,518	
31	Sākhina, Es and Nir David (Tel 'Amal)	530	290	820	1,088	4,985	327	6,400	
32	Sāmīriya, Es	250		250	2,851		1,022	3,873	
33	Sīrīn	810		810	16,589	477	11,379	28,445	
34	Taiyiba, Et and Beni Berit (Beni Berit was previously Moledet)	280	150	430	7,127	8,492	255	15,874	
35	Tel Yosef		690	690		15,312	418	15,730	
36	Tell esh Shaik	120		120	65	3,116	504	3,685	
37	Tira, Et and Irgun Borokhov	150	50	200	4,463	2,604	3,140	10,207	
38	Tirat Tsevi (Ez Zarrā'a)		290	290		836	62	898	
39	Umm 'Ajra	260		260	2,708	1,218	2,517	6,443	
40	Wādī el Bira	70		70	5,195			5,195	
41	Yublā	210		210	2,051	1,758	1,356	5,165	
42	Zab'a	170		170	156	3,424	388	3,968	
BEISAN DISTRICT TOTAL		16,590	7,000	23,590	164,948	124,755	77,384	367,087	
1	'Ajja	890		890	10,865		162	11,027	
2	'Anīn	590		590	9,431		5,618	15,049	
3	'Anza	880		880	4,704		36	4,740	
4	'Arabbūna	210		210	6,766		6	6,772	
5	'Araqa	350		350	3,994		1,681	5,675	
6	'Arrāba	3,810		3,810	39,558		343	39,901	
7	'Arrāna	320		320	7,864		2	7,866	
8	Bāriḍ, El	280		280	2,720		1	2,721	
9	Barta'a (includes Khirbat Tūra el Gharbiya)	1,000		1,000	4,320		16,179	20,499	
10	Beit Qād	290		290	6,610		2,305	8,915	
11	Birqīn	1,540		1,540	18,774		673	19,447	
12	Deir Abū Da'if	850		850	12,898		8	12,906	
13	Deir Ghazzāla	270		270	4,083		2,505	6,588	
14	'Ein el Mansī	90		90	1,278		17	1,295	
15	Fahma	350		350	4,491		7	4,498	
16	Fandaqūmiya, El	630		630	3,895		184	4,079	
17	Faqqu'a	880		880	29,255		924	30,179	
18	Firāsīn	20		20	4,326		2,346	6,672	
19	Jaba'	2,100		2,100	23,676		944	24,620	
20	Jalama	460		460	5,775		52	5,827	
21	Jalbūn (includes Khirbat el Mujadda'a)	610		610	31,128		2,831	33,959	
22	Jalqamūs	220		220	3,553		884	4,437	
23	Jarbā	100		100	3,530			3,530	
24	Jenin Urban & Rural	3,990		3,990	19,422		452	19,874	
25	Judeida	830		830	5,799		561	6,360	
26	Kafr Dān	850		850	7,292		36	7,328	
27	Kafr Qūd	250		250	5,459		4	5,463	
28	Kafr Rā' ī	2,150		2,150	35,859		9	35,868	
29	Kufeir	140		140	4,315			4,315	
30	Kufeirat	240		240	730		2	732	
31	Mazār, El	270		270	14,472		29	14,501	
32	Meithalūn	1,360		1,360	10,650		1,845	12,495	
33	Mirka	230		230	4,391		5	4,396	
34	Misliya	330		330	5,358		3,680	9,038	
35	Mughaiyir, El (in-cludes Khirbat el Mutilla)	220		220	14,371		3,678	18,049	
36	Mugeibila	460		460	2,687		4,441	7,128	
37	Nūris	570		570	6,247		9	6,256	
38	Qabātiya (includes Khirbat Tannīn)	3,670		3,670	39,266		11,281	50,547	
39	Rābā (includes Khirbat Umm Sirhān)	870		870	14,605		11,037	25,642	
40	Rāma, Er	280		280	4,767		1	4,768	
41	Rummāna (includes Khirbat Sālim)	880		880	15,390		6,286	21,676	
42	Sandala	270		270	3,217		32	3,249	
43	Sānūr (includes Nukheil)	1,020		1,020	12,432		465	12,897	
44	Sīlat edh Dhahr	2,850		2,850	9,798		174	9,972	
45	Sīlat el Hārithiya	1,860		1,860	5,188		3,743	8,931	
46	Sīr	290		290	12,496		3	12,499	
47	Sīrīs	830		830	8,911		3,682	12,593	
48	Tī'innik	100		100	29,608	2,540	115	32,263	
49	Tilfīt	170		170	4,791		1,836	6,627	
50	Umm el Fahm (in-cludes 'Aqqāda, 'Ein Ibrāhīm, Khirbat el Buweishāt, El Murtafi'a, Lajjūn, Mu'āwiya, Musheirifa and Musmus)	5,490		5,490	68,311		8,931	77,242	
51	Umm et Tūt	170		170	1,843		3,033	4,876	
52	Ya'bad (includes Khirbat el Khuljān, Khirbat et Tarim, Khirbat Tūra esh Sharqiya, Nazlat Sheikh Zeid and Khirbat Umm Rihān)	3,480		3,480	21,622		16,183	37,805	
53	Yāmūn, El	2,520		2,520	20,033		328	20,361	
54	Zabābida, Ez	870		870	5,713		6	5,719	
55	Zalafa	340		340	1,285		2,504	3,789	
56	Zāwiya	120		120	1,065		1	1,066	
57	Zibda	190		190	5,333		6,591	11,924	
58	Zir'in	1,420		1,420	22,034	1,711	175	23,920	
59	Zubūba	560		560	13,839		4	13,843	
JENIN DISTRICT TOTAL		56,880		56,880	702,093	4,251	128,870	835,214	
1	'Anabtā and Iktāba	3,120		3,120	13,820		1,625	15,445	
2	'Attāra, El	250		250	3,802		42	3,844	
3	'Attil	2,650		2,650	7,319		18	7,337	
4	'Avihayil		350	350			1,735	1,862	
5	'Azzūn and En Nabī Ilyās and 'Isla	1,190		1,190	19,142		4,354	23,496	
6	Bal'a	2,220		2,220	21,109		42	21,151	
7	Bāqa el Gharbiya includes Manshiyat Bāqa	2,240		2,240	21,116	886		22,002	
8	Bāqa esh Sharqiya	480		480	3,969		17	3,986	
9	Beit Līd	960		960	16,746		6	16,752	
10	Beit Yannai		50	50			5,160	277	5,437
11	Beit Yits-haq		310	310			411	36	447
12	Beni Binyamin		130	130			741	37	778
13	Birkat Ramadān				5,015		231	308	5,554
14	Bitan		50	50			859	67	926
15	Dannāba	740		740	4,218		1,366	5,584	
16	Deir el Ghusūn (in-cludes Khirbat el Masqūfa, El Marja, Khirbat Jārūshiya, Khirbat Bīr es Sikka, Khirbat Yammā and Khirbat Ibtihān)	2,860		2,860	26,655		1,115	27,770	

Table 2.10: The Full Text of Village Statistics 1945 by Village/Town and (Sub)-District, Continued

Count	Name	Population			Land (donums)			
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total
17	'Ein ha Horesh		320	320		985	182	1,167
18	'Ein ha 'Oved		80	80		239	15	254
19	'Ein Vared		410	410		1,649	171	1,820
20	Elyashiv		310	310	9	1,167	177	1,353
21	Even Yehuda		640	640	102	4,311	237	4,650
22	Falāma	120		120	2,379		1	2,380
23	Fardisiyā	20		20	1,071		21	1,092
24	Far'un	710		710	7,765		1,086	8,851
25	Gan Haiyim		160	160		976	1	977
26	Ghābat el 'Abābisha				2,420	2,223	191	4,834
27	Ghābat et Taiyiba el Qibliya				1,106	404	18	1,528
28	Ghābat et Taiyiba esh Shamāliya				567	1,447	48	2,062
29	Ghābat Jaiyūs				807	1,588	47	2,442
30	Ghābat Kafr Sūr, Beit Yehoshua', Kfar Netter and Tel Yitshaq	740	390	1,130	4,506	10,384	4,776	19,666
31	Ghābat Miska				5,573	271	38	5,882
32	Giv'at Haiyim		570	570		951	41	992
33	Giv'at Shappira					2,335	113	2,448
34	Habla	580		580	8,391	570	1,942	10,903
35	Havatsalet hash Sharon		50	50		1,572	165	1,737
36	Herut		380	380	21	753	57	831
37	Hibbat Zion		100	100		1,769	113	1,882
38	Hogla		210	210		1,483	104	1,587
39	'Illār	1,450		1,450	13,973		8	13,981
40	Irtāh	1,060		1,060	2,539		410	2,949
41	Jaiyūs	830		830	12,565		6	12,571
42	Jaljiyya	740		740	11,873	365	447	12,685
43	Jatt	1,120		1,120	9,623		8	9,631
44	Kafr 'Abbūsh (in-cludes Khirbat Abū Harfil)	480		480	4,920		3	4,923
45	Kafr Barā	150		150	3,956		3	3,959
46	Kafr el Labad	940		940	14,753		4	14,757
47	Kafr Jammāl	690		690	13,122		1,823	14,945
48	Kafr Qāsim	1,460		1,460	12,718		47	12,765
49	Kafr Rummān	270		270	3,921		12	3,933
50	Kafr Sābā	1,270		1,270	6,019	3,144	525	9,688
51	Kafr Sūr	460		460	10,722		204	10,926
52	Kafr Thulth	1,290		1,290	24,851	82	5	24,938
53	Kafr Zibād	1,590		1,590	7,079		6	7,085
54	Kefar Haiyim		320	320		1,463	134	1,597
55	Kefar Hess		360	360		1,091	76	1,167
56	Kefar Vitkin		890	890		3,777	339	4,116
57	Kefar Yona		480	480	49	2,890	164	3,103
58	Khirbat Beit Līd	460		460	2,969	2,220	147	5,336
59	Khirbat el Jalama	70		70				
60	Khirbat ez Zabābida				4,626	4,884	1,369	10,879
61	Khirbat Khureish				3,653		2	3,655
62	Khirbat Manshiya	260		260	12,520	3,835	415	16,770
63	Khirbat Zalafa (in-cludes Khirbat Birkat Ghāziya)	210		210	6,865	617	231	7,713
64	Kūr	280		280	8,510		4	8,514
65	Ma'barot		330	330		786	365	1,151
66	Mishmar hash Sharon		310	310		404	30	434
67	Miska and Sede Warburg	880	180	1,060	4,924	2,976	176	8,076
68	Moshav Gan Haiyim				255	835	71	1,161
69	Natanya Urban & Rural		5,070	5,070	2,557	8,712	1,349	12,618
70	Nazla el Gharbiya		100	100	2,319		1	2,320
71	Nazla el Wustā	60		60	1,508		1	1,509
72	Nazla esh Sharqiya	300		300	4,839		1	4,840
73	Nazlat Abū Nār	20		20	749		2	751
74	Nazlat 'Isā	380		380	2,027		3	2,030
75	Nira		60	60		150		150
76	Qadima		190	190	40	4,049	249	4,338
77	Qaffin (includes Khirbat el 'Aqqāba and Khirbat esh Sheikh Meisar)	1,570		1,570	21,617		2,138	23,755
78	Qalansuwa and Tsur Moshe	1,540	240	1,780	17,249	7,749	2,498	27,496
79	Qalqiliya	5,850		5,850	26,056	787	1,072	27,915
80	Qāqūn	1,970		1,970	35,611	4,642	1,514	41,767
81	Ramat hak Kovesh		520	520	120	453	15	588
82	Rāmīn	630		630	8,690		178	8,868
83	Rami Zeitā (Khirbat Qazāza)	140		140	12,720	1,453	664	14,837
84	Rās, Er	160		160	5,646			5,646
85	Saffārīn	530		530	9,683		4	9,687
86	Seidā	450		450	5,053		7	5,060
87	Shūfa	370		370	11,595		95	11,690
88	Shuweika	2,370		2,370	6,060		268	6,328
89	Tabzar (Khirbat 'Azzūn)				2,348	2,807	173	5,328
90	Taiyiba, Et, Khirbat el 'Amārīn, Nuseirāt, Khirbat Takla and Kefar Ya' vetz	4,290	110	4,400	32,750	6,294	1,581	40,625
91	Tel Mond		390	390		3,395	245	3,640
92	Tel Tsur		120	120		1,340	87	1,427
93	Tira, Et	3,180		3,180	26,803	3,720	836	31,359
94	Tsofit		220	220		1,074	72	1,146

Count	Name	Population			Land (donums)			
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total
95	Tulkarm Urban & Rural, Khirbat Jallād and Khirbat Di'bās	8,090		8,090	28,793	3,629	1,860	34,282
96	Umm Khālid	970		970	1,923	882	89	2,894
97	Wādī el Hawārith North & South/ Kefar Ha-Roe	1,330	380	1,710	2,515	3,955	1,932	8,402
98	Wādī Qabbānī	320		320	427	9,276	109	9,812
99	Yediyā		220	220		2,525	176	2,701
100	Zeitā	1,780		1,780	6,364		46	6,410
TULKARM DISTRICT TOTAL		71,240	14,900	86,140	650,695	141,361	43,280	835,336
1	'Ammuriya	120		120	3,111		1	3,112
2	'Aqqāba	600		600	8,061		7	8,068
3	'Aqraba (includes Khirbat Fasāyil)	2,060		2,060	139,869		2,661	142,530
4	'Asira el Qibliya	410		410	6,434		3	6,437
5	'Asira esh Shamāliya	2,060		2,060	30,487		9	30,496
6	'Askar	340		340	3,612		103	3,715
7	'Awartā and Udala	1,470		1,470	16,071		35	16,106
8	'Azmut	410		410	10,745		3	10,748
9	Balāta	770		770	2,984		16	3,000
10	Bāqa	390		390	8,947		3	8,950
11	Bazzāriya	320		320	4,198		80	4,278
12	Beit Dajan (includes Beit Dajan Jiftlik: and Khirbat Furūsh)	750		750	31,526		12,550	44,076
13	Beit Fūrīk (includes Khirbat Kafr Beitā)	1,240		1,240	36,656		7	36,663
14	Beit Ibā	630		630	4,966		97	5,063
15	Beit Umrīn	860		860	12,086		8	12,094
16	Beit Wazan	310		310	3,662		49	3,711
17	Beitā	1,580		1,580	17,530		12	17,542
18	Biddya	1,360		1,360	13,455		11	13,466
19	Būrīn and 'Irāq Būrīn	1,200		1,200	18,933		163	19,096
20	Burqā	2,590		2,590	18,190		296	18,486
21	Burūqīn (Ibrūqīn)	690		690	12,623		5	12,628
22	Deir Ballūt	720		720	14,776		13	14,789
23	Deir el Hatab	370		370	11,526		6	11,532
24	Deir Istiyā	1,190		1,190	33,818		346	34,164
25	Deir Sharaf	800		800	7,058		132	7,190
26	Dūmā	310		310	17,346		5	17,351
27	'Einābūs	340		340	4,008		3	4,011
28	Far'ata	70		70	1,663		1	1,664
29	Farkha	380		380	5,673		2	5,675
30	Funduq, El	100		100	1,592		27	1,619
31	Ghōr el Fārī'a (Qarāwa el Fauqā, Qarāwa et Tahta and Umm Hureira)	1,890		1,890	15,114		65,361	80,475
32	Hajja	960		960	13,105		14	13,119
33	Hāris	540		540	8,387		4	8,391
34	Huwwāra	1,300		1,300	7,871		111	7,982
35	Ijnisinyā	200		200	6,543		4	6,547
36	Immātīn	440		440	7,152		3	7,155
37	Iskāka	260		260	5,310		1	5,311
38	Jālūd	300		300	15,811		4	15,815
39	Jammā'in	1,240		1,240	19,810		11	19,821
40	Jinsāfūt	450		450	9,344		12	9,356
41	Jit	440		440	6,455		6	6,461
42	Juneid	90		90	283		1	284
43	Jūrīsh (includes Kafr Atiya)	340		340	8,204		3	8,207
44	Kafr ed Dik	870		870	15,293		15	15,308
45	Kafr Lāqif	210		210	2,850		4	2,854
46	Kafr Qaddūm	1,240		1,240	18,921		10	18,931
47	Kafr Qallīl (includes Khirbat Sārīn)	470		470	4,660		72	4,732
48	Khirbat Qeis	170		170	3,387		1	3,388
49	Khirbat Sir				2,240		2	2,242
50	Kifl Hārīth	770		770	9,388		5	9,393
51	Lubban Sharqiya	620		620	12,448		97	12,545
52	Mādāmā	290		290	3,357		4	3,361
53	Majdal Banī Fādīl	430		430	28,018		4	28,022
54	Marda	470		470	9,014		7	9,021
55	Mas-ha	110		110	8,259		4	8,263
56	Mughaiyir, El (in-cludes Khirbat Jib'it)	290		290	30,655		3,248	33,903
57	Nāblus Urban & Rural	23,250		23,250	7,251	15	1,099	8,365
58	Nāqūra, En	350		350	5,416		91	5,507
59	Nisf Jubeil	260		260	5,050		4	5,054
60	Qabalān	1,310		1,310	8,280		10	8,290
61	Qarāwat Banī Hasan	450		450	9,681		4	9,685
62	Qaryūt	930		930	7,485		6	7,491
63	Qira	140		140	2,247		2	2,249
64	Qūsīn	310		310	4,538		5	4,543
65	Qusra	1,120		1,120	8,931		7	8,938
66	Rāfāt	180		180	8,123		2	8,125
67	Rafidiya	430		430	1,993		11	2,004
68	Rujeib	390		390	7,036		2	7,038
69	Sabastiya	1,020		1,020	4,953		113	5,066
70	Salfit	1,830		1,830	23,101		16	23,117
71	Sālīm	660		660	10,288		5	10,293
72	Sanniriya	990		990	12,675		10	12,685
73	Sarra	540		540	5,926		2	5,928
74	Sarta							

Table 2.10: The Full Text of Village Statistics 1945 by Village/Town and (Sub)-District, Continued

Count	Name	Population			Land (donums)			
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total
77	Tallūza	1,830		1,830	52,550		5,160	57,710
78	Tammūn	2,070		2,070	98,061		19	98,080
79	Tayāsīr	260		260	23,256		2	23,258
80	Tell	1,060		1,060	13,771		5	13,776
81	Tūbās (includes Kashda and Bardala)	5,530		5,530	220,594		92,529	313,123
82	'Urīf	520		520	3,959		6	3,965
83	'Usarīn	200		200	2,184		1	2,185
84	Yānūn	50		50	16,437		2	16,439
85	Yāsīd	480		480	9,217		5	9,222
86	Yāsūf	360		360	6,039		29	6,068
87	Yatmā	440		440	3,738		39	3,777
88	Zawātā	330		330	3,482		76	3,558
89	Zāwiya	720		720	11,510		6	11,516
90	Zeitā	510		510	12,882		5	12,887
NABLUS DISTRICT TOTAL		89,200		89,200	1,406,669	15	185,034	1,591,718
1	Abū Kishk	4,170		4,170	17,121	901	448	18,470
2	Bat Yam (Urban)		2,000	2,000	13	2,107	998	3,118
3	Beit Dajan	3,840		3,840	12,261	1,975	3,091	17,327
4	Benei Beraq Urban & Rural		5,760	5,760		1,555	196	1,751
5	Biyār 'Adas	300		300	5,232	109	151	5,492
6	Fajja	1,200	370	1,570	3,215	1,580	124	4,919
7	Gat Rimmon		490	490		706	29	735
8	Giv'at Hen (Irgun Ra'anana)		200	200		812	40	852
9	Hadar		540	540		4,135	219	4,354
10	Haram, El	520	360	880	2,681	4,745	639	8,065
11	Herzliya Urban & Rural		4,650	4,650		8,464	793	9,257
12	Holon Urban & Rural		3,280	3,280	376	7,722	1,814	9,912
13	Jaffa Urban & Rural	66,310	28,000	94,310	11,752	1,375	4,383	17,510
14	Ja'il el Qibliya	470	210	680	8,692	5,980	535	15,207
15	Ja'il esh Shamaliya	190		190	1,900	521	29	2,450
16	Jammāsīn el Harbī	1,080		1,080	529	714	122	1,365
17	Jammāsīn esh Sharqī	730		730	286	54	18	358
18	Jarīsha	190		190	397	93	65	555
19	Kafr 'Ana	2,800	220	3,020	14,358	2,334	661	17,353
20	Kefar Gannim		1,720	1,720		2,868	232	3,100
21	Kefar Malal		960	960		2,099	143	2,242
22	Kefar Sava Urban & Rural		4,320	4,320		6,251	351	6,602
23	Kheirīya, El	1,420		1,420	7,182	5,842	648	13,672
24	Magdiel		1,260	1,260	44	3,508	108	3,660
25	Mas'ūdiyya, El (Summeil)	850		850				
26	Miqve Yisrael		750	750	1,632		906	2,538
27	Mirr, El (Mahmūdiyya)	170		170	41		10	51
28	Muweilih, El	360		360	2,795	376	171	3,342
29	Petah Tiqva Urban & Rural	150	18,820	18,970	536	22,365	2,281	25,182
30	Qiryat Shaul		90	90		219	19	238
31	Ra'anana Urban & Rural		3,290	3,290		5,354	353	5,707
32	Ramat Gan Urban & Rural		10,200	10,200	821	4,566	744	6,131
33	Ramat hash Sharon		770	770		1,737	126	1,863
34	Ramatayim		1,480	1,480		2,109	121	2,230
35	Rantiya	590		590	4,155	142	92	4,389
36	Rishpon		280	280	33	2,060	173	2,266
37	Sāfiriya, Es	3,070		3,070	10,545	1,722	575	12,842
38	Salama/Giv'atayim/ Nahlat Yits-haq	6,730	6,670	13,400	6,088	2,146	383	8,617
39	Sāqiya	1,100	610	1,710	5,151	1,901	412	7,464
40	Sārōna Urban & Rural	150		150	4,039	188	325	4,552
41	Sawālīma, Es	800		800	5,844		98	5,942
42	Shefayim		430	430	104	1,899	89	2,092
43	Sheikh Muwannis, Esh	1,930		1,930	11,456	3,545	971	15,972
44	Tel Aviv (Urban)	660	166,000	166,660	1,845	9,101	1,776	12,722
45	Wilhelma	240		240	8,989		519	9,508
46	Yahūdiyya, El ('Abbāsīya)	5,650	150	5,800	17,499	1,135	1,906	20,540
47	Yarqona		220	220		996	49	1,045
48	Yāzūr	4,030		4,030	9,742	1,428	637	11,807
JAFFA DISTRICT TOTAL		109,700	264,100	373,800	177,354	129,439	28,573	335,366
1	Abū el Fadī (Es Sautariya)	4,290		4,290	2,717		153	2,870
2	Abū Shūsha	870		870	2,896	6,337	192	9,425
3	'Aqir	2,480		2,480	11,322	3,222	1,281	15,825
4	Barfiliya	730		730	7,130		4	7,134
5	Barrīya, El	510		510	2,758		73	2,831
6	Bash-shīt	1,620		1,620	18,538		15	18,553
7	Beer Ya'aqov		450	450		1,813	63	1,876
8	Beit Hanan and Neta'im		690	690		3,666	174	3,840
9	Beit Jiz	550		550	8,202		155	8,357
10	Beit Nabālā	2,310		2,310	14,427		624	15,051
11	Beit Nūbā and 'Ajanjūl	1,240		1,240	11,383		18	11,401
12	Beit 'Oved		550	550	30	5,021	144	5,195
13	Beit Shannā	210		210	3,617			3,617
14	Beit Sūsīn	210		210	5,453		1,028	6,481
15	Ben Shemen		930	930		2,094	82	2,176
16	Bil'in	210		210	3,991		1	3,992
17	Bir Ma'in	510		510	9,317		2	9,319
18	Bir Sālim	410		410	3,288		113	3,401
19	Budrus	510		510	7,930		5	7,935
20	Burj, El	480		480	4,705		3	4,708
21	Dāniyāl	410		410	2,728		80	2,808
22	Deir Abū Salāma	60		60	1,195			1,195
23	Deir Aiyūb	320		320	4,500		1,528	6,028
24	Deir Muheisin	460		460	9,704		304	10,008
25	Deir Qaddīs	440		440	8,222		2	8,224
26	Deir Tarif	1,750		1,750	8,338		418	8,756
27	Gedera		970	970	196	4,677	341	5,214
28	Haditha, El	760		760	6,544	157	409	7,110
29	Hulda		260	260		2,534	62	2,596
30	Idhniyba		490	490	6,827	1,082	194	8,103
31	'Imwās	1,450		1,450	5,135		16	5,151
32	'Innāba	1,420		1,420	12,244	21	592	12,857
33	Jilyā	330		330	10,345		2	10,347
34	Jimzū	1,510		1,510	9,460		221	9,681
35	Jindās				4,289		159	4,448
36	Kefar Bilu		230	230	261	655	75	991
37	Kefar Aharon		80	80	38	1,727	84	1,849
38	Kefar Menahem		290	290		1,272		1,272
39	Kefar Sirkin		540	540		548	8	556
40	Kefar Uriya		20	20		4,452		4,452
41	Khalāyil, El				11,951		176	12,127
42	Kharbatā	650		650	7,118		2	7,120
43	Kharrūba	170		170	3,373		1	3,374
44	Kheima, El	190		190	5,038		112	5,150
45	Khīrbat Beit Fār	300		300	5,457		147	5,604
46	Khīrbat edh Dhuheirya	100		100	1,341			1,341
47	Khīrbat el Buweira	190		190	1,150			1,150
48	Khīrbat el Qubeiba				1,082			1,082
49	Khīrbat Musmār				3,154			3,154
50	Khīrbat Zakariya				4,538			4,538
51	Khulda	280		280	9,349		112	9,461
52	Kunayisa, El	40		40	3,804		68	3,872
53	Latrūn	190		190	7,724	134	518	8,376
54	Lubban, El	340		340	9,852		2	9,854
55	Lydda Rural & Urban	16,760	20	16,780	21,665		2,058	23,723
56	Majdal Yābā ('Majdal es Sādiq)	1,520		1,520	25,066	596	970	26,632
57	Mansūra, El	90		90	2,123	102	103	2,328
58	Mazkeret Batyah ('Eqrōn)		450	450		8,306	299	8,605
59	Midya, El	320		320	7,018		2	7,020
60	Mughār, El	1,740		1,740	11,252	2,659	1,479	15,390
61	Mukheizin, El	200	110	310	10,942	1,380	226	12,548
62	Muzeiri'a, El	1,160		1,160	9,042	1,450	330	10,822
63	Na'āna (Ni'āna)	1,470	590	2,060	9,768	5,832	529	16,129
64	Nabi Rūbin, En	1,420		1,420	30,994		8	31,002
65	Nahalat Yehuda		850	850		967	68	1,035
66	Ni'lin	1,420		1,420	15,868		7	15,875
67	Qatra	1,210		1,210	5,130	2,509	214	7,853
68	Qazāza	940		940	14,272		4,557	18,829
69	Qibya	1,250		1,250	16,485		19	16,504
70	Qubāb, El	1,980		1,980	12,668	861	389	13,918
71	Qubeiba, El	1,720		1,720	8,889	1,397	451	10,737
72	Qūla	1,010		1,010	3,885	271	191	4,347
73	Ramle Er Rural & Urban	15,160		15,160	38,456	185	2,111	40,752
74	Rantis	1,280		1,280	30,112	487	334	30,933
75	Rehovot Urban & Rural	20	10,000	10,020	18	15,282	850	16,150
76	Rishon le Zion Urban & Rural		8,100	8,100	203	23,747	8,936	32,886
77	Sajad	370		370			2,795	2,795
78	Salbīt	510		510	6,105		6	6,111
79	Sarafand el 'Amār	1,950		1,950	9,223	761	3,283	13,267
80	Sarafand el Kharāb	1,040		1,040	3,545	1,611	347	5,503
81	Seidūn	210		210	6,099	1,221	167	7,487
82	Shabtīn	150		150	4,421		2	4,423
83	Shahma	280		280	5,165	220	1,490	6,875
84	Shiitā	100		100	5,379		1	5,380
85	Shuqbā	840		840	15,009		4	15,013
86	Tina, Et	750		750	5,843	949	209	7,001
87	Tira, Et	1,290		1,290	6,706		250	6,956
88	Tirat Shalom		290	290	269	389	36	694
89	Umm Kalkha	60		60	1,233	96	76	1,405
90	Wādi Hunein / (Nes Tsiyona)	1,620	1,760	3,380	1,998	3,211	192	5,401
91	Yālū	1,220		1,220	14,985		7	14,992
92	Yibna	5,420		5,420	37,919			

Table 2.10: The Full Text of Village Statistics 1945 by Village/Town and (Sub)-District, Continued

Count	Name	Population			Land (donums)				Count	Name	Population			Land (donums)			
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total			Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total
13	Beitillū	490		490	12,395		1,014	13,409	38	Deir Yāsīn	610		610	2,701	153	3	2,857
14	Beitīn	690		690	4,748		16	4,764	39	Deirabān	2,100		2,100	21,578	376	780	22,734
15	Beitūniyā	1,490		1,490	22,797	95	474	23,366	40	Duyūk	730		730	21,332			21,332
16	Bīr Zeit	1,560		1,560	14,077		11	14,088	41	'Ein Kārim	3,180		3,180	13,449	1,362	218	15,029
17	Bīra, El Urban & Rural	2,920		2,920	22,406		606	23,012	42	'Eizariya, El	1,060		1,060	11,046		133	11,179
18	Burhām	150		150	1,588		1	1,589	43	Har Tuv		80	80	45	4,547	157	4,749
19	Burqa	380		380	5,997		4	6,001	44	Hizmā	750		750	9,276	1,022	140	10,438
20	Deir Abū Mash'al	510		510	8,201		577	8,778	45	Hūsān	770		770	7,247		5	7,252
21	Deir 'Ammār	350		350	7,187		2	7,189	46	Isawiya	730		730	10,108	235	74	10,417
22	Deir Dibwān	2,080		2,080	73,318		14	73,332	47	Ishwā'	620		620	5,456		66	5,522
23	Deir es Sūdān	280		280	4,497		1	4,498	48	'Islīn	260		260	2,157		2	2,159
24	Deir Ghassāna	880		880	12,795		7	12,802	49	aba'	350		350	13,405		2	13,407
25	Deir Ibzī'	410		410	14,282		3	14,285	50	Jarash	190		190	3,517		1	3,518
26	Deir Jarīr	1,080		1,080	33,155		6	33,161	51	Jericho	2,840	170	3,010	6,979		30,502	37,481
27	Deir Nidhām	190		190	1,936		2	1,938	52	Jerusalem Rural & Urban	60,080	97,000	157,080	11,420	5,452	3,918	20,790
28	Dūrā el Qar'	370		370	4,123		43	4,166	53	Jīb, El	830		830	8,067	129	9	8,205
29	'Ein 'Arīk	610		610	5,930		4	5,934	54	Judeira	190		190	2,007	36	1	2,044
30	'Ein Qīniyā	100		100	2,492		2	2,494	55	Jūra, El	420		420	3,909	247	2	4,158
31	'Ein Sīniya	330		330	2,724		67	2,791	56	Kafr 'Aqab	290		290	5,437	5	30	5,472
32	'Ein Yabrūd	930		930	11,468		20	11,488	57	Kasla	280		280	8,001		3	8,004
33	Jammāla	200		200	7,168		2	7,170	58	Khadr, El	1,130		1,130	19,734	218	143	20,095
34	Jāniya, El	300		300	7,562		3	7,565	59	Khān el Ahmar				16,380			16,380
35	Jībiyā	90		90	1,665		1	1,666	60	Khīrbat el Lauz	450		450	4,495		7	4,502
36	Jīfnā	910		910	5,939		76	6,015	61	Khīrbat el 'Umūr	270		270	3,725	436	2	4,163
37	Jījiliya	280		280	7,280		3	7,283	62	Khīrbat Ismallah	20		20	568			568
38	Kafr 'Ein	550		550	7,141		4	7,145	63	Liftā	2,550		2,550	7,780	756	207	8,743
39	Kafr Mālik	1,100		1,100	52,185		11	52,196	64	Māliha, El	1,940		1,940	5,798	922	108	6,828
40	Kafr Ni'ma	780		780	10,281		5	10,286	65	Mukhmās	540		540	13,474		5	13,479
41	Kaubar	610		610	9,675		3	9,678	66	Nabī Mūsā and Palestine Potash Concession (North)	1,380	1,270	2,650	39,226	65	82,957	122,248
42	Khīrbat Abū Falāh	710		710	8,180		6	8,186	67	Nabī Samwīl, En	200		200	1,592	556	2	2,150
43	Khīrbat el Misbāh	600		600	4,436		2	4,438	68	Nahhālīn	620		620	16,144	1,116	9	17,269
44	Mazari'en Nūbānī	1,090		1,090	9,626		5	9,631	69	Natāf	40		40	1,401			1,401
45	Mazra'a el Qibliya,	860		860	13,235		5	13,240	70	Neve Ya'aqov		190	190		472	17	489
46	Mazra'a esh Sharqiya,	1,400		1,400	16,261		72	16,333	71	Nu'eima	240		240	52,610		6	52,616
47	Nabī Sālih, En	170		170	2,797		49	2,846	72	Qabū, El	260		260	3,801		5	3,806
48	Qarāwat Banī Zeid	500		500	5,097		3	5,100	73	Qalandiya	190		190	2,388	1,055	497	3,940
49	Rāmallah Urban & Rural	5,080		5,080	16,344		216	16,560	74	Qālūniya and Motsa	910	350	1,260	3,594	1,084	166	4,844
50	Rammūn	970		970	30,039		4	30,043	75	Qaryat el 'Inab (Abū Ghōsh)	860		860	6,435	818	337	7,590
51	Rās Karkar	340		340	5,882		1	5,883	76	Qastal, El	90		90	1,415	7	24	1,446
52	Saffā	790		790	9,594		8	9,602	77	Qatanna	1,150		1,150	9,453		11	9,464
53	Silwād	1,910		1,910	18,792		88	18,880	78	Qiryat 'Anavim and Ma'ale		610	610		3,498	71	3,569
54	Sinjl	1,320		1,320	14,075		111	14,186	79	Qubeiba, El	420		420	3,181		3	3,184
55	Surda	250		250	3,721		5	3,726	80	Rāfāt	280		280	3,773		4	3,777
56	Taiyiba, Et	1,330		1,330	20,204		27	20,231	81	Rām, Er	350		350	5,110	449	39	5,598
57	Tira, Et	330		330	3,965		3	3,968	82	Ramat Rahel		370	370	36	109		145
58	Turmus 'Aiya	960		960	17,606		5	17,611	83	Rās Abū 'Ammār	620		620	8,313		29	8,342
59	Umm Safā (Kafr Ishwa')	110		110	3,853		230	4,083	84	Sar'a	340		340	4,964		3	4,967
60	Yabrūd	300		300	2,430		1	2,431	85	Sāris	560		560	10,427	132	140	10,699
	RAMALLAH DISTRICT TOTAL	47,280		47,280	682,504	146	3,914	686,564	86	Sātāf	540		540	3,769		6	3,775
1	Abū Dis	1,940		1,940	27,869	339	24	28,232	87	Sharafāt	210		210	1,962		12	1,974
2	'Allar	440		440	12,353		3	12,356	88	Shu'fāt	760		760	4,929	186	100	5,215
3	Anātā	540		540	18,496	339	11,893	30,728	89	Silwān	3,820		3,820	4,483	436	502	5,421
4	'Aqqūr	40		40	5,444		78	5,522	90	Sübā	620		620	4,082	15	5	4,102
5	'Arab er Rashāyida				159,145			159,145	91	Sufā	60		60	714		1,347	2,061
6	'Arab es Sawāhira				67,114	54		67,168	92	Sūr Bāhir and Umm Tūbā	2,450		2,450	8,915	540	16	9,471
7	'Arab et Ta'āmira				209,888			209,888	93	Tūr, Et	2,770		2,770	8,631	73	104	8,808
8	'Arab Ibn 'Ubeid	7,070		7,070	90,831	1,195		92,026	94	Wādī Fūkīn	280		280	9,927		1	9,928
9	Artās	800		800	4,276		28	4,304	95	Walaja, El	1,650		1,650	17,507	35	166	17,708
10	'Artūf	350		350	401		2	403		JERUSALEM DISTRICT TOTAL	147,750	100,200	247,950	1,388,854	33,401	148,530	1,570,785
11	'Atarot		160	160		433	68	501	1	'Abasān	2,230		2,230	15,780		304	16,084
12	'Auja, El, 'Arab el Nuseirāt, 'Arab el Ka'ābina, 'Arab el 'Ureināt and 'Arab es Sa'āyida	1,390		1,390	106,946			106,946	2	Abū Middein				7,080		1,741	8,821
13	Battīr	1,050		1,050	7,416	533	79	8,028	3	'Arab Sukreir	920		920	12,270		27,954	40,224
14	Beit Duqqū	420		420	5,383		10	5,393	4	Banī Suheila	3,220		3,220	10,829		299	11,128
15	Beit Fajjār	1,480		1,480	17,287		5	17,292	5	Barbara	2,410		2,410	13,477		501	13,978
16	Beit Hanīnā	1,590		1,590	14,948	805	86	15,839	6	Barqā	890		890	4,841	226	139	5,206
17	Beit Ijzā	70		70	2,361	188	1	2,550	7	Batāni Gharbī	980		980	4,475		99	4,574
18	Beit Iksā	1,410		1,410	8,179	1,073	21	9,273	8	Batāni Sharqī	650		650	5,531	70	163	5,764
19	Beit l'nān	820		820	10,097		8	10,105	9	Beer Tuvya		690	690		3,562	161	3,723
20	Beit 'Itāb	540		540	5,447		3,310	8,757	10	Beit 'Affa	700		700	5,707		101	5,808
21	Beit Jala Urban & Rural	3,710		3,710	13,595	397	52	14,044	11	Beit Darās	2,750		2,750	15,896		461	16,357
22	Beit Jimāl	240		240	4,799		79	4,878	12	Beit Hānūn	1,680	50	1,730	16,051	1,917	2,057	20,025
23	Beit Mahsīr	2,400		2,400	15,428		840	16,268	13	Beit Jirjā	940		940	8,015	116	350	8,481
24	Beit Naqqūbā	240		240	1,958	951	70	2,979	14	Beit Lahiya	1,700		1,700	17,641		20,735	38,376
25	Beit Safāfā	1,410		1,410	2,814	391	109	3,314	15	Beit Timā	1,060		1,060	10,753		279	11,032
26	Beit Sāhūr Urban & Rural	2,770		2,770	6,665	381	38	7,084	16	Bi'l'īn and Ard el Ishra	180		180	7,415	294	327	8,036
27	Beit Surīk	480		480	6,879	63	7	6,949	17	Bureir	2,740		2,740	44,220	618	1,346	46,184
28	Beit Thūl	260		260	4,205	421	3	4,629	18	Deir el Balah	2,560		2,560	13,043	262	1,430	14,735
29	Beit Umm el Meīs	70		70	1,013			1,013	19	Deir Suneid	730		730	5,089	483	509	6,081
30	Bethlehem Urban & Rural	8,820		8,820	31,030	208	255	31,493	20	Dimra	520		520	8,257		235	8,492
31	Biddū	520		520	5,339	50	3	5,392	21	Fālūja, El	4,670		4,670	37,252		786	38,038
32	Bīr Nabālā	590		590	2,455	233	4	2,692	22	Gan Yavne and Kefar Bitsaron		610	610	665	4,476	219	5,360
33	Bureij	720</															

Table 2.10: The Full Text of Village Statistics 1945 by Village/Town and (Sub)-District, Continued

Count	Name	Population			Land (donums)				Count	Name	Population			Land (donums)			
		Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total			Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total
30	'Irâq el Manshiya and Gat	2,010	210	2,220	13,838	3,468	595	17,901	11	AI Sani/Najamat	1,763		1,763				
31	'Irâq Suweidân	660		660	7,380		149	7,529	12	AI Soufi/Najamat	1,472		1,472				
32	Isdûd	4,620	290	4,910	32,905	2,487	12,479	47,871	13	Abu Athera/Najamat	1,145		1,145				
33	Jabâliya	3,520		3,520	2,476		9,021	11,497	14	Abu Sawsain/Najamat	1,009		1,009				
34	Jaladiya	360		360	1		4,328	4,329	15	AI Ksar/Najamat	1,509		1,509				
35	Jiya, El	1,230		1,230	8,274		232	8,506	16	Abu Suhaiban/Najamat	3,850		3,850				
36	Jûlis	1,030		1,030	13,225		359	13,584	17	Abu Sitteh/Ghawali	1,100		1,100				
37	Jûra, El	2,420		2,420	10,705		1,519	12,224	18	Abu Al Hussain/Ghawali	1,405		1,405				
38	Juseir	1,180		1,180	12,015		346	12,361	19	Abu Shalhoub/Ghawali	429		429				
39	Karatiya	1,370		1,370	13,346		363	13,709	20	Abu Khatleh/Ghawali	329		329				
40	Kaufakha	500		500	87		8,482	8,569	21	Abu Bakrah/Ghawali	168		168				
41	Kaukaba	680		680	8,386		156	8,542	22	Abu Amrah/Ghawali	774		774				
42	Kefar Warburg		260	260	247	1,605	42	1,894	23	AI Zraiye/Ghawali	3,949		3,949				
43	Khân Yûnis Urban & Rural	11,220		11,220	28,691		27,431	56,122	24	AI Omour/Ghawali	614		614				
44	Khirbat Ikhsâ'a	990		990	7,995		184	8,179	25	Nabaat/Nabaat	2,353		2,353				
45	Khirbat Khisâs	150		150	3,300		2,969	6,269	26	Wuhaidat Tarabin	784		784				
46	Majdal, El Urban & Rural	9,910		9,910	41,430		2,250	43,680	27	Abu Muailiq/Hasanat	816		816				
47	Masmîya el Kabîra, El	2,520		2,520	19,850	229	608	20,687	28	Abu Ghaliou/Jarawin	1,631		1,631				
48	Masmîya es Saghîra, El	530		530	6,340		138	6,478	29	Abu Yehya/Jarawin	1,259		1,259				
49	Muharraqa, El	580		580	12		4,843	4,855	30	Abu Suailiq/Jarawin	937		937				
50	Najd	620		620	12,669	495	412	13,576	31	Qilila A							
51	Nazla	1,330		1,330	2,515		1,995	4,510	TARABIN TOTAL								
52	Negba		280	280	2,603	2,627	146	5,376	32	Mohamediyeeen	3,329		3,329				
53	Ni'ilyâ	1,310		1,310	4,929		304	5,233	33	Subhiyeen	2,672		2,672				
54	Nuseirât				9,913		512	10,425	34	Subaihat	379		379				
55	Qastîna	890		890	8,438	3,135	446	12,019	35	Zarabeh	719		719				
56	Rafah	2,220		2,220	275		40,304	40,579	36	Faraheen	838		838				
57	Sawâfir el Gharbiya	1,030		1,030	7,307		216	7,523	37	Masoudiyeen	1,552		1,552				
58	Sawâfir esh Shamâliya	680		680	5,166	450	245	5,861	38	Usaiyat	1,147		1,147				
59	Sawâfir esh Sharqiya	970		970	13,200	103	528	13,831	39	Sawakhneh	1,919		1,919				
60	Sumeirî				2,572		1,261	3,833	40	Mureiat	659		659				
61	Summeil	950		950	16,261	2,620	423	19,304	41	Saraheen	1,333		1,333				
62	Sumsum	1,290	70	1,360	12,671	3,386	740	16,797	AZAZEMA TOTAL								
63	Tell et Turmus	760		760	11,199	68	241	11,508	42	AI Huzaiyil/Hkuk	1,091		1,091				
64	Yâsûr	1,070		1,070	13,102	2,871	417	16,390	43	AI Assad/Hkuk	293		293				
GAZA DISTRICT TOTAL		134,290	2,890	137,180	841,804	49,260	220,437	1,111,501	44	Abu Abdoun/Hkuk	391		391				
1	'Ajjûr, (includes Khirbat 'Ammûriya)	3,730		3,730	44,771		13,303	58,074	45	AI Buraïq/Hkuk	932		932				
2	'Arab el Jahhâlin: Dawâhik, Ed, Dhâlâmât, Edh, Sarâyi'a, Es	2,000		2,000	478,058		38,942	517,000	46	Beli/Beli	501		501				
3	Banî Na'im	2,160		2,160	71,624	35	8	71,667	47	Abu Libbeh/Alamat	1,195		1,195				
4	Barqûsiyâ	330		330	3,214		2	3,216	48	Abu Jugaim/Alamat	563		563				
5	Beit Aulâ	1,310		1,310	24,033		12	24,045	49	Abu Shunnar/Alamat	1,249		1,249				
6	Beit Jibrîn	2,430		2,430	54,962	1,008	215	56,185	50	Shlalyeen/Shlalyeen	1,297		1,297				
7	Beit Kâhil	570		570	5,611		184	5,795	51	Abu Rqayiq/Qdeirat	1,185		1,185				
8	Beit Natiff	2,150		2,150	32,762		11,825	44,587	52	AI Sani/Qdeirat	1,074		1,074				
9	Beit Ummar	1,600	80	1,680	28,233	567	1,329	30,129	53	Abu Kaff/Qdeirat	1,091		1,091				
10	Dawâyima, Ed	3,710		3,710	60,560		25	60,585	54	AI Asam/Qdeirat	2,514		2,514				
11	Deir ed Dubbân	730		730	7,777		7	7,784	55	Abu Rba'i'a/Zullam	1,725		1,725				
12	Deir Nakh-khâs	600		600	8,923		5,553	14,476	56	Abu Juwayed/Zullam	1,068		1,068				
13	Dhâhîriya, Edh	3,760		3,760	120,452		402	120,854	57	Abu Grainat/Zullam	1,180		1,180				
14	Dûra	9,700		9,700	240,685		19	240,704	58	Masamereh/Ramadeen	461		461				
15	Halhûl	3,380		3,380	37,324		10	37,334	59	Sho'our/Ramadeen	449		449				
16	Hebron Urban & Rural	24,560		24,560	74,407	64	1,171	75,642	60	Beni Okbeh/Beni Okbeh	241		241				
17	Idna	2,190		2,190	33,986		16	34,002	61	Atawneh/Ntoush	1,810		1,810				
18	Jab'a, El	210		210	5,593	1,751	1	7,345	62	Rawashdeh	374		374				
19	Kharâs	970		970	6,777		4	6,781	63	Bdinat	535		535				
20	Khirbat Jamrûra				3,707			3,707	64	Urou	486		486				
21	Khirbat Umm Burj	140		140	13,079		4	13,083	65	GalazinTayaha	275		275				
22	Kidnâ	450		450	11,607		4,137	15,744	66	Janabib/Zullam	370		370				
23	Mughallis	540		540	11,286		173	11,459	67	Gatatweh	843		843				
24	Nûba	760		760	22,831		5	22,836	TAYAHA TOTAL								
25	Qubeiba, El	1,060		1,060	11,801		111	11,912	68	Abu Middain	2,379		2,379				
26	Ra'nâ	190		190	6,923		2	6,925	69	AI Dhawahreh	773		773				
27	Rîhiya, Er	330		330	2,655		4	2,659	70	AI Smeeri	1,259		1,259				
28	Samû', Es	2,520		2,520	138,854		18	138,872	71	Nseirat	1,851		1,851				
29	Shuyûkh, Esh	1,240		1,240	22,088		3	22,091	HANAJREH TOTAL								
30	Si'îr	2,710		2,710	92,417		6	92,423	72	Abu Jaber	674		674				
31	Sûrif	2,190		2,190	38,550	314	12	38,876	73	Abu Al Udous/Irteimat	915		915				
32	Taffûh	780		780	12,100		3	12,103	74	AI Fukara/Irteimat	655		655				
33	Tarqûmiya	1,550		1,550	20,718		470	21,188	75	Thabet/Galazin	510		510				
34	Tell es Sâf i	1,290		1,290	27,794	1,120	11	28,925	76	Bin Sabbah/Hasanat	379		379				
35	Yatta	5,260		5,260	174,136		36	174,172	77	Bin Ajlan/Amarin	1,043		1,043				
36	Zakarîyâ	1,180		1,180	15,311		9	15,320	78	Wuhaidat Jabarât	474		474				
37	Zeitâ	330		330	3,127	1,273	6,090	10,490	79	AI Nuwairi/Saadneh	225		225				
38	Zikrîn	960		960	17,186		9	17,195	80	Abu Jraiban/Saadneh	345		345				
HEBRON DISTRICT TOTAL		89,570	80	89,650	1,985,922	6,132	84,131	2,076,185	81	AI Diqs/AI Diqs	1,016		1,016				
1	Imara al PS	38		38					82	Bin Rifee/Sawarkeh	811		811				
2	Jammama PS	38		38					83	Wulaydeh	226		226				
3	Asluj PS	38		38					84	Abu Rawwaa	189		189				
4	Awja Hafir PS	38		38					JBARAT TOTAL								
5	Kurnub PS	38		38					85	Hamayteh	258		258				
6	Zuwaira al PS	38		38					86	Rummaneh	228		228				
7	Ghamr PS	38		38					87	Mathakeer	313		313				
8	Um Rashrash	38		38					88	Rawaytheh	282		282				
9	Khalasah al PS	38		38					SAIDIYEEN TOTAL								
10	Beersheba	5,323		5,323			2,279	2,279	EHEWAT TOTAL			989		989	1,732,825		1,732,825
BEERSHEBA DISTRICT TOTAL		86,497	180	86,677	12,509,490	65,231	2,279	12,577,000	GRAND TOTAL								
									1,243,867	552,670	1,796,537	23,339,643	1,491,699	1,491,657	26,322,999		

Table 2.11: Average Figures for Population and Land

Item	Population			Land (donums)				Number
	Arabs 45	Jews 45	Total	Arab	Jewish	Public	Total	
Mixed Towns	34,430	45,258	79,688	8,191	10,286	5,337	23,814	4
Arab Towns	12,588	3,953	13,906	55,895	2,597	9,530	67,060	27
Jewish Towns	213	28,970	29,076	872	13,198	2,153	16,113	8
Arab Villages	898	341	916	11,796	1,999	1,468	13,741	793
Jewish Villages	357	561	581	321	4,320	252	4,648	163
All Localities	1,450	2,444	1,794	12,303	3,108	1,518	13,758	995

Note: Localities are classified by town and village, excluding Beer Sheba District. 'Town' is assumed arbitrarily over 5,000 population. Designation of Arab and Jewish follows recognized name in the British Mandate 'Village Statistics 1945' from which all figures are calculated. Definition of Mixed Towns (Jerusalem, Haifa, Safad, Tiberias) is arbitrary. Total number of Village / Town boundary divisions is 999, excluding Beer Sheba. The four unaccounted-for units are two lakes, Hula Concession and one combined village.

Characteristics of Palestinian and Jewish Towns and Villages

For convenience of this discussion, the population centres in Palestine are divided into two main categories: (a) towns or urban centres for population in excess of 5,000 (1945 figures); and, (b) villages for population less than 5,000. Towns are further divided into three types: Palestinian (27), Jewish (8) and mixed (4) (Jerusalem, Haifa, Safad and Tiberias). Villages are divided into Palestinian and Jewish (colonies). The British classification of 'Arabs' and 'Jews' is used. The word 'Public' land usually belongs to the group owning all or the larger portion of village land. (See Public Land, Section 2.6.)

Table 2.11 shows simple averages in population and land for each category extracted from *Village*

Statistics. The Beer Sheba district was excluded because Jewish presence and ownership was insignificant.¹⁴⁷ If included, averages would weigh heavily on the side of Palestinian villages. For the 4 mixed towns, the Jewish population slightly exceeds half the population (56 percent) on average. Similarly, the Jewish land is 56 percent of both Jewish and Arab land in the town. The 27 Arab Palestinian towns have an average land area of 67,000 donums, predominantly Arab-owned (95 percent). Jewish-ownership (5 percent) is found in 17 of 27 towns. The 8 Jewish towns have a much smaller land area of 16,000 donums with a small degree of Arab-ownership (7 percent), slightly higher than the opposite case. While the average Palestinian town had a population of about 14,000 with a significant Jewish minority, Jewish towns had more than double this population, at about 30,000, with a tiny Arab minority. In Palestinian

towns, the share of an Arab in the town's land was 5.33 donums/person, while the share of a Jew in a Jewish town was only one tenth of that, i.e. 0.56 donum/person.

The 793 Arab Palestinian villages had an average land area of 13,741 donums, but the maximum could reach 517,000 donums. The larger village areas tended to be in the eastern half of Palestine adjacent to the Jordan river and in the south, in Nablus, Jerusalem, Hebron and Beer Sheba districts. The average population was 916 persons per village. By contrast, the 163 Jewish villages or expanded colonies had a much smaller area, an average of 4,620 donums, but 32 percent of all Jewish localities (towns and villages) were less than 2,000 donums in area. Forty-three percent were less than 3,000 donums. Jewish village land areas were extracted from the Arab Palestinian village land, as can be seen by comparing the maps during the Mandate's three decades. As stated before, when a Jewish colonization organization acquired a piece of land in an Arab Palestinian village, it attempted to acquire a little more land, sufficient to convince the British Mandate to declare the colony a separate Jewish village, although it was much smaller in area and population. Hence the number of Jewish-designated villages as compared to the number of the Arab Palestinian villages does not reflect proportionately their relative size or population. The averages of all localities in Palestine therefore reflect more closely the Arab Palestinian villages (13,758 compared to 13,741 donums respectively).

Classification of Villages

Villages and towns are classified according to the following: (a) Ethnicity, and (b) Capital or non-capital. (The explanation of this classification is given in Table 2.12). Of the 1,304 towns and villages in Palestine, only 185 were Jewish. See Table 2.13. This small number has even less significance as both their population and land area are much less than the average figures as seen in Table 2.11. There were 4 mixed towns in which the Jewish population was just over half the population. The largest number of Jewish villages or colonies were located in the coastal plain, Marj ibn 'Amer and around Tiberias and the Jordan River, where Jewish land was located. While Jewish villages had mostly one colony per village land, over 20 percent of village lands had other villages beside the main (capital) village indicating wider distribution of population. Map 2.7 shows the Palestinian and Jewish ownership of land by village according to *Village Statistics*. Map 2.8 shows the population (Palestinian Arabs or Jews) of all Palestine. Map 2.9 shows the same for all villages whether capitals or not.

Table 2.12: Classification Codes of the Villages/Towns

Ethnic Code		Capital Code	
1	Palestinian	1	Main village (capital)
2	Jewish	2	Non Capital
3	Mixed	3	Virtual Capital (if no village exists)
4	Neutral	4	Unidentified

Table 2.13: Summary of Village Classification by District for all Palestine

S. No.	District Name	Capital Code					P-J (Ethnic)				
		1	2	3	4	Total	1	2	3	4	Total
1	Safad	84	18	2	2	106	91	12	1	2	106
2	Acre	52	15			67	65	2			67
3	Haifa	82	29			111	74	36	1		111
4	Tiberias	44	7			51	31	19	1		51
5	Nazareth	43	3	1		47	29	18			47
6	Beisan	40	10	2		52	35	17			52
7	Jenin	59	2			61	61				61
8	Tulkarm	92	6	7		105	73	32			105
9	Nablus	90				90	90				90
10	Jaffa	48				48	26	22			48
11	Ramle	92	3	1		96	79	17			96
12	Ramallah	60				60	60				60
13	Jerusalem	95	1			96	90	5	1		96
14	Gaza	64	3			67	62	5			67
15	Hebron	37	1	1		39	39				39
16	Beer Sheba	88	120			208	208				208
	TOTAL	1,070	218	14	2	1,304	1,113	185	4	2	1,304

2.5 Land in Jewish Possession

The beginning of Jewish colonization in Palestine witnessed the establishment of Jewish, not necessarily Zionist, settlements. Thanks to the generous contribution of Baron Edmund de Rothschild, medium-sized and large plantations were bought in Palestine. Rothschild (1845-1934) contributed a considerable amount of money, Palestinian Pounds (£P) 15,000,000¹⁴⁸, the equivalent of

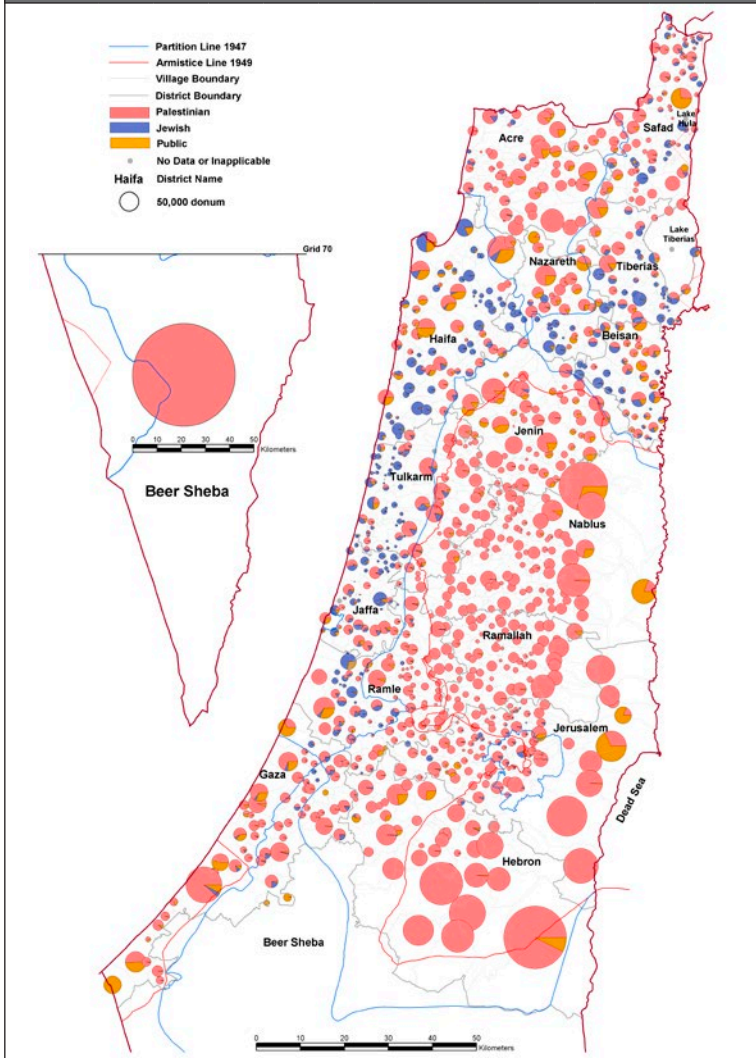
147 In anticipation of the partitioning of Palestine, the Zionist movement erected six military posts which had 30 armed men each. Thus Jews constituted about 0.2 percent of the population. In

terms of land ownership, it is estimated they controlled 65,000 donums out of 12,577,000 donums, the district area, or 0.5 percent of the land. The Beer Sheba district was essentially

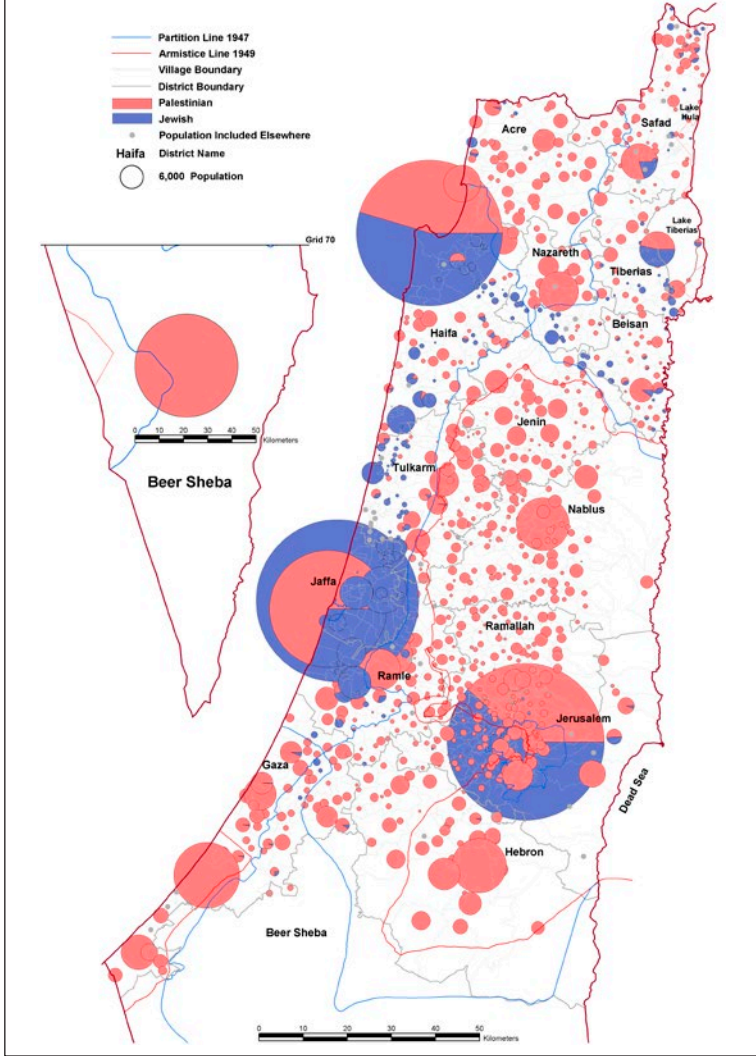
Arab Palestinian-owned and inhabited.

148 *Survey of Palestine*, Vol. 1, *supra* note 3, p. 374.

Map 2.7: Land Ownership by Town/Village according to Village Statistics (1945)



Map 2.8: Population Composition by Town/Village according to Village Statistics (1945)



Map 2.9: Population Composition of Localities as designated by Village Statistics (1945) with addition of Non-Capitals

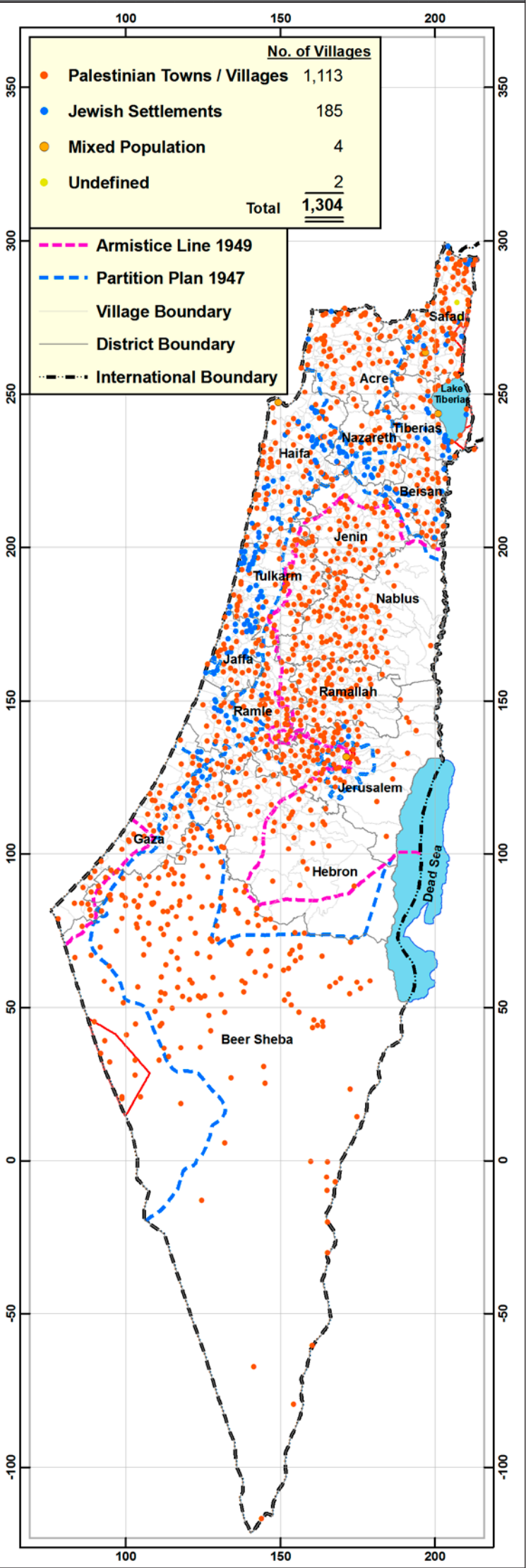


Table 2.14: Comparison of Jewish Holdings at 1944 end from Various Sources

Reference Land Area	Stein 1	JA 2	SOP 3	Weitz Table 4	Weitz Map 5	Comments 6
Raw Figure	1,382,025	1,731,300	1,577,365	1,732,628	1,904,964	
Concession	-	174,600	-	175,792	175,088	
Net after Concession	1,382,025	1,556,700	1,577,365	1,556,836	1,729,876	
Pre 1920	454,860	519,687	650,000	n.a.	n.a.	JA (1919): figure interpolated JA (1922)=594,000
Net after (pre 1920)	927,165	1,037,013	927,365	n.a.	n.a.	During Mandate 927,165 (1944), 938,365 (1945)
Adding Stein's (pre 1920)	1,382,025	1,491,873	1,382,225	1,556,836	1,729,876	
Share in a Common Land	-	58,256 (est)	-	58,256	58,256	
Net after Common Land	1,382,025	1,433,617	1,382,225	1,498,580	1,671,620	
Excess	-200	-51,392	0	116,355	289,395	excluding Common land
Claimed over SOP				174,611	347,651	including Common land
Excess claimed over Village Statistics (April 45) 1,491,699				6,881	179,921	excluding Common land
				65,137	238,177	including Common land
Final figure 1947			1,429,062			adding 1945, 1946 11,506 + 35,331 = 46,837

All areas in donums. Notes on columns:
 1. Kenneth W. Stein, *The Land Question in Palestine: 1917-1939*, University of North Carolina Press, 1984, Appendix 2, pp.226-227.
 2. Jewish Agency figures, quoted in *Survey of Palestine*, prepared in December 1945 and January 1946 for the information of the Anglo-American Committee of Enquiry, Institute of Palestine Studies, Washington DC, Reprint 1991, 3 Vols, p.376.
 3. *Survey of Palestine*, as above, p.244.
 4. Tabled values on J.Weitz and Z.Lifshitz map of Land in Jewish Possession as at 31 December 1944.
 5. Measured values from Weitz and Lifshitz map.

Table 2.15: Analysis of Stein's Figures

S.No.	Date	Area of Jewish land (d.)	Comments
1	1944	1,382,025	
2	1945	1,393,531	Source: Stein, App.2, p.226-227, based on cited references: Palestine Lands Department submission to the Anglo-American Committee of Inquiry and Gurevich and Gertz
3	Before 1920	650,000 Turkish d.= 597,350	'Assuming' Jewish ownership before 1920 is 650,000 Turkish d. (Turkish donum= 0.9193 m ² of metric donum).
4		-74,900	Deduct land in Houran
5		522,450	Assumed net value
6		454,860	Or, 454,760 d acquired "by title deeds to 1920"- records available - as claimed.
7		67,690	Discrepancy- Ownership doubtful or original figure of 650,000 Turkish d. is inaccurate Figure of '450,000' was confirmed by Hankin in 1937.
8	1925	176,124 or 101,131	Government figures } Largely due to
9		176,124 or 103,584	Jewish Agency figures } Sursok land
10		74,993	Max difference: Ambiguity may be due to the doubtful legality of some area in Sursok sale.
11	1/1/1933 to 31/3/1936	224,336	Jewish Agency figures
		187,294	Palestine Land Department figures
12		37,042	Unregistered or fraudulent registration
13		112,035	Total uncertain records. Sum of items 10, 12
14	1944	1,269,990	Min. area of authentic registration

Palestine's GDP for several years. Large farms were established on plots of land ranging from 1,000-3,000 donums, mostly guided by the experience of German Templers.¹⁴⁹ Their experience in Palestine had a profound effect on the early Zionist settlers who started to establish colonies

at the closing of the nineteenth century. Prominent figures in Zionist colonization of Palestine, such as Otto Warburg, Arthur Ruppin, Max Bodenheimer and Yizhak Elazari-Volcani (Wilkansky) learned a great deal from the German experience. "In 1928, [Volcani] published an article entitled "Modern

Mixed Farming in Palestine"- a plan based on data from the German colonies. This plan formed a basis for modern Zionist agricultural settlement".¹⁵⁰

An agricultural school, Mikve Israel, (Hope of Israel), was established by a French Jew in 1870, near Jaffa. Jerusalem Jews established Petah Tikvah (Gateway of Hope) in 1878 on Mulabbas village land. The venture failed and was abandoned but was later revived. In 1882, Safad Jews established Rosh Pinnah (the Cornerstone) near al-Ja'una village. Russian Jews established Rishon le-Zion (First in Zion) south east of Jaffa on Uyun Qara village land. Roumanian Jews established Zikhron Ya'aqov (Memorial to Jacob Rothschild) on the land of Zamarin village. Russian Reuben Lehrer established Nes Ziona (new Zion) on Wadi Hunein land. Before the end of the nineteenth century, Rehoboth (Rehevot) colony was established on Deiran land. Other colonies were built on lands of Katrah and Qastina villages. In the first two decades of the twentieth century, several other colonies/farms were established.¹⁵¹

The ownership of the land was registered under the names of Sephardic Jews who were Ottoman subjects, or the names of their Arab proxies as foreigners were not easily allowed to own land.¹⁵² Until then, the total ownership, as well as the Jewish population size, was far too small compared to the area and population of Palestine as a whole. They were frequently compared to German Templer colonies in Palestine and to Greek land estates in Egypt. The Zionist aim of establishing settlements to determine the borders of a future Jewish state in Palestine was not apparent to most people, although Palestinian nationalists started to sound the alarm as early as 1910.¹⁵³

The Jewish National Fund (JNF) was one of the most prominent Zionist colonization enterprises, especially after World War I. The JNF was established in April 1907 in England as an instrument of the World Zionist Organization (WZO)¹⁵⁴ to acquire land. The Hebrew name of the Fund (*Keren Kayemeth L'Yisrael/KKL*) means 'Perpetual Fund Capital for Israel', a reflection on the daily morning prayer.¹⁵⁵ The apparent religious connotations mask the secular and national objective of the JNF. According to its original Memorandum of Association, its "primary objective" was "to purchase, take on lease or in exchange, or otherwise acquire any lands, forests, rights of possession and other rights...in [Palestine, Syria, Sinai, Turkey]...for the purpose of settling Jews on such lands".¹⁵⁶ The JNF was given extremely wide powers to develop the land but not to sell it. The Fund can lease the acquired lands to any Jew, body of Jews and to any company under Jewish control. The lessee or sub-lessee, their heirs, employees, as well as anyone to whom the lease is transferred or mortgaged must be a Jew. Arabs and non-Jews generally, are prohibited from living or working on JNF land. The JNF holds such lands on behalf of "the Jewish People in perpetuity".¹⁵⁷

149 The Templers, a (mostly-German) religious order, set up a colony in Haifa in 1869. Some years later, they purchased land in al-Tira (Haifa sub-district), and near Jaffa. At the time it was an important port. Thereafter, Sarona, Wilhelma and Waldheim colonies were established. Although the French, Russian, American and other religious orders or societies have set up their missionary centres, hospices or colonies, the German colonies stand out, being model farms, dedicated to improved agriculture. The Templers were efficient, peaceful and friendly; although aloof to their Palestinian neighbours, save for minor clashes due to the inevitable cultural differences. Moreover they had no grand designs to rule or dominate the country. Their presence came to an abrupt end after the defeat of Germany in the First World

War. The Mandate government encouraged by Zionist officials made the decision to remove the Germans from Palestine being 'an enemy'. They were carted away by train from Haifa to Alexandria and by boat to Europe. Israel state expelled them; they moved to Cyprus and Australia. Under pressures Israel paid them some compensation for their confiscated property.
 150 Naftali Thalmann, "Introducing Modern Agriculture into the Nineteenth Century Palestine: The German Templers," in Ruth Kark (ed.) *The Land That Became Israel, Studies in Historical Geography*. New Haven: Yale University Press, 1991, p. 103.
 151 Walter Lehn and Uri Davis, *The Jewish National Fund*. London: Kegan Paul International, 1988, pp. 7-10.
 152 Abdel Karim Rafeq, *Ownership of Real Property by Foreigners*

in Syria, 1869-1873. Roger Owen (ed.) *New Perspectives on Property and Land in the Middle East*. Cambridge, MA: Harvard Center for Middle Eastern Studies, 2000, pp. 175-239.
 153 al-Kayyali, *supra* note 25, pp. 48-54.
 154 The Zionist Organization was founded by Theodor Herzl at the First Zionist Congress in Basle, 1897. The goals of the organization were set forth in the Basle Program: "Zionism seeks to establish a home for the Jewish people in Palestine, secured under public law."
 155 Lehn and Davis, *supra* note 151, p. 24.
 156 *Ibid.*, pp. 26-29 and 30-31.
 157 *Ibid.*, p. 10.

Table 2.16: Tabled and Measured Areas of Map by J. Weitz and Z. Lifshitz as at December 1944

District	Sub District	Full	Shared	Concession	Mixed	Total
		1+4	2+5	3+6	7	
	Safad	113,795	23,623	40,753	2,478	180,649
	Acre	24,378	4,119	250	-	28,747
	Tiberias	177,470	4,736	-	-	182,206
	Nazareth	152,697	200	-	-	152,897
	Baysan	143,404	69	-	-	143,473
Galilee	Sub-total	611,744	32,747	41,003	2,478	687,972
Haifa	Haifa	355,016	4,800	42,174	47,957	449,947
	Jenin	5,872	3,756	-	-	9,628
	Tulkarm	152,728	4,736	-	10,092	167,556
	Nablus	-	-	-	-	0
Samaria	Sub-total	158,600	8,492	-	10,092	177,184
	Jaffa	139,705	3,122	9,363	-	152,190
	Ramle	119,710	1,097	1,453	10,359	132,619
Lydda	Sub-total	259,415	4,219	10,816	10,359	284,809
	Ramallah	-	-	-	-	0
	Jerusalem	39,046	2,736	24,270	-	66,052
	Hebron	17,682	2	-	220	17,904
Jerusalem	Sub-total	56,728	2,738	24,270	220	83,956
	Gaza	62,417	29	-	3,891	66,337
	Beer Sheba	92,703	5,231	56,825	-	154,759
Gaza	Sub-total	155,120	5,260	56,825	3,891	221,096
Total Measured Values		1,596,623	58,256	175,088	74,997	1,904,964
Tabled Values			1,556,836	175,792		1,732,628
Difference between Measured and Tabled Values			98,043	(704)		172,336

Notes:
1: JNF full ownership 2: JNF Shared Land 3: JNF Concessions
4: Jewish Colonization Companies (JCC) full ownership
5: JCC Shared Land 6: JCC Concession 7: JCC and JNF mixed ownership

The land under Jewish possession has always been shrouded in mystery. According to one Israeli author, "... till this very day there is not even a single empirical study, Zionist or post-Zionist, to tell as to who got what, when and how".¹⁵⁸ Publishing figures of Jewish land holdings would have serious political implications. Over 92 percent of the land held by Israel today was confiscated from Palestinians. During periods of political unrest, Jews purchased land through one, two or even three successive dealers to remove the stigma of selling land to Jews, which was considered national treason by the Palestinians. Furthermore, the land regulations imposed by the British Mandate in response to Arab opposition, such as *1940 Land Transfer Regulations*¹⁵⁹, were circumvented by Jews through purchases of Arab land by paid intermediaries. Such land could not be legally registered. Unregistered but Jewish-claimed land also included land for which mortgage closure was planned, and land for which down-payment was made but no sale transaction consummated. It may also have included land on which Jews were legal tenants which did not imply ownership.

Confusion about the total area of Jewish land may have also arisen due to the definition of land status. Some figures included Concessions by the British Mandate or included a share in *Mushaa'* land (indivisible collectively-owned village land); both could not be registered as Jewish-owned. Ambiguity also arose from ownership in the pre-1920 Turkish period. Ownership by non-Ottoman subjects was prohibited and later restricted. Moreover title deeds were descriptive and did not indicate precise boundaries. During WWI, many

Turkish records were lost or destroyed. It was not possible to verify ownership independently. Change of ownership also resulted from transfer between different colonization companies and may not have been recorded correctly; a piece of land may have been included twice in the final summation. The reference date also played a part in the final land figure, not only in the pre-1920 period. In the years 1943 and 1944 there was satisfactory government evaluation of land, culminating in the *1945 Village Statistics*. However, individual figures for the subsequent years, 1945 and 1946, were included in a special Supplement to the *Survey of Palestine* published in June 1947. Attention should therefore be paid to the reference year around the end of the British Mandate.

The ambiguity and confusion about land in Jewish possession, deliberate or not, has led to widely varying estimates. For example, the figures often quoted for the area registered under the British Mandate range from 938,365 donums to almost double this figure at 1,850,000 donums.¹⁶⁰ Although the highest figure does not constitute more than 7 percent of Palestine, which is still very small, it is possible to narrow down the variation of figures and arrive at a more reliable estimate of the Jewish land in Palestine just before the 1948 war based on an examination of the date, the status of the land and the legality of its registration. Various sources for the end of 1944 are compared in **Table 2.14**. Column 1 is derived from Stein.¹⁶¹ Column 2 shows the figures presented by the Jewish Agency to the Anglo-American Commission of Enquiry.¹⁶² Column 3 gives the official figures year by year (1920-1945) by the British

Mandate government for officially-registered Jewish-owned land but with the area owned before 1920 (650,000 donum in the Turkish period) assumed to be "generally accepted".¹⁶³ Columns 4 and 5 are derived from the map prepared by J. Weitz and Z. Lifshitz on behalf of the Jewish Agency as on December 31, 1944. Column 4 gives the figures stated in the table on the map. Column 5 gives the areas measured by the author from the map.

The area of Concessions is deducted as this is leased land, not owned. The land assumed to be acquired during the Turkish period is also deducted. The Jewish-owned land comes to be 927,165 donums in 1944 and **938,365** donums in 1945. This is the land area legally-registered by the British Mandate government in the period between October 1920, when the Land Registry was opened, and the end of 1945. There is no dispute about this official figure.

The pre-1920 figure suffers from two defects: it is measured in Turkish donums (each equals 0.9193 metric donum), and there is no independent verification of this figure anywhere other than Jewish claims. Stein states, in explanation, that 454,760 metric donums (454,860 donums in his table) are "lands acquired by title deeds [up] to 1920 for which we have records" (emphasis added).¹⁶⁴

Taking these assertions at face value, it may be noted that Jewish figures (columns 2, 4, 5) include shares in Common (*Mushaa'*) land, which could not have been included in the Mandate figures, and possibly Stein's figures. Shares held in Common land could not be entered in the Land Registry independently. Excluding this and adding Stein's figure for the Turkish period, assumed to be correct, the figure of 1,382,225 donums appears to be the legally-registered Jewish land in 1944. Adding Mandate figures for 1945, 1946, the last officially-recorded, at the closing of the Mandate, **1,429,062** donums, is the most likely figure of Jewish legally owned land.

The difference between this figure and Stein's and even the corrected Jewish Agency is small, as indeed it should be since the source is the same. As Table 2.14 shows, Weitz claimed extra Jewish land of anywhere between 116,353 donums (Weitz table excluding Common land) to 347,651 donums (Weitz map including Common land). This excess claim cannot be supported by solid evidence. Even Stein admits certain ambiguities in his already quoted figures. Using his data, the estimated land area of 1,382,025 donums in 1944 drops by 112,035 donums to 1,269,990 donums. See **Table 2.15**. This is the lowest figure for Jewish land, assuming the authenticity of pre-1920 ownership of 454,860 donums. The uncertainty about Weitz figures is more obvious when comparing his own figures in the table on his map and as measured on the same map. There is at least a difference of 172,336 donums between the two, allowing for the map scale.

Table 2.16 shows the measured areas of claimed Jewish ownership classified by District, Sub-district and land holder: JNF and other colonization companies in addition to Concessions

158 Jonathan Nitzan and Shimshon Bichler, *The Global Political Economy of Israel*. London: Pluto Press, 2002, p. 97.
159 1940 Land Transfer Regulations, *Laws of Palestine*, Vol. 2 (1939), p. 459.
160 A. Granott, *The Land System in Palestine, History and Structure*.

London: Eyre and Spottiswoode, 1952, p. 278.
161 Stein, *supra* note 29, Appendix 2, pp. 226-227. The data was derived from the Palestine Land Department for the Anglo-American Committee of Enquiry and from Gurevich and Gertz, "Jewish Agricultural Settlement in Palestine".

162 Table 4, *Survey of Palestine*, *supra* note 3, p. 376.
163 Table 1, *Survey of Palestine*, *supra* note 3, p. 244.
164 Stein, *supra* note 29, p. 226.

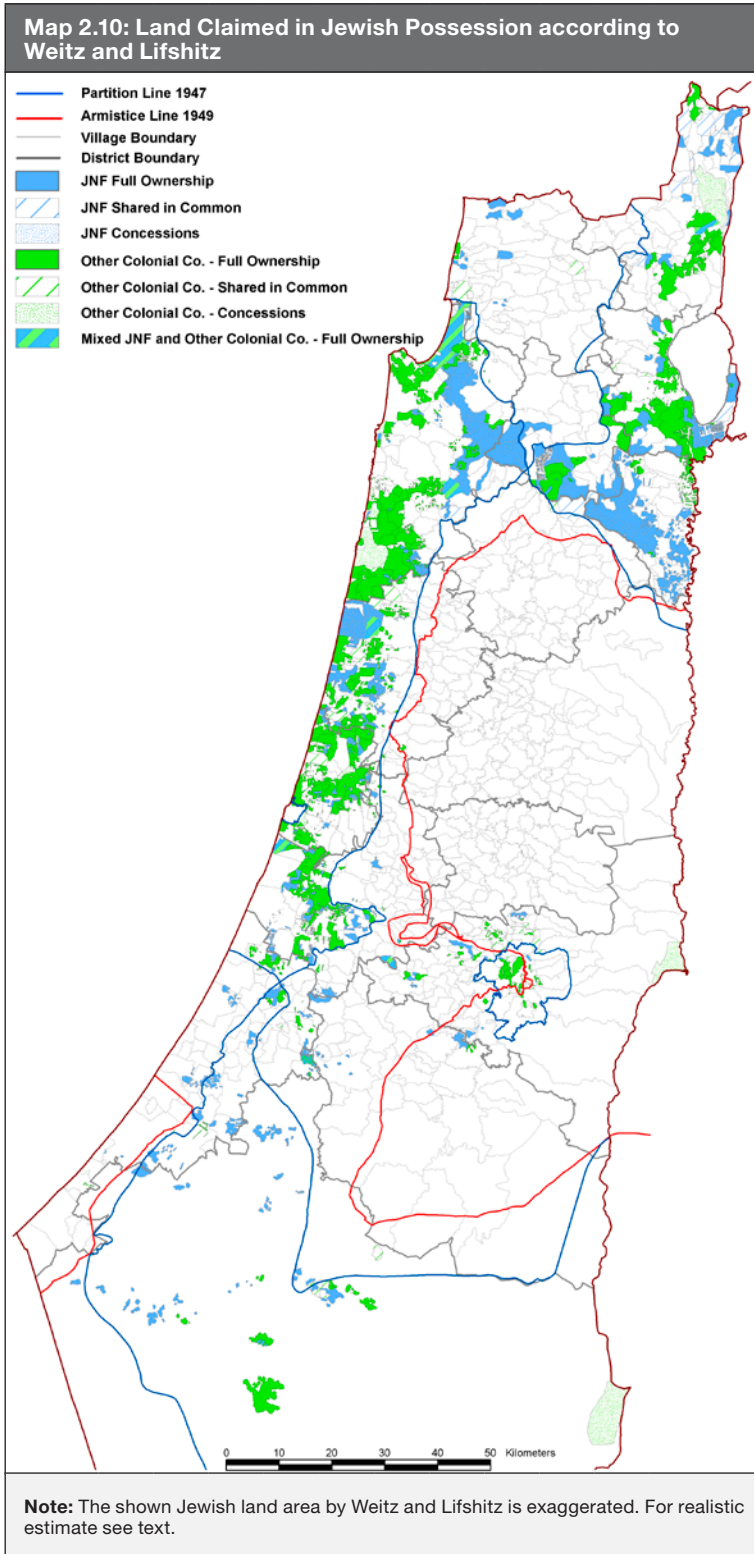


Table 2.17: Comparison of the Holdings of Various Jewish Colonization Companies over the Years from Different Sources

Year	Stein excl. Concessions		Jewish Agency incl. Concession			SOP excl. Concessions	
	Annual	Cumulative Increase	JNF Accum.	PICA & Private Individuals Accum.	Total Accum.	Annual	Accum.
1919		454,860			519,687	650,000	650,000
1920	1,143	456,003			544,458	1,048	651,048
1921	90,785	546,788			569,229	90,785	741,833
1922	39,359	586,147	72,400	521,600	594,000	39,359	781,192
1923	17,493	603,640			655,800	17,493	798,685
1924	44,765	648,405			717,600	44,765	843,450
1925	176,124	824,529			779,400	176,124	1,019,574
1926	38,978	863,507			841,200	38,978	1,058,552
1927	18,995	882,502	196,700	706,300	903,000	18,995	1,077,547
1928	21,215	903,717			934,000	21,515	1,099,062
1929	64,517	968,234			965,000	64,517	1,163,579
1930	19,366	987,600			996,000	19,365	1,182,944
1931	18,586	1,006,186			1,027,000	18,585	1,201,529
1932	18,893	1,025,079	296,900	761,600	1,058,500	18,893	1,220,422
1933	36,992	1,062,071			1,141,500	36,991	1,257,413
1934	62,115	1,124,186			1,225,000	62,114	1,319,527
1935	72,905	1,197,091			1,308,500	72,905	1,392,432
1936	18,145	1,215,236	369,800	1,022,800	1,392,600	18,146	1,410,578
1937	29,367	1,244,603			1,439,000	29,367	1,439,945
1938	27,280	1,271,883			1,482,000	27,280	1,467,225
1939	27,974	1,299,857	463,500	1,069,900	1,533,400	27,973	1,495,198
1940	22,481	1,322,338			1,568,000	22,481	1,517,679
1941	14,531	1,336,869	532,900	1,071,900	1,604,800	14,530	1,532,209
1942	18,810	1,355,679			1,646,000	18,810	1,551,019
1943	18,035	1,373,714			1,688,000	18,035	1,569,054
1944	8,311	1,382,025	758,200	973,100	1,731,300	8,311	1,577,365
1945	11,506	1,393,531				11,000	1,588,365
1946						35,331	1,623,696
1947							
TOTAL		1,393,531			1,731,300	1,588,365	1,623,696

All areas are in donums. Sources:

- Kenneth W. Stein, *The Land Question in Palestine: 1917-1939*, University of North Carolina Press, 1984, Appendix 2, pp. 226-227.
- Jewish Agency figures, quoted in *Survey of Palestine*, prepared in December 1945 and January 1946 for the information of the Anglo-American Committee of Enquiry, Institute of Palestine Studies, Washington DC, Reprint 1991, 3 vols., Table 4, p.376 and includes 174,600 donums Concessions.
- *Survey of Palestine*, as above, Table 1, p.244, starting with the (erroneous) estimate of 650,000 Turkish donums before the British Mandate.
- Figures in italics are interpolated.
- PICA = Palestine Jewish Colonization Association.

granted by the British Mandate. **Map 2.10** shows a reproduction of the Weitz and Lifshitz map with the same classification. Although there is some difficulty in measuring from a 1:750,000 scale map, the conclusions are obvious. There is a gross exaggeration of the land claimed to be Jewish. To identify one small example, 19,781 donums claimed to be Jewish exist in villages with no Jewish ownership according to *Village Statistics*. This may have resulted from some changes in the village boundary of 'Ein Harod and Tel Yosef. But the rest cannot be explained. Nevertheless, this area was added to the measured area.

Table 2.17 and **Figure 2.1** shed some light on these anomalies. Table 2.17 shows Jewish land ownership as given in Table 2.14 by Stein, the Jewish Agency (JA) and the *Survey of Palestine* but distributed over the years 1919 to 1944. Figure 2.1, which shows ownership at the same dates, clearly indicates that the *Survey of Palestine* and Stein's data are identical if the (Turkish) starting value of the *Survey of Palestine* is corrected and Stein's figure is used for the year 1919. This

provides much higher credibility in the extent of the officially-registered and owned Jewish land, assuming the pre-1920 figure is correct. This figure excludes lands which are otherwise under Jewish possession or control on temporary basis such as Concessions, or on special basis which do not confer ownership such as legal tenants.

The gap between Stein and the Jewish Agency curves in Figure 2.1 shows the land area claimed by Jews in excess of officially-registered land. Since the Jewish Agency figure includes Concessions generally estimated to be 175,000 donums, the net unexplained difference between Stein and the Jewish Agency in 1944 is 174,275 donums. Where does this difference come from? Generally speaking, where does the extra claim of 347,651 donums in Table 2.14 come from?

There is further divergence of Jewish figures in **Table 2.18**. This table gives land ownership of various Jewish colonization companies at the end of 1945, classified by district and by whether the land is wholly owned or held in common with

others. The source of this information is very likely Jewish as it contained figures from Jewish colonization companies. It was quoted without comment in the *Survey of Palestine*. The land in question refers to large holdings, defined as over 5,000 donums, although the source for the 1946 figures does not state whether the addition for that year is for large holdings or not. The total is compared with the areas measured from the Weitz map (Table 2.16).

The measured values are more than double (2.1 times) the stated total, although the ratio of measured/stated values for districts varies from a high of 4.3 to a low of 1.5. This cannot be explained by the fact that the table refers to large holdings while the measured values refer to all holdings. The difference between the two totals is about 1,000,000 donums. Taking the average of 'small' holdings as half of 5,000 donums, there should be 400 colonies/farms to account for the difference of one million donums. Since there are only 172 designated Jewish villages in 1948, it appears there are, on average, 5,810 donums claimed but

Table 2.18: Comparison of Large Jewish Holdings and Weitz Map

District	Jewish National Fund		Palestine Jewish Colonization Association		Palestine Land Development Co. Ltd		Hemnuta Ltd.		Africa Palestine Investment Co. Ltd.		Bayside Land Corporation Ltd.		Palestine Kupat Am Bank Ltd.		Total	Weitz Map (measured)
	In whole	In common	In whole	In common	In whole	In common	In whole	In common	In whole	In common	In whole	In common	In whole	In common		
Galilee	272,000	49,600	123,800	3,900	2,200	-	-	200	-	-	-	-	-	-	451,700	687,972
Haifa	112,600	-	60,800	-	6,000	200	-	-	9,900	-	8,500	-	6,300	2,100	206,400	449,947
Samaria	79,600	2,200	1,100	-	-	-	4,800	9,100	-	-	-	-	-	-	96,800	177,184
Jerusalem	13,100	2,200	1,800	-	900	-	200	800	-	-	-	-	-	-	19,000	83,956
Lydda	60,100	3,100	2,300	-	400	-	700	700	-	-	-	-	-	-	67,300	284,809
Gaza	63,400	2,200	-	-	-	-	-	-	-	-	-	-	-	-	65,600	221,096
TOTAL	600,800	59,300	189,800	3,900	9,500	200	5,700	10,800	9,900	-	8,500	-	6,300	2,100	906,800	1,904,964

Notes: All areas are in donums. Source of Large Jewish Holdings (as on 31 December 1945) is unknown, presumably Jewish. It has been quoted in *Survey of Palestine*, prepared in December 1945 and January 1946 for the information of the Anglo-American Committee of Enquiry, Institute of Palestine Studies, Washington DC, 1991, 3 Vols., Table 2, p.245, without comment. The land acquired by JNF has been updated to 31 December 1946 by an increase of 51,700 donums giving a total of 652,000 donums. See *Supplement* p.30. Large Holdings means over 5000 donums

Table 2.19: Jewish Land according to Granott

Purchase from Buyer & Date	Non-Resident Large Land Owners	Resident Large Land Owners	Fellahin	Churches, Foreign Owners, Government	Concessions	Total	Notes
PICA ¹ (Rothschild) upto 1945	293,545	136,342 ⁴			39,520	469,407	Max 519,904 (1930), Min 140,616 (1946)
PLDC ² Upto 1935	455,1693		57,810			512,979 ⁵	Excluding: Beersheba 25,351 d ⁶ and Hula concession 41,162 d.
PLDC 1936-1945						89,914	
PICA + PLDC Subtotal 1935	748,714 (79.4%)	193,494 or 194,152 (20.6%)				942,866 ⁷	
Individual Jews Upto 1935						432,100 ⁸	
JNF Upto 1930	239,170		25,555	5,3599		270,084	
1931-1947						566,312 ¹⁰	
Subtotal JNF						836,978 ¹¹	By addition
Jewish Agency figures 1878-1936 ¹²	358,974 (52.6%)	167,802 (24.6%)	64,201 (9.4%)	91,001 (13.4%)		681,978 ¹³	Excluding concessions
Granott final estimate June 1947	1,049,000		500,000 ¹⁴	120,000	181,000	1,850,000 ¹⁵	Or 1,669,000 Excluding concession

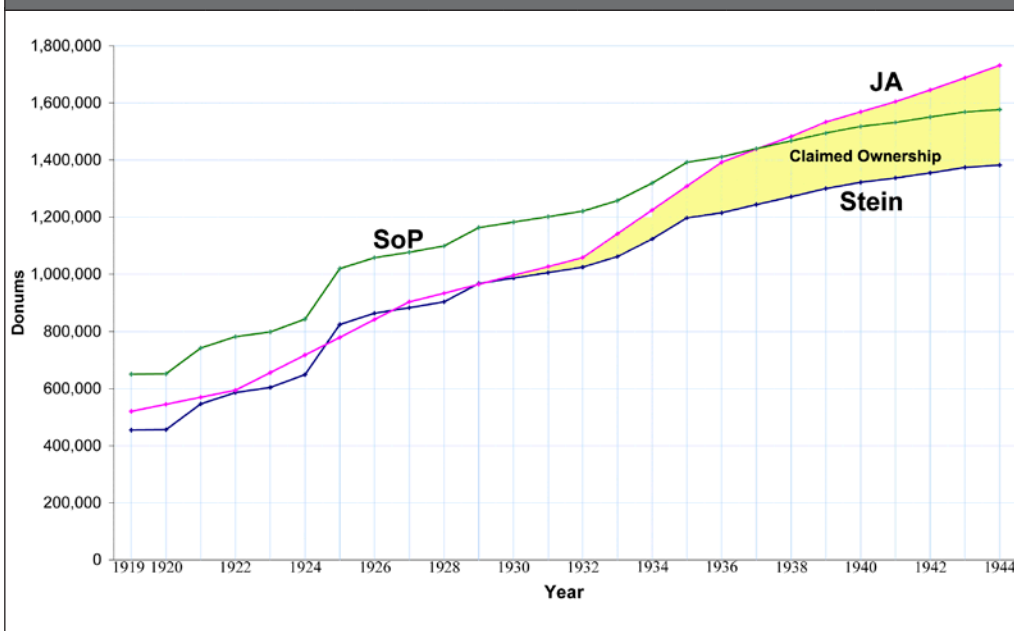
Notes: This table is based on information in: A. Granott, *The Land System in Palestine, History and Structure*, Eyre and Spottiswoode, London, 1952, pp. 275-282. All areas are in donums.

1. Palestine Jewish (Israeli) Colonization Association. PICA was established in 1924 and assumed control of lands purchased by Baron de Rothschild. In 1930, its holding reached a max. of 519,904 d., excluding small holdings east of Jerusalem. After 1930, its holdings decreased (see Granott Table 33, p. 280), as the land was transferred to individual Jewish farmers, because of Land Settlement Law. In 1946, PICA held only 140,616 d.
2. Palestine Land Development Company: acted as a Purchasing Agent for JNF and individual Jews.
3. Not clear whether resident or not.

4. Listed as owners working the land which could include fellahin.
5. This includes land for JNF. See note 2.
6. Not likely to be (for Beer Sheba) and cannot be (for Hula concession) registered in the Government Land Register as Jewish-owned.
7. As stated by Granott, p.271. Subtotal does not tally.
8. PLDC purchased some of this. No exact information about who sold this land.
9. By deduction from total.
10. Registered with the Government Land Register. Granott assumes this amount has been purchased equally from the large land owners and fellahin.
11. By addition. This figure does not tally with Granott Table 34 p.281 which gives 928,241 (1947).

12. By addition. This is NOT total Jewish holding as it contains considerable duplication. Granott Table 32, p. 277.
13. Granott says this is 55.4% of all Jewish holdings i.e. total is 1,231,007 d. (up to 1936).
14. Estimate by Granott p.278. Granott figure for fellahin share of land sale at 500,000 is highly exaggerated unless it includes some of the working large landowners. It does not also agree with Jewish Agency figures.
15. Granott figure without concession is 1,670,000 d. which is higher than Village Statistics 1945 (1,491,699), of which JNF controlled at end of Mandate 928,241 d. (Granott Table 34, p.281) and others 742,000 d. See Table 2.14 for discussion of the reliability of these figures.

Fig 2.1: Comparison of Holdings of Various Jewish Colonization Companies from Different Sources



unaccounted for in each Jewish village, which is already above the 'large holding' definition. Noting that the average holding for well-established large Jewish villages established by PICA as of 1942 is 9,600 donums, it seems that 60 percent of every Jewish village land is unaccounted for, which of course is not the case. This throws serious doubts upon the credibility of these figures.

Confusion about Jewish holdings, contrived or accidental, increases using Granott's figures. Granott had access to most Jewish records. Granott's findings are summarized in **Table 2.19**. The 'Total' column is not necessarily the sum of rows or columns, but is the figure given by Granott. The discrepancies are numerous. In part, this is due to changes in ownership, particularly PLDC sales to other Jews. It is very difficult to find a coherent pattern and reliable quantitative assessment of Jewish lands by studying Granott's table. To do so, it is necessary to resort to better determination of the date of purchase, the status of the land and the legality of registration as stated earlier and shown in Table 2.14. Otherwise,

Table 2.20: Land Sales to Jews in Palestine by Non-Palestinian Absentee Landlords

	Name of Seller	Area (Donums)	Locality
Lebanese	Heirs of Salim Ramadan	3,000	Hittin
	Heirs of Jammal and Milki	2,500	Nimrin
	Gulmia and Jbara	4,000	Zuq et Tahtani
	Emir Chehab family	1,100	Khalisa
	Francis family	3,000	Dafna
	Shab'a villagers	1,500	Khan el Dweir
	Debki and Shams families	1,600	Ed Dawwara
	Farha family	1,400	Ez-Zawiya
	Chehab family	1,300	En-Na'ima
	Farhat and Bazza families and Mardinis (of Syria)	9,000	Qaddas
	Bazza family	3,500	El-Malakiya
	Ahmad el As'ad	2,000	EL Manara & Udeisa
	Moitenes villagers	1,200	Jabal Meimas
	Father Shukrallah	900	Qaddita
	Father Shukrallah	700	Yarda
	Deishum villagers	1,100	Hawwara
	Ali Salam	41,500	Hula Concession Area
	Najib Sursock	26,500	Tell el Firr & Jalloud
	Sursock family	240,000 (1)	Marj ibn 'Amer (Plain of Esdraelon)
	Zu'rob family	5,000	Hanouta
Quteit villagers	4,500	Samakh	
Qweini family	2,500	Nahariya	
Tayyan family	31,500	Wadi el-Hawarith	
	Sub Total	389,300	
Syrians	Heirs of Emir Jazairi	34,000	Kfar Sabt and Sha'ara
	Heirs of Emir Jazairi	3,000	Kirad El-Kheit, Baqqara and Ghannama
	El-Akrawi family	1,600	El-Khaffas
	Emirs Fa'our and Shaman	800	Salhiya
	Fadl family	1,200	Barjiyat
	Zaal Salloum	1,500	Khirbet es-Summan
	Bozo family	4,000	Khiyam el Walid
	Qabbani family	10,350	Wad el-Qabbani
		Sub Total	56,450
Others	Bahai Persians (Iranis)	8,000	Nuqeib
	Comte de Shedid (Egyptians)	7,500	Samakh
		Sub Total	15,500
	GRAND TOTAL	461,250	

Source: Memorandum to Arab Higher Committee dated February 26, 1946.

Notes: (1) This sale displaced 1746 Arab farmer families comprising 8730 persons (see The Shaw Commission Report 1930 (Cmd.3530), p. 118).

Granott table does not provide much illumination. His figures do not agree with each other or with the Jewish Agency figures, probably because of unexplained different classification or legality or absence of registration. His statement that Jewish land is 1,850,000 donums, including Concessions (1,670,000 donums without Concessions) is merely an estimate, but it is more modest than Stein's figure of 2,000,000 donums which is an unsubstantiated high guess.

The question of Arab sale of land to Jewish colonization companies attracted a great deal of controversy and political implications. It was also used to explain Arab military defeats in halting Zionist conquest of Palestine in 1948 and to justify lack of support to Palestinians. On the basis of further research, it is possible to throw light on this question. To start with, Granott claim

that *fellahin* sold 500,000 donums to Jews has an obvious flaw. This claim is contrary to the data provided by the Statistical Department of the Jewish Agency, reproduced in Table 32, by Granott himself.¹⁶⁵ However, this particular table provides interesting information about the source of Jewish purchases, i.e. classification of sellers, in the period 1878-1936. Data shows that, out of 681,978 donums purchased by the Jews in this period, 52.6 percent was sold by non-Palestinian large land owners, 24.6 percent by Palestinian (or resident) large land owners, 13.4 percent by Churches and foreign bodies and 9.4 percent by *fellahin*. Thus, over 90.6 percent of all acquisitions were purchased from large land owners.

Reviewing briefly the history of Jewish land purchases before and after the Mandate, we observe the following. With the onset of the Zionist colonial

immigration in 1882, Arab sale of land to Jews, increased rapidly. As Ottoman authorities prohibited the sale of land to foreigners, deals were made in the name of Jewish Ottoman subjects and foreign consuls, intended for Zionist colonization. However, land sales to Jews by Arabs or non-Arab Muslims, who have no roots in the country, took place.

From 1882 to Allenby occupation of Jerusalem in 1917, land sales to Jews by Arabs were made in Marj ibn 'Amer (Esdraelon), several tracts in Tiberias and Safad districts close to River Jordan, in Haifa and Jaffa districts along the coastal plain. Particular places mentioned in the Ottoman records in the north of Palestine are Carmel, Kafr Lam, Zamarin, Qisariya, Al Tira, Zarghaniya, Ghubbayat, Ja'ara, Tantura, Nufei't, Daliyat al Ruha, Sarafand (north), Wadi 'Ara, Yajur, Shafa Amr, Abu Zureik and others, all in or close to the coastal plain. Official records show that notable large land owners who bought and sold land frequently to various parties in this period included Sursock, Habayeb, Tayyun, Kirdahi, Tweini, Beidoun, Farah, Ahmed Sami Pasha (Damascus), Mustafa al-Khalil and sons, Sadik Pasha and sons, Fuad and Fahmi as Sa'ad, al-Haffar heirs, al Madhi family, Saleem al-Khouri, Abdel Latif as-Salah and sons¹⁶⁶ and the Orthodox Church.

Land was coveted by the Zionists in areas near to, or fed by, water sources, e. g. Lake Tiberias and River Jordan above the lake. Tracts of land were purchased in Al Ghuweir, Abu Shusha, Al Mansura, Tel Adas, Afula, Sulam, Ein ez Zeitun, Deir Hanna, al Maghar, Qabba'a, Arab al Akrad, al Ja'una, Biriya, Fir'im and al Mallaha. Sellers include al-Miqati, al-Jubran, Sursoq, Nicola Khouri, Bishara, Jarjoura, al Khataleen (Salt), Rawadhneh (Damieh), Abdel Hadi, the Baha'is, al-Ahmed, Tabari, Abdel Rahman Pasha (Damascus), Prince Ali Pasha (Damascus).¹⁶⁷

Not all these lands were sold to Jews directly. Some were sold to Baha'is, British Consul, Latin Convent and the German Colony. Small land owners sold their land to pay debts to Jews or their front men and to influential people who paid the debt on their behalf, then sold the land to Jews. All the land sold to Jews during the Ottoman period did not exceed 414,860 d.¹⁶⁸ This land includes land sold to Jewish Ottoman subjects in Syria.

As Balfour Declaration became known, national feelings to the new threat were aroused and expressed in several ways. The division of Greater Syria to Palestine, Transjordan, Syria and Lebanon in the early 1920's provided an impetus both to non-Palestinian large land owners, who were separated from their property, and eager Zionist land agents to expedite sales of land at lucrative prices.

Stein¹⁶⁹ claims that rich Palestinian families, some were active in the national movement, sold land to Jews during the Mandate period. He has no credible proof, e.g. from Mandate records. He relied entirely on Central Zionist Archives. Arieh

¹⁶⁵ Granott, *supra* note 160, p. 277.

¹⁶⁶ Zuhayr Ghanayim, *The District of Acre during the Ottoman Tanzimat Period, 1864-1918*, Beirut: Institute of Palestine Studies, 1999 [Arabic], pp. 325-373. Ghanayim examined the records of Sharia Court in Haifa for the period indicated, in which all transactions must be entered, including marriage, divorce, inheritance, sales, purchases, land registry and disputes. He traced the rise of large

land owners (a) due to corruption of high Ottoman officials, (b) the practice of registering fellaheen land in the name of notables to avoid tax and conscription, then claimed by these notables to be their own, (c) the practice of lending the fellaheen by a front man for Jewish colonies against mortgage of their land, on which they often defaulted and lost their land and (d) the practice of large city merchants of buying and selling agricultural land in

real estate transactions due to their large capital.

¹⁶⁷ Ghanayim, *ibid*, Table 6-7, p. 368.

¹⁶⁸ Stein, *See* Table 2.17 herein.

¹⁶⁹ Stein *supra* note 29, Appendix 3, pp. 228-239.

¹⁷⁰ Arieh Avneri, *The Claim of Dispossession: Jewish Land Settlement and the Arabs, 1878-1948*, London: Transaction Books, year 1984 (translated from Hebrew edition 1980).

British Mandate Government Land Laws

Land Ordinances regulating the transfer of Arab land to Jews or restricting it to protect Arab cultivators include:

The Land Transfer Ordinance (1920)

This ordinance was designed to secure the protection of agricultural tenants from eviction when land was sold by the landlord. The district governor gave his consent for the transaction when he was satisfied that the person about to acquire the property 1) was a resident in Palestine; 2) would not obtain property exceeding in value 3,000 Palestinian Pounds or in area 300 donums; 3) intended himself to cultivate the land immediately. It was also a condition that the transferor, if in possession, or the tenant in occupation of the property leased, would retain sufficient land in the district or elsewhere for the maintenance of himself and his family.

The Transfer of Land Ordinance (1920-21)

The 1920-21 Transfer of Land Ordinance replaced the earlier ordinance and constituted the Director of Lands as the authority to grant permission for disposition of land instead of the district governor. The Director of Lands was bound to grant the consent if satisfied that the transferor [or transferee] held title to the land, provided, in the case of leased agricultural land, that he was also satisfied that any tenant in occupation would retain sufficient land in the district or elsewhere to maintain himself and his family.

The Mawat Land Ordinance (1921)

This Ordinance restricted the cultivation of *Mawat* land as stipulated by Article 103 of the 1858 Ottoman Land Code which allowed any one with the leave of the Official to develop it. Having granted it to him and if he did not develop it for three consecutive years without valid excuse, it was given to another. If he developed it without "Official leave", he was allowed to continue doing so with paying *badil methl*. The Ordinance repealed the last paragraph and punished anyone who cultivated the land without "leave" as a trespasser. It also eliminated the option of *badil methl*. It required those who hold such land, developing it without leave to notify the government before April 18, 1921. Otherwise, they would be violating the law.

Protection of Cultivators Ordinance (1929)

This Ordinance cancelled the provisions of 1921 which required that, on sale, arrangements should be made to provide a tenant in occupation with land in lieu of the holding from which he was dispossessed. It appeared to aim to protect the cultivator who had been at least two years in a holding, by requiring the landlord to give him a full year's notice before the tenancy

could be terminated or the rent increased, and by providing compensation for the tenant for disturbance and for improvements which he had carried out himself. It provided further that where the tenant had cultivated a holding for five years or more, the landlord should pay him, as additional compensation, a sum equal to one year's average rent.

The Cultivators (Protection) Ordinance (1933)

This ordinance remained in effect until the termination of the Mandate in 1948. Its salient provisions were as follows:

1. It defined a 'statutory tenant' as any person, family, or tribe occupying and cultivating a holding other than as owner thereof. The term included the relatives of any person occupying and cultivating a holding who might have, with the knowledge of the landlord, cultivated such holding; it included the heirs of a tenant, and also any person who had been hired by the landlord to do agricultural work and receive as remuneration a portion of the produce of the holding which he cultivated.
2. It provided that a 'statutory tenant' who had occupied and cultivated a holding for a period of not less than one year could not, provided that he had paid his rent and that he had not grossly neglected his holding, be evicted therefrom unless he had been provided with a subsistence area which was to be, as far as possible, in the vicinity of the land from which he was being displaced.
3. It provided for the protection of the rights of the persons to graze or water animals, or cut woods or reeds, unless provision of equivalent value was secured towards their livelihood, provided that they or their agents had exercised the practice concerned, habitually, at the appropriate season, for not less than five consecutive years within a period of not more than seven years prior to the date when any application was made to a court for their eviction.

The Land Transfer Regulations (1940)

The promulgation of these regulations conformed with the provisions of The MacDonald White Paper of May 1939. This drew attention to Article 6 of the Mandate which provided that 'while ensuring that the rights and position of other sections of the population are not prejudiced, to arrange close settlement by Jews on the land', and it pointed out that:

The reports of several expert commissions had indicated that owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews,

there was now in certain areas no room for further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population was not to be created.

The regulations then divided Palestine into three zones as follows:

Zone 'A' (comprising an area of 16,680,000 donums in the hill country as a whole, together with certain areas in the Jaffa and Gaza sub-districts, including the northern part of Beersheba sub-district). Transfer of land save to a Palestinian was prohibited except in certain circumstances.

Zone 'B' (comprising an area of 8,348,000 donums of the northern plains, eastern Galilee, a stretch of the coastal plain south of Haifa, an area in the north-east of the Gaza sub-district, and the southern part of the Beersheba sub-district). Transfer of land by a Palestinian Arab save to a Palestinian Arab was prohibited, except in special circumstances.

Zone 'C' (comprising an area of 1,292,000 donums and consisting of the Haifa Bay, the greater part of the coastal plain, an area south of Jaffa, the Jerusalem town planning area, and all municipal areas). Transfer of land was unrestricted.

These Land Transfer Regulations came into force after the Jews had come into possession of a sizeable portion of the most fertile lands of the coastal and plains of the country. Certain flaws in the regulations enabled Jews to purchase land in the prohibited and restricted zones under fictitious names or questionable deals.

Other Land Ordinances

- The Surveyors' Ordinance of 1921.
- The Land Courts Ordinance of 1921.
- The Sand Drifts Ordinance of 1922.
- The Forests Ordinance of 1924.
- The Land (Settlement of Title) Ordinance of 1928.
- The Agricultural Land Bill (draft) of 1930.
- The Land Disputes (Possession) Ordinance of 1931.

Based on: *Survey of Palestine*, London: Her Majesty's Stationary Office, Reprinted in Full by the Institute for Palestine Studies, 1991, Vol. I, p. 260; and Sami Hadawi, *Palestinian Rights and Losses in 1948, A Comprehensive Assessment*. London: Saqi Books, 1988. See also M Bunton (ed), *Land Legislation in Mandate Palestine*, Cambridge: Cambridge Archive Editions, 2009, 9 volumes.

Avneri¹⁷⁰ makes wild claims that the Zionists purchased all the land, not conquered it in 1948. From local knowledge and available reference, Jamil Arafat¹⁷¹ lists some of the land sellers, mostly non-Palestinian large land owners, who continued to sell land to Jews during the Mandate and were frequently shot. If known, those sellers were despised and ostracized by the people. Some fled abroad. Their luxurious life abroad fuelled the image of Palestinian land sellers. Efforts to buy distress cases through a National Palestinian Fund had limited success because of lack of funds.

It is therefore clear that the majority of land sales to Jews were made under the Mandate, and that Jewish sources confirm that most of these lands were purchased from non-Palestinian absentee landlords. A partial list is contained in a memorandum dated February 25, 1946 submitted by the Arab Higher Committee to the Anglo-American Committee of Inquiry on its arrival in Palestine.¹⁷² Dr. Yusif Sayegh, the signatory of the memorandum, listed the areas acquired, as compiled from a field survey, conducted at the time, *in only part of Palestine*, as 461,250 donums out of a total area of 1,491,699 donums, being Jewish land,

according to the Mandate. "The real total area sold this way," Sayegh explained, "is definitely more. The fuller the data, the less the blame to attach to Palestinian Arabs".¹⁷³ This partial list is given in **Table 2.20**.

Noting that Jews, with all their wealth, political clout and British support, managed to acquire legally only 5.4 percent of the land of Palestine until the end of the British Mandate, or 3.5 percent during British Mandate, is a testimony to the Palestinian farmers' determination to hold on to their land. The *fellahin* transferred to Jews

171 Jamil Arafat: *Homeland Memory: Depopulated Palestinian Villages in Haifa District*, Nazareth: n.d. [Arabic].

172 Hadawi, *supra* note 145, pp. 66-67.

173 *Ibid.*

only 0.5 percent of the total land in Palestine. It is remarkable that only such a tiny percentage of land had slipped out of their hands considering the economic hardship, discriminatory British laws and the British sympathy for the Zionist movement.

The problem of discrepancy in Jewish figures, however, remains unresolved. It is necessary to shed some light on the gap between Stein and Jewish Agency figures (174,275 donums) or the much larger gap (347,651 donums) between the *Survey of Palestine* and the Weitz map, as shown in Table 2.14.

Much of this is due to fraudulent claims or claims made in contravention of the law. The peak of annual increase of acquired Jewish land occurred in 1935 when the British Mandate admitted the largest number of Jewish immigrants from Europe to Palestine. The Arab Revolt (1936-1939) against British policies and Jewish immigration resulted in a major drop in land acquisition, from 72,905 donums in 1935 to 18,145 donums in 1936. There was a slight increase thereafter until 1940 when the *Land Transfer Regulations* were promulgated. These regulations prohibited the sale of Arab land to Jews in certain areas. Therefore, some of the registration of the land acquired after that date may be in doubt.

Metzer noted a difference among the claimed figure of Jewish ownership: 1,621,000 donums according to his sources, the registered transactions during the Mandate period, “no more than 944,000 donums” and the initial value at the end of the Turkish period, reckoned to be 418,000 donums, leaving about 260,000 donums which he calls “missing transfers”.¹⁷⁴

The Arab Executive Committee warned the British High Commissioner, quite early, prior to the Arab Revolt (1936-1939), that lands were illegally transferred to Jewish hands causing grave damages to the Palestinians.¹⁷⁵ These illegal transactions had increased greatly after the *1940 Land Transfer Regulations*. Stein described methods of Jewish purchase of Arab land during the Mandate period which may have led to exaggeration in the land area claimed to be Jewish-owned.¹⁷⁶ These include the following:

- (a) land which was purchased in the Turkish period was re-registered in larger areas on the premise that original description of the land in Turkish records was under-estimated; and,
- (b) Jewish land brokers resorted to fraudulent practices. To overcome political and religious opposition by Arabs to sale of land to Jewish immigrants, “Jews managed to acquire land by bribing local government officials, local Arabs, consuls, consular agents and by registering land in fictitious names or in the names of Jews resident in Istanbul”.¹⁷⁷

Stein explains illegal practices in detail:

In most Jewish land purchases some amount of money was paid to a potential Arab vendor in anticipation of a land sale. These sums were outright loans, grants, or subventions made as part of the land-purchase process. Some form of liberal financial lubrication easily neutralized a mukhtar, local shaykh, or religious official's recalcitrance. Though mukhtars were adjudged to be utterly incompetent in discharging their duties of registering all local land transactions, for which they were responsible until March 1937, their assent or signature on a transfer, registration, or mortgage document was essential. Not surprisingly, the mukhtar, shaykh, or religious official who was so inclined could utilize his local social or religious stature to persuade villagers to leave their lands. Protection of the Arab vendor's name and reputation was easily achieved through various land-purchase methods. One such method enabled the seller to borrow money from the Jewish National Fund, fail to repay the loan, and therefore be “forced” by the courts to sell a specified land area to the Jewish National Fund in order to satisfy the accrued debt. Some Arab vendors mortgaged their portion of mushaa'- held shares to Jewish mortgagees, failed to pay the principal due in thirty days, and, therefore, had to submit their lands to public auction. This entire process was pre-planned so that the Jewish National Fund would obtain the land, the prestige of the seller would be protected, the rights of cultivators would be summarily circumvented, and the seller would obtain a price for the land well above the price set by the court.¹⁷⁸

Another explanation for the dubious claims of Jewish purchase is that an amount of money was paid by Jews to a broker (*simsar*) or a potential Arab vendor who had no intention of selling or going through the transaction. Thus a piece of land was recorded in Jewish books as Jewish. After the passage of the *1940 Land Transfer Regulations*, the proposed transactions were not or could not be completed by the parties.

The fortnightly reports of the District Commissioners to the High Commissioner in Jerusalem, forwarded to London, are replete with examples of fraud and illegal land dealings, particularly in the nineteen forties. A case in point is this excerpt from a report by the Gaza District Commissioner:

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.¹⁷⁹

In order to avert the hearing, the Jews submitted an undertaking to the District Commissioner not to plough the land in question. Otherwise the Court would have clearly ruled against their illegal claim. The land was never registered in the Land Registry. Yet it appears as ‘Jewish’ in the map prepared by Yosef Weitz.

The extent of the illegal or fictitious claims of Jewish ownership is most apparent in the Beer Sheba sub-district where the Weitz and Lifshitz map of 1944 shows a measured area of 154,759 donums, while *Village Statistics* shows only 65,231 donums fiscally-taxed, not necessarily owned, which is about 42 percent of the claimed value. Granott states that the PLDC owned only 25,351 donums in Beer Sheba as of 1935.¹⁸⁰ Other cases of fraudulent claims had been reported by the British Mandate government in Gaza in 1938 and 1943.¹⁸¹

Legal sale of land to Jews brought considerable hardship to cultivator-tenants who lived on the land for many decades.¹⁸² When the land changed hands, the new Jewish-owner evicted the tenants who became landless, homeless and penniless. Although the British Mandate ostensibly promulgated laws to prevent this from occurring, Jewish buyers managed to circumvent the laws protecting the tenants. In its report to the Anglo-American Committee of Inquiry, the British Mandate government cited many instances of landlessness, such as in: Wadi al-Hawarith (Tulkarm sub-district), Arab Zubeid, Buleida and Meis (Safad), Tel esh-Shauk, Arab Sabarji, Masil el-Jisl, Ghazzawiya, Umm Ajra and es-Sufa (Baysan), Muqeibilah, Bayt Qud (Jenin), Ma'lul (Nazareth).¹⁸³

Coercion and manipulation of laws led to many small farmers (*fellahin*) falling prey to Jewish creditors. As a result, they found their land possessed by Jews for mortgage default.¹⁸⁴

The supposed defender of the national majority of the population against these practices was of course the British Mandate government, headed by the first British High Commissioner, Herbert Samuel, and the legal secretary Norman Bentwich¹⁸⁵, another ardent Zionist, who formulated most of the land laws. According to Stein,

The British acted only as an umpire in Palestine and did little to strengthen the condition of the Palestinian fellah; and the Zionists were able to use their special status under the Mandate to organize themselves in the effort to reach their goal.

...

Zionists influenced the appointments of key officials, wrote documents, and drafted the terminology used in the Balfour Declaration, the articles of the Mandate, the 1920 Land Transfer Ordinance, the 1926 Correction of Land Registers Ordinance, successive pieces of legislation for the protection of cultivators,

174 Jacob Metzer, *The Divided Economy of Mandatory Palestine*. Cambridge: Cambridge University Press, 1998, pp. 85-86. Stein notes a figure of 418,100 for the year 1914 and 454,860 in the table and 454,760 in the text for the year 1920. See Appendix 2 in Stein, *supra* note 29, pp. 226-227.

175 Memorandum to the High Commissioner on December 1, 1934 see, *Documents of the Palestinian Arab Resistance against British Occupation and Zionsim (1918-1939)*, *supra* note 25, pp. 357-358.

176 Stein, *supra* note 29, pp. 70-76.

177 *Ibid.*, p. 32.

178 *Ibid.*, p. 72.

179 Gaza Fortnightly Report No. 161, of 1-15 October 1945 from District Commissioner (Gaza) to Chief Secretary, Jerusalem. *Political*

Diaries of the Arab World – Palestine and Jordan, 1945-1946. Vol. 8. Reading: Archive Editions, 2001, para. 209, p. 228.

180 Granott, *supra* note 160, p. 276.

181 See cases listed in *Survey of Palestine*, Vol. I, *supra* note 3, p. 268.

182 See, e.g., *Barbara Smith*, *supra* note 22, pp. 91, 96, and 100; Stein, *supra* note 29, p. 108; and, Hind Budeiri, *Palestine Land between Zionist Myths and Historical Facts*. [Arabic] Cairo: The Arab League, 1998, p. 304.

183 *Survey of Palestine*, Vol. I, *supra* note 3, pp. 297-308, and Supplement to the *Survey*, pp. 34-35.

184 Budeiri, *supra* note 182, pp. 163, 216, 242, and 251.

185 Norman Bentwich had a chequered career. Born in London, he and his family were ardent Zionists. He worked as ‘inspector’ in the

Egyptian Ministry of Justice, then he joined the Camel Transport Corps of EEF. He became a Senior Judicial Officer in OETA, a Legal Secretary to Herbert Samuel, then Attorney General. He was accused of inexperience, incompetence, defrauding villagers in Zeita land case, of being openly Zionist sympathizer and Arab hater. As a result of the damage he made to the British administration, there was a campaign against him in the Colonial Office (“Bentwich must go”). Senior British officials kept him; however, for fear that the Arab protests would be seen to be rewarded. He was finally relieved of his duties in 1931, whereupon he accepted an appointment at the Hebrew University in Jerusalem. See, Martin Buntun, “Inventing the Status Quo: Ottoman Land-Law during the Palestine Mandate, 1917-1936,” *11 The International History Review* 1 (March 1999), pp. 50-53.

the MacDonald Letter, and the definition of a landless Arab. Each time a major British statement on land or policy was issued in Palestine including the Shaw Report, the Hope-Simpson Report, the French Reports, and the Peel Report- the Zionists issued their own verbal reply. Zionist input into policy considering land began with Chaim Weizmann's opposition to loans for the fellaheen in 1918 and continued beyond the Jewish Agency's scrutiny of landless Arab claims in the 1930s. The appointment of Norman Bentwich as attorney general, which was a position of influence in the Land Registry Department in the 1920s, as well as Judge A.H. Webb's appointment to evaluate landless Arabs, aided Zionist fortunes in the land sphere. Although some Zionists did not like Sir Herbert Samuel's public policy of political neutrality from 1920 to 1925, the fact that a Jew and a Zionist was the first high commissioner in Palestine meant that the growth and development of the Jewish national home was not inhibited during the Mandate's formative years.

The Zionists' successes and the Palestinian Arab inability to thwart Jewish land purchase were indicative of the differences in background and experience between the two groups. First, the Zionists brought with them immigrant baggage that included survival against nefarious regimes and bureaucracies of eastern and western Europe. Many Zionists were accustomed to using wily, manipulative, innovative, and calculating methods to survive. The Arabs' primary experience was of survival against nature, and they had little experience in confronting the bureaucratic and legislative machinery introduced by the Ottomans and the British. They were used to working through traditional hierarchical channels. Second, most Zionists were accustomed to verbal negotiations and written evidence in defending and expanding their communal status in Palestine, and the Arabs lacked verbal and writing skills.

...
 In a highly competitive and aggressive style, the Zionists continuously strove for increased authority and autonomy in Palestine; they repeatedly diluted policies and laws that threatened the development of the Jewish national home. The Zionists did not have vast resources at their command, but they were skilled, schooled, and able to purchase a nucleus for a state. The Palestinian Arabs, in contrast, suffered from severe deprivation, a lack of capital, and less clear-cut goals.

...
 When ordinances dealing with land were decreed in Palestine, they inevitably incorporated Zionist opinion. For example, the Land Transfer Ordinance in 1920 and its amendments did not prevent land speculation, and the Zionists had helped draft them. Under the Beisan Agreement in 1921, the fellaheen in the region could not retain the lands guaranteed to them by the British even when they were available at incredibly low prices, and the Zionists helped rewrite the Beisan Agreement in 1928 in order to gain legal access to these lands. In 1929 and 1933, Arab tenants were not protected by the various editions of the Protection of Cultivators Ordinances that Zionist lawyers had helped to write; and from 1931 to 1936, the landless Arab inquiry did

Jewish Organizations in Palestine during the Mandate	
World Zionist Organization (WZO)	<ul style="list-style-type: none"> - Founded in Basle in 1897. - International body divided into Federations each of which, as a rule, is co-extensive with the boundaries of a State. In 1948, there were Zionist Federations and groups in 61 countries in all parts of the world (except Russia, Turkey and some Oriental countries where Zionism was declared illegal). - The direction of the Zionist organization, the carrying out of resolutions passed by Congress and the General Council, and the transaction of day to day business was entrusted to the Zionist executive, which was the chief executive body of the Organization.
The Jewish Agency for Palestine (JA)	<ul style="list-style-type: none"> - Established according to Article 4 of the Palestine Mandate which states that "An appropriate Jewish Agency shall be recognized as a public body for the purpose of advising and cooperating with the Administration of Palestine in economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and subject always to the control of the Administration, to assist and take part in the development of the country." - After 10 years of negotiations between Zionist officials and non-Zionist Jews, an agreement was reached at the Zionist Congress in 1929 resulting in the creation of the Jewish Agency in 1930.
Jewish National Fund (Keren Kayemeth Le' Israel) (JNF)	<ul style="list-style-type: none"> - Founded by the Zionist Congress in 1901 and incorporated as an English company in 1907 with a Palestine Office in Jaffa. - Original plan for the fund was to use two-thirds of its capital on land acquisition and the remaining third on conservation and cultivation. - Total contribution (1907-1945) £P. 11,862,000. - After the 1917 Balfour Declaration, and during the British Mandate, the JNF became the primary land owner holding around 750,000 donums in 1944. - Its objective is to acquire land to be held "in perpetuity as the inalienable property of the Jewish people". Non-Jews cannot buy, lease, rent or live on JNF land. - JNF land is leased to Jewish settlers for 49 years; renewable; no rental charged for the first 5 years; for 6-15 years, charges are 1% of assessed value of the land; after 15 years, 2% of value. - Total land area held by the JNF rose to 3.3 million donums in 1953, up from 900,000 on the eve of the 1948 war.
The Palestine Foundation Fund (Keren Hayesod) (PFU)	<ul style="list-style-type: none"> - Established in 1920 as the financial organ of the Jewish Agency. It provided the JNF with finance for immigration, settlement in Palestine, security, industry, education and political work. - Loans were utilised for the construction of farm buildings and accommodation and the purchase of livestock, machinery and equipment; finance settlers in initial stages of establishment (1-3 years) until the farms produce revenue. - It financed 153 settlements on JNF land in 1944, with a population of 44,708, and cultivated 447,000 donums. - Total expenditure 1921-1945: £P. 19,977,000 including £P. 5,892,000 for agriculture settlement; £P. 1,364,000 for urban development; £P. 2,269,000 for education; £P. 3,604,000 for immigration and £P. 2,823,000 for public works. - It had control of the fund transferred by the Zionist Organization to the enlarged Jewish Agency in 1929.
Palestine Jewish Colonization Association (PICA or ICA)	<ul style="list-style-type: none"> - Established in 1924 by Baron Edmund de Rothschild, who started his activities in 1883. He spent £15 million in colonization activities. - Its aim was to create a class of Jewish farmers, by granting them land at a small debt. - It took over the land which had been 'redeemed' by the Baron and augmented this property with fresh immovable property. - 2nd largest proprietor in late Mandate. - Owned 22% of rural Jewish land in 1942. - It had 3 grades of ownership: complete ownership; lease to peasants for cultivation; transfer the land to settlers through sale contracts - In mid-1920, it was the largest Jewish owner: 55% of all Jewish land (468,000 donums). - It established 40 settlements with a population of 50,000. - It leased land to Jewish farmers long term as JNF conditions, except: (1) no constraints on non-Jewish labour (2) no intention to possess indefinitely. - PICA liquidated by selling leased lands. By end of Mandate it had only 140,000 donums.
Palestine Land Development Corporation (PLDC)	<ul style="list-style-type: none"> - Established 1909 in England, as an arm of the WZO. - Arthur Ruppin Chariman, 1908 (German) - Yehoshua Hankin, purchasing agent (Russian) - PLDC acquired land for the JNF, private colonization companies, and private individuals. - It is estimated that 70 percent of all land acquired by Jews in Palestine was through PLDC - Between 1910 and 1930, PLDC claimed to purchase 420,000 donums (sic) of land from Arabs north of Beersheba; 93 per cent of this was acquired from large landowners. - In the five years after 1930, it claimed an additional 93,000 donums were purchased north of Beersheba; 69 per cent of this from large landowners.
<p>Notes: £P = Palestinian Pound = US\$ 4.03 in 1948. This compilation is based on Survey of Palestine, <i>supra</i> note 3 and Jewish sources.</p>	

not enumerate property or resettle Palestinian fellaheen on alternative land because of Zionist access to the process. Finally, because small-landowner protection never evolved, the British ultimately imposed legislative restrictions on land purchase through the 1940 land transfer prohibitions. But, like the previous legislative

attempts, they proved incapable of stopping the transfer of land because of economic forces. ...
 The Zionists manipulated the British bureaucracy in Palestine. They were enormously successful at nullifying attempts to curtail the development of the national home.¹⁸⁶

Land Tenure in Palestine

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

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'ya*, 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.

A significant problem arose during the Mandate regarding land ownership. In the Ottoman period, land ownership was defined by a *Kushan* or *Hujja* but the boundary of such land was descriptive only, that is, defined by limits of a neighbour's land or by a natural landmark as a *wadi*. That did not pose a major problem for Palestinians, as village inhabitants knew very well the limits of their land which they cultivated year after year.

When the Mandate government took office, its main objective was to establish "a Jewish national home" in Palestine. It was necessary therefore to define land ownership according to modern survey maps to allow the purchase, transfer or expropriation of the land. Hence a system of land registration was initiated in 1920 by Herbert Samuel. Sir Ernest Dowson, a land expert, proposed in 1927 the use of Torrens system used in Australia. Under the Torrens system land was registered according to the following procedure:

- The land is divided by a cadastral survey into units of registration called parcels. The parcels are defined precisely and linked to a framework of triangulation points.
- A judicial investigation was made into the registrable rights of the parcel.
- After "settlement" of the title, an entry is made into a land register in a separate folio for each parcel, recording subsequent changes on the same folio. The Land (Settlement of Title) Ordinance was enacted in 1928 for that purpose. Thus "land settlement" means the examination, settling and recording the rights of the owner in land registry. It is not to be confused with *settlement of people on the land*.

The total land thus "settled" between 1928 and April 30, 1947 was 5,243,042 donums. Although

this figure covered only 20 percent of Palestine, it covered the most populous and fertile coastal land. The "settled" land was about two-thirds of Palestine 1948 inside the Armistice Line (Israel), excluding Beer Sheba.

This section is an extract of the report by the government of Palestine to the Anglo-American Committee of Inquiry, 1946:

The land tenure of Ottoman law consisted of various modes of users, the features of which were set out in the *Ottoman Land Code* of 1858. Not all of these modes of user were actually found in Palestine. Most of the land was held under two distinct tenures commonly referred to as *mulk* and *miri*. *Mulk* means 'property'. The tenure called *mulk* was a private ownership tenure. Land so owned many be called 'allodial' land. It was held in absolute ownership. The holder had almost unfettered freedom in regard to its use and disposition. *Miri* was conditional usufruct tenure of land held by grant from the State. The holder or possessor was a usufructuary whose tenure resembled a [British] leasehold, subject to certain limitations on the use and disposition of the land and to the payment of certain fees. The interest was indeterminate, assignable and hereditary. The extent of *mulk* or allodial lands in Palestine was limited, and was usually only found in the old cities or in garden areas. Rural land in this category was rare.

The Ottoman land law classified land under five kinds of categories. These, with suggested approximate counterparts in English, were:

1. **Mulk** Private or allodial land;
2. **Miri** State or feudal land;
3. **Waqf** Land assured to pious foundations or revenue from land assured to pious foundations;
4. **Matruka** Communal profits-à-prendre land or land subject to public easements in common;
5. **Mewat** Dead or undeveloped land.

A more logical classification, based on the provisions of the law, would be in two main kinds, *mulk* and *miri*, with sub-divisions:

- Mulk** (Allodial or private land).
- *Mulk* (allodial land proper);
 - *Waqf sahih* (allodial land in mortmain tenure).
- Miri** (Feudal or State land).
- *Miri khali* (vacant State land);
 - *Miri taht et tasarruf* (private usufruct State land);
 - *Miri matruka murafaqa* (communal profits-à-prendre State land).
 - *Miri matruka mahmiya* (common easement or servitude State land).

To these can be added two more categories:-

- *Mahlul* (escheated State land);
- *Waqf gheir sahih* or *takhsisat waqf* or *miri mauquf* (usufruct State land of which the State revenues are assured to pious foundations).

The elements of land ownership under Ottoman land tenure were:

1. The bare ownership (*raqaba*);
2. The enjoyment or user (*tasarruf*);
3. The disposition (*ihala*).

In a general way the category indicated the mode of tenure, the amount of control which the State retained over the land, and the extent of the rights of the user and disposition of which the State had divested itself in favour of private, communal or general public interests. These divested rights were lapsable, in which event they would revert or escheat to the State. If the State retained a vestige of control, though it divested itself of the usufruct

user and disposition rights, the land still remained State land. If the State divested itself of all its rights, the land becomes *mulk* (allodial land).

Mulk (allodial land proper)

Mulk (allodial) land proper assumed its character when all the three elements of the ownership were vested in the holder. The owner could use and dispose of his land freely and was not obliged to cultivate or use the land profitably (in contrast to the case of a usufructuary of State land). *Mulk* may be made *waqf* (mortmain) by dedication under the religious law to charitable purposes. Succession to *mulk* was laid down by the religious law. The owner may also devise it by will, subject to the rights of the legal heirs. Where there were no heirs and no outstanding debts, *mulk* property may be devised without interference from the State. Where an owner died intestate and without heirs, *mulk* land escheated and became vacant State land. As the list of heirs entitled to succession under religious law were almost inexhaustible, this eventuality was remote. The law applicable to *mulk* proper was the Moslem religious law or the ecclesiastical law of the community of which the owner was a member.

Waqf sahih (mortmain land)

When *mulk* (allodial land proper) was dedicated to pious uses, it became *waqf sahih* (mortmain) land. The dedication may be by deed or by devise, and was irrevocable: the land must remain to the dedicated use in perpetuity. *Waqf* (mortmain) lands of the Moslem community were regulated by the Moslem religious law. These provisions were spread over several books on Moslem law. Commonly relied upon is Umar Hilmi's "A Gift to Posterity on the Laws of Evqaf". *Waqf* (mortmain) lands belonging to non Moslem communities (whether or not originally constituted under Moslem religious law in Ottoman times) were regulated by the ecclesiastical laws of the respective communities.

Miri (State land)

State lands of all categories were regulated by the special Ottoman land laws known as:

1. The Imperial Land Law of 1274 A.H. (After Hijra)
2. The Land Law of 1275 A.H. (1858 A.D.)
3. The law as to *Miri* (usufruct title deeds) of 1326 A.H.

These were amended by laws generally referred to as the Provisional Land Laws enacted up to 1331 A.H. (1913 A.D.). The Ordinances enacted by the Government of Palestine had not greatly modified [the structure of] the Ottoman land tenure.

Khali (vacant land)

Vacant land was land which had not been allocated by the State to any interest and in respect of which it was safe to assume that there were no grants and no rights of private persons. So long as the land remained idle, the State may, if it so desired, allow inhabitants of the vicinity to graze or fell wood and draw water therefrom gratuitously. This would not legally create any right in favour of those using the land. Leave to exercise this *ex-gratia* user may be terminated by the State at any time, particularly if it intended to allocate the vacant land to some specified use. There may be forest laws aimed at preventing wastage of forests and soil erosion. Vacant lands used as pasturing and woodfelling grounds without being allocated to any particular community exclusively were to be distinguished from the *matruka murafaqa* (assigned communal profits-à-prendre) areas. A community had an exclusive right to profits-à-prendre user legally assigned to it.

Miri (usufruct land)

Land assumed the status of *miri* (usufruct) land when the *tasarruf* (usufruct) was allocated by the

Land Tenure in Palestine, Continued

State to any private interest under grant (*ihala wa tafwidh*). The usufruct in State land comprised the rights of user and disposition with certain limitations. The grant of the usufruct may be express or presumed. It was express when it was embodied in a State deed of grant or in an official register. It was presumed as a “lost grant” (*haq el qarar*) from the incident of undisputed possession for a period of ten years or more, if the possessor can, in addition, establish legal origin, such as evidence of acquisition from a predecessor with a good title. Acquisitive prescription was foreign to Ottoman land tenure. In Palestine, because of historical events, by far the greatest number of grants were presumed. Most Ottoman registrations of *miri* (usufruct) titles existing in Palestine were based on a presumed or lost grant.

The grant of *miri* land was conditional on the payment of consideration to the State (with the exception of waste land revived with the prior leave of the State, in which case it is granted gratuitously). The consideration was two-fold. The first consideration consisted of an “immediate payment” (*mu'ajala*), also called the “price of the land” (*tapu misl* or, shortly, *tapu*), and was sometimes referred to as the “fair price” (*badl misl*, properly *badil methl*). The second consideration was referred to as the “deferred payment” (*mu-ajjala*) more commonly known as the annual tithe (*ushr*). The immediate payment was a one-time payment made as an entrance fee. Under the Ottoman regime it was assessed by local experts on the basis of the fertility and situation of the land, i.e. on its economic value. The immediate payment was [during the Mandate] assessed by a Commission and the Director of Land Settlement. The *mu-ajjala* (deferred payment) was a proportionate fee (originally paid in kind and later in money) on the annual produce of the land, basically a tenth or tithe, or its equivalent where the land was used for purposes other than crop raising. The Palestine Government had abolished the tithe, replacing it with land taxes based on the value of the land and having no relation to any produce.

The grant of the *tasarruf* (usufruct) was also, legally speaking, conditional on the land being maintained under effective cultivation or other profitable use. This was to ensure the collection of the tithe by the State. Originally *miri* (usufruct) lands were granted for ordinary seasonal grain cultivation. In 1913 A.D. the uses to which land could be put were extended to almost every use not repugnant to public policy, provided always that the prescribed taxes and land registry fees were paid and that the land was not alienated to *waqf* (mortmain) tenure by subterfuge, as had happened before.

A usufructuary may in his lifetime dispose of his usufruct right to other interests by transfer (*faragh*) on condition that he obtained the permission of the State and registered the transfer in the Land Registry. *Miri* land may be mortgaged and sold to satisfy a mortgage. The usufructuary may not in any way alienate his usufruct to *waqf* (mortmain) tenure. Usufruct land could, however, be converted into *mulk* (allodial) land if special leave was obtained from the head of the State.

The *tasarruf* (usufruct) automatically devolved by inheritance (*intiqaal*) to statutory heirs in accordance with the special State Land Inheritance Law. It may not be devised by will. The absence of statutory heirs automatically terminated the grant of *miri* and the land became *mahlul* (option) land, i.e. subject, against payment, to re-grant to persons entitled to statutory options. In actual practice *mahlul* land rarely occurred in Palestine.

Co-sharers and those who jointly with the usufructuary enjoyed servient rights of way and water

easements had a right of priority to acquire the *miri* land against fair price (*badil methl*) whenever the usufructuary wished to dispose of his rights to others.

If a person possessed *miri* land for more than ten years adversely to another, the latter was debarred from bringing an action for the recovery of the land because of the passage of time (*murur zaman*). This was based on the principle of “limitation of actions” but it did not necessarily destroy the right of the former usufructuary. It prevented him from asserting his rights through the court. It amounts to extinctive prescription. This rule originated from the time when there were no registrations of land, and gave the active possessors the benefit of the doubt as to legal acquisition.

Duly incorporated bodies (other than pious foundations constituted under religious law) had practically the same rights as private individuals in regard to the enjoyment of *tasarruf* (usufruct) in *miri* land. Ordinary trading companies may acquire land as may be required for their purposes. Companies dealing specifically with land must obtain a special licence from the High Commissioner.

Miri (usufruct) land may be held jointly by two or more co-sharers, so long as the shares were defined. There were two kinds of joint holding: ordinary partnership (*ishtirak*) and village or clan partnership (*mushaa'*). In the case of ordinary partnership the land need not necessarily be distributed for purposes of cultivation periodically. In the case of village or clan partnership the land was distributed periodically (usually once in two to four years) for cultivation, which meant that a usufructuary cultivated sometimes in one locality and sometimes in another. This mode of tenure must be distinguished from the communal (*matruka*) tenure. Clan partnership applied strictly to usufruct land, that is, for ordinary agricultural purposes, and each shareholder had a definite share which could be freely acquired or disposed of. As contrasted with this, communal tenure applied strictly to *matruka* (communal) land, that is, for profits-à-prendre benefits only; secondly, the land was assigned to the community as a whole without specific shares for the beneficiaries, and cannot be disposed of by the members of the community either jointly or severally.

Miri (usufruct) land must be registered in the Land Registry. Owing to the failure of the Ottoman land registration machinery, a great deal of land in this nature was still held without registration or under imperfect and obsolete registration. Under the Land (Settlement of Title) Ordinance an enquiry into existing titles had been conducted since 1928 with a view to registering all titles to land. A considerable part of Palestine had already been covered and registered under a new system, resembling that called the “Torrens” system.

Matruka murafaqa (communal land)

Land was designated *matruka murafaqa* (communal land) when the profits-à-prendre user was assigned (*takhsis*) by the State to any specified communal interest. There was very little of such land in Palestine. The assignment of the profits-à-prendre user must in every case be express. In Turkish days the assignment was invariably conveyed by letters patent of assignment in the form of imperial rescript (*firman humayun*). Limitation of actions was not operative as regards communal land. Any accretions added to communal lands by squatters could be demolished.

Matruka mahmiya (common land)

Matruka (common) land was allocated by the State for the enjoyment of the public at large, possibly

for a public right of way or of assembly. In practice, the allocation was presumed from immemorial user. The rules as to the duration of the user and as to the limitation of actions were the same as for communal lands. Under Ottoman practice *matruka* (communal or common lands) were not registered in the Land Registration. Since the British Occupation the Land (Settlement of Title) Ordinance required that all such land be registered at settlement.

Mahlul (option land)

Land assumed the status of *mahlul* land when existing usufruct grants over *miri* land lapsed for any reason. Usufruct land did not directly escheat to the State, but was open to statutory options which must be exercised within prescribed times by persons of specified classes. If the option was exercised the grant was made against payment of the immediate consideration. Otherwise, the land was auctioned. Should the auction fail because the highest bid was insufficient, *mahlul* land reverted to the State and became vacant State land.

Waqf gheir sahih or miri mauqaf or takhsisat waqf (quasi mortmain)

Land of this category was not *waqf* (mortmain) land in the true sense of the word. It was *miri* land of which the State revenues were dedicated to pious uses or the usufruct of which was dedicated to pious foundations. The ownership remained vested in the State. Quasi-mortmain land was held by private usufructuaries in the same way as any *miri* (usufruct) land proper. There were extensive areas of this nature in Palestine, mostly subject to the payment of the tithe by the Government to ancient imperial Moslem pious foundations instead of incorporating such tithe in the normal State budget. The Palestine Government, under an agreement with the Supreme Moslem Council, the authority controlling Moslem pious foundations, commuted the pious foundations tithes to a fixed sum payable annually to the Supreme Moslem Council for the purpose of the Moslem pious foundations.

Quasi-mulk (quasi-allodium)

Before 1913 A.D. accretions added to usufruct land (*miri*) were deemed the *mulk* (allodial) property of the usufructuary. Allodial accretions on usufruct land could, prior to 1913 A.D., be dedicated to *waqf* (mortmain). As the inheritance law applicable to *miri* land was different from the inheritance law applicable to *mulk* property, the land was deemed to follow the accretions for the purposes of devolution. Some *miri* land, though in theory State land, became in practice assimilated to *mulk* land. If the accretions disappeared, the land was deemed to have recovered its *miri* status. All accretions added to State land since 1913 A.D. followed the land, and the rules applicable to *miri* land were applied to the accretions as well.

Mewat (dead lands)

Mewat (dead lands) were unallocated or waste areas situated beyond the confines of inhabited regions which could only be rendered cultivable by special effort. Such land could be granted gratuitously to usufructuaries if revived with the State permission, as an inducement to controlled development of waste lands. Clandestine revival was penalised by the payment of a consideration. [During the Mandate], the development of “waste” land without prior leave from the State was legally a trespass. The conclusion was that *mewat* should have no significance and should be deemed undeveloped “vacant land” proper which cannot be possessed except by allocation from the State.

Based on: *Survey of Palestine*, Vol. I, London: Her Majesty's Stationary Office, Reprinted in Full by the Institute for Palestine Studies, 1991, pp. 225-233.

2.6 State Domain

The terms “state land” or “state domain” – not to be confused with Public Land although they could be the same in some cases, see Hadawi comments below-- generally refer to lands which were reserved for public purposes or held by the government on behalf of the people of the country for their use and benefit. In other words, these lands were the property of the people collectively. Soon after his arrival in Palestine, Herbert Samuel appointed a Land Commission (August 1920) to “ascertain the area and nature of the various kinds of lands which are at the disposal of the Government”.¹⁸⁷ Particular emphasis was placed on *mahlul* and *mewat* land, (See **Box**: Land Tenure in Palestine above) since the Turkish Government kept good records of the *mudawwara* (*jiftlik*) land. The Commission was required to report on lands available for “close settlement” [by the Jews] and “the more intensive cultivation of the soil by a larger agricultural population”. The Commission was likely created in response to a request by the secretary of the ‘Zionist Commission’ to the British to set up such Commission in May 1918¹⁸⁸, at a time when the British were still proceeding in the war to occupy Palestine.

Members of the Commission were indicative of its intentions. The real force behind this Commission and its land expert was Haim Margolis Kalvariski, a Russian-born Jew who was a member of the Commission and a land purchasing agent in his capacity as manager of the Palestine Jewish Colonisation Association (PICA). The Arab member of the Committee was Faidhi al-Alami, a large land owner and a traditional notable who served in the Turkish parliament (*Majlis al Mab’uthan*) and who probably was not fully aware of the extent of Zionist intent. The Commission was chaired by Major Abramson, a British official. The Commission’s report was essentially written by Kalvariski (Faidhi was neither a land expert nor conversant in English).

The Commission concluded that 857,566 donums were *mudawwara* land (for which Ottoman records were kept) and 87,233 donums were *mahlul* land, most of which was “cultivable”. As a result of the Commission’s recommendations, the 1920 *Mahlul Land Ordinance*, which controlled the use of *mahlul* land and any *miri* land which had not been cultivated for three years, was approved.

The Commission could not “state with any degree of certainty the area of *mewat* land”.¹⁸⁹ It also gave erroneous figures for the area of Palestine (22,000 km²; the correct “official” figure is 26,323 km²) and the area of the Beer Sheba district (14,853,400 donums “according to Turkish Statistics of 1914”). The latter figure is in Turkish donums (or 13,654,730 in metric donums).

The correct figure according to the Mandate is 12,577,000 donums. The Commission estimated that 20 percent of the country (of 22,000 km², i.e. 4,400,000 donums only) was under cultivation, another 15 percent was cultivable, leaving 14,000 km² “uncultivated”¹⁹⁰ including 1,059 km² for pasturage. The report concluded that 60 percent of the country was *mewat*. The Land Commission report recommended that all uncultivated land for which no title deed was held and which was one and a half miles from the outside houses of villages should be considered *mewat*. In urban areas, lands which had never been cultivated or for which there was no title deed should also be considered *mewat*.¹⁹¹

Although the Commission’s figures were highly speculative, Samuel based his decisions on them. While Article 103 of the *Ottoman Land Code* allowed any person to revive any *mewat* land, which according to the Commission was extensive, Samuel repealed in December 1920 Article 103, restricted the revival of *mewat* land and punished those who did so under the 1921 *Mewat Land Ordinance*.¹⁹² Tibawi notes that, at the Foreign Office, the newly appointed under-secretary, Ronald Lindsay, ‘saw the injustice of the proposed ordinance’ and expressed his misgivings at the abolition of the *Ottoman Land Code* in ‘this brusque manner’, which was likely to cause hardship. Samuel apparently ‘exploited’ the confusion during the transfer of responsibility for Palestine from the Foreign to the Colonial Office, and published the ordinance before it had been officially approved. When he was asked by the Foreign Office to cancel the publication and give an explanation of the need to repeal the Turkish law, he suggested the omission of the words ‘close settlement’ from the preamble, but urged that the paragraph repealing the Ottoman law should be kept. In the end Samuel received the approval he expected.¹⁹³

Aware of the government’s intentions, Arab villagers obstructed the work of that commission which was established for the demarcation of *mewat* lands. Samuel reported in June 1922 that *mukhtars* and peasants alike had refused to accompany the commissioners to their work, and had resisted giving them the necessary information. He added that ‘their determination to give no help and their lack of confidence in the Administration and of the intentions of the commissioners’ was marked.¹⁹⁴ The *Mewat* and *Mahlul* Land Ordinances were calculated to make available for Jewish settlers even the small percentage of land in cultivable areas which had been uncultivated for one reason or another.

The Commission also recommended splitting of *mushaa’* (common) land so that individual owners could dispose of their property (i.e. sold to Jews). The villagers naturally objected strenuously to this recommendation. The *Wakf*, the traditional

Muslim endowment in which land cannot be alienated, was criticized by the Commission as well. This was in line with Weizmann’s fear that Arabs may have resorted to protecting their land from alienation by converting it to *Wakf*.¹⁹⁵

The Land Commission was moreover of the opinion that:

Every encouragement should be given to landowners to sell their excess areas and that there should be no restriction on sales. With regard to the fear that the *fellah* will alienate all his land, if the 300 donum restriction in the *Land Transfer Ordinance* is removed, we are of opinion that, as he is dependent on his cultivation as his means of livelihood having no other regular method of supporting himself and his family and as he is an intelligent person and a keen agriculturist, he is not likely to part with all his lands.¹⁹⁶

As to the extent of ‘state land’ in the strict sense, the matter remained fluid and subject to various political pressures. In its first report, the British Mandate government estimated the state possessed 944,805 donums, of which 889,978 donums were cultivable, 42,242 donums was marshland, 9,900 donums were pasturage and 2,685 donums were gardens. It also estimated “waste land” to be 2-3 million donums. As in the case of the Land Commission’s report, this was a mere guesswork, and “a source of embarrassment to the authorities”.¹⁹⁷

Nevertheless, the government went ahead with transferring land to Jews in a variety of ways. Baysan lands were transferred from being *mudawwara* (*jiftlik*) to privately owned land which was purchased by the Jews. The Concession to Pinhas Rutenberg for hydro-electric purposes remained a sore issue with Jordan until today (See The Borders of Palestine, (a) The Border with Jordan, Section 1.3). The protracted cases of the Hula Concession¹⁹⁸, The Athlit, Kabbara and Caesarea Concessions have been extensively dealt with by Smith¹⁹⁹, Tyler²⁰⁰ and to some extent by Stein.²⁰¹ See, for Hula, **Section 4.5**.

The Palestine Government, in its statement to the Anglo-American Committee of Inquiry of 1946 outlined its general position in relation to state domains as follows:

The public lands of Palestine are all those lands which are subject to the control of the Government of Palestine by virtue of treaty, convention, agreement and succession, and all lands which are acquired for the public service or otherwise. Article 12 of the 1922 Order-in-Council requires that ‘All rights in or in relation to any public lands shall vest in and may be exercised by the High Commissioner for the time being in trust for the Government of Palestine’.²⁰²

187 See letter of appointment of Major Abramson as the Chairman of the Commission signed by N. Bentwich, Legal Secretary, August 19, 1920, and the Commission’s report dated May 31, 1921, PRO CO 733/18, 174761.

188 Stein, *supra* note 29, p. 61.

189 CO 733/18, Samuel to Churchill, General Report of the Commission to Enquire into the Conditions of Land Settlement in Palestine, February 10, 1922.

190 The meaning of this term is unclear, i.e., whether the land was not cultivable or not cultivated.

191 General Report of the Commission to Enquire into the Conditions of Land Settlement in Palestine, *supra* note 189.

192 For the limitations imposed on the Land Ottoman Code to serve the requirement of “close settlement” of land by the Jews, see the excellent analysis: Martin Bunton, “Inventing the Status Quo:

Ottoman Land-Law during the Palestine Mandate, 1917-1936”, 21 *The International History Review* 1 (March 1999), Edward Ingram (ed.), Canada, pp.27-56.

193 Cited by Huneidi, *supra* note 19, pp. 215-216.

194 CO 733/23, Political Report for June 1922.

195 Huneidi, *supra* note 19, p. 213 and 295, n. 123.

196 CO 733/18, Report of the Land Commission to Enquire into the Conditions of State Land, August 1920

197 Report on Palestine Administration, July 1920-Dec 1921, pp. 114-115. Quoted in Warwick P.N.Tyler, *State Land and Rural Development in Mandatory Palestine 1920-1948*. Brighton: Sussex Academic Press, 2001, p. 30. Note also Hadawi remarks that non-taxable land was conveniently and erroneously registered as “Public”, Section 2.4 above and his further remarks in the next paragraphs..

198 The Hula Concession was granted by the Turkish government to a Lebanese family. Although the British confirmed it, they put so many obstacles that it ended in Jewish hands. See, Saeb Salim Salam, *The Story of Hula Concession, 1914-1931*, Beirut: Private Publication, 1986. The author is son of the Concession holder. See more details in Section 4.5 Changing the Landscape.

199 For a penetrating analysis of British policies regarding land in the first decade of the Mandate see, Barbara Smith, *supra* note 22.

200 For a study of state land policies in Palestine, including Concessions and their effect on the agricultural development of Palestinians see, Tyler, *supra* note 197.

201 Stein, *supra* note 29.

202 *Survey of Palestine*, Vol. I, *supra* note 3, pp. 255-56.

The public lands included, in general, *mewat*, *jiftlik* or *mudawwara* and *matruka*. But these lands varied greatly in physical characteristics and in the extent and nature of ownership. It was not possible to ascertain the interest of the government in large areas of these lands. The definition of public land in the Land Registry is largely arbitrary.

Sami Hadawi was a Land Valuer with the Mandate government for most of its tenure and participated in the preparation of *Village Statistics*. He wrote the following in explanation of public land:²⁰³

Some explanation is necessary as to why lands falling in the *matruka* category were registered at land settlement in the name of the High Commissioner and later appeared under the column of 'Public' in the 'Village Statistics':

In 1926, the Palestine Government enacted the *Land Settlement Ordinance* providing for the settlement of title to land. The procedure then adopted was that *mafruz* (individually-owned) and *mushaa'* (owned in partnership) land would be registered in the name of the owner in whole or in shares as the case may be. But in regard to other lands, these were to be treated as follows:

(1) Government privately-owned property (such as offices, hospitals, police buildings, post offices, agricultural nurseries, etc.); forests and areas reserved therefore; public highways and railway tracks - registered in the name of 'The High Commissioner for the time being in trust for the Government of Palestine'.

(2) The common lands of the village used for grazing of cattle and fuel gathering, village roads, schools, public threshing floors, cemeteries, *wadis* (water-beds) - registered in the name of 'the *mukhtar* (headman) for the time being in trust for the village'.

Following the completion of land settlement operations in the first group of villages, the *mukhtar* of a Jewish settlement exercised control over the stretch of village road running through his settlement on the grounds that it was the private property of the Jewish settlement. He prohibited passage of cars on the Sabbath and charged a fee during weekdays on through-traffic to the surrounding Arab villages.

A committee (comprising the Commissioner of Lands, the Director of Land Registry, the Director of Surveys and a representative of the Attorney-General with Sami Hadawi acting as Secretary) met to consider the situation which had arisen. It was finally decided that the way to overcome the problem was to register all lands of the *matruka* category in the name of the High Commissioner. A few exceptions were, however, made in regard to village schools, threshing floors and cemeteries.

No objection was raised by the Arab villagers at the time because they were in physical occupation of their 'common lands' and were aware that if any improvement were made by the Government in them, that would be for

Table 2.21: State Domain at the end of 1943

Item	Description	Title Settled	Title not Settled	Total
(i)	Lands used for public purposes, e.g., forests, railways, roads, etc.	219,695	619,858	839,553
(ii)	Lands occupied under tenures derived from the Ottoman regime	105,340	76,351	181,691
(iii)	Leased to Jews for long periods	75,273	99,815	175,088
(iv)	Leased to Jews for terms of less than 3 years	2,389	43	2,432
(v)	Leased to Arabs for long periods	793	429	1,222
(vi)	Leased to Arabs for terms of less than 3 years	17,591	44,931	62,522
(vii)	Leased to others than Arabs or Jews	2,656	593	3,249
(viii)	Earmarked for communal or public use	4,713	-	4,713
(ix)	Uncultivable sand, marsh or rocks	167,429	-	167,429
(x)	Unoccupied, including 'paper' claims	-	84,699	84,699
(xi)	Available for and offered on short term lease	20,082	-	20,082
TOTAL		615,961	926,719	1,542,680

Source: *A Survey of Palestine* 1945-1946, Vol. I, Chapter VIII, p.267

Notes: All areas are in donums. The above figure of 1,542,680 donums stated by Government to be State Domain differs from the figure of 1,491,657 donums, shown in the 'Village Statistics 1945'. The difference of 51,023 donums was planted citrus, bananas and other fruit trees, belonging to Arab farmers. For other notes see text.

the general benefit of the village. It was never countenanced that a situation would ever arise whereby the villagers would be deprived of their lands and homeland. The conclusions arrived at by Sir John Hope Simpson, who visited Palestine in 1930 to report on Jewish immigration, land settlement and development, strengthened the Arab argument that the lands of a village belong to its inhabitants and the Government was duty-bound to develop such lands as are not privately-held for the benefit of the village as a whole. Sir Hope Simpson said: "It is clear, however, that of the land which remains with the Government at the present time [1930] the area is exceedingly small, with the exception of tracts which, until developed, are required in their entirety for the maintenance of the Arabs already in occupation. It cannot be argued that Arabs should be dispossessed in order that the land should be made available for Jewish settlement. That would amount to a distinct breach of the provisions of Article 6 of the Mandate".²⁰⁴

The Simpson statement disposed of any doubt that the lands within the boundaries of an Arab village or Jewish settlement, whether registered in the names of individuals, the *mukhtar* or Government, belong to the village as a whole and no outside elements were entitled to acquire them. This fact was accepted by the Palestine Government; for, in its reply to the Jewish Agency's demand for the allocation of State Domain to the Jews, the Government said:

"The question of the availability of State Domain has been examined by the Government in some detail and it has been shown that, although there are large areas of State Domain, it cannot be assumed that the Government is in possession of extensive tracts of land which are lying idle. In fact, in respect both of land to which the Government has a settled title and land claimed by the Government as State Domain but still subject to settlement of title, there is very little that is not already put to some useful purpose. This fact is made clear by the analysis of State Domain made at the end of 1943 in Table 2.21."

Explaining the table, the Government statement stated that,

"It will be seen from a comparison of items (iii) and (iv) with items (v) and (vi) that the Jews have a substantial advantage over the Arabs in the matter of leases of State Domain which was at the free disposal of the Government. The occupiers of Government land under item (ii) are Arabs; their right to occupation derives from the Ottoman regime and has never been seriously in dispute; the figure of 105,340 donums covers lands, such as the sandy wastes of Rafah, which, although within the areas of Arab occupation, include considerable patches of land at present uncultivable. Even taking the areas under item (ii) into account, however, the position, on the proportions of each community to the total population, is in favour of the Jews. The figure of 619,858 donums under item (i) includes forest reserves and consequently may include land which is claimed by private persons and which at land settlement may be found not to belong to the Government. Item (x) contains an assortment of claims not yet verified even as to area or locality; they derive from various vague Turkish registrations or old records left by the Turks. Item (ix) may appear to be a subject for experimental development, but if it had been possible to transform anything from this item to item (xi) that would have been done for revenue purposes. The figure of 167,429 includes 105,000 donums of marshy or rocky land surveyed during the operations of the Ghor Mudawwara commission; some of this may be allocated for afforestation or grazing and some may in due course become the subject of development leases and, in the case of the Beisan lands, of schemes for the consolidation of holdings. The remainder is rocky land in the Nazareth and Ramle sub-districts or sand-dunes in the Gaza area. The figure of 20,082 donums given in item (xi) represents the total area of lands which it was thought on 31st December 1943 could be made available for lease; some of these lands have subsequently been leased, some offered for lease, while others are waiting treatment under development schemes; some are occupied on 'implied' leases."²⁰⁵

203 Hadawi, *supra* note 145.

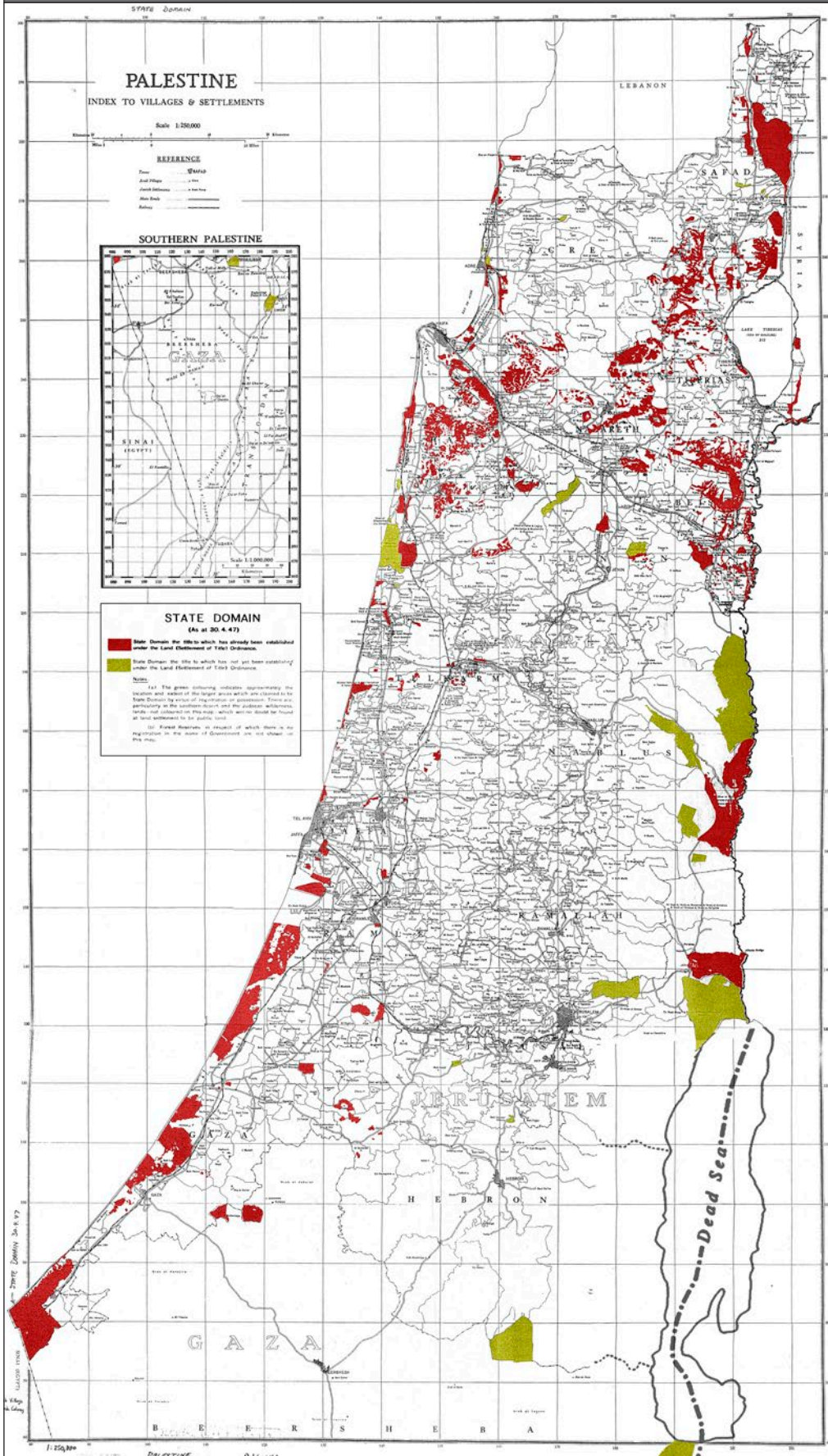
204 Cmd. 3686, The Hope Simpson Report, October 20, 1930, p. 59.

205 *Survey of Palestine*, Vol. I, *supra* note 3, Chapter VIII, paragraph

104, p. 268. Lands held under 'implied' leases were lands occupied by Arab farmers who signed no leases but paid rent equivalent to the amount of tax. After land settlement the farmers

were given the option to acquire full ownership on payment of *badl misti* (*badil methli*), an amount based on the unimproved capital value of the land.

Map 2.11: State Domain in Palestine



Note: State Domain is not always identical with Public Land. The latter is often used to describe non-taxable land. See Hadawi comments.

Map 2.11 shows the “State Domain” as on 30 April 1947 according to the British Mandate government. The “Unsettled State Domain” means that the government had not yet ascertained its title deed. It will be seen that State Domain included Hula Lake; Kabbara, and Qisariya concessions

on the coastline, Palestine Potash Company Concession at the Dead Sea; confirmed or planned concessions in al Ghor and sand dunes on the coastal plain from southern Jaffa to Rafah. Significantly, Beer Sheba land was not designated “State Domain”.

Avraham Granovsky (Granott), former Chairman of the JNF, estimated the distribution of state land by district and by use.²⁰⁶ See Table 2.22. Granott’s figure for public land (1945) is much less than the official figure of the *Survey of Palestine* (1943). Although Granott’s figures require further verification, Tables 2.21 and 2.22 provide some explanation for the large difference (362,834 donums). The area settled (in title) in one year (end of 1943 and beginning of 1945) is modest at 22,661 donums and does not explain the difference, but the ‘unsettled’ area was reduced from 926,719 donums to 541,224 donums. This can only be explained by the government’s decision to release some unsettled land it reserved for public purposes. Such reserved land was reduced from 844,266 donums (item i, viii in Table 2.21) to 58 percent of this value, i.e. 488,375 donums (columns 2-5 in Table 2.22), which is the same as reduction of the unsettled land. Neither land leased to Jews nor to Arabs changed much in this one year, although re-classification of some small areas may have taken place.

Of the land leased to the Jews (about 175,000), 79,000 donums were leased to the mixed (Jewish and Arab) Palestine Potash Company at the western shoreline of the Dead Sea. Approximately 57,000 donums, the area of the Huleh concession, were leased to the Palestine Land Development Company in 1934. For more details on Huleh see Section 4.5. About 25,000 donums of sand dunes near Caesarea and a further 4,000 donums in the Kabbara swamps and a lesser area in the Athlit marshes formed the bulk of the land covered by a Concession granted to the Jewish Colonization Association in 1921. The British authorities had confirmed an agreement made by Jewish colonies with the Ottoman authorities although the Ottomans did not ratify it at the outbreak of the First World War. Huge sums were spent over several decades in order to reclaim and improve this land. Over 80 percent of the balance of Concessions granted to the Jews consisted of sand dunes in the neighbourhood of Tel Aviv, Rishon-le-Zion, Natanya and Haifa, suitable only for housing purposes.

Concessions were legally dissolved when the grantor – i.e. the Palestine Government – dissolved on May 15, 1948. In other words, no Concession was to survive the British Mandate. All Concessions were supposed to revert to the people of the land. This situation was tested at the Security Council in 1951 when Israel diverted River Jordan through the Hula Concession assuming it was Jewish land. Neither the British government nor the Security Council accepted this interpretation.²⁰⁷

2.7 Beer Sheba

The Beer Sheba district was the largest district of Palestine covering 12,577,000 donums.²⁰⁸ Yet, it is the least understood and most misrepresented. This is often attributed to the lack of interest in the people of this dry region. There are a variety of sources for population and land ownership in the district. These include the 19th century encyclopaedic *La Description de l’Egypte* which

206 Table 5, Granott, *supra* note 160, p. 102; and, Table 1.1, Tyler, *supra* note 197, pp. 34-35.
207 Salman Abu-Sitta, “Which Borders between Syria and Palestine

and Israel? [Arabic] *al-Hayat* Newspaper, London, p.14, August 20, 1999 and Salman Abu-Sitta, “Response to Frederic Hof Essay, The Line of June 4, 1967,” *Middle East Insight*, Washington

D.C., September 1999.
208 The district covers 62 percent of the current area of Israel.

Table 2.22: State Domain by Sub-Districts at the Beginning of 1945

Sub-District	Lands in public use		Lands in possession of Government institutions		Land leased			Lands not leased	Total
	Roads and rivers	Railways	Dept. of Forests	Other Institutions	To Arabs		To Jews		
					Jiftlik land	Other land			
1	2	3	4	5	6	7	8	9	10
Acre	1,492	92		5			2,014	1,535	5,138
Safed	5,916		1,849	99		15,020	40,756	1,591	65,231
Tiberias	2,192	68	1,959	1,292	474		378	165	6,528
Beisan	7,132	772	2,624	7,406	12,534		1,193	48,779	80,440
Nazareth	7,730	410	11,180	2,441	438			13,110	35,309
Haifa	5,452	2,146	45,405	5,076	2,107		35,805	13,302	109,293
Jenin	237	61	142,260	175	21,038				163,771
Tulkarm	10,673	1,127	3,699	1,055	512		5,648	5,219	27,933
Nablus	1,665		60,148	264	21	2,871		119,665	184,634
Ramalla			1,010	292					1,302
Jericho	1,620		1,383	524	2,465	31,985	14,981	62,228	115,186
Jerusalem	300		20,703	600				11,835	33,438
Jaffa	5,940	537		1,426		157	7,078	962	16,100
Ramle	8,258	1,794	11	9,463	109	21,675	1,451	16,799	59,560
Hebron	120		26,986	573	4,935	38,940			71,554
Gaza	24,588	2,146	43,431	1,853	40,941	755		24,956	138,670
Beer Sheba				715		845	64,199		65,759
TOTAL	83,315	9,153	362,648	33,259	85,574	112,248	173,503	320,146	1,179,846
Of this:									
Areas in which Land Settlement had been completed	83,315	9,153	111,541	30,923	66,699	68,396	78,661	189,934	638,622
Area in which Land Settlement had not been completed	0	0	251,107	2,336	18,875	43,852	94,842	130,212	541,224

Source: A. Granovsky (Granott), *The Land System in Palestine: History and Structure*, Eyre and Spottiswoode, London, 1952, Table 5, p. 102 and Warwick P.N. Tyler, *State Land and Rural Development in Mandatory Palestine 1920-1948*, Sussex Academic Press, Brighton, 2001, Table 1.1, pp.34-35.

Table 2.23: Cultivated Land and Rainfall (1948) and Population (1998) of Beer Sheba Tribes

TRIBE	LAND AREAS UNDER DIFFERENT CONDITIONS (donums)								Population in 1998	Of which: Remaining in Israel
	By order of rainfall	Tribal Land	Cultivated Area	Crop:	Wheat	Wheat/Barley	Barley	Grazing		
				Rain:	Wet	Rainy	Fair	Dry		
				% cultivated	Rain over 300mm/yr	Rain 300-200	Rain 200-100	Rain less 100		
Hanajreh	78,325	78,325	100.00%	78,325					46,666	
Jbarat	379,175	379,175	100.00%	319,175	60,000				55,625	
Tarabin	1,362,475	1,089,980	80.00%	90,825	300,825	970,825			201,956	1,356
Tayaha (a)				48,325	507,500	64,175				
Zullam (b)					198,325	636,675	630,825			
Total Tayaha (a+b)	2,085,825	1,543,511	74.00%	48,325	705,825	700,850	630,825		207,968	108,185
Azazema	5,700,000	427,500	7.50%			1,621,675	4,078,325		111,323	8,486
Saidiyeen	1,238,375						1,238,375		8,058	
Ehewat	1,732,825						1,732,825		7,400	
Beer Sheba Town and Police Stations									42,244	
TOTAL	12,577,000	3,518,491	28.00%	536,650	1,066,650	3,293,350	7,680,350		681,240	118,027

includes a detailed description of Arab clans all the way from Cairo to Damascus.²⁰⁹ Nineteenth century sources include records of European travellers, priests, spies, officers and some Syrian and Egyptian historians. The voluminous

work of the Austrian-Czech scholar, Alois Musil, unofficially the agent for the Hapsburg Empire, documented the names, numbers and lands for all clans, including those in Sinai, Syria and Hejaz.²¹⁰ Not to be outdone, the Germans sent

their scholar, Baron Max von Oppenheim, to do the same.²¹¹

The French sent a priest who lived in Jerusalem, Father Jaussen of *l'Ecole Biblique*, to do the same in Transjordan, southern Palestine and the Sinai.²¹² The British produced an excellent map of the *Naqab* in 1914, which became the main source of information for Allenby in his campaign into Palestine in 1917. The famous Lawrence of Arabia, made a fleeting visit to Beer Sheba in 1914 disguised as an archaeologist, and wrote a report on it under the title of "Wilderness of Zin".²¹³ Mention should also be made of 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. This survey, however, covered only one third of Beer Sheba district. It stopped at Wadi Ghazze in the south. All these European records left a wealth of information about Beer Sheba clans, their names, numbers and land ownership.

In the Beer Sheba district, local clans had almost complete independence to govern their own affairs. The authority of the Sultan's representative (*mutassarref*) in Jerusalem was confined to main cities aided by a small garrison. This was especially true in Beer Sheba. The clans were never conscripted, but they would acquiesce to the Sultan's wishes, if so persuaded, to put forward a 'regiment' to aid the war effort. They would go and return as an independent unit. That was the case when in 1914/1915 they sent 1,500 cavalry to fight the British at the Suez Canal. Clans also had their own internal wars, almost always about the territory of their homelands. Well before the 1858 Ottoman Land Law, trespassing on another clan's property was a valid reason for a 'war' which could last for twenty years. As was customary in Palestine, land boundaries were well marked by a *wadi*, road, distinctive trees, a cairn or other landmarks known to everybody.

Within the tribal land, everyone knew the limits of his own property. All suitable lands were cultivated. This kind of cultivation depended on the rainfall. For areas north and northwest of Beer Sheba town, rainfall exceeded 300 mm/year and was suitable for growing wheat in winter and summer crops like maize and watermelon in summer. All the area, from Majdal in the north to Wadi Ghazze in the south, grew wheat. The reverend W. M. Thompson who visited the area in April 1856 wrote in his book *The Land and the Book*, when he scanned the horizon, "wheat, wheat, an ocean of wheat".²¹⁴ 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] 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".²¹⁵ He thought the territory looked like southern Italy. In 1863, Victor Guérin, the French scholar who wrote seven volumes and drew maps of all Palestine, noted the land ownership of each clan.²¹⁶ On crossing the territory, he was challenged by each clan upon entering their land.

209 Prepared by Napoleon's 79 savants during his venture into the Arab east in 1799.
210 Alois Musil, *Arabia Petraea*. 3 Volumes. Vienna: Kaiserliche Akademie der Wissenschaften, 1908.
211 Max von Oppenheim, *Die Beduinen*. Zurich: Georg Olms Verlag, 1983 (reprint).

212 P. Antonin Jaussen, *Coutumes Des Arabes au Pays de Moab*. Paris: Librairie D'Amérique et D'Orient, 1948.
213 C. Leonard Woolley and T.E. Lawrence, *The Wilderness of Zin*. London: Palestine Exploration Fund, 1914. Reprinted: London, Stacey International, 2003. Referred to in Section 2.3 herein.
214 W. M. Thompson, *The Land and the Book*. London: Thomas

Nelson, 1911, p. 556. For agriculture, see Section 2.2 herein.
215 Edward Hull, *Mount Seir; Sinai and Western Palestine*. London: Richard Bentley and Son, 1885, p. 139.
216 Victor Guérin, *Description de la Palestine*. 7 Volumes. Amsterdam: Oriental Press, 1969 (reprint). See Vol. II, pp. 178-290.

The southern half of the district, south of 31^o 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 archaeological sites dating back to the fourth century A.D. The northern half is fertile. Before 1948, ninety-five percent of the population lived in the north and cultivated their land extensively.²¹⁷ Only five percent lived on grazing.

The British Mandate government listed 77 official clans (*ashiras*) grouped into seven major tribes who lived in and owned the land in the Beer Sheba district. The town of Beer Sheba was the district capital. There were about a dozen police stations in the district. The major tribes, their land and rainfall in addition to their population in 1998 are listed in **Table 2.23**.

The land ownership had always been held by customary law, on which basis individual plots were sold, inherited, mortgaged, rented or divided and taxes paid. The official records identifying general land ownership of each clan were first prepared in relation to the first boundary between Egypt and Palestine. (See *The Borders of Palestine*, (a) The Border with Egypt, Section 1.3.) Official correspondence regarding the boundary with Egypt over the period 1895-1906, culminating in the Palestine-Egypt Agreement signed on October 1, 1906, acknowledged the existence and property of the Beer Sheba clans.²¹⁸ W.C. Churchill, Colonial Secretary and Herbert Samuel, the first High Commissioner of Palestine both recognized customary law and land ownership in the Beer Sheba district.²¹⁹ The Mandate government also confirmed that legal jurisdiction in the Beer Sheba district would be governed by tribal custom and waived the Land Registry fees to facilitate acquisition of title deeds. The clans did not take up the offer, however, as they saw no need for confirming land ownership on paper.

The 1920 Land Commission estimated in its report²²⁰ that the cultivated land in Beer Sheba, on the basis of agricultural production and taxes, was 2,829,880 donums plus the major share of 1,059,000 donums (grazing land). The report wrongly used double the commonly accepted crop yield/donum value, hence the correct area should be double that calculated. Further, the cultivated area was estimated on the basis that the land was cultivated one year and left fallow for another year. While this may have been acceptable for moderate rainfall, it was 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 could be at least double this figure, or about 5,500,000 donums. Other estimates for cultivated areas, based on rainfall figures less than 100 mm/year give a minimum of 3,750,000 donums and a maximum of 5,500,000 donums plus about 750,000 donums for grazing. Thus, it is evident that the regularly cultivated and owned land in Beer Sheba was a maximum of 5,500,000 donums of which 3,750,000 donums was cultivated annually. Further evidence is provided by the aerial survey conducted by Royal Air Force in

1945-1946 which covered the heavily populated northern half of the district. The photographs show intensive and close cultivation everywhere. According to Sami Hadawi,

The first estimate of the 'cultivable' lands of the area was put at 1,500,000 donums which the Government Department of Surveys admitted was mere 'guesswork'. When Sir John Hope Simpson visited Palestine in 1930 to study the land situation, the estimate quoted to him was raised to 1,640,000 donums. This figure remained in use and was eventually quoted in the 1943 edition of the 'Village Statistics'. The 1945 edition showed the area of 'cultivable' land as 2,000,000 donums.

The land experts of the Jewish Agency challenged these figures on every occasion [for reasons of colonization]; and, in the opinion of this writer [Hadawi], rightly so.²²¹ For example, Mr. A. Granovsky (Granott), writing on behalf of the *Keren Kayemeth LeIsrael* (Jewish National Fund), criticized the figure of the Palestine Government of 1,640,000 donums, and said: "What applies to the rest of the country also applies to the Beersheba sub-district: that the size of its cultivable area is not identical with that already cultivated. In that region, also, the areas brought under cultivation become more extensive every year. From the figures of the Agricultural Department of the Palestine Government, it appears that the cultivated area of the Beersheba sub-district was increased by more than 65 per cent during the five years of 1931-1935, thus: 1,266,362 donums; 1,380,742 donums; 1,493,682 donums; 1,345,429 donums; 2,109,234 donums".

Mr. Granovsky went on to point out that "The experts of the Jewish Agency estimate the cultivable area of the Beersheba sub-district at 3,500,000 donums, apart from any new tracts which may become cultivable in the future when supplies of underground water are found and provision is made for storing the rainwater which now runs off unused".²²²

Sir John Hope Simpson supported the Jewish Agency contention when he said: "There is practically an inexhaustible supply of cultivable land in the Beersheba area" given the possibility of irrigation.²²³

As regards the 'uncultivable' lands of the Beersheba sub-district, here also the rights of the bedouin tribes should not be ignored. Neither the Ottoman Government nor the British Mandatory ever interfered with these rights over the whole territory. The whole of these lands are traditionally recognized to belong to the bedouin tribes, while certain bedouin tribes of Jordan and the Sinai Peninsula exercised pasturage rights during certain periods of the year. The fact that the Palestine Government did not include these lands under the column of 'Public' but showed them separately and admitted in its memorandum to the Anglo-

American Committee of Inquiry that "it is not safe to assume that all the empty lands south of Beersheba or east of Hebron, for instance, are *mawat*" (dead land), is proof that Government recognized Arab rights and interests in these lands. In the circumstances, it is wrong to presume that the figure of 10,573,110 donums appearing in the 'Village Statistics' under the separate column of 'Uncultivable Land' is government-owned.²²⁴

Hadawi statement is correct. Before the Zionist encroachment on Palestine, neither the Ottoman nor the British authorities in Palestine challenged the individual land ownership in Beer Sheba district. In fact, the *dafteri-i-mufassel* (detailed [tax] register) of 1596 lists several locations in Beer Sheba which paid taxes on grains and summer crops which they cultivated.²²⁵

At the end of 19th century, the Ottoman authorities sent a mission to Beer Sheba to register land holding. Its report of 4 May 1891 (the Ottoman Archives IMMS 122/5229) states that the authorities decided,

To register these lands in the Gaza District of Jerusalem *Mutassarefiyat* and cultivated by 'urban' (tribes) at the Land Registry (*tapu*) since the absence of this registration may cause conflict and infighting...

To delimit and record the lands of each tribe the officials delineated 5 million donums out of lands exceeding 10 million donums [of the District] among its long-time holders with the approval of the Special Military Committee. Then the approval of the Sheikhs was obtained.

As stated earlier, the British Mandate authorities recognized Beer Sheba land ownership and provided tractors, fodder and grain (at times of drought) to help improve agricultural produce.²²⁶

In terms of land ownership, the British prohibited the transfer of lands to Jews in Beer Sheba in accordance with the *1940 Land Regulations*. Jewish ownership in Beer Sheba district was very small. Much land claimed by Jews in Beer Sheba had no legal foundation. (See *Land in Jewish Possession*, Section 2.5.)

The Mandate never considered Beer Sheba land to be State Land (See Map 2.10.) When the first British High Commissioner Samuel and legal secretary Bentwich, known for their Zionist sympathies, overturned article 103 (*mawat* Land) of the 1858 Ottoman Code which allowed reviving the barren land, in a new Ordinance which punished those who do, the Mandate authorities did not enforce this law. (See Section 2.6.)

A more lenient view has been taken and it was the practice during the Mandate to make *Tapu* grants on payment of *Bedl Mithl* to persons who can show that they broke up *mawat* and have revived the land before the Ordinance date, even though

217 The population of Beer Sheba district now is about 750,000 (2008). 80% are refugees.

218 Bramly Papers, *supra* note 51.

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

220 Public Records Office CO 733/18-174761, May 31, 1921. See *supra* note 187, 185.

221 In 1944 Sami Hadawi visited Beersheba and discussed with the district authorities the possibility of applying the Rural Property Tax Ordinance in the area. That year saw an abundance of

rainfall with a corresponding increase in areas ploughed. On the basis of the schedules of production prepared for the Food Controller, the 'cultivated' area was then estimated to be closer to 4,000,000 donums.

222 Granovsky, *supra* note 160, p. 64.

223 Cmd. 3686-Report on Immigration, Land Settlement and Development, 1930, by Sir John Hope Simpson, p. 20.

224 Hadawi, *supra* note 141.

225 See Hutteroth and Fattah, *supra* note 108 and Report to the International Fact Finding Mission on the confiscation of Beer

Sheba land at: http://www.plands.org/store/writing/BS_report_2009.pdf.

226 Fortnightly reports of Gaza District Commissioner dated December 4, 1941 and September 9, 1947 (particularly the latter) in: Jarman, R.L., *Political Diaries of the Arab World: Palestine and Jordan*, Reading: Archive Editions, 2001. The British Mandate government provided tractors and fodder to Palestinian farmers in addition to agricultural inspectors in order to improve their production and help them in drought years in recognition of their ownership of Beer Sheba land.

without authorization to do so.²²⁷ The 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. In its concluding report, the official Survey of Palestine 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 Beer Sheba or east of Hebron, for instance, are *mawat*.

...

It is possible that there may be private claims to over 2000 square kilometres which are cultivated from time to time. The remainder may be considered to be either *mawat* or empty *miri*.²²⁸

In order to confiscate Beer Sheba land, the Israeli government considered this land *terra nullius*, roamed only by nomads. On the basis of assuming this land to be *mawat* according to the Ottoman Land Code, Israel promulgated a law classifying this land as State Land and confiscated it. This is historically and legally false (More details will follow in Section 4.4).

The population of Beer Sheba has been consistently undercounted. Aref's estimate of 47,632²²⁹ persons in 1931 was the first count ever made. It provided reasonable basis from which to build a database. As Aref himself noted, this figure omits El Ehewat and other small tribes who resided in Palestine, Egypt and Transjordan. It also excluded the town of Beer Sheba and over a dozen police stations - soldiers, their families, small shops and some schools. It also undercounted the female population. The latter can be estimated by reference to the male population. An appropriate correction factor is 1.0825. The general undercount may be corrected by a factor of 1.11. The total correction factor is therefore 1.2. When applied to 47,632, the result is 57,265.

The tribal population of all Palestine was estimated in 1931 census to be 66,553, of which 57,265 resided in Beer Sheba. This figure remained constant in all subsequent Mandate reports. Using a factor of natural increase of 3.63 percent for the Muslim population, the population of Beer Sheba in 1948 was about 105,000, of which about 92,000 became refugees in 1948. (See Al Nakba Register, Section 3.3, for a listing of all tribes, their population and location today.)

2.8 Infrastructure, Public Amenities & Religious Sites

The part of Palestine within the Armistice Line, that became Israel, had the bulk of government installations, services and buildings. The main railway and road network stretched from north to south, mostly along the coastline. The ports on the Mediterranean were key strategic assets. The northern coastal plain and Galilee abutting Syria and Lebanon were ideal locations for airports and military camps. The main surface water sources were located in this area. It was also home to the bulk of the population of the country. Outside this area, in today's West Bank and Gaza Strip, there

Table 2.24: Airfields (Airports and Landing Grounds) and Military Camps in Mandate Palestine

AIRFIELDS			CAMPS		
S. No.	District Name	Name	S. No.	District Name	Name
1		al Metulla (in Lebanon)	1	Safad	Rosh Pinna
2	Safad	Qadas	2	Acre	al Bassa
3	Safad	Rosh Pina	3	Acre	Farm Labour Camp (Acre)
4	Acre	St. Jeans / Acre	4	Acre	Ras al Naqura
5	Acre	al Bassa	5	Acre	Sydney Smith Camp (Acre)
6	Acre	al Damun	6	Haifa	al Tira
7	Haifa	Hadera (Khudheira)	7	Haifa	Atlit Clearance Camp
8	Haifa	Haifa	8	Haifa	Daliyat El-Carmel
9	Tiberias	Samakh	9	Haifa	Haifa: Barracks
10	Nazareth	Ramat David	10	Haifa	Haifa: Concentration
11	Baysan	Baysan	11	Haifa	'Isfiya
12	Jenin	Birqin	12	Haifa	Jail Labour Camp (Atlit)
13	Jenin	Jenin	13	Haifa	Nesher
14	Jenin	Megiddo	14	Haifa	Pardes Hanna
15	Jenin	Zir'in	15	Tiberias	Samakh
16	Tulkarm	Dannaba	16	Nazareth	'Afula
17	Tulkarm	Ein Shemer /Jatt	17	Tulkarm	Tulkarm
18	Jaffa	Lydda (major)	18	Tulkarm	Tarifa Barracks
19	Jaffa	Tel Aviv	19	Tulkarm	Umm Khalid / Netanya
20	Ramle	Aqir / Eqron	20	Jaffa	Ijlil al-Shamaliyya
21	Ramle	el Ramle	21	Jaffa	Tel Litwinsky
22	Ramle	Kfar Sirkin / Petah Tiqva	22	Ramle	Aqir / Eqron
23	Ramallah	Kalandiah (Jerusalem)	23	Ramle	Bir Salim
24	Gaza	al Faluja	24	Ramle	Junction Camp
25	Gaza	Gaza	25	Ramle	Sarafand al 'Amar
26	Gaza	Nuseirat	26	Jerusalem	Jerusalem
27	Gaza	Be'er Tuvya	27	Jerusalem	Latrun Detention Camp
28	Gaza	Rafah	28	Gaza	al Majdal (Ashkelon)
29	Beer Sheba	Abu Hureira	29	Gaza	Dimra
30	Beer Sheba	Asluj	30	Gaza	el Bureij
31	Beer Sheba	Nuran	31	Gaza	Gaza
32	Nablus	Wadi el Far'a	32	Gaza	Hirbya / Bayt Jirja
33	Jerusalem	Jericho 1	33	Gaza	Nuseirat
34	Jerusalem	Jericho 2 (disused)	34	Gaza	Qastina
			35	Gaza	Rafah
			36	Baysan	Baysan
			37	Ramle	Ras el 'Ein

were very few strategic installations. The latter, however, was the site of important and ancient Palestinian towns such as the old city of Jerusalem, Nablus, al-Khalil (Hebron), Jenin and Gaza.

When the state of Israel was declared on May 14, 1948, it had under its disposal 'instant' government infrastructure, not to mention the immense government records on land, survey maps, aerial photos, municipal records, statistics offices, a post office system, police records, railway stock, and port facilities, in addition to the libraries, papers and records of clubs, societies, parties and important individuals. These records, procedures and information sources no doubt helped the nascent state to function almost immediately. That was also made easier by the presence of Jewish Mandate staff who were running part of these services, then took them over completely.

Of particular importance were the military installations, abandoned by the British between March and June 1948 without officially handing them over to any party. **Table 2.24** lists 34 airfields,

airports and landing grounds, of which three were located in Gaza Strip, three in Jenin close to the Armistice Line, one in Jerusalem and one in Lebanon near al-Metulla. Lydda was the largest civil airport in Palestine. Kalandiah (Jerusalem) was next in importance. The rest were used for military purposes. They varied from full-fledged air bases to simple landing grounds located in key areas of the country. Not listed in the table are the following: Umm Rashrash (later Eilat) landing ground and two sea ports for landing crafts in Haifa and Tiberias.

The same table also lists 37 camps (military, supply, workshops) of which three were located in Gaza Strip and one in Tulkarm (Nur Shams). The camps were well-stocked with military and engineering supplies. Pilferage and questionable deals by British soldiers were frequent during the last two years of the British Mandate. When the British forces abandoned the airfields and camps, they were taken over by Zionist authorities, sometimes by previous arrangement with some British officers. The airfields, landing grounds and

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

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

229 Aref Al-Aref, *Bedouin Law*. [Arabic] Jerusalem: Jerusalem Press, 1933.

Table 2.25: Roads and Railways in Mandate Palestine

Feature	Length (Meters)	
	a	b
Railway (including marshalling yards)	490,726	137,751
Dismantled Railway (1917)	208,227	17,995
Railway Stations (number)	42	14
Major Roads	2,162,867	1,004,979
Minor Roads	20,364,698	8,853,772

Notes: Length as measured. Some dismantled railway lines were reconstructed. Some railway stations were not clear enough to be listed. Area (a) refers to occupied Palestine in 1948, (b) occupied in 1967.

Table 2.26: Government, Public and Service Buildings and Installations

Description	Number	
	a	b
Civic Structures	57	90
Agriculture, Animals, Fish Ponds	647	695
Government	108	13
Nature	239	744
Industry	268	667
Water Installations	130	80
Transport	41	16
Construction/Buildings	228	85
Police Stations, Police Posts	112	30
Post Offices	16	6
Education	353	282
Hospitals	39	22
GRAND TOTAL	2,238	2,730

Notes: Location with respect to the Armistice Line (AL): (a) occupied Palestine in 1948, within AL, (b) occupied in 1967, outside AL.
 Civic structures: Slaughter house, stadium, auditorium, amphitheatre, animal quarantine station, club, laboratory, Hotel, Museum, store, library, cinema, casino etc.
 Agriculture, animal, Fish Ponds: TF, Oil and Olive press, Poultry etc. TF(a): 622, TF(b): 682
 Government: Barracks, police Hq, law courts, port office, power sta., PWD, PE, traffic check post, power station, prison, agriculture Station., block house etc.
 Nature: Caves, mole, rock.
 Industry: Mill, quarry, factory, IPC pipe line, tahuna, Lime Kiln.
 Water Installation: Ford, ponds, water fall, dam, water pipe etc.
 Transport: Bridge, Jetty, bus garage
 Construction/Buildings: Border pillars, houses, light house, etc.

camps with their stocks were extremely valuable to the new state of Israel and helped its war effort in the conquest of Palestine in 1948.

The railway lines were essential to the military needs for the British forces, most were in the coastal plain with branches to Jerusalem and Baysan to link with Hejaz railway. Road arteries were used for civil and military transport. **Table 2.25** gives the length of railway lines and roads. The length of the railway line is fairly small for the size of Palestine. The total roads were adequate at the time but there was a need to upgrade minor roads to major, which the British failed to do. The shown minor roads include tracks.

Table 2.26 sums up a fairly wide survey of civic and government infrastructure. Civic structures include clubs, hotels, cinemas, museums, librar-

Table 2.27: Wells, Springs and Cisterns by District in Mandate Palestine

S. No.	District Name	Well		Cistern		Spring		Water Tower		Water Tank		Sub Total		TOTAL
		a	b	a	b	a	b	a	b	a	b	a	b	
	AL Location													
1	Safad	14		11		268		14		4		311	-	311
2	Acre	72		78		62		22				234	-	234
3	Haifa	256		4		209		71				540	-	540
4	Tiberias	15		20		97		50		8		190	-	190
5	Nazareth	55		18		68		24				165	-	165
6	Baysan	8		1		97	1	30		4		140	1	141
7	Jenin	8	39	3	80	61	29	1	3	1	1	74	152	226
8	Tulkarm	128	19	5	97	6		48	1	12	-	199	117	316
9	Nablus		48		446	5	191		10		10	5	705	710
10	Jaffa	438		3				27		2		470	-	470
11	Ramle	277	9	99	50	9	13	44	5	3		432	77	509
12	Ramallah		55		269		255		3		9	-	591	591
13	Jerusalem	21	72	106	689	95	89	5	6	4	12	231	868	1,099
14	Gaza	92	79	94	32	1		31	17	1		219	128	347
15	Hebron	97	87	151	831	11	107				3	259	1,028	1,287
16	Beer Sheba	268	4	144	5	20		1	8	1		434	17	451
	TOTAL	1,749	412	737	2,499	1,009	685	368	53	40	35	3,903	3,684	7,587

Notes: Armistice Line (AL) location in (a) = Palestine 48 within the Armistice Line, or (b) = West Bank and Gaza Strip including Latrun and Jerusalem DMZ

ies, stadia and abattoirs. Agriculture...etc includes fish ponds, poultry, olive presses, but the majority of items listed are threshing floors, for which there was one or more for each village. Government infrastructure includes law courts, barracks, police headquarters, power stations, prisons and control points. Nature means caves or natural rock formations. Industry includes factories, mills, quarries and pipe lines. Water installations include dams, water lines, falls, ponds and fords. Transport means bridges, jetties and garages, (Railways and roads are listed in a separate table.) Construction means border pillars, light houses, castles and individual houses.

It is clear that occupied Palestine in 1948 (Israel), termed location **a** in the tables, has by far the largest government, water, police, education and health installation, greater than its share of 78% of Palestine. The agricultural resources were evenly divided over heavily populated areas. In all of Palestine, there were about 5000 establishments to serve the daily life of about one and a half million people, other than their means of transport by road and railways. Their spiritual life was served by about 4500 religious sites. Their life was supported by about 7,500 water resources

But there is much more significance to all this data. Taking the 3 tables (2.24, 2.25, 2.26) together, it is clear that such massive infrastructure, not destroyed by war and functional to the day the British departed, covering all aspects of military and civil requirements of a state, and containing comprehensive government records on land, population, municipal affairs, education, economy, finance and the like in addition to the information and financial assets of private companies such as banks, insurance, trading and transport companies, was an extremely valuable and instant acquisition for the new state of Israel, no less in strategic value than the land it conquered and the population it expelled.

Table 2.27 shows wells, springs and other water supplies classified by district, with a total number of 7,587 sources. The life of the Palestinians since ancient times depended on these sources of water. They became therefore an integral part of the folklore and the social and economic life. Village wells were well-identified and have sanctity of their own. It is difficult to find a narrative, a song or a tale which does not involve a well or a spring. These are shown in the Atlas in detail. If these water sources are divided by the number of villages, the average would be 5-6 water sources per village, out of which two were natural, e.g. springs and the rest were man-made. At present, the Palestinians lost most of their water resources. See Section 4.7

Table 2.28 shows religious sites which are even more integral part of the Palestinian life. These sites have been revered by the people since ancient times even when new religions were adopted or new languages were spoken. Of particular significance in this regard is the *maqam*. A *maqam* is a tomb or a burial place of a holy man or a site revered by visitors or worshippers of different backgrounds. All these sites are marked in the Atlas. Identification was based on the *Survey of Palestine* maps. New research revealed additional sites, such as the works of Shukri Arraf²³⁰ and the al-Aqsa Associations.²³¹ Although many of the sites identified by this new research were also found on the *Survey of Palestine* maps, the additional sites have sufficient credibility, simply because these researchers have actually found, identified and photographed these sites. We have shown these additional sites with different symbols to allow an independent verification of them and to distinguish them from *Survey of Palestine* maps. The whole subject of identification of religious sites has become part of the religious and political overtones of the Palestinian-Israeli conflict.²³²

230 Shukri Arraf, *Geographical Locations in Palestine: Arabic and Hebrew Names* [Arabic]. Beirut: Institute of Palestine Studies, 2004.

231 *Report on Islamic Sites Project*. Israel, Umm el Fahm: Al-Aqsa

Society for Repairing Holy Islamic Sites, 2002, 4 volumes; and *Survey of Mosques and Cemeteries in Palestine*. Israel, Kafr Barra: Al-Aqsa Association for Protection of Al Wakf Properties, 2002.

232 Meron Benvenisti, *Sacred Landscape: The Buried History of the Holy Land*. Berkeley: University of California Press, 2000, p. 273. He describes the conversion, the neglect or the acquisition of such sites according to the religious beliefs of the ruling power.

Table 2.28: Religious Sites by District in Mandate Palestine excluding Jerusalem Old City

S. No.	District Name	Church/Chapel		Christian Institutions		Synagogue		Mosque		Tomb / Sheikh		Cemetery		Ruins		Sub Total		TOTAL	Other Sources					
		AL Location		a	b	a	b	a	b	a	b	a	b	a	b	a	b		Aqsa		Arraf			
		a	b																a	b	Total	a	b	Total
1	Safad	3		1		4		24		75		101		15		223	-	223	65		65	53		53
2	Acre	31		2		2		33		56		84		2		210	-	210	12		12	75		75
3	Haifa	25		13		10		23		42		111		103		327	-	327	27		27	67		67
4	Tiberias	12		3		8		9		43		59		5		139	-	139	12		12	29		29
5	Nazareth	35		11		6		15		17		55		25		164	-	164	10		10	31		31
6	Baysan	2						9		29	1	48		19		107	1	108			-	15		15
7	Jenin		5					7	43	8	47	21	67	10	6	46	168	214	2		2	15	44	59
8	Tulkarm					2		10	28	20	25	30	68	30	15	92	136	228	21		21	20	44	64
9	Nablus		4						95	1	128	1	177		98	2	502	504			-	1	74	75
10	Jaffa	9				4		22		18		44		4		101	-	101	18		18	16		16
11	Ramle	6			3	7		44	11	75	16	58	19	16	1	206	50	256	40	7	47	21	20	41
12	Ramallah		18		1				46		99		89		7	-	260	260			-		61	61
13	Jerusalem	14	25	14	29	21	-	13	30	44	62	37	76	2	31	145	253	398	10	4	14	39	54	93
14	Gaza		1					22	17	42	27	32	17	63	6	159	68	227	3		3	52	17	69
15	Hebron	1	1		3		1	7	14	41	64	18	29	17	6	84	118	202	2		2	15	33	48
16	Beer Sheba							1		26	3	10	1	71	1	108	5	113	3		3	5		5
	TOTAL	138	54	44	36	64	1	239	284	537	472	709	543	382	171	2,113	1,561	3,674	225	11	236	454	347	801

Notes: Location with respect to the Armistice Line (AL): (a) occupied Palestine in 1948, within AL, (b) occupied in 1967, outside AL. Jerusalem Old City is excluded from this table and shown in detail in Map 2.13. Exclusions are 140: 42 mosques, 14 maqams, 23 churches, 38 Christian Institutions, 23 synagogues from Jerusalem Old City.

Table 2.28 shows a list of 3,674 religious sites in Mandate Palestine, excluding Old City of Jerusalem which is shown in Map 2.13. Over half of these sites (2113) fell under Israel in 1948, and the rest (1,561) in 1967.

Further research by Shukri Arraf and Al Aqsa Association showed an additional 1,037 sites. Thus a total of 4,711 sites are located within an area of 14,000 sq. km which was heavily populated. This indicates an unusually high density of such sites, at an average of one site every 3 sq. km. It is no wonder that Palestine deservedly acquired the title of the Holy Land.

The number of mosques in Table 2.28 is significantly undercounted. There are over 774 Palestinian villages within the Armistice Lines, of which 559 are main (capital) villages. Each likely had one mosque, probably two. The 16 Palestinian towns each had 5-10 mosques, making a total of 80-160. The total number of mosques should be around 800-1,000. Why only 239 mosques were recorded within the Armistice line is difficult to explain. Perhaps the identified mosques on maps were only prominent concrete or stone structures, while modest mosques in converted houses or open yards (*musalla*) were ignored. Some *maqamaat* were used for prayers as well, but this is not counted as mosques. All 695 cemeteries (three times the number of mosques) were marked on the maps. Archaeological sites (marked Ruins) have been added to this list as many of these sites have religious connotations.

The *maqamaat* received considerable attention from Christians, Jews and of course Muslims. European Christians took a special interest in the subject as they thought this would be the key to explain the Bible and verify its authenticity. The volumes of the *Survey of Western Palestine* (1871) devoted many pages to the origin of *maqamaat* and to *kokim* (open graves).

After the Israeli conquest of Palestine, the new state 'reclassified' ancient Palestinian sites in their own fashion. Israeli Prime Minister Ben Gurion convened a committee in 1949 to erase Palestinian names and replace them by Hebrew names. (See Section 4.2 Plunder and Destruction of Palestinian Landscape.) Many of these names, especially if related to religious sites, were given names from the Torah and Talmud. The ancient sites called *khidr* or *khudr*, signifying (green) religious colours, are revered by Palestinians across the ages to this day. The name *Quqa* (guardian of *kokim*) is frequently a name of a Palestinian family whose ancestors must have taken this job in old times.

2.9 Summary of Land Ownership

From the previous discussion in the preceding Sections, it becomes evident that the land of Palestine, like that of neighbouring Arab countries, is the asset of the *umma* (nation) and the patrimony of the people who lived on it for centuries. The land ownership, entirely and exclusively for the benefit of the *umma*, has been organized and protected by Islamic law. The latest major law was promulgated by the Ottoman state in the form of *Ottoman Land Code* of 1858. Whatever advantages or defects were inherent in this Code, they were enjoyed or suffered by the same community.

The tortuous British Mandate, which lasted 28 years, vacillated between yielding to the power and influence of the Zionist movement in favour of a 'national home for the Jews' in Palestine and its duty toward the "sacred trust of civilization" which required Britain to respect Palestinian national rights in their own country.²³³ The resistance of the Palestinians against the Zionist plans dampened some of the efforts to alienate more land in favour

of the Jews. In the end, no more than about 5% of the land of Palestine came under Jewish legal possession.

From Table 2.14 discussed above, it appears that a reliable estimate of the official area acquired by Jews in the Mandate period from 1920-1944 is 927,165 donums (1944). Most references agree on this figure or can be shown to be reduced to it. The Jewish-acquired land in the Ottoman period is uncertain because of its uncertain areas, measurements, legal classification and the absence of complete records. However, if we accept Stein's figure for which he states that "records are available", the pre-Mandate figure is 454,860 donums. With the addition of acquisitions in 1945-46, the final figure of Jewish-ownership in Palestine on the eve of creating the state of Israel is 1,429,062 donums. Higher figures claimed by the Zionist colonization companies cannot stand serious scrutiny.

The location of the Jewish land, not its area, is extremely important. It is located in the most fertile part of Palestine and has abundant water resources. The productivity of the acquired land and its economic impact far exceeded the impression created by its small area. Furthermore, the location of this land on the Mediterranean board afforded unlimited access to Europe where Jewish immigrants came from. Ships carrying immigrants and arms landed frequently in clandestine operations on the length of the Palestinian coast. Other area of Jewish land controlled northern regions of River Jordan and the plain between it and the coast (Marj ibn 'Amer). Interestingly, none of this was located in Biblical Israel.

There are two further categories of Jewish-claimed land. The first is shares in Common land (*mushaa*). That was the traditional village system by which the people of a village shared a piece of land and cultivated it in turns by one family or

233 For the fluctuating British policy in planning and development, as examined using Israeli archives, See: El-Eini, Roza I.M; Mandated

Landscape: British Imperial Rule in Palestine, 1929-1948, London and New York: Routledge, 2006, particularly pp. 254-280.

Table 2.29: Ownership of Land in Palestine according to Official Records

Category of land (Fiscal categories)	Arabs & other non-Jews	Jews	Total
Urban	76,662	70,111	146,773
Citrus	145,572	141,188	286,760
Bananas	2,300	1,430	3,730
Rural built-on area	36,851	42,330	79,181
Plantations	1,079,788	95,514	1,175,302
Cereal land (taxable)	5,503,183	814,102	6,317,285
Cereal land (not taxable)	900,294	51,049	951,343
Uncultivable	16,925,805	298,523	17,224,328
Total Area	24,670,455	1,514,247	26,184,702
Roads, railways, rivers and lakes			135,803
TOTAL (donums)			26,320,505

Source: *Survey of Palestine*, Vol. 2, Table 2, p.566, based on fiscal records. Areas in donums.

Table 2.30: Scope of Palestinian Arab Land in Israel according to Hadawi, Kubursi and UNCCP (Berncastle)

S. No.	Region	Type of Land	Area ¹ (donums)	Area ² (donums)
1	Northern and Central Palestine	Urban	112,000	
		Citrus and banana (tax categories 1-3)	132,849	121,184
		Village built-up area (tax category 4)	21,160	14,602
		Cultivable (tax categories 5-8)	471,672	303,750
		Cultivable (tax categories 9-13)	2,937,683	2,113,183
		Cultivable (tax categories 14-15)	444,541	201,495
		Uncultivable	2,377,946	1,431,798
		Roads, etc.	83,161	
		Sub-total	6,581,012	4,186,012
2	Beer Sheba District	Cultivable		1,834,849
		Uncultivable		10,303,110
		Sub-total	12,450,000	12,137,959
3	Jerusalem	Sub-total		5,736
	Palestine 1948	GRAND TOTAL	19,031,012	16,329,707

Sources:

- 1 Sami Hadawi, *Palestinian Rights and Losses in 1948: A Comprehensive Study*, Part V: An Economic Assessment of Total Palestinian Losses written by Dr. Atef Kubursi, Saqi Books, London, 1988, p.113.
- 2 Berncastle' final report entitled "Valuation of Abandoned Arab Land in Israel", UNSA DAG 13-3, UNCCP in J.M. Berncastle, Land Specialist/Box 35/1951/Reports, Refugee Office. This is quoted by Michael R. Fischbach, *Records of Dispossession, Palestinian Refugee Property and the Arab-Israeli Conflict*, Columbia University Press, New York, 2003, p.121.

another. *Mushaa'* is common land and cannot be divisible. Jews managed during the Mandate to buy shares in villages' common land. We estimate the purchased area to be 58,256 donums. There is no major dispute on the order of magnitude of this figure. The important fact to remember is that Jews cannot claim 'possession' of this land because it is indivisible but can only claim economic benefits from it according to their share. It cannot therefore be considered 'Jewish land'.

The second category is Concessions granted to Jews (and Arabs) for a given period and a given purpose. The most reliable figure of Concessions to Jews is 175,000 donums although figures up to 181,000 have been claimed. Concessions do not imply 'ownership'. All concessions should have expired at the maturity date or if the grantor is dissolved. The grantor, the British Mandate, was dissolved on 15 May 1948 and therefore all concessions should revert back to the *umma* i.e. to the natural and legitimate inhabitants of the country.

In summary, Jewish land in Palestine at the end of the Mandate is 1,429,062 donums assuming that the claimed ownership in the Ottoman period of 454,860 donums is correct. Of the official area of Palestine of 26,322,999 donums (26,324,450 donums as measured), 24,893,937 donums is Arab Palestinian. The British government in its *Survey of Palestine* confirms these figures generally as can be seen from **Table 2.29**.

As shall be seen in Chapter 3, Israel occupied 20,255,000 donums (gradually increased to 20,560,000 donums) of Palestine in the 1948 war. Taking the lower figure of the occupied area and subtracting Jewish land, it is clear that **18,825,938 donums is Palestinian land, that is, 93% of Israel's area**. This is the land of the remaining and expelled Palestinians.

The long-time land valuer in the service of the British Mandate government, Sami Hadawi, computed a comparable figure as shown in **Table 2.30**. The small difference with our estimate prob-

ably originates from the assumed area of Israel. The estimate by Berncastle, the first land expert appointed by UN Conciliation Commission on Palestine (UNCCP), gave a rough initial estimate shown also on Table 2.30, giving somewhat lesser area than Hadawi in northern and central Palestine.

The next UNCCP expert, Frank Jarvis, gave a detailed estimate²³⁴ of refugees' land of 5,194,091 donums²³⁵ for northern and central Palestine, compared to Hadawi's figure of 6,581,012. Jarvis compiled 453,000 individual (R/P1) forms of Palestinian ownership. This remains the most detailed available record of the land property of Palestinians. As Jarvis admits, his forms (R/P1) neither represented total Palestinian (non-Jewish) land, nor covered all villages.²³⁶ For example Ramleh urban records are incomplete, 8 villages west of Jerusalem and 3 others are totally missing. Beer Sheba district is completely missing from Jarvis estimate.²³⁷ Regardless of all the missing village records, if we add Beer Sheba district to Jarvis's incomplete figure of 5,194,091 donums, we get 17,771,091 donums of Palestinian land in Israel. Various sources cited above give indicative and comparable estimates of the total Palestinian land taken over by Israel in 1948. Our estimate of **18,825,938** donums is based on the shown re-analysis of available sources.

The Israeli estimates are very low and cannot be supported by evidence. Weitz, the well-known Jewish land settlement official, gave a figure for Palestinian land of only 2,000,000(!) donums, later increased to 3,400,000 donums. The Israeli Ministry of Agriculture gave a figure of 16,593,000 donums. See **Table 2.31**. The Israeli assumption is that only fully-documented *individual* land lots or houses represent the extent of Palestinian property, all the rest is assumed to belong to Israel. International law and historical records consider the Jewish legally-purchased land is the extent of Jewish ownership. The rest of Palestine is owned by Palestinians. Accordingly, the United Nations General Assembly resolutions call on all member states, including Israel, to record and protect Palestinian property and affirm the refugees' right to its revenue.²³⁸

2.10 Selected Palestinian Towns & Villages

Although the heart of the Palestinian society remained firmly entrenched in the countryside, the towns represented its cultural, commercial and administrative engine. Two-thirds of the population lived in rural villages and one-third lived in towns. As villages, all these towns were built and rebuilt by Palestinians since ancient times. While the countryside was the depository of Palestinian people and its fighting force, the towns were the depository of their political history – particularly their political struggle against foreign rulers.

Towns were centres of trade. They frequently came under attack, especially on the coast. Other than their indigenous people, three kinds of new people settled in these coastal towns and became an important component of their lives.

234 The full report by Frank Jarvis is found in: UN A/AC.25/W.84 of 28 April 1964 through unispal research engine.

235 Sami Hadawi, *supra* note 145, Appendix IV, pp.222-223.

236 The procedures and problems of Jarvis report is described

by one of his staff: Reanda, Laura, *The United Nations and Palestine Refugees*, the International Conference on Palestine Refugees, Paris, 26/27 April 2000. See also Section 2.3.

237 Michael R. Fischbach, *Records of Dispossession, Palestinian Refugee Property and the Arab-Israeli Conflict*. New York: Columbia University Press, 2003, pp.259-261.

238 See for example: UNGA A/RES/52/62 of 10 December 1997.

Table 2.31: Israeli Estimates of Palestinian Refugees' Land

Type	Weitz-Danin-Lifshitz Committee 1948 ¹	Yosef Weitz 1948 ²	Israeli Ministry of Agriculture 1949 ³
Rural	1,913,987	2,070,270	
Cultivable			1,373,000
Barren			2,720,000
Northern Beer Sheba		1,230,000	1,700,000
Southern Beer Sheba			10,800,000
Urban	94,127	99,730	
TOTAL	2,008,114	3,400,000	16,593,000

Sources:

- ISA (130) 2445/3, *Report on a Settlement of the Arab Refugees' Issue*, (November 25, 1948), appendix 9; CZA A246/57, "Comments on Value Assessments of Absentee Landed Property" (November 12, 1962).
 - Yosef Weitz, *le-Hanhil Adama Hadasha*.
 - Aharon Tsizling, "Ways of Settlement Development in the State of Israel", Kama, 1951, p.111 in Granott, *Agrarian Reform*, p.89; Labour Party Archives, IV-235-1, file 2251A, in Arnon Golan "The Transfer to Jewish Control Abandoned Arab Lands during the War of Independence", S. Ilan Troen and Noah Lucas, eds., *Israel. The First Decade of Independence*, SUNY Series in Israeli Studies, Russell Stone (ed.), State University of New York Press, Albany, New York, 1995, p.423.
- All above have been quoted by Michael R. Fischbach, *Records of Dispossession, Palestinian Refugee Property and the Arab-Israeli Conflict*, Columbia University Press, New York, 2003, p.44, 51, 52.

Notes: All areas are in donums.

The first were religious scholars (*qadis, muftis, imams*) who were appointed in the towns or chose to settle there. The second was military men who came with their regiments and chose to settle there as well. This category includes officials of the central government, particularly during the Ottoman period. They acquired land, status in the community, and chose to stay. The third category was the merchants who carried goods and established contacts in the market. If business blossomed they stayed. A case in point is Egyptian and Syrian merchants who settled in the coastal cities. They had no difficulty in settling. They were mostly Muslim, spoke Arabic and some had relatives in the town.

Towns naturally grew from large villages. Although non-local elements of Palestinians and others came and settled in them, the original character of the place changed only a little. The change was noticeable mostly in architecture by building new fortifications, mosques, mansions or *khans*. The names remained the same with slight variations. The variations of the current Palestinian name, Yaffa, are: Jaffa, Joppa, Yapu; Akka: Acre (St. Jean d'Acre); Asqalan: Ashqelon; Bir el Saba': Be'er Sheva, Beer Sheba and so on.

The link with the original village remained strong. Although some notables moved from a village to a town because of an acquired higher position in government, commerce or learning, their roots: family and land, remained firmly in the village.

Village life was the backbone of Palestinian society since ancient times. There were about 1,100 Palestinian villages in 1948. It is not surprising therefore that many current names of villages date back to the Canaanite period, 3000 years ago. The Onomasticon by Eusebius of Caesarea (260-339 A.D.)²³⁹ mentions the names of Rama (Rameh), Kana, Achzeiph (Az-Zib), Oullama (Ulam), Dabeira (Dabburiya), Araba (Arraba), Akcho (Akka), Tiberias (Tabariya), Raphia (Rafah), Elusa (al Khalasa), Maon (Ma'in [Abu Sitta]), Neapolis (Nablus), Caesarea (Qisariya), Galgoulis (Jaljuliyah), Legio (Lajjun), Gabe (Jaba'), Iamneia (Yibna), Asdod (Isdud), Saraa (Sar'a), Bethlehem, Nazareth, Gaza and many others. They remained so until their mass expulsion in 1948. The village names

mentioned in the Bible predates the Bible and were in current use before that period, not the other way around. It is therefore a misnomer to call these names 'Biblical'. Many of these villages have been destroyed by Israel. (See Section 4.2 Map 4.9 for the destroyed historical villages.)

A glimpse of the village life before the Jewish colonization in Palestine may be gained from the writing of the scholars who participated in the *Survey of Western Palestine* (SWP) which was commissioned by the Palestine Exploration Fund and started in 1871. They observed the deep-rootedness of the Palestinians and their attachment to their land.

C. Clermont Ganneau, a French scholar, who knew Palestine well and became a member of SWP, wrote,

I have therefore arrived at the conclusion that the fellaheen of Palestine, taken as a whole, are the modern representatives of those old tribes which the Israelites found settled in the country such as the Canaanites, Hittites, Jebusites, Amorites, Philistines, Edomites, etc.

He marvels at the continuity of knowledge and the attachment to the land,

The astonishing way in which the peasants have preserved the names of places is a good instance of this, and is also a proof in favour of the argument that they themselves are unchanged. It is worthy of remark in passing that the ethnic name—that is, the name by which the inhabitants are known, and which is derived from the locality—is very often more archaic in form than the name of the place itself.

Elizabeth Finn, a keen observer and the wife of the first British Consul in Jerusalem in the mid-nineteenth century, wrote,

The Fella Arab clans cleave to the land with the tenacity of aboriginal inhabitants. No clan has for a long time overpassed the boundaries of its own district, and they show no disposition to do so... They cling to the hills and the plains where their fathers lived and died.

Although Palestinian villages share a common history and geography, there is a great and rich

diversity of accent, dress and manners. While the average distance between villages was 3.5 km, the embroidery of dress, the accent and mannerism varied. Village life centred on the field and the well or spring. There was no need to go far for life necessities except to go to town infrequently to barter goods. Having been rooted in the land, it is not surprising therefore that villagers were the fiercest fighters for their land and freedom.

The microcosm of Palestinian life remained in the villages. The shown aerial photographs taken by the German Air Force in 1917-1918 depict a typical and ancient mode of life: houses were located on a prominent place, near a source of water. The village houses were located in the centre of the village fields. On the edge of the village houses lie a threshing floor and a cemetery. The village had a place for prayer, if not a finely-built mosque or church and usually a school. The village always had a *madafa* (a guest house) in the house of the *mukhtar* (village head). The village, if big enough, had a market place. This pattern is very ancient and functioned well until it was destroyed by the Zionist invasion in 1948.

In the maps and photos to follow, a selection of towns and villages is shown in two periods: (a) the end of the Turkish rule through photos taken by the German Air force during World War I in 1917 and 1918; and, (b) the end of the British Mandate and the subsequent dispossession of the Palestinians by Israel, through maps and photos during the Mandate.

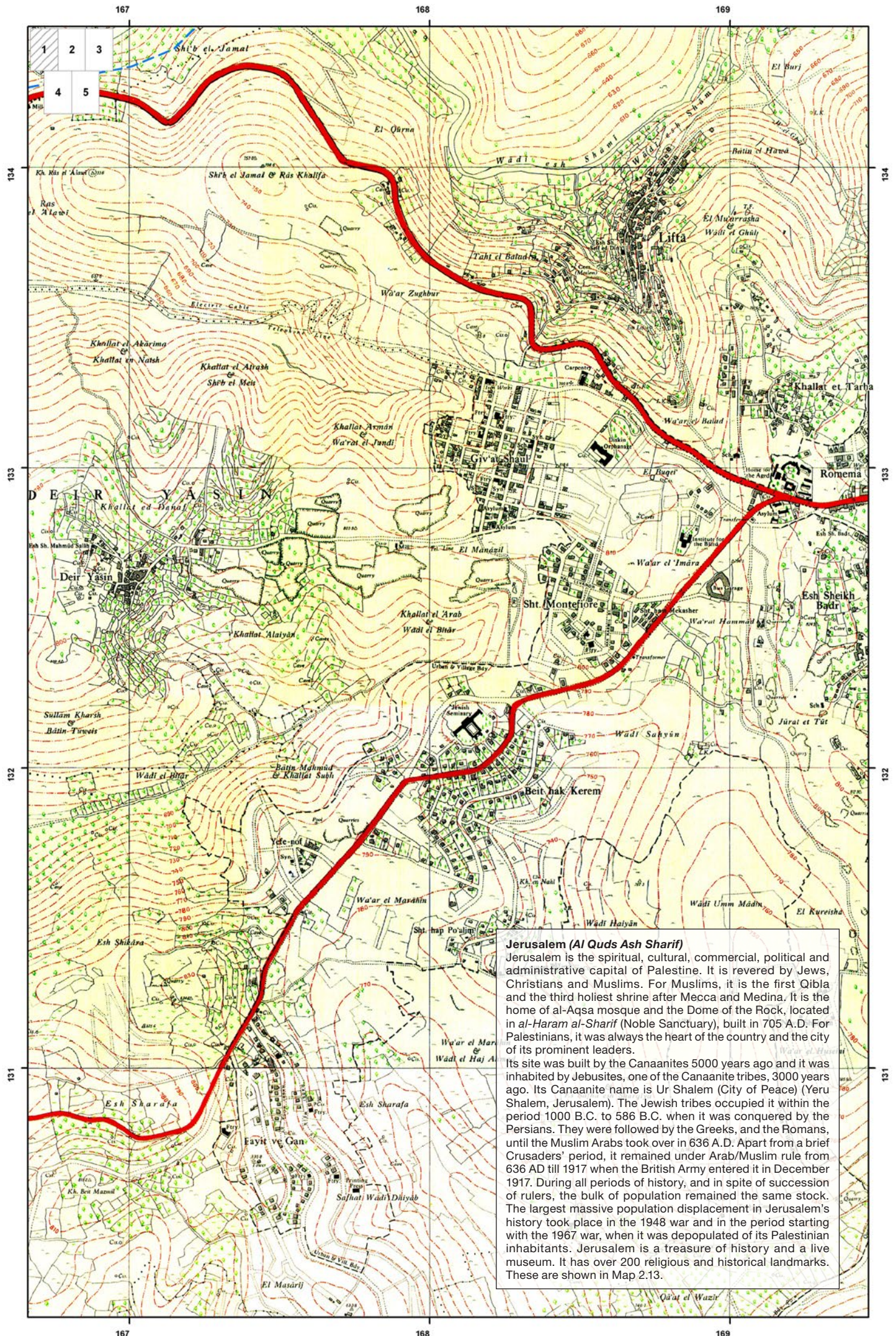
The Bibliography lists three dozen references about Palestinian towns for further reading.

239 G.S.P. Freeman-Grenville, Rupert L. Chapman III, Joan E. Taylor, *The Onomasticon by Eusebius of Caesarea: Palestine in the Fourth Century A.D.*. Jerusalem: Carta, 2003.

Selected Palestinian Towns and Villages

Greater Jerusalem (Al Quds)
Old City of Jerusalem (Al Quds Ash Sharif)
Haifa
Acre (Akka)
Jaffa (Yafa)
Lydda (Al Lydd)
Ramle (Al Ramleh)
Nazareth (Al Nassera)
Safad (Safad)
Tiberias (Tabariya)
Baysan (Beisan)
Beer Sheba (Bir as Saba')
Al Majdal - Askalan
Hebron (Al Khalil)
Nablus
Gaza (Ghazzah)
Bethlehem (Bayt Lahm)
Tul Karm
Bayt Jibrin
Iraq al Manshiya
Al Sawafir Al Gharbi
Isdud
Zarnuqa
Tantura
Qisariya (Caesarea)

Map 2.12: Greater Jerusalem, 1947

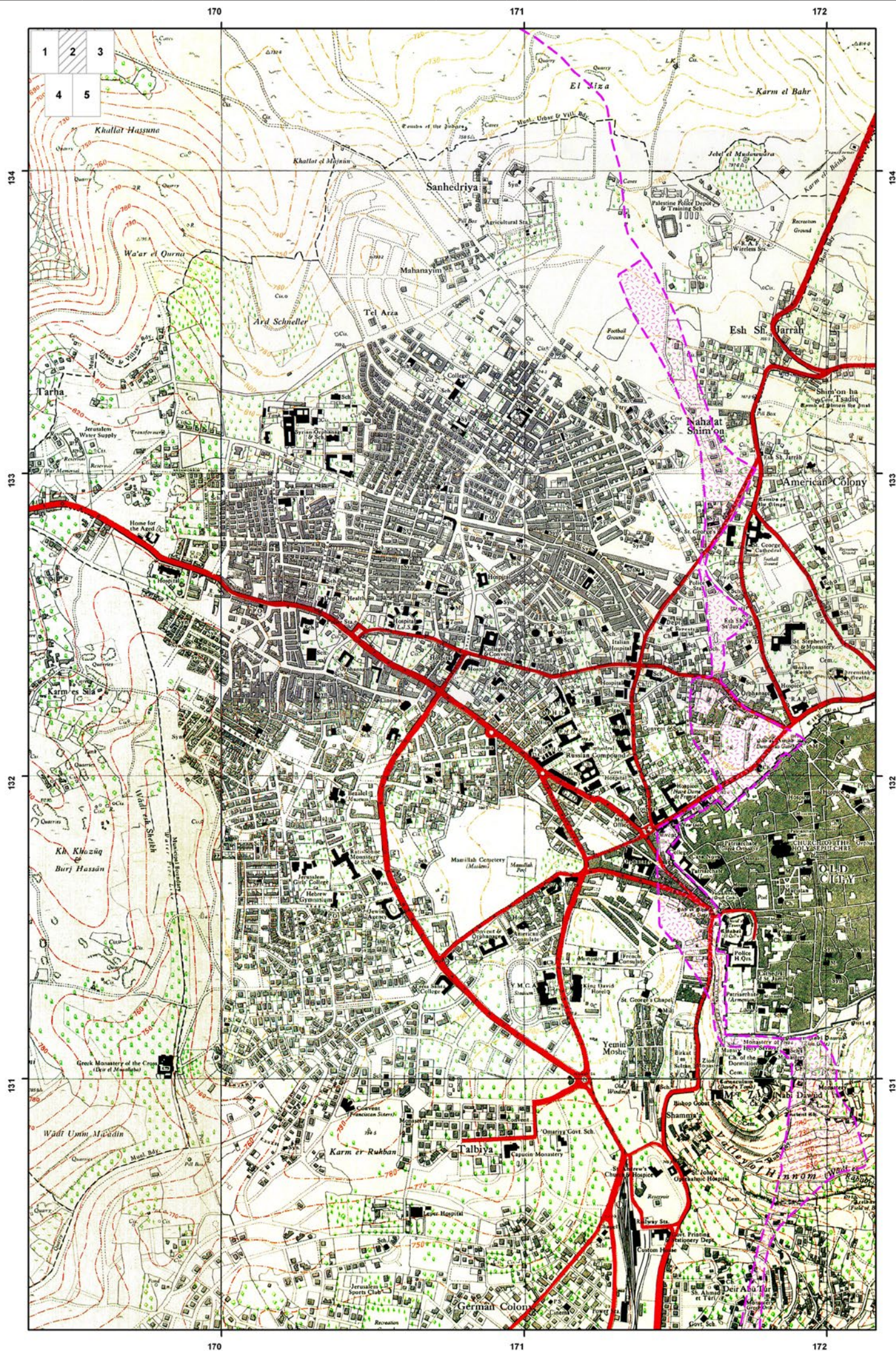


Jerusalem (Al Quds Ash Sharif)
 Jerusalem is the spiritual, cultural, commercial, political and administrative capital of Palestine. It is revered by Jews, Christians and Muslims. For Muslims, it is the first Qibla and the third holiest shrine after Mecca and Medina. It is the home of al-Aqsa mosque and the Dome of the Rock, located in al-Haram al-Sharif (Noble Sanctuary), built in 705 A.D. For Palestinians, it was always the heart of the country and the city of its prominent leaders.

Its site was built by the Canaanites 5000 years ago and it was inhabited by Jebusites, one of the Canaanite tribes, 3000 years ago. Its Canaanite name is Ur Shalem (City of Peace) (Yeru Shalem, Jerusalem). The Jewish tribes occupied it within the period 1000 B.C. to 586 B.C. when it was conquered by the Persians. They were followed by the Greeks, and the Romans, until the Muslim Arabs took over in 636 A.D. Apart from a brief Crusaders' period, it remained under Arab/Muslim rule from 636 AD till 1917 when the British Army entered it in December 1917. During all periods of history, and in spite of succession of rulers, the bulk of population remained the same stock. The largest massive population displacement in Jerusalem's history took place in the 1948 war and in the period starting with the 1967 war, when it was depopulated of its Palestinian inhabitants. Jerusalem is a treasure of history and a live museum. It has over 200 religious and historical landmarks. These are shown in Map 2.13.

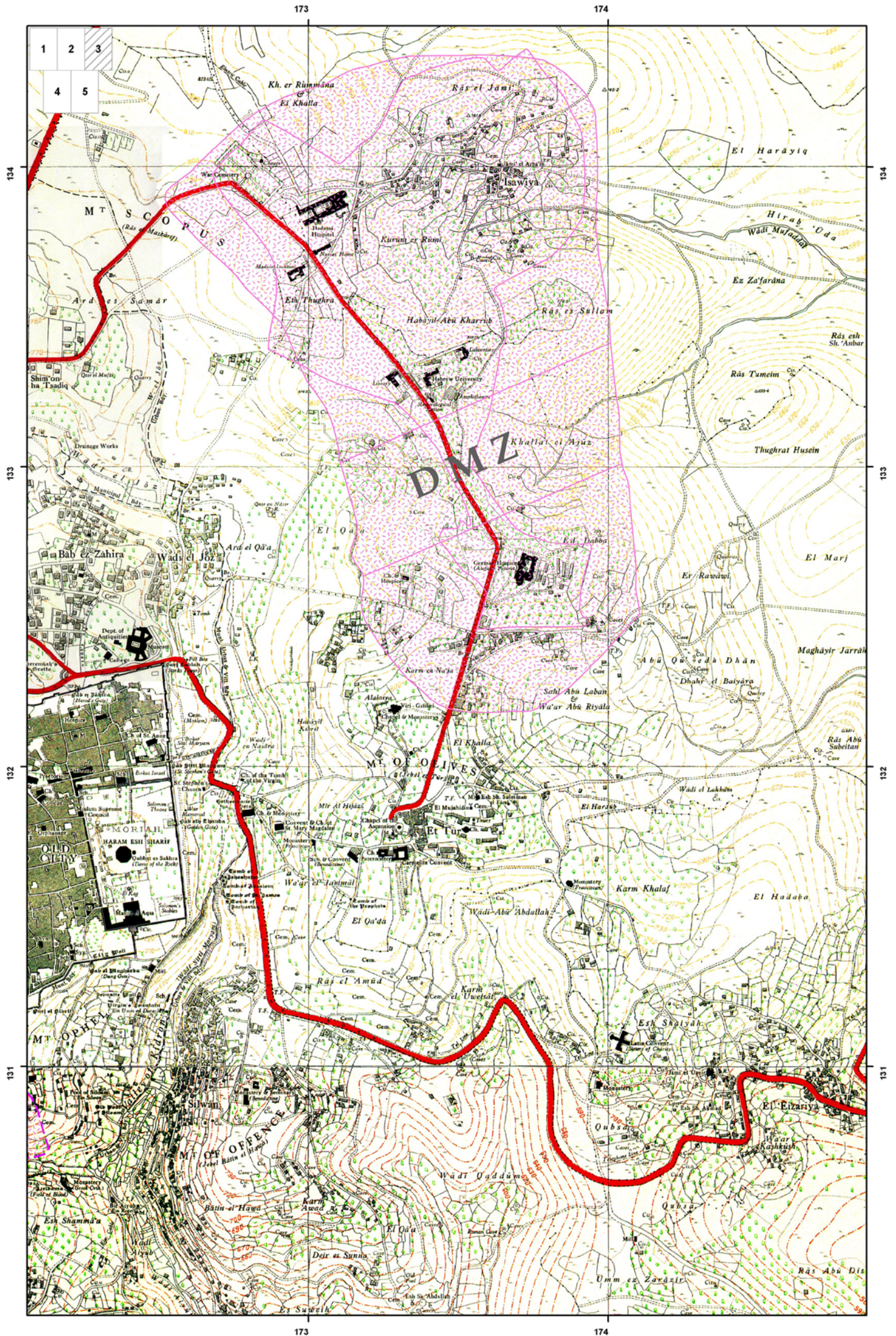
Source: Jerusalem City Town Plan, 1:10,000, Survey of Palestine 1945, reprinted by (UK) War Office 1952.

Map 2.12: Greater Jerusalem, 1947, Continued



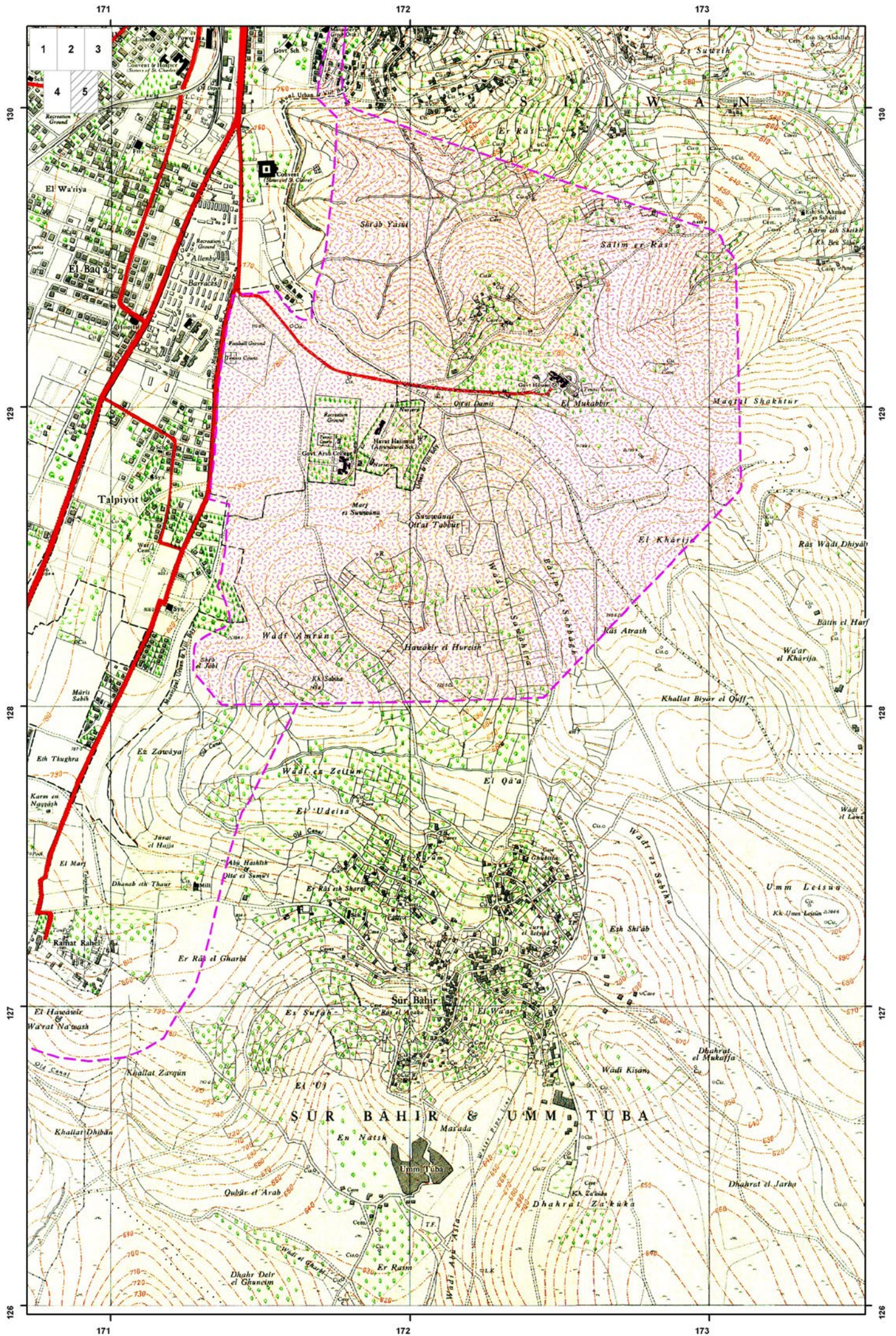
Source: Jerusalem City Town Plan, 1:10,000, Survey of Palestine 1945, reprinted by (UK) War Office 1952.

Map 2.12: Greater Jerusalem, 1947, Continued



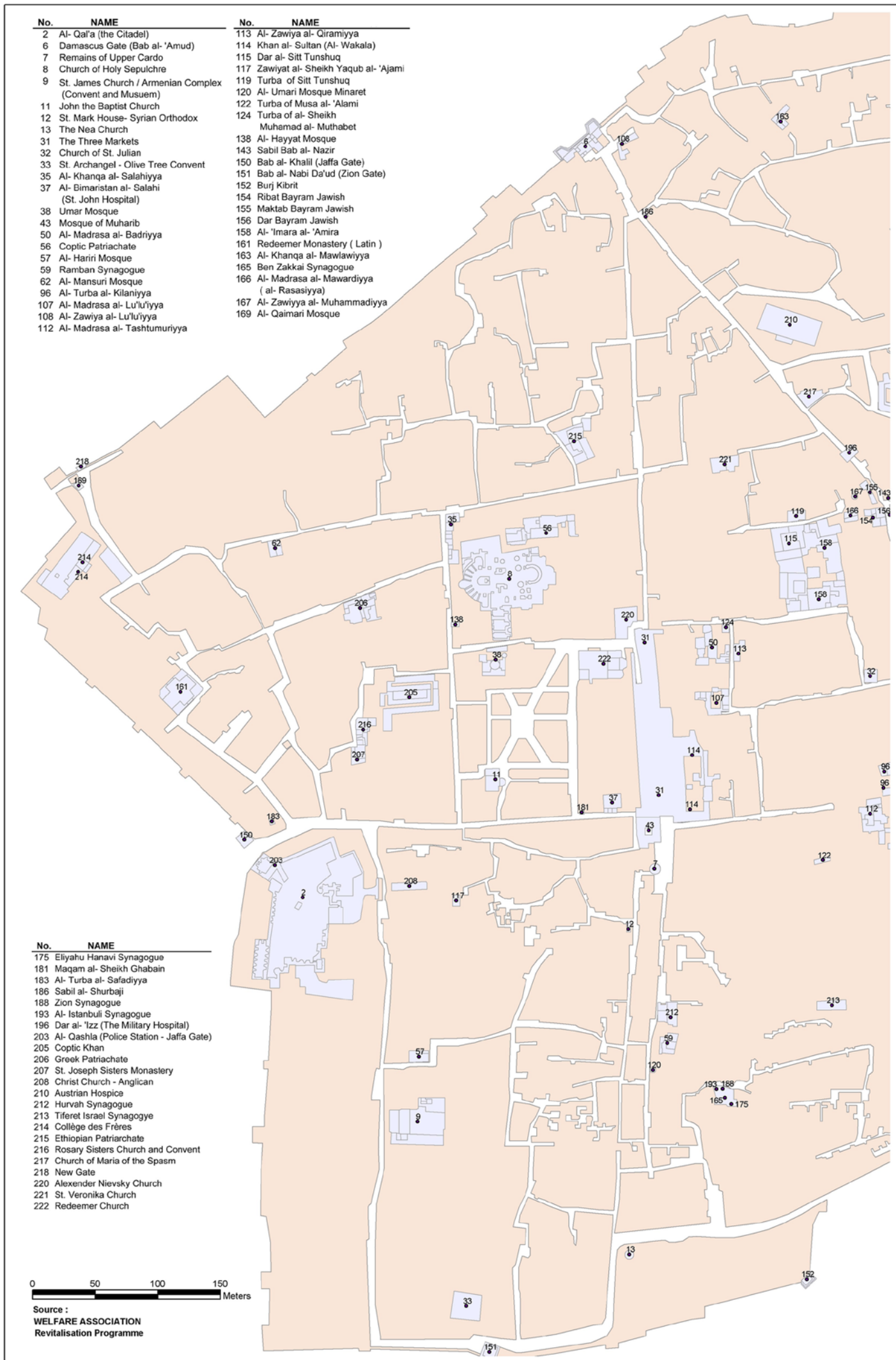
Source: Jerusalem City Town Plan, 1:10,000, Survey of Palestine 1945, reprinted by (UK) War Office 1952.

Map 2.12: Greater Jerusalem, 1947, Continued



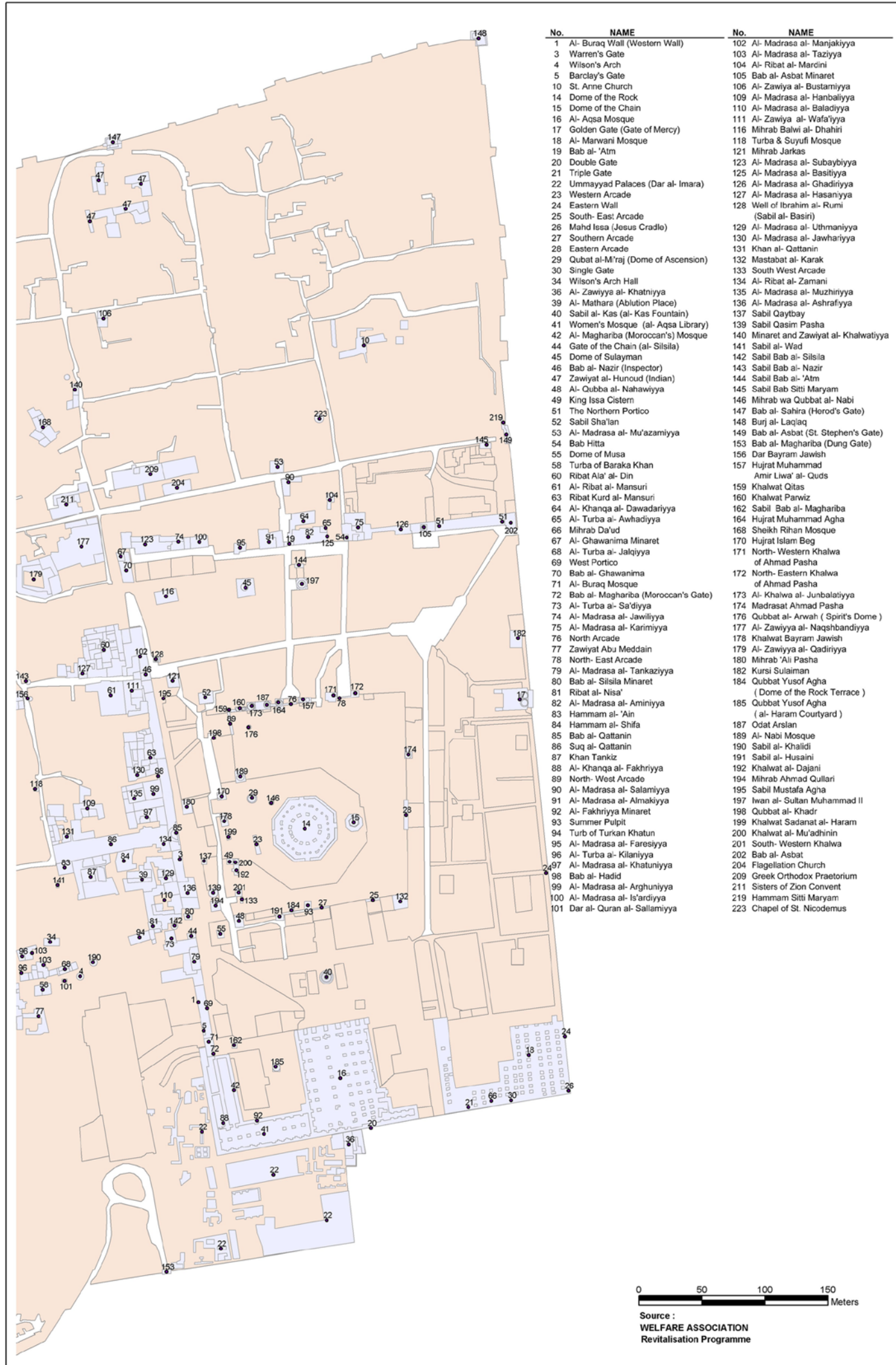
Source: Jerusalem City Town Plan, 1:10,000, Survey of Palestine 1945, reprinted by (UK) War Office 1952.

Map 2.13: Old City of Jerusalem, 1948



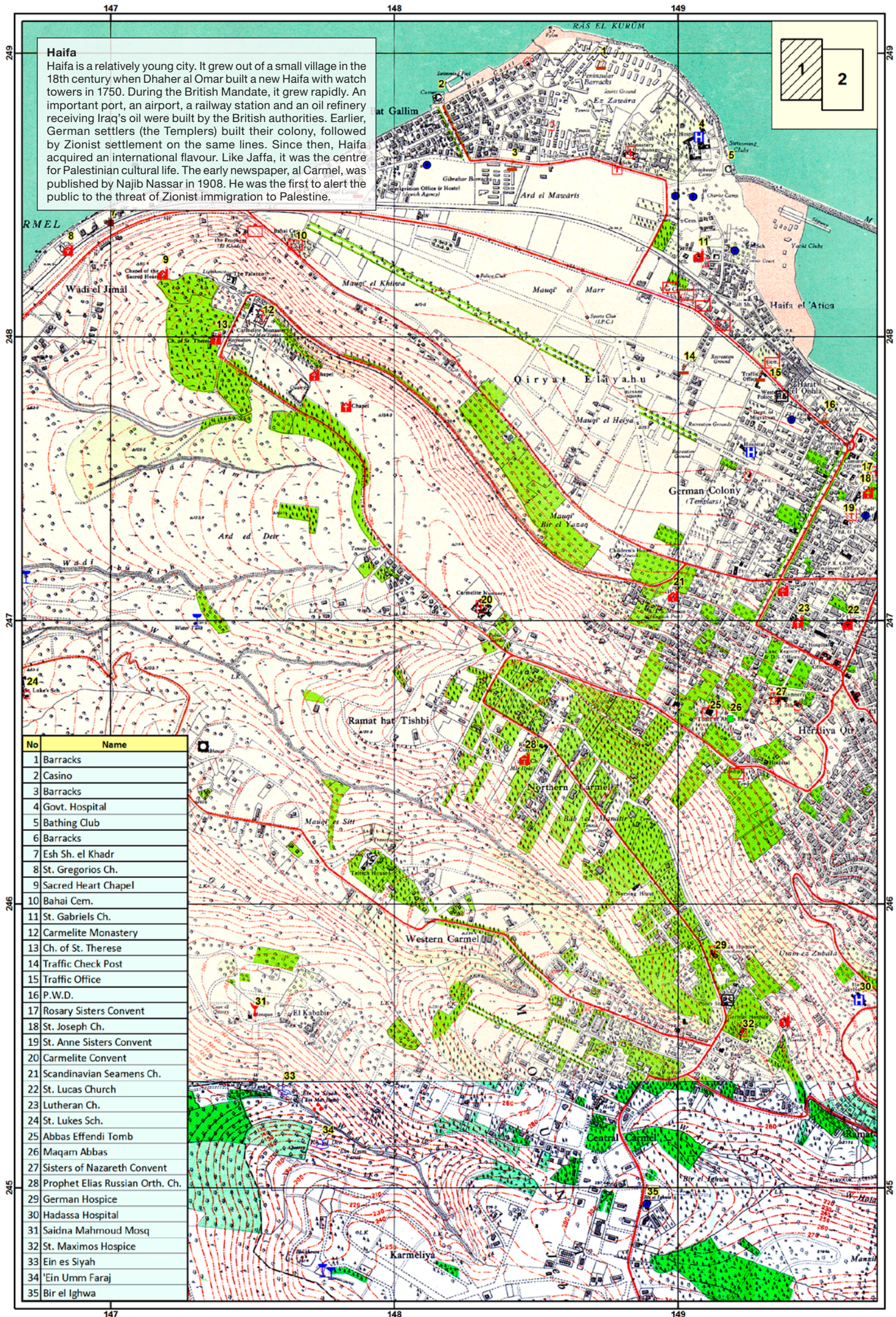
Source: Welfare Association, Revitalization Programme, Shadia Tuqan, 2004. Map updated to 2003, showing Israeli demolition of al Maghariba quarter.

Map 2.13: Old City of Jerusalem, 1948, Continued



Source: Welfare Association, Revitalization Programme, Shadia Tuqan, 2004. Map updated to 2003, showing Israeli demolition of al Maghariba quarter.

Map 2.14: Haifa, 1945



Haifa
 Haifa is a relatively young city. It grew out of a small village in the 18th century when Dhafer al Omar built a new Haifa with watch towers in 1750. During the British Mandate, it grew rapidly. An important port, an airport, a railway station and an oil refinery receiving Iraq's oil were built by the British authorities. Earlier, German settlers (the Templers) built their colony, followed by Zionist settlement on the same lines. Since then, Haifa acquired an international flavour. Like Jaffa, it was the centre for Palestinian cultural life. The early newspaper, al Carmel, was published by Najib Nassar in 1908. He was the first to alert the public to the threat of Zionist immigration to Palestine.

No	Name
1	Barracks
2	Casino
3	Barracks
4	Govt. Hospital
5	Bathing Club
6	Barracks
7	Esh Sh. el Khadr
8	St. Gregorios Ch.
9	Sacred Heart Chapel
10	Bahai Cem.
11	St. Gabriels Ch.
12	Carmelite Monastery
13	Ch. of St. Therese
14	Traffic Check Post
15	Traffic Office
16	P.W.D.
17	Rosary Sisters Convent
18	St. Joseph Ch.
19	St. Anne Sisters Convent
20	Carmelite Convent
21	Scandinavian Seamen's Ch.
22	St. Lucas Church
23	Lutheran Ch.
24	St. Lukes Sch.
25	Abbas Effendi Tomb
26	Maqam Abbas
27	Sisters of Nazareth Convent
28	Prophet Elias Russian Orth. Ch.
29	German Hospice
30	Hadassa Hospital
31	Saidna Mahmoud Mosq
32	St. Maximos Hospice
33	Ein es Siyah
34	'Ein Umm Faraj
35	Bir el Ighwa

Source: Survey of Palestine, 1:10,000, 1945. Reprinted by Fd. Survey Coy. November 1945.

Map 2.14: Haifa, 1945, Continued



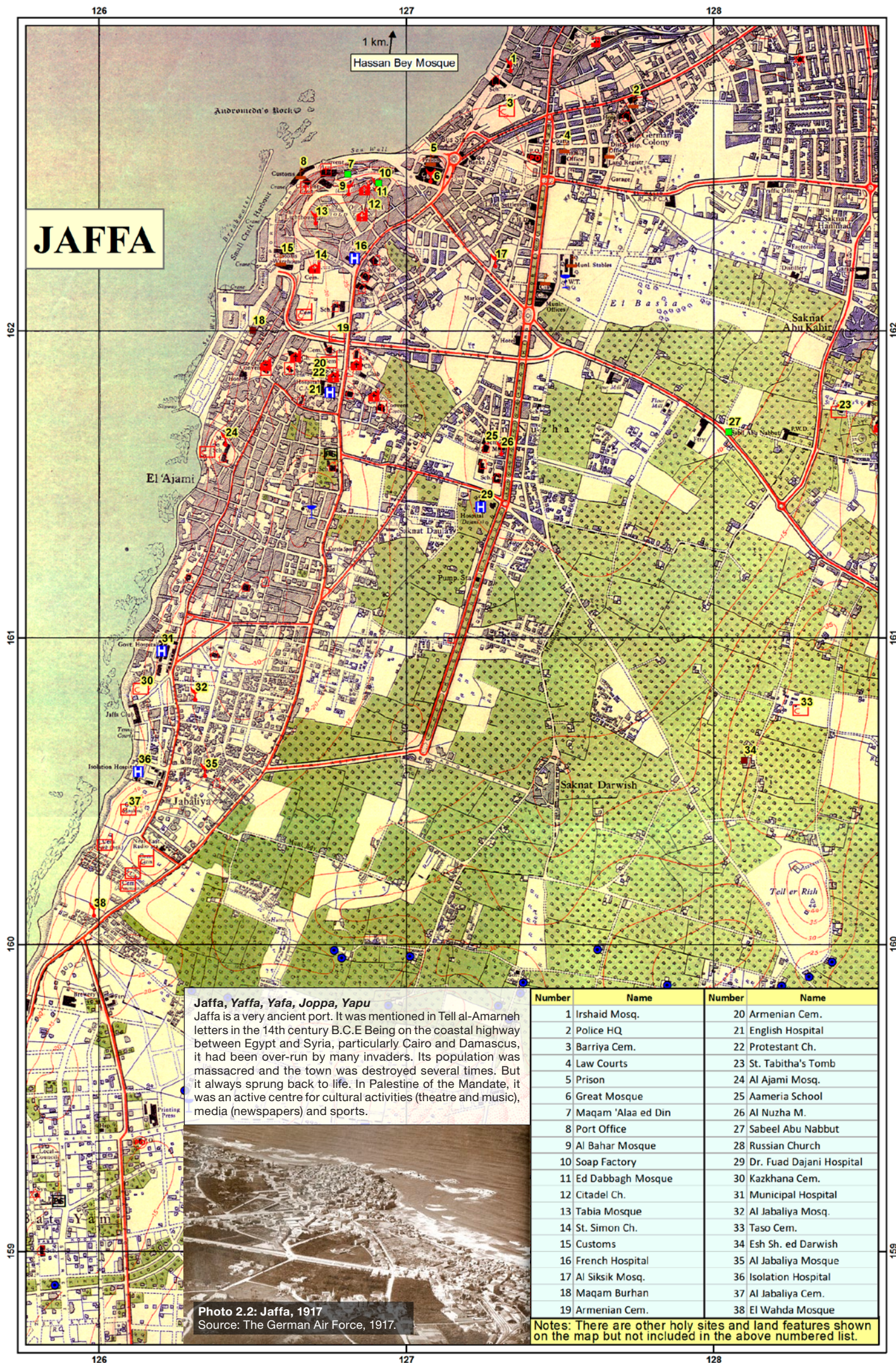
Source: Survey of Palestine, 1:10,000, 1945. Reprinted by Fd. Survey Coy. November 1945.

Map 2.15: Acre (Akka), 1945-1953



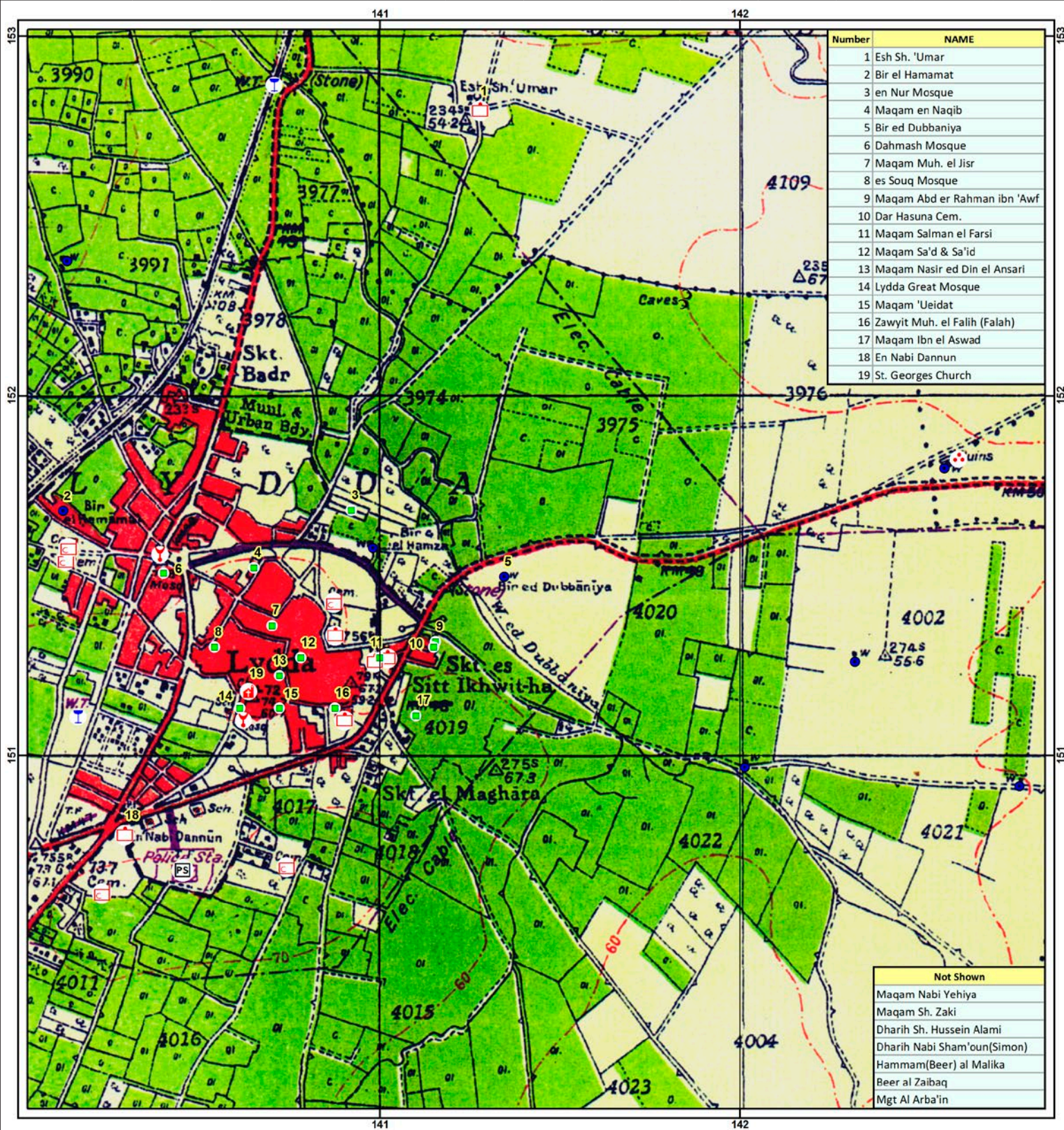
Source: (map) Survey of Palestine, 1945; photo: RAF1945; background: Israel map ca 1953.

Map 2.16: Jaffa, 1944



Source: (map) Survey of Palestine, 1944, 1:10,000.

Map 2.17: Lydda, 1942

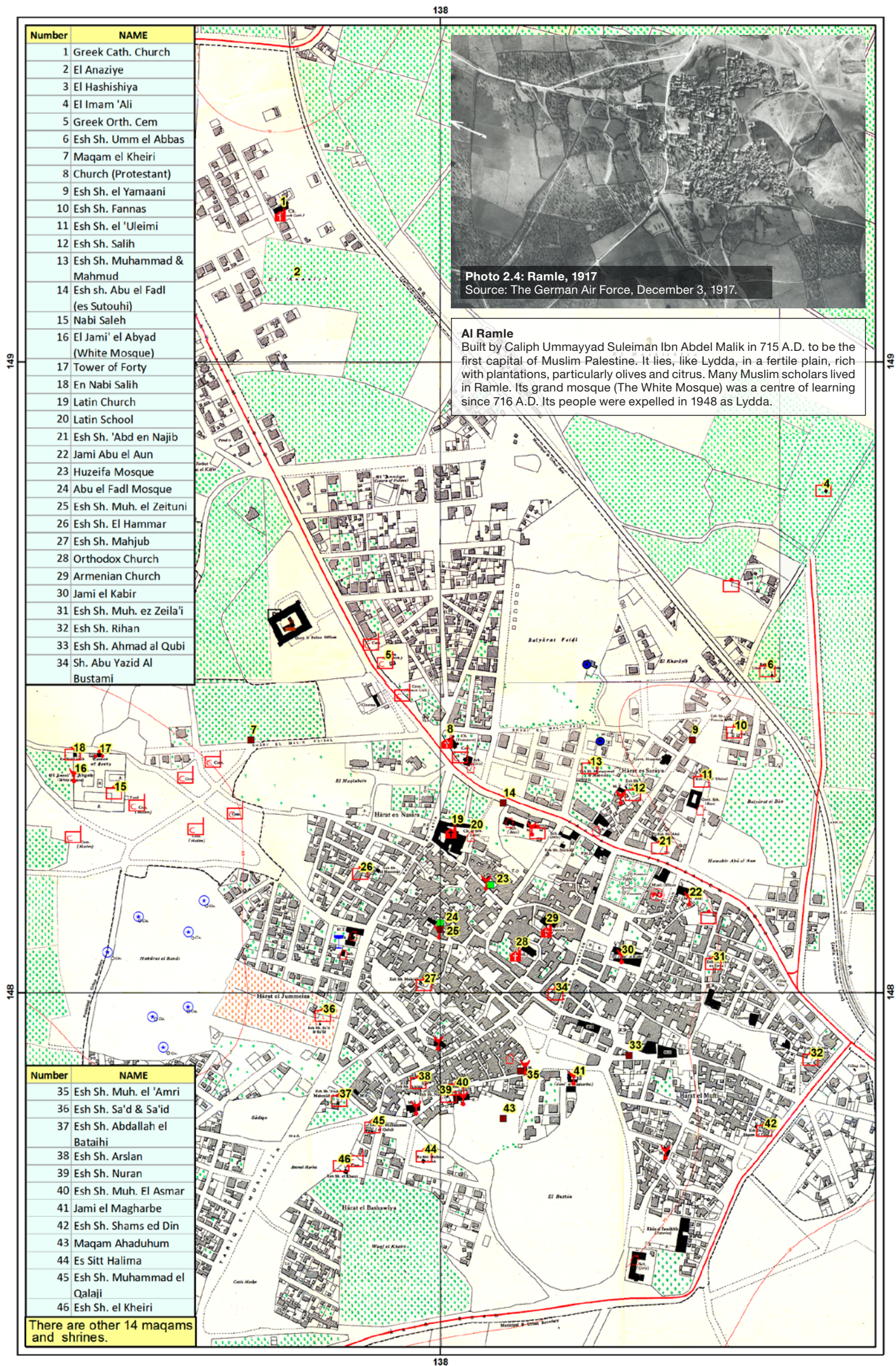


Lydda, Al Lydd
 Lydda is an old Canaanite city, situated on the old road from the port of Jaffa to Jerusalem. In the twentieth century, it became an important railway junction and a home for the most important civil airport in Palestine. In Lydda, traces of human life 12,000 years ago were discovered in 1928. Old Egyptian records mention Canaanite Lydda in 1465 B.C.E. It has been destroyed many times. In the Christian era, it was famous for being the home of St. Georges. It became the capital for Islamic Palestine from 636 to 715 A.D. when Ramle (Ramleh, al-Ramleh) was built. The population of Lydda, Ramle and neighbouring villages (70,000) were expelled at gunpoint by Y. Rabin in July 1948 in a "death march" to Ramallah.

Photo 2.3: Lydda, 1918
 Source: Aerial photo taken by the German Air Force on 24 July 1918, 2.30 pm. Notice the extensive groves.

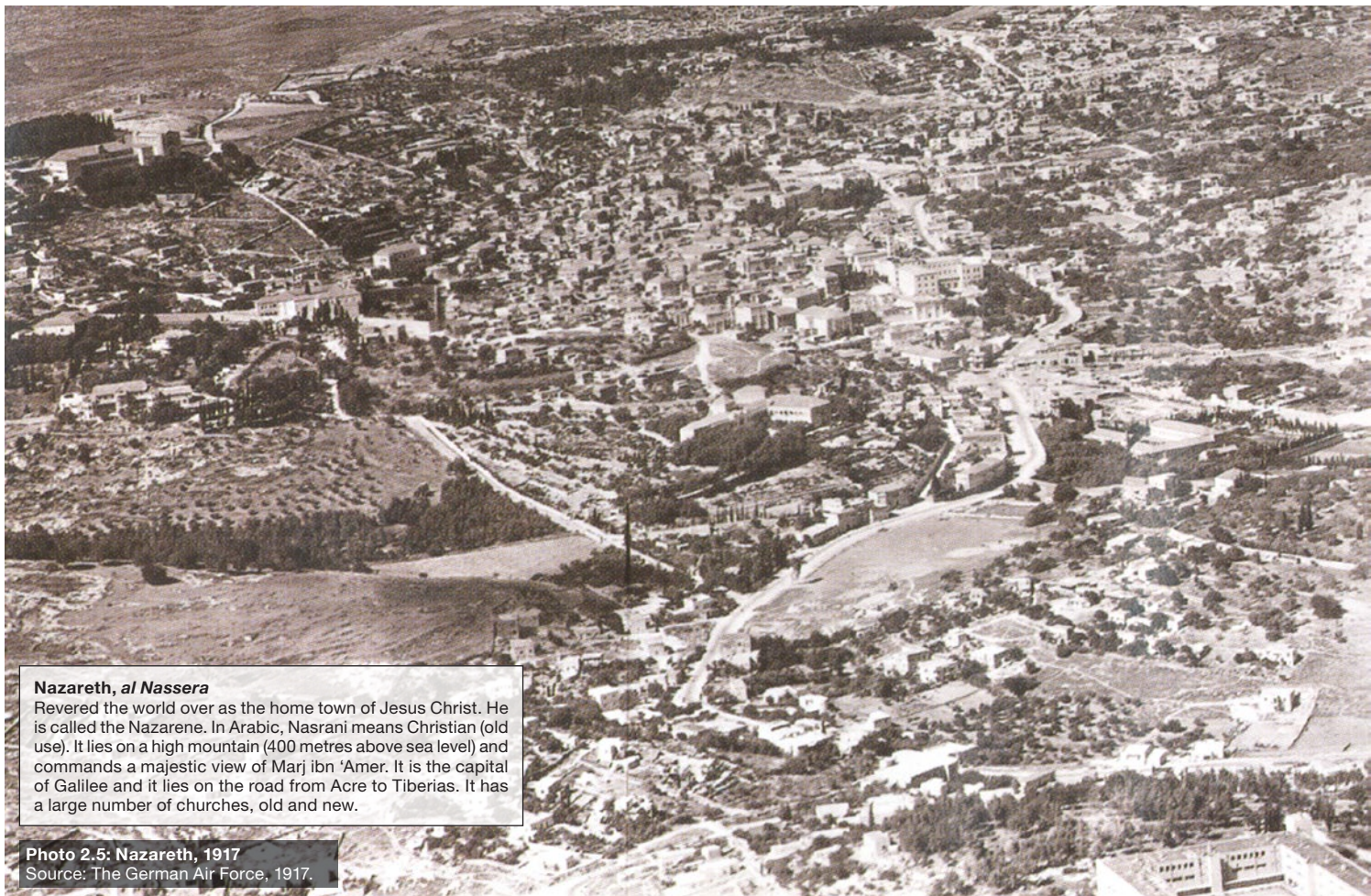
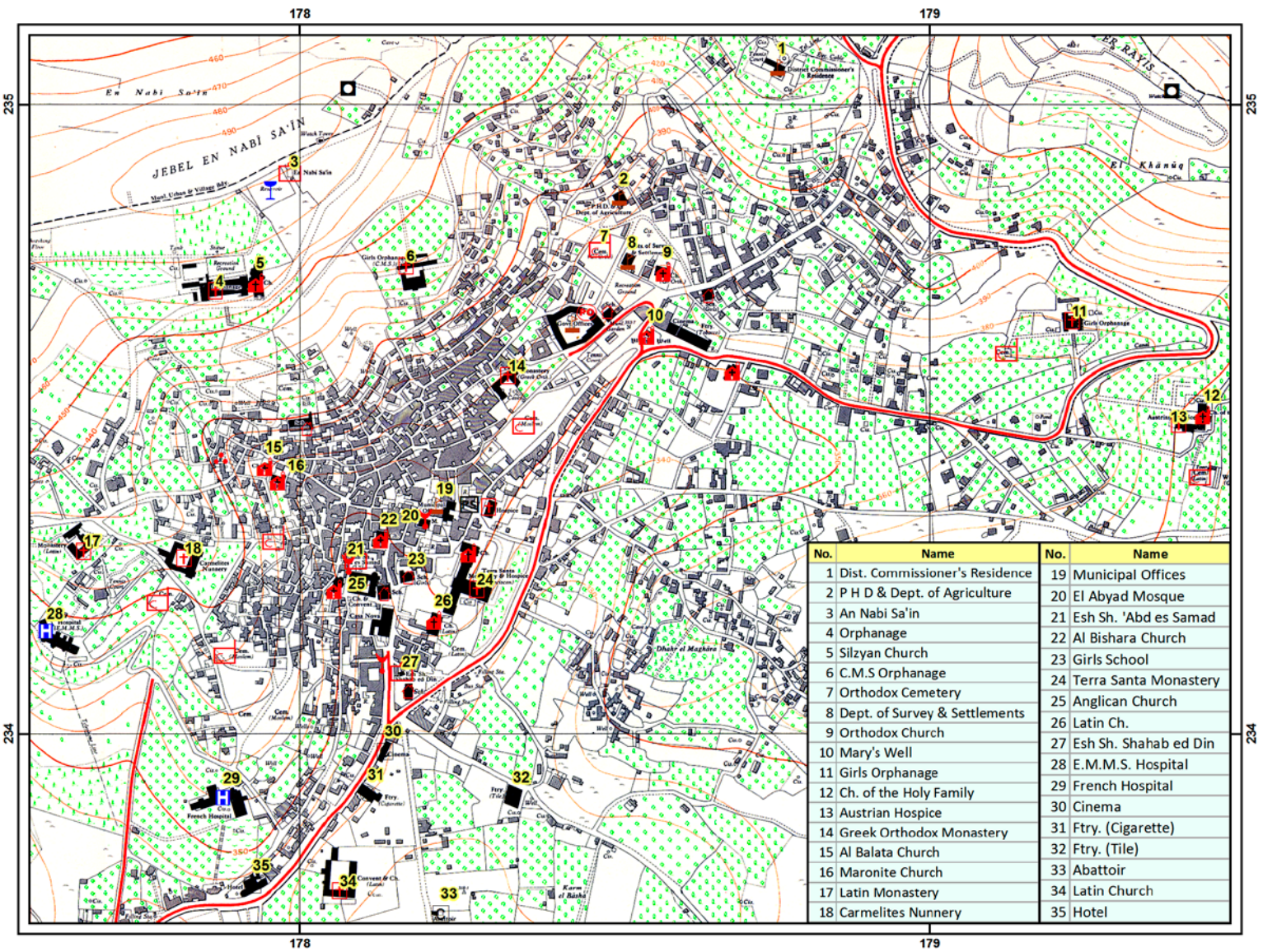
Source: Survey of Palestine, 1:20,000, November 1942.

Map 2.18: Ramle, 1947



Source: Survey of Palestine, 1:2,500, 29 December 1947.

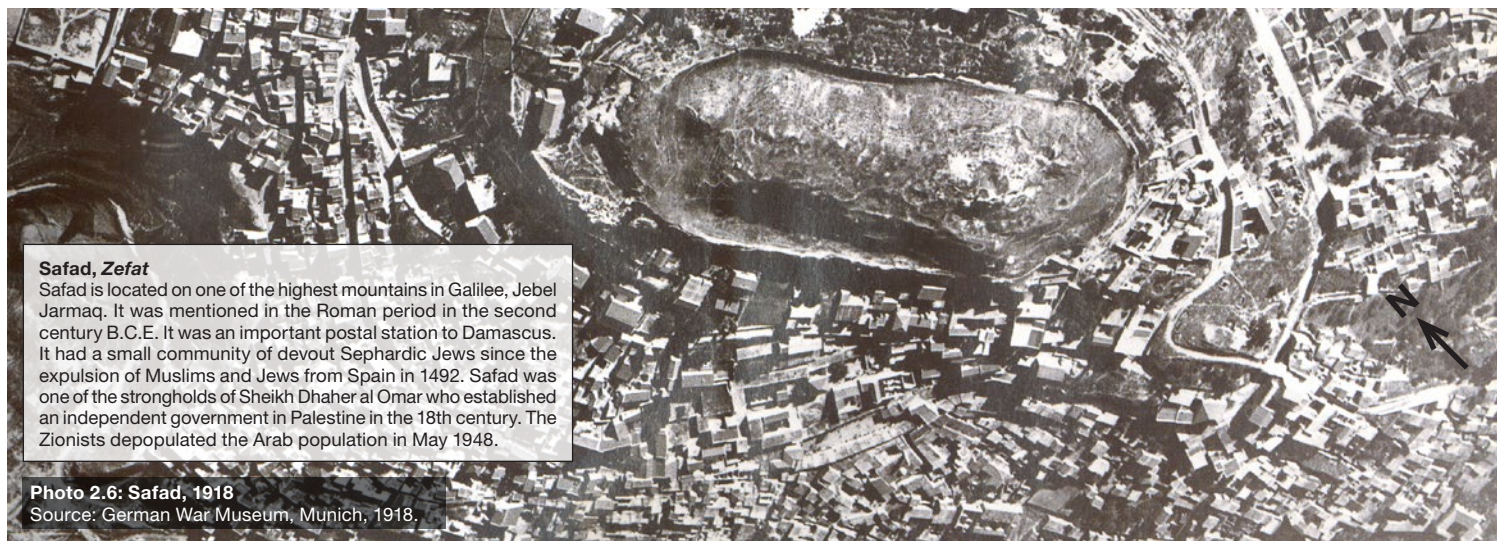
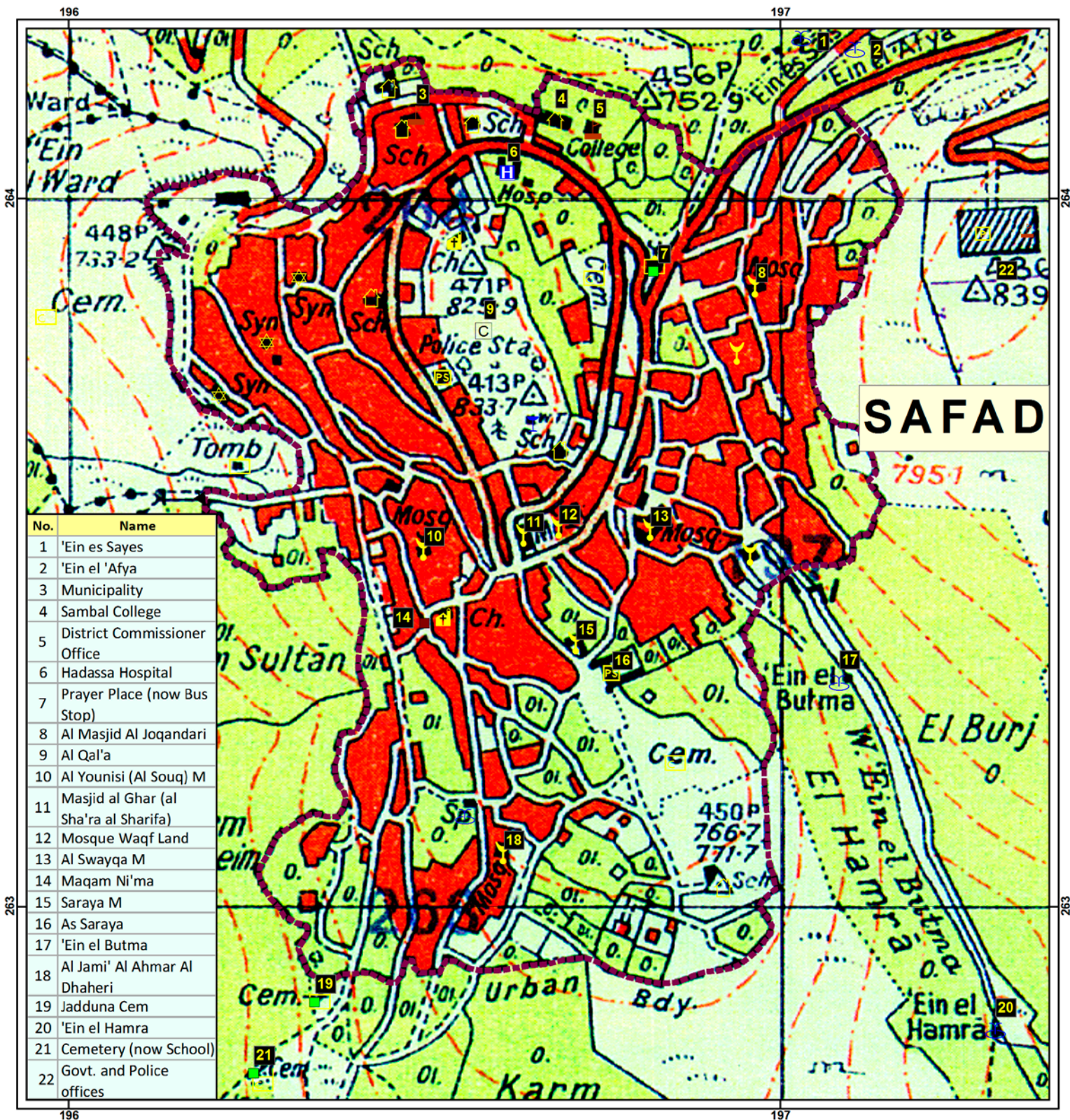
Map 2.19: Nazareth, 1946



Nazareth, al Nassera
 Revered the world over as the home town of Jesus Christ. He is called the Nazarene. In Arabic, Nasrani means Christian (old use). It lies on a high mountain (400 metres above sea level) and commands a majestic view of Marj ibn 'Amer. It is the capital of Galilee and it lies on the road from Acre to Tiberias. It has a large number of churches, old and new.

Photo 2.5: Nazareth, 1917
 Source: The German Air Force, 1917.

Map 2.20: Safad, 1942

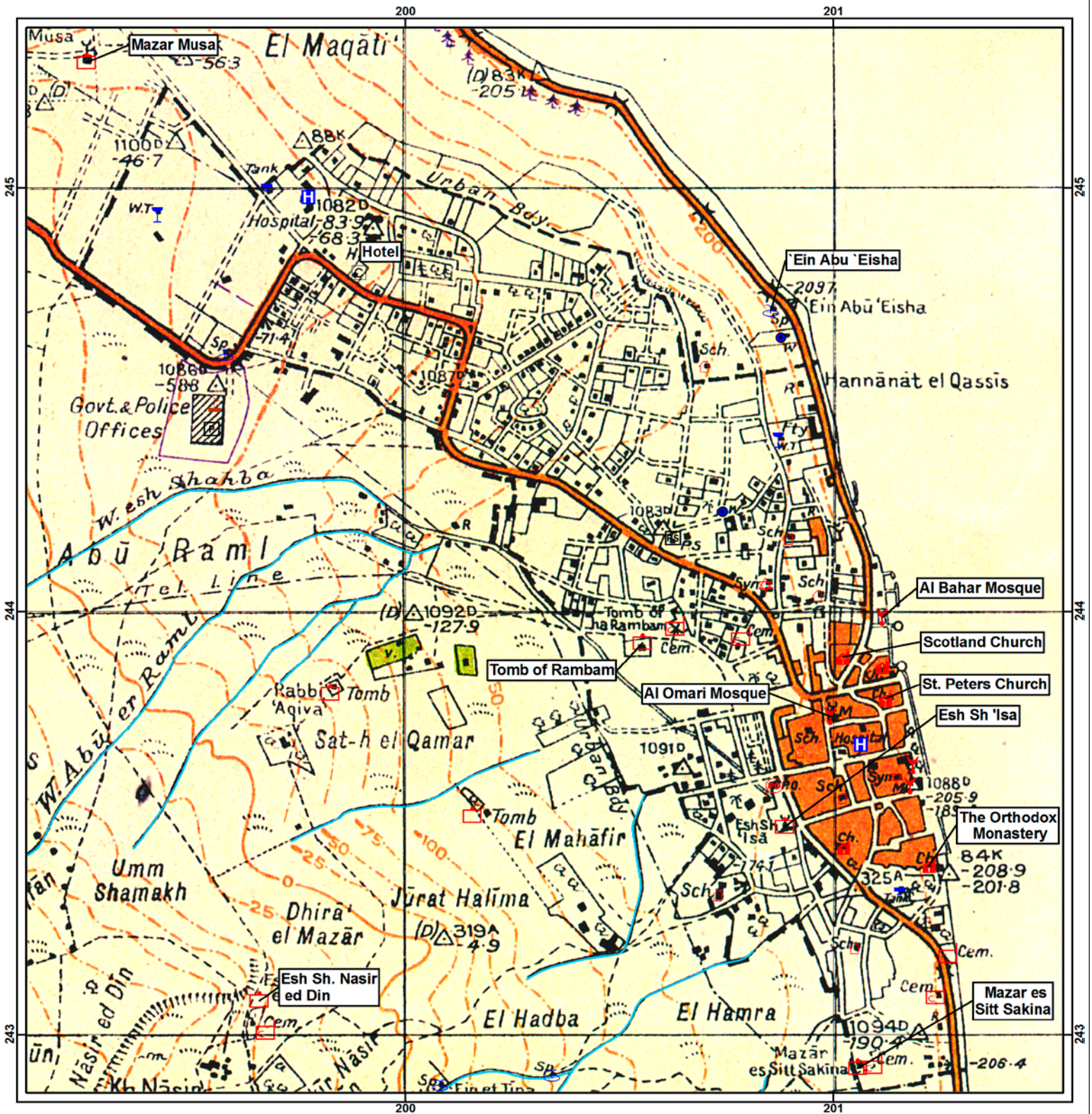


Safad, Zefat
 Safad is located on one of the highest mountains in Galilee, Jebel Jarmaq. It was mentioned in the Roman period in the second century B.C.E. It was an important postal station to Damascus. It had a small community of devout Sephardic Jews since the expulsion of Muslims and Jews from Spain in 1492. Safad was one of the strongholds of Sheikh Dhaher al Omar who established an independent government in Palestine in the 18th century. The Zionists depopulated the Arab population in May 1948.

Photo 2.6: Safad, 1918
 Source: German War Museum, Munich, 1918.

Source: Survey of Palestine, 1:20,000, 1940.

Map 2.21: Tiberias, 1942

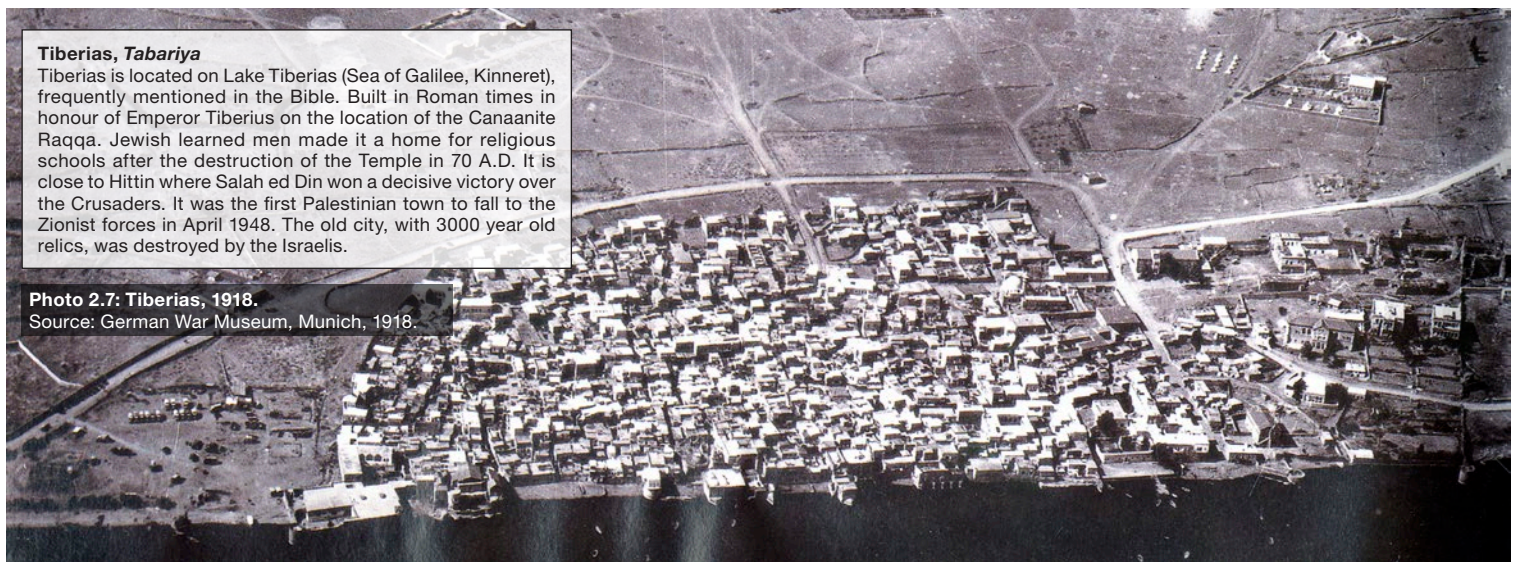


Tiberias, Tabariya

Tiberias is located on Lake Tiberias (Sea of Galilee, Kinneret), frequently mentioned in the Bible. Built in Roman times in honour of Emperor Tiberius on the location of the Canaanite Raqqa. Jewish learned men made it a home for religious schools after the destruction of the Temple in 70 A.D. It is close to Hittin where Salah ed Din won a decisive victory over the Crusaders. It was the first Palestinian town to fall to the Zionist forces in April 1948. The old city, with 3000 year old relics, was destroyed by the Israelis.

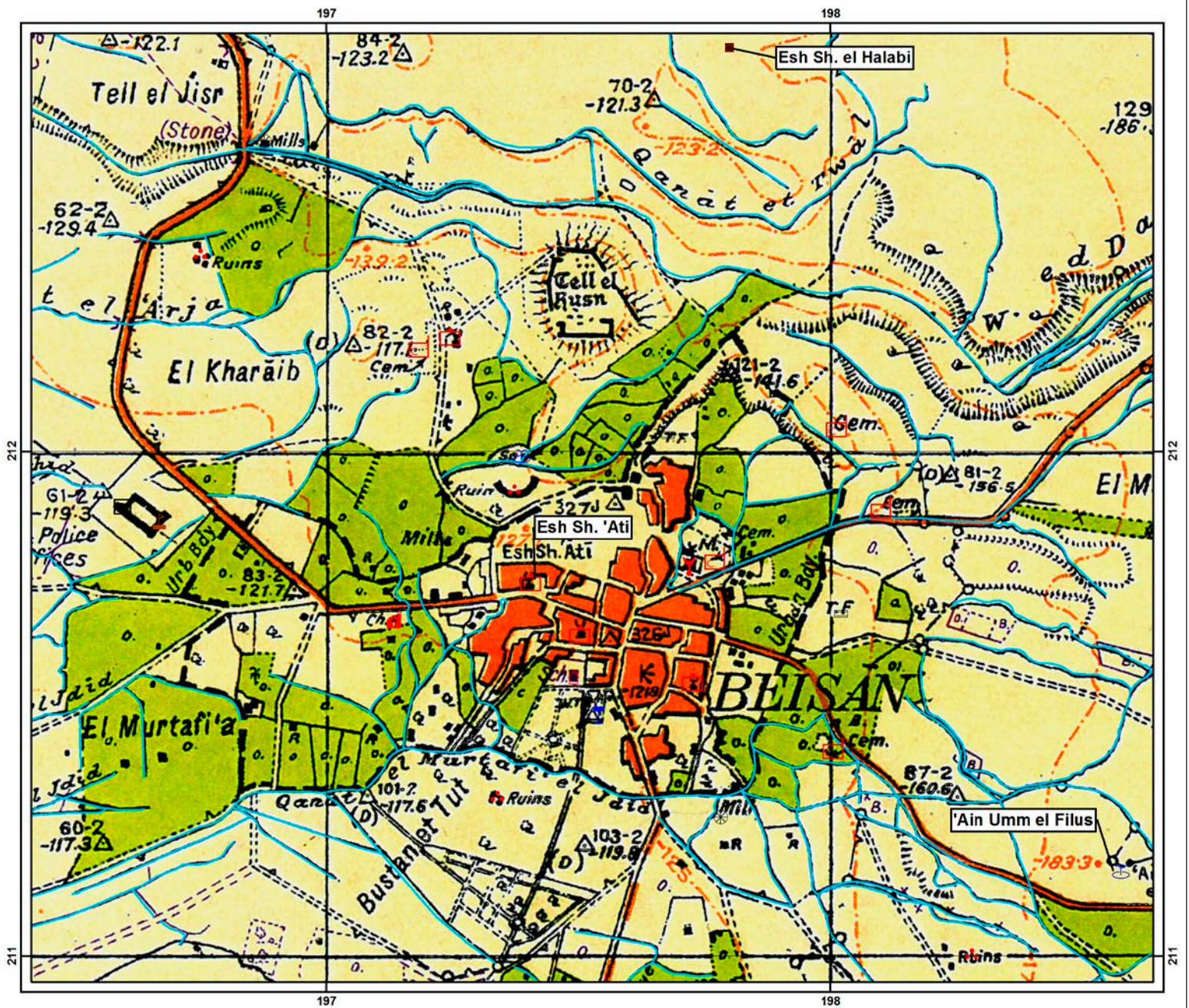
Photo 2.7: Tiberias, 1918.

Source: German War Museum, Munich, 1918.



Source: Survey of Palestine, 1:20,000, 1940, revised July 1942.

Map 2.22: Baysan, 1943



Baysan, Beth Sha'an, Scythopolis

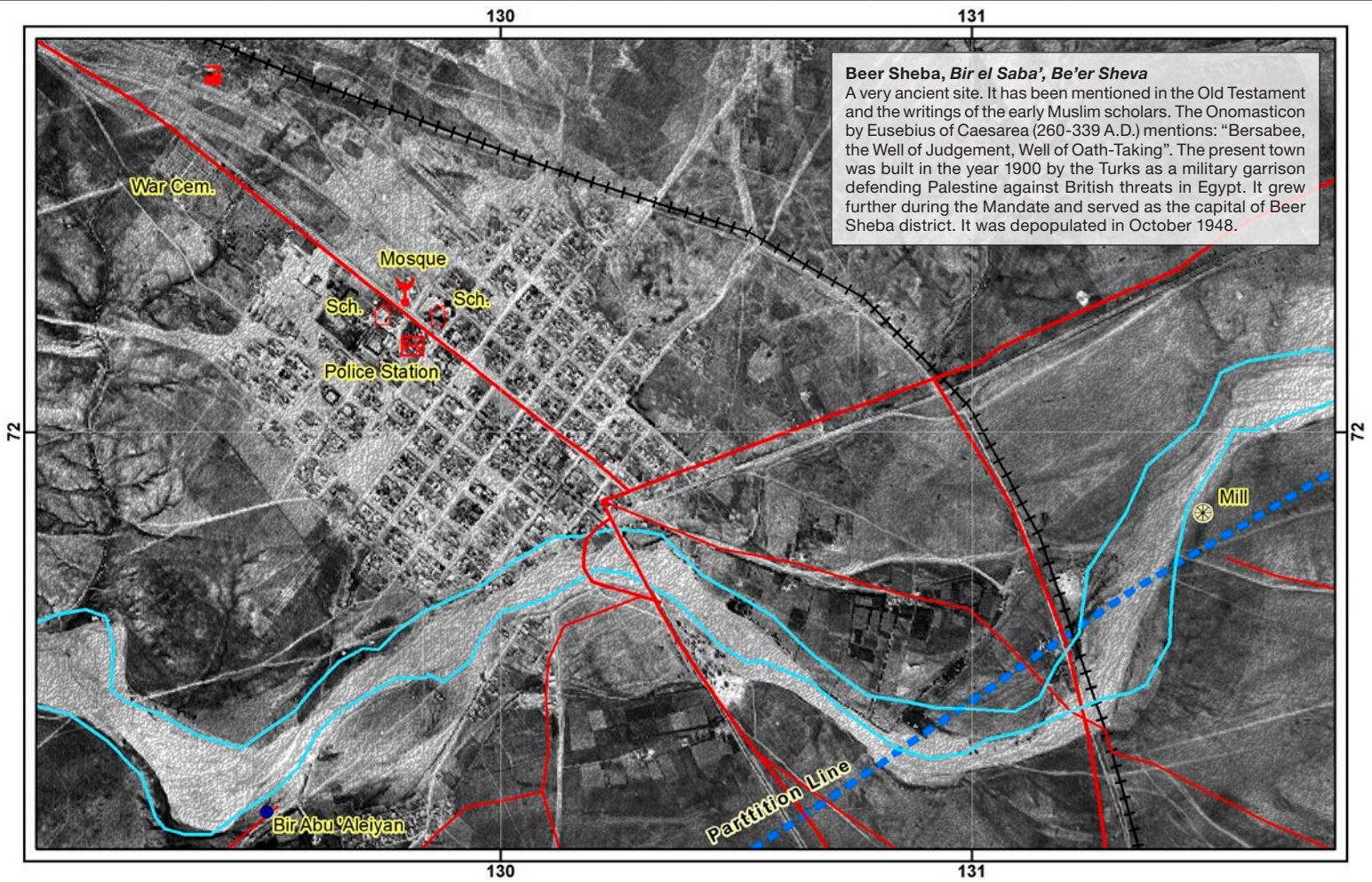
It lies at the eastern extremity of Marj ibn 'Amer in Baysan Valley. To the east is Jordan 'ghor'. Its Canaanite name means 'house of restfulness' or 'house of good shaan'. Its history goes back to 4000 years. It never had a Jewish period. Ancient Philistines, whose name was derived from the coastal plain (Gaza to Jaffa), Philistia, had left traces in Baysan. Nearby, Tell al Husn, is the site of at least 9 successive layers of ancient towns. It was depopulated in May 1948.

Photo 2.8: Baysan, 1939.
Source: Kluger, 1939.



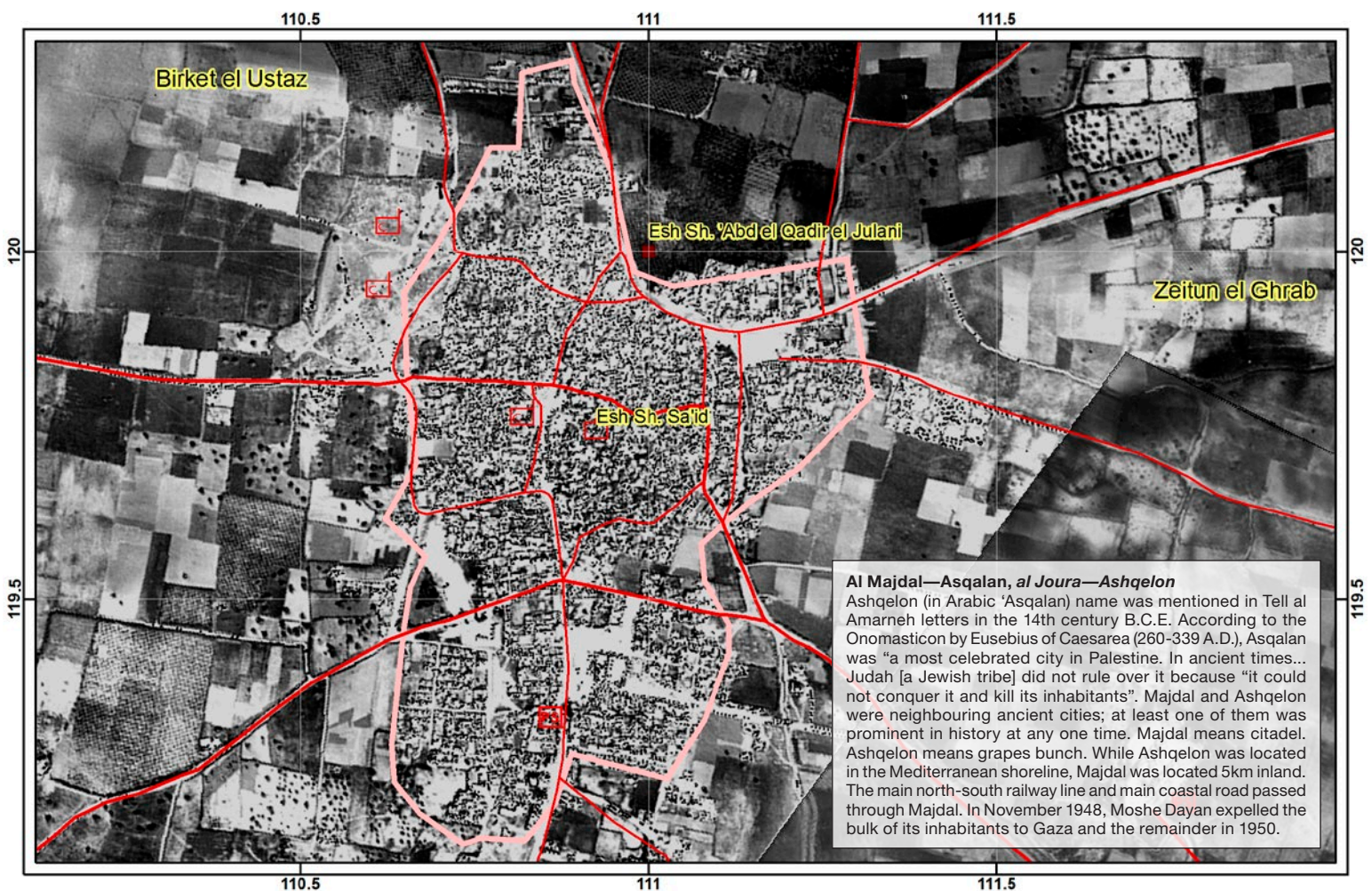
Source: Survey of Palestine, 1:20,000, 1941, revised February 1943;

Map 2.23: Beer Sheba Photo-Map, 1945-1946



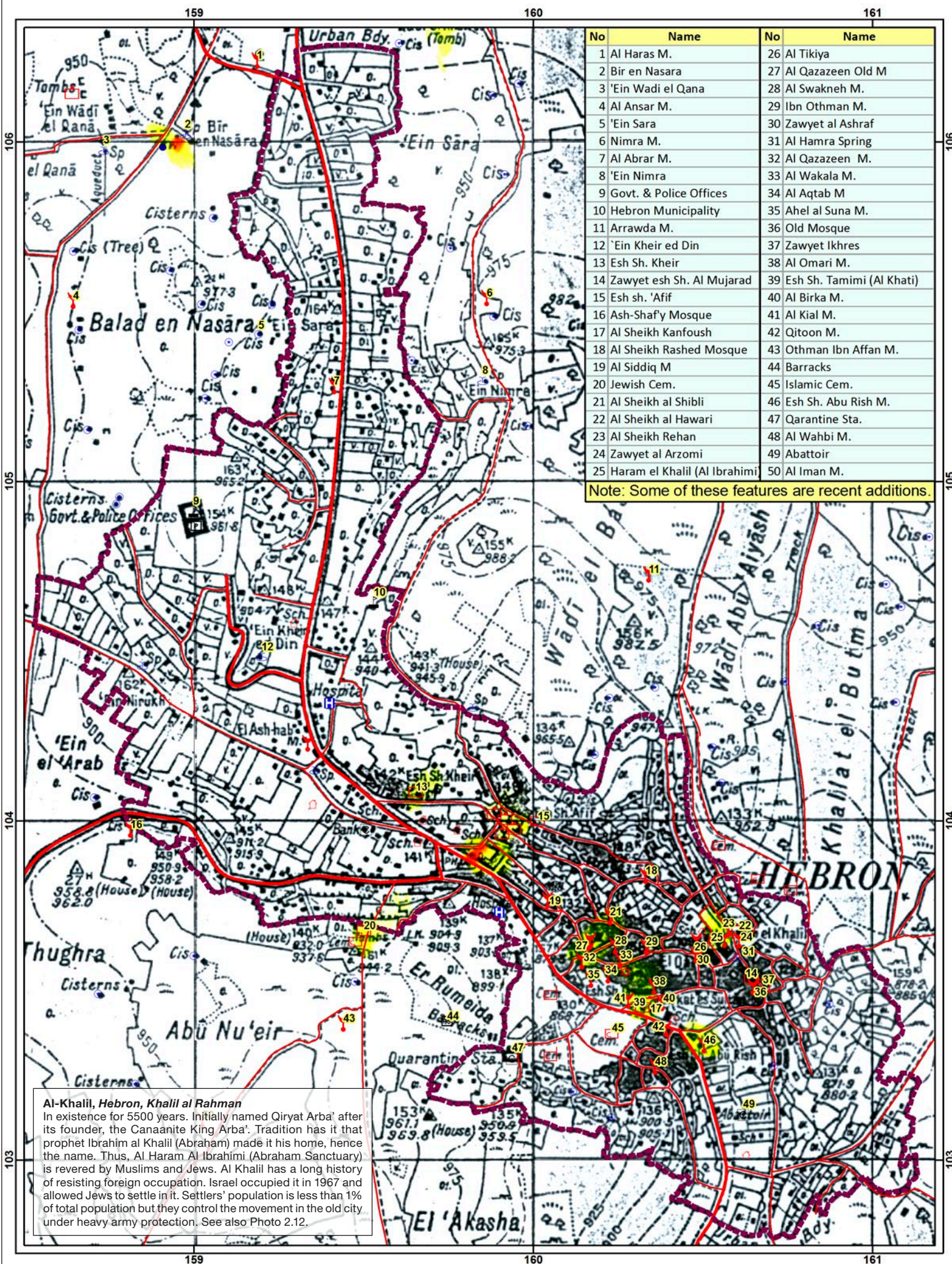
Source: Survey of Palestine, 1:100,000, revised July 1946 with aerial photo, 1945.

Map 2.24: Majdal and 'Askalan (Ashkelon) Photo-Map, 1942-1945



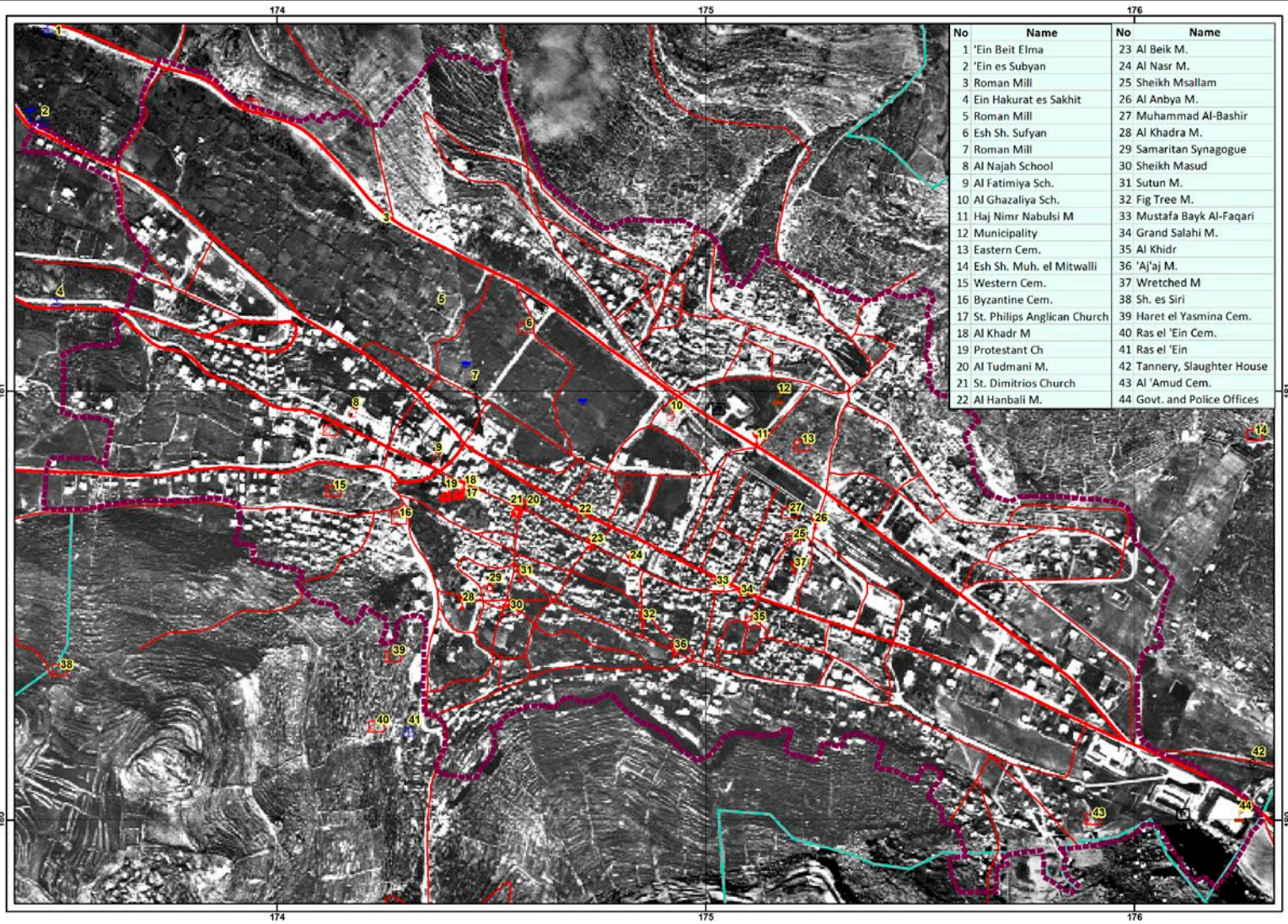
Source: Survey of Palestine, 1:20,000, revised June 1942 with aerial photo, 1945.

Map 2.25: Al-Khalil (Hebron)



Source: Survey of Palestine, 1:20,000, 1945.

Map 2.26: Nablus



Nablus, Shakmi, Schechem, Mamortha, Flavia-Neapolis
 Located in a valley between two mountains: Ebal (940 m) and Jerzim or Sitt Suleimiya (881m). Its mountains are called Hellfire Mountains to signify its fierce resistance to invaders. It has a very rich history. Many national leaders, poets, writers and businessmen hail from Nablus. It is also the commercial capital of the northern West Bank. It fell under Israel rule in 1967.

Photo 2.9: Nablus, 1918
 Source: German Air Force, September 24, 1918.

Source: Survey of Palestine, 1:20,000, 1945.



Gaza, Ghazza

An ancient Canaanite city, a trading post on route to Cairo, Damascus, Suez and Aqaba. It was invaded by the Pharaohs, Hyksos, Philistines (Palesht), Assyrians, Persians and Greeks under Alexander. Gaza was Christian in the Hellenic era. In 634, Gaza became predominantly Muslim and remained under Arab Islamic rule till November 1917 (except for a brief Crusaders' period) when Allenby conquered Palestine. The British artillery destroyed many of its ancient building. It fell under Israeli occupation in 1967 and for 6 months in 1957.

Photo 2.10: Gaza, 1918

Source: German Air Force, May 28, 1918 12.30 pm.



Bethlehem, Bayt Lahm

World famous as the birthplace of Jesus Christ. It was built by a Canaanite tribe 2000 B.C.E. and named Bayt Luhama. Christian Empress Helena made a pilgrimage to Palestine and built the Holy Sepulcher church in Jerusalem and the Church of Nativity in Bethlehem. The Crusades conquered it in June 1099 and stayed till 1187 when Salah ed-Din liberated it. There are several churches in Bethlehem representing several denominations. It fell under Israel in 1967.

Photo 2.11: Bethlehem, 1918

Source: German Air Force, September 15, 1918.



Photo 2.12: Al-Khalil, Hebron, 1918
Source: The German Air Force, 1918. See Map 2.25.

Tul Karm

A strategic location along the coastal plain and the hinterland as one town of the Triangle (with Nablus and Jenin). The Triangle has been known for its fierce resistance against the invaders. Tul Karm is an agricultural town since the Roman times. After al Nakba, it lost much of its land and its population swelled due to the expulsion of coastal cities and villages. The town fell under Israel in 1967.

Photo 2.13: Tul Karm, 1918
Source: The German Air Force, 1918.





Bayt Jibrin, Eleutheropolis, Betogabra
Old Canaanite town. Its name means 'House of the Strong' and was also mentioned in pre-Roman writings. It had rich Roman and Byzantine ruins and was a retreat for early Christian worshippers.

Photo 2.14: Bayt Jibrin ca 1918
Source: The German Air Force, April 8, 1918.



Iraq Al-Manshiya
Iraq al Manshiya has rich well watered land. It is located on the road to Beer Sheba. Together with Faluja to the west, these two villages were guaranteed their safety and protection of property by Israel and the United Nations (Dr. Bunche) in the Armistice Agreement with Egypt on February 24, 1949. But within weeks, Israel expelled the population and confiscated their property. Israel built Qiryat Gat on its site.

Photo 2.15: Iraq al Manshiya, 1918
Source: The German Air Force, May 28, 1918.

Al Sawafir Al Gharbi

The largest of 3 villages by the same name. It was known as Shafir in Roman times. It is located on Gaza-Jaffa road. It grows cereal (wheat), citrus and other fruits.

Photo 2.16: Al Sawafir Al Gharbi, 1918

Source: The German Air Force, June 26, 1918.



Isdud, Ashdod, Azotus, Azutus Paralias

Isdud dates to the 17th century B.C.E. The Philistines settled it in the 12th century B.C.E. Herodotus described it as "Syria's great city". It was invaded by the Pharaohs, Assyrians, Crusaders and lately the Israelis in November 1948. A port was built on the coast on the old site of Minet Isdud or Minet al Qal'a.

Photo 2.17: Isdud, 1918

Source: The German Air Force, January 21, 1918.



Zarnuqa

The Zarnuqa name is derived from Zarnuq, a small river. It had rich agriculture: crops, vegetables and citrus groves.

Photo 2.18: Zarnuqa, 1918

Source: The German Air Force, April 22, 1918.

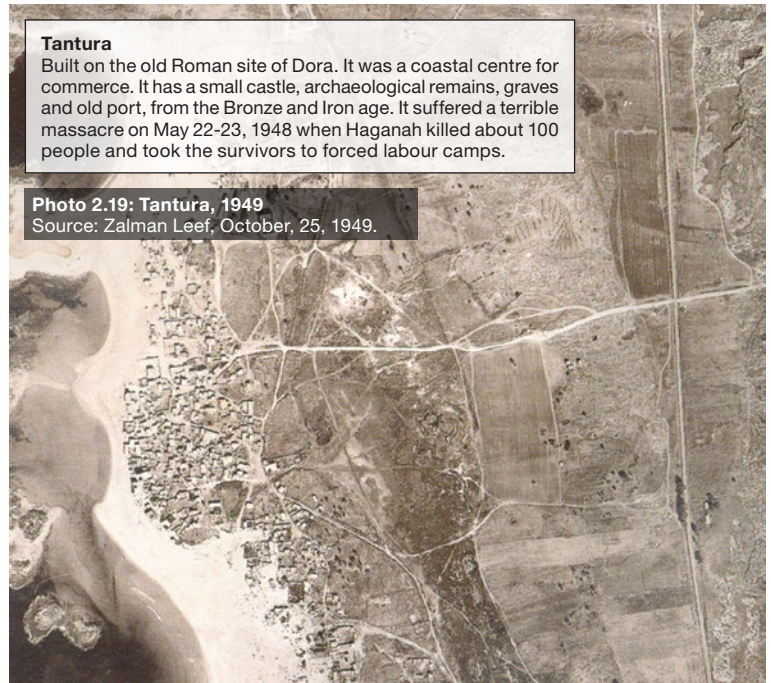


Tantura

Built on the old Roman site of Dora. It was a coastal centre for commerce. It has a small castle, archaeological remains, graves and old port, from the Bronze and Iron age. It suffered a terrible massacre on May 22-23, 1948 when Haganah killed about 100 people and took the survivors to forced labour camps.

Photo 2.19: Tantura, 1949

Source: Zalman Leef, October, 25, 1949.

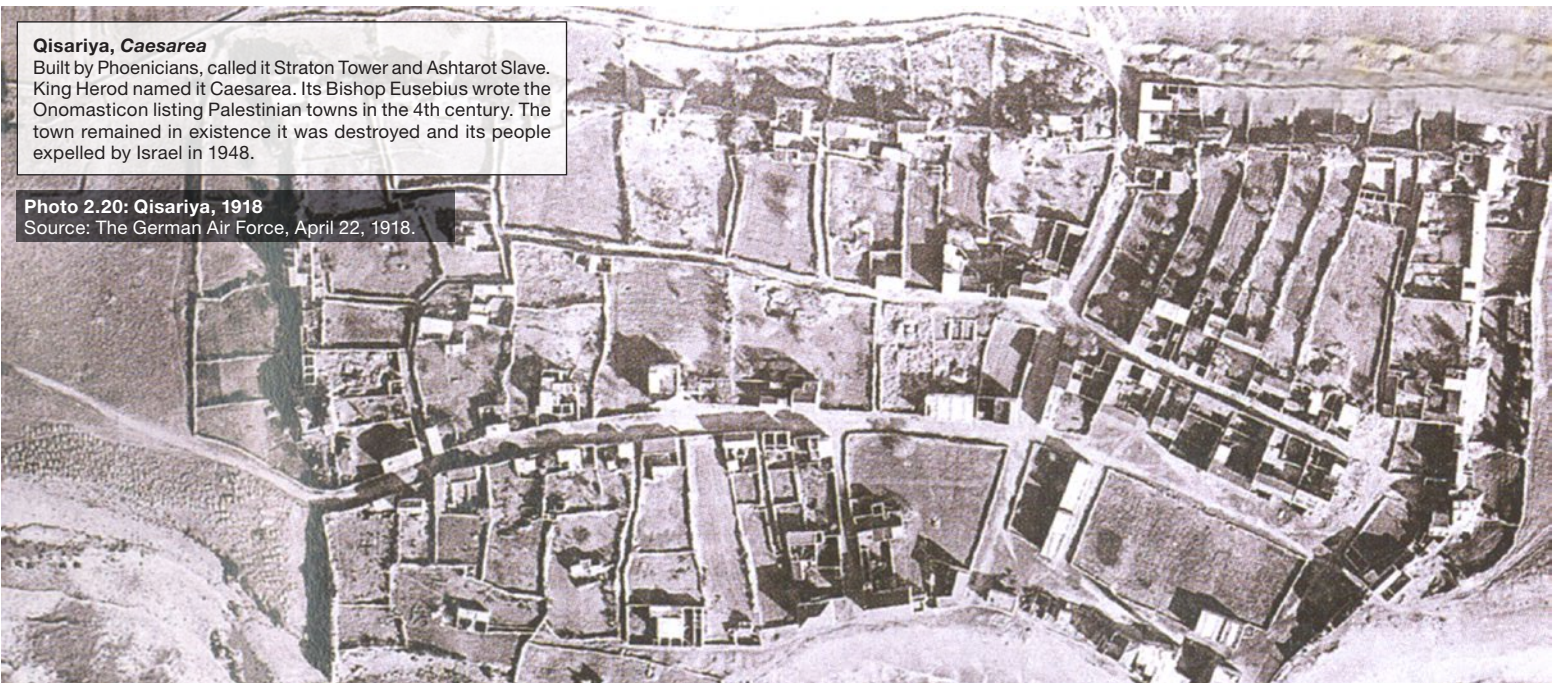


Qisariya, Caesarea

Built by Phoenicians, called it Straton Tower and Ashtarot Slave. King Herod named it Caesarea. Its Bishop Eusebius wrote the Onomasticon listing Palestinian towns in the 4th century. The town remained in existence it was destroyed and its people expelled by Israel in 1948.

Photo 2.20: Qisariya, 1918

Source: The German Air Force, April 22, 1918.



Chapter 3

The Nakba

3.1 The Conquest

The UN recommendation to divide Palestine into two states heralded a new period of conflict and suffering in Palestine which continues with no end in sight. The Zionist movement and its supporters reacted to the announcement of the 1947 Partition Plan with joy and dancing. It marked another step towards the creation of a Jewish state in Palestine. Palestinians declared a three-day general strike on December 2, 1947 in opposition to the plan, which they viewed as illegal and a further attempt to advance western interests in the region regardless of the cost to the native population.

The day after the United Nations adopted Resolution 181 recommending the division of the country, the Zionist leadership called upon all Jews in Palestine aged 17-25 to register for military service.²⁴⁰ David Ben Gurion, then Chairman of the Jewish Agency, immediately put 'Plan C' (Gimmel)²⁴¹, finalized in May 1946, into action. It was the third such plan developed by the *Haganah* General Staff.²⁴² Plan C, which was designed for implementation while British Mandate forces were still in Palestine, aimed to put pressure on the local Palestinian population and to solidify the position of Jewish colonies.²⁴³

Since the beginning of the Mandate in 1920, the Zionist movement had steadily built up separate armed fighting units. At the same time, the British administration in Palestine progressively ground

down Palestinian resistance to British policy. The end of 1947 marked the greatest disparity between the strength of the Jewish immigrant community and the native inhabitants of Palestine. The former had 185,000 able-bodied Jewish males aged 16-50, mostly military-trained, and many were veterans of WWII.²⁴⁴

The majority of young Jewish immigrants, men and women, below the age of 29 (64 percent of population) were conscripts.²⁴⁵ Three quarters of the front line troops, estimated at 32,000, were military volunteers who had recently landed in Palestine.²⁴⁶ This fighting force was 20 percent of the Jewish immigrant community in Palestine.²⁴⁷ Israel's rate of "direct military mobilization had surpassed any precedence of military history."²⁴⁸ This was not the case of a normal army defending its nation. It was an immigrant militia that came to conquer and establish a new state in Palestine.

Jewish armaments were superior to those held by Palestinians.²⁴⁹ More importantly, Jews had small arms and armoured vehicles factories and an unlimited amount of locally-produced ammunition. On the Arab side, Britain manipulated rations of ammunitions to the armies of Egypt and (particularly) Jordan.²⁵⁰ The Palestinians had about 2,500 militia men dispersed among a dozen towns and several hundred villages. They had old rifles, few machine guns, no artillery and no tanks. They had no central command and no wireless communications.²⁵¹ At best they were only able to mount defensive operations, rushing to a village after hearing cries for help.

The immediate aim of Plan C was to disrupt Arab defensive operations, and occupy Arab lands situated between isolated Jewish colonies. This was accompanied by a psychological campaign to demoralize the Arab population. In December 1947, the *Haganah* attacked the Arab quarters in Jerusalem, Jaffa and Haifa, killing 35 Arabs.²⁵² On December 18, 1947, the *Palмах*, a shock regiment established in 1941 with British help, committed the first reported massacre of the war in the village of al-Khisas in the upper Galilee.²⁵³ In the first three months of 1948, Jewish terrorists carried out numerous operations, blowing up buses and Palestinian homes. Even at this stage, early signs of ethnic cleansing became apparent.²⁵⁴

By the end of March 1947, Zionist military operations carried out under Plan C resulted in the depopulation of 30 Palestinian villages with a population of about 22,000 people. See **Map 3.1**. To encourage their expulsion, Zionist forces committed further atrocities and massacres in the villages of Qisarya and Wadi 'Ara (Haifa district)²⁵⁵ and in Mansurat al-Khayt (Safad district).²⁵⁶ As the situation on the ground continued to worsen and with American support for partition wavering, the Zionist leadership realized that they had a golden opportunity to advance their agenda. British forces would be gone by 15 May, but in the meantime, the British were preventing Arab regular forces to enter Palestine. Irregular Arab volunteers who had already entered the country were not effective.

Plan D was brought forward.²⁵⁷ The new Plan had wide-ranging objectives. They included:

240 *All That Remains, The Palestinian Villages Occupied and Depopulated by Israel in 1948*. Waiid Khalidi (ed.) Washington, DC: Institute of Palestine Studies, p. 575.

241 Plan C is reprinted as Appendix A in Waiid Khalidi, "Plat Dalet: Master Plan for the Conquest of Palestine," 18 *Journal of Palestine Studies* 1 (Autumn 1988), pp. 20-23.

242 Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited*. Cambridge: Cambridge University Press, 2004, p. 342.

243 Khalidi, *supra* note 23, p. 102.

244 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 is in 16-50 bracket. Taking half for males and multiplying by the Jewish population reaches 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.

245 Ilan, *supra* note 244, p. 61. Ilan discusses the age, number, training and armaments of fighting forces on both sides in detail.

246 Table 2, Ilan, *supra* note 244, pp. 61 and 67.

247 The estimate of 13% by Ilan is based on 104,000 conscripts and excludes 24,000 military volunteers, not members of the Yishuv. Ilan, *supra* note 244, p. 61. If those are taken into account, the result is 20 percent of the population. Typical figures of armed force to population are 1 percent (Egypt), 4 percent (Syria), but for Israel it is 12 percent (1995 figures). Anthony Cordesman, *Perilous Prospects: The Peace Process and the Arab Israeli Military Balance*. Boulder: Westview Press, 1996, pp. 30-31. Table 3.1, "The Arab Israeli Balance 1995-1996". In 1948, the percentage for Israel was much bigger due to a smaller population, indicating the army's mission.

248 Ilan, *supra* note 244, p. 61.

249 Ilan, *supra* note 244, p. 55.

250 *Ibid.*, p. 109ff.

251 Khalidi, *supra* note 13, pp. 858-860.

252 Khalidi, *supra* note 23, p. 103.

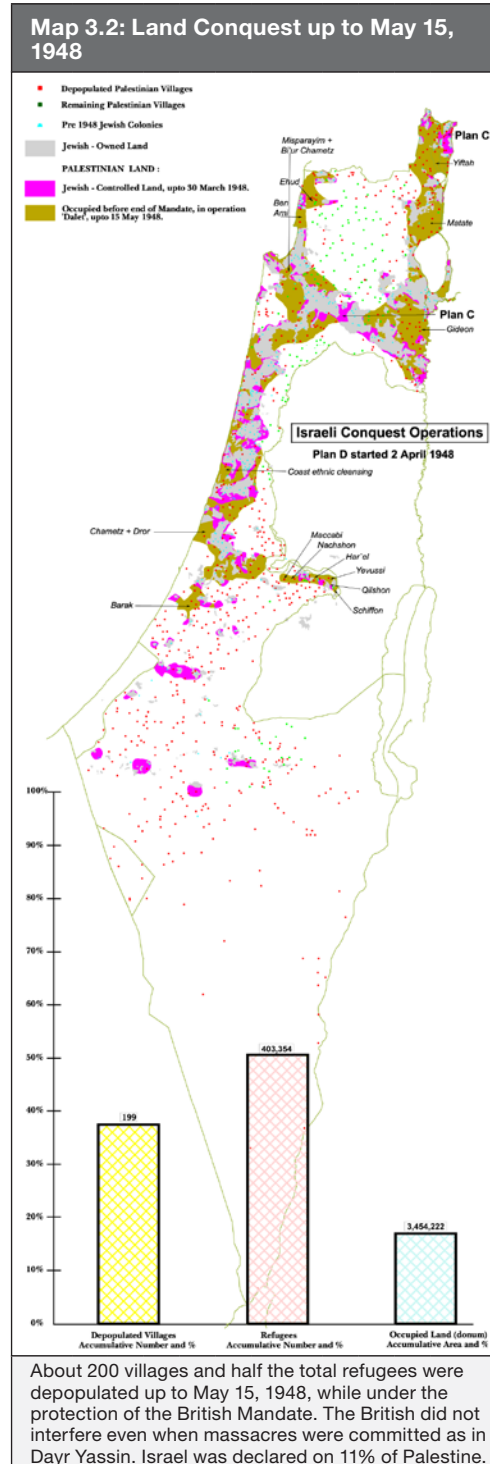
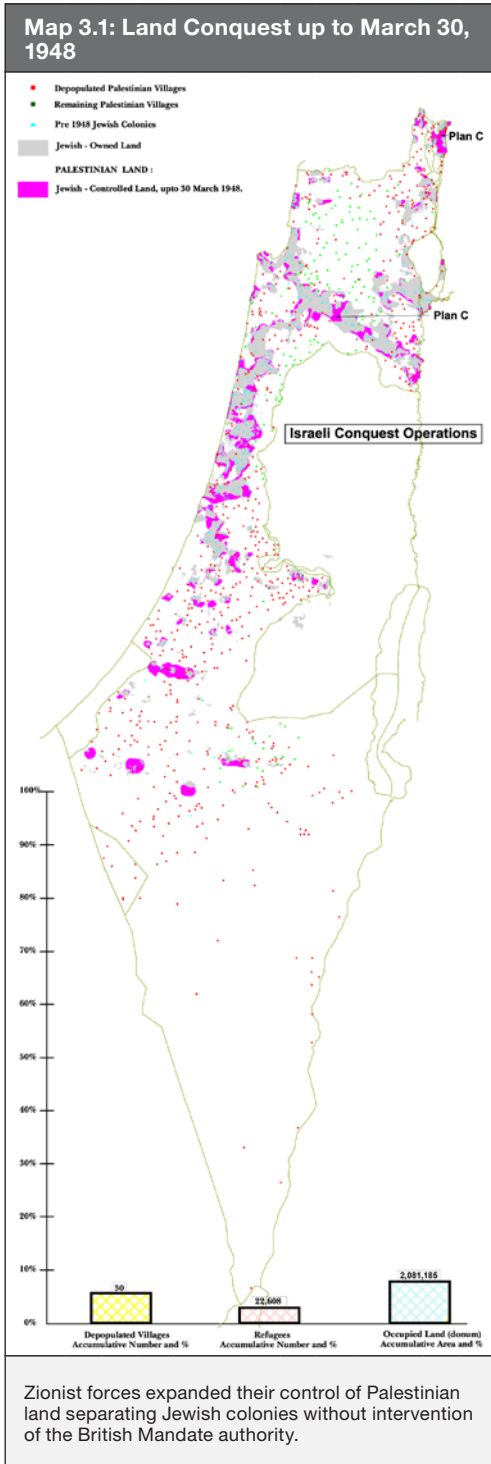
253 Israeli orders were 'kill adults'. There was indiscriminate firing. 12 were killed and houses demolished. See Table 3.2.

254 For a detailed list of sources on transfer and ethnic cleaning see, *supra* note 47. See also, Pappé, Ilan, *The Ethnic Cleansing of Palestine*, Oxford: One World, 2006; Esber, Rosemarie M., *Under the Cover of War: The Zionist Expulsion of the Palestinians*, Alexandria, VA: Arabicus, 2009.

255 A bus was ambushed killing passengers. Houses were demolished. All those who did not flee were killed. See Table 3.2

256 The orders that were followed: anyone who showed resistance was eliminated, animals killed and homes torched. See Table 3.2.

257 See, W. Khalidi, "Plan Dalet: The Zionist Master Plan for the Conquest of Palestine 1948," 37 *Middle East Forum* 4 (November 1961), reprinted in the 18 *Journal of Palestine Studies* 1 (Autumn 1988), pp. 3-70. By contrast see, Morris, *supra* note 242.



blowing up and planting mines in the debris”- to prevent the return of refugees.²⁵⁸

Plan D was put into action on or around April 2, 1948. By this time, the size of Zionist forces had reached 65,000²⁵⁹, several times greater than the number of Arab defenders, whether they were the villagers, the Muslim Brothers coming from Egypt or the motley assortment of Arab Liberation Army (ALA) led by Fawzi Qawqji.²⁶⁰ The lack of serious action by the British to protect civilians encouraged Ben Gurion to ratchet up the scale of offensive operations. In a series of simultaneous offensives, all the spaces and strategic points separating Jewish colonies were occupied by Zionist forces. See **Map 3.2**. (See **Table 3.1** for a list of Israeli operations, description and dates.)

In the eastern Galilee, Operation *Yiftah* conquered and depopulated 42 villages in Safad district. Massacres took place in Husayniya and Ayn Zaytun.²⁶¹ The latter was instrumental in the fall of the ancient town of Safad. Operation *Matate* (Broom) chased out the inhabitants of villages between Lake Tiberias and Lake Hulah. The towns of Tiberias and Baysan were conquered by advancing Zionist forces. Two horrendous massacres were committed in Khirbet Nasir ad-Din and al-Wa'ra al-Sawda.²⁶² In Marj ibn 'Amer and Baysan valley, Operation *Gideon* depopulated 11 villages. In the coastal strip from Jaffa in the south and Acre in the north, the Palestinian population was almost completely removed. Twenty-nine villages and towns were depopulated, including the cities of Jaffa and Haifa. Their inhabitants left their homes under Israeli mortar and machine gun fire, screaming, dazed, and frantically searching for lost relatives.

On the 9 April, 1948, Zionist forces committed one of the most infamous massacres of the war in the village of Dayr Yassin on the western outskirts of Jerusalem.²⁶³ This was not the only massacre. There were less publicized massacres in the villages of Abu Shusha, al-Abbasiya (Yehudiyya) and other places.²⁶⁴ In and around Jerusalem, Zionist forces carried out numerous operations. They attacked the city and nearby villages several times but failed to achieve their full objectives before finally conquering western Jerusalem and nine villages to its west, including Dayr Yassin. In the southern approaches to Tel Aviv, Zionist forces fortified their front facing the southern half of Palestine which was almost completely Arab. They conquered nine villages and committed at least two massacres, in Bayt Daras and Burayr.²⁶⁵

The well-armed and seasoned Israeli troops greatly outnumbered the defenders of the Palestinian civilian population who had a poor and scattered defense. Isolated Jewish colonies were thus connected in a belt stretching, in a large N shape, along the coastal strip, then along the Marj ibn 'Amer valley and along the western bank of the Jordan river, controlling the most important water sources of Palestine. This military conquest emptied about

1. Seizing and controlling all government services, including post, telephone, police stations, roads, railways, airports and ports, and denying such services to the enemy.
2. Launching pre-planned counter-attacks on enemy-bases in the heart of his territory wherever it is, including outside Palestine.
3. Occupying [Arab] important high-ground positions within the [Hebrew] state according to the Partition Plan or beyond.
4. Occupying [Arab] frontline positions within their territories.
5. Applying economic pressure on the enemy by besieging 'some' of his cities to force him to abandon his activities - i.e. to leave.

6. Occupying and controlling the enemy's bases in rural and urban areas.

Plan D outlined a strategy of total war. The Plan called for the “encirclement of the village and conducting a search inside it. In the event of resistance, the armed force must be wiped out and the population must be expelled outside the borders of the state”. In cities, the plan called for “occupation and control of all isolated Arab neighbourhoods [and] encirclement of Arab municipal area[s] and termination of its vital services (water, electricity, fuel, etc.)... [I]n case of resistance, the population will be expelled.” Plan D also called for the “[d]estruction of villages (setting fire to,

258 W. Khalidi, “Plan Dalet”, *supra* note 257.

259 Khalidi, *supra* note 23, p. 61.

260 The so-called “Arab Liberation Army”, led by Fawzi al Qawqji, constituted a force of 3,155 assorted volunteers from several Arab countries. See, *Palestine War, 1947-1949, the Official Israeli Story*. [Arabic] Beirut: Institute for Palestine Studies, 1986, pp. 220-221; and Falah Khaled Ali, *Arab-Israeli War of 1948 and the Creation of Israel*. [Arabic] Beirut: Arab Society for Studies and Publishing, Beirut, 1982, p. 82. Their number is misleading, as their dispersion made them ineffective. Their distribution was as follows: the largest concentration was in Jenin area and in Galilee (groups of 50-100), in Haifa (200), in Jerusalem (a few hundred) and in Jaffa (200). See, Haim Levenberg, *The Military Preparations of the Arab Community in Palestine 1945-1948*.

London: Frank Cass, 1993, p. 200. The majority were located in the part allocated for the “Arab State” in the Partition Plan, where few Jews existed. This was in conformity with the plans set up by Transjordan for the eventual control of that part. *Ibid.*, p. 205. There were very few of them where needed to repel the Jewish attacks. Moreover, the discipline and military performance of this force had been the subject of much criticism, even derision. The Muslim Brothers force were a group of highly motivated Egyptian and Palestinian volunteers. Some were well-trained but their number did not exceed 500 in total. They operated in the south, and lost many killed due to their daring and bravery.

261 Several houses blown up; 23 Arabs killed and more injured. Their property looted. Took 100 prisoners; executed 37 of them.

See Table 3.2.

262 The orders were ‘to destroy the enemy concentration’ in Khirbet Nasir ad Din; 22 Arabs including women and children were killed, others were injured.

263 Dayr Yassin: the most infamous massacre. Over 110 men, women and children were killed or butchered from house to house during a whole day and night. There was prisoner parade and execution, rape and looting. See Table 3.2.

264 In Abu Shusha, 70 civilians were killed by Giv’ati brigade. Report to ICRC said “the Jews have committed barbaric acts” including rape. See Table 3.2 and Morris, *supra* note 242, p. 257.

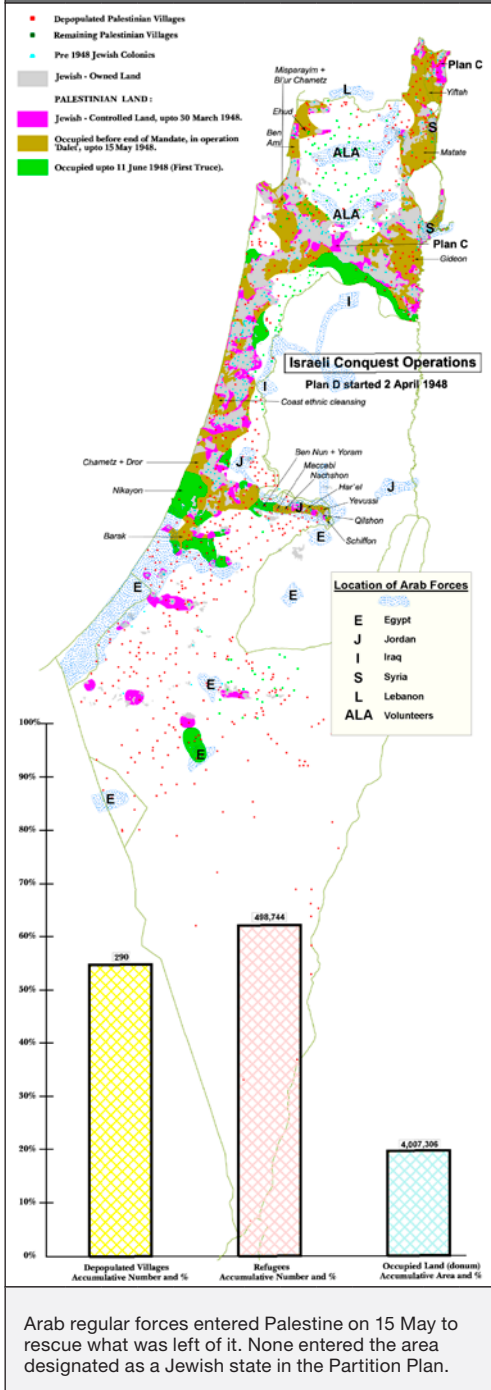
265 In Bayt Daras, about 100 civilians were killed and wounded, in accordance with order that the village be “destroyed...and scorched”. See Table 3.2 and Morris, *supra* note 242, p. 256.

Table 3.1: Israeli Conquest Operations

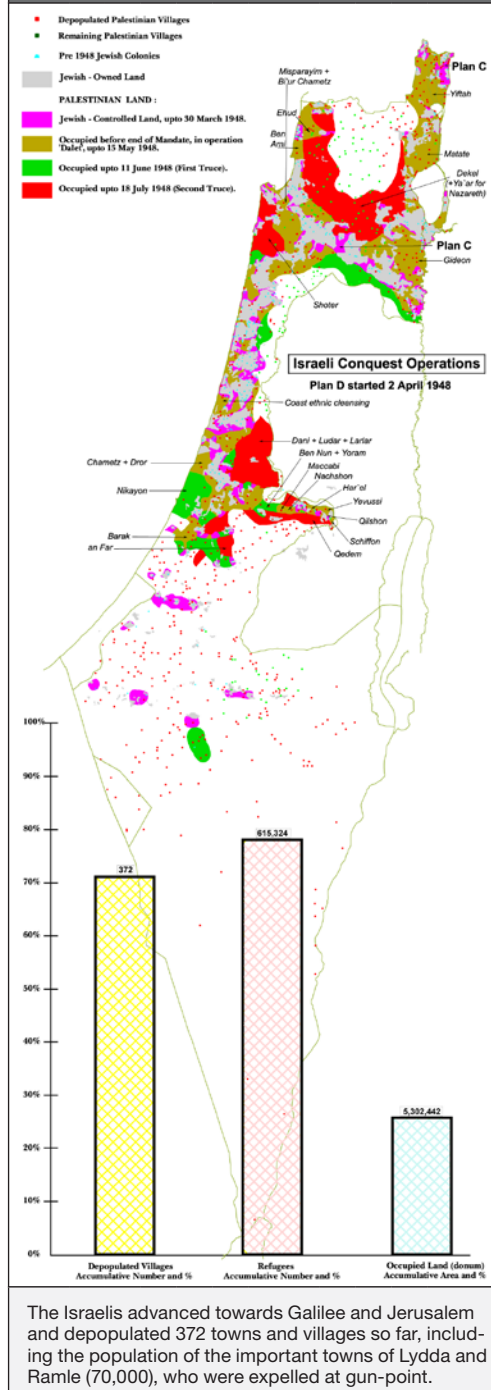
S.No	Operation Name	Date	Description
1	Zarzir	January 1948	Assassination of political and militia leaders.
2	Nahshon	2-20 April 1948	Jerusalem Corridor was systematically conquered and emptied by the Haganah. It came in effect with the unopposed conquest of al Qastal, following which orders were called for the conquest of 3 Arab villages at the western entrance to the Jerusalem Corridor- Deir Muheisin, Khulda and Seidun, following which orders were issued to take control of villages from Jerusalem to Bab al Wad [Sha'ar Hagar] followed by conquering Qaluniya, followed by blowing up of Arab bases of 'al Qubeib, 'Aqir, Biddu, Beit Surik, Beit Ikasa, Beit Mahsir, Suba', Ramle, Sajad and Saris.
3	Yiftah	15 April - 15 May 1948	Conquered Eastern Galilee- including Safad. The objective was defined as 'gaining control of the Jewish colony Tel-Hai area' and its consolidation in preparation for invasion from outside. Destroyed also village of Zawiya and burned Lake Hula villages.
4	Misparayim (Scissors)	21 April 1948	A multi-pronged assault on militia positions and neutralization of the irregulars' power; objective was damage and shock rather than conquer.
5	Yevussi	22-24 April 1948	Conquest and destruction of Sheikh Jarrah and Shu'fat, respectively, a north Jerusalem neighbourhood and a satellite village to its north. Order was expanded to take Nabi Samwil, destroy Shu'fat and village of Beit Ikasa and possibly Beit Hanina.
6	Bi'ur Cametz (Passover Cleaning)	24-30 April 1948	Aimed at "breaking the enemy in Haifa" by simultaneous assault from several directions, to open communications to the Lower City [i.e. the downtown area and the port] and to gain control of Wadi Rushmiya in order to safeguard the link between Haifa and the north.
7	Chametz (Cleansing)	25-30 April 1948	Seizure of large Palestinian villages that lay on both sides of the railway line that linked Jaffa to its Arab hinterland. Captured Saqiya, Al Khayriyya, Salama, Kafr 'Ana and Al-'Abbasiyya in the north and Yazur, Bayt Dajan and Al Safiriyya in the south.
8	Ehud	late April 1948	The objective was to attack the villages of Kabri, Nahr, Bassa and Zib; destruction of defenders and menfolk and destruction of property. This served as basis for operation order of Ben-'Ami.
9	Har'el	April-May 1948	Objective was to reassure and widen the small Jewish held corridor and wresting from Arab control further areas in and around Jerusalem.
10	Matate (Broom)	4 May 1948	The objective was: (1) destroy Arab bases, (2) destroy points of assembly for Arab regular forces (after 15 May) from the east and (3) to join the lower and upper Galilee with a relatively wide and safe strip of continuous Jewish territory. The villages of Zanghariya and Tabigha, and the 'Arab al Shamalina' were attacked.
11	Barak (Lightning)	9 May-12 May 1948	Attacked the villages of Bash-shit and Beit Daras, Batani al Sharqi, neighbouring Batani al Gharbi, Sawafir Shamaliya, Nabi Rubin, Barqa. Villagers were expelled from Ibdis, Julis and Beit Affa.
12	Gideon	10-15 May 1948	Clearing of Baysan Valley implemented by Haganah's Golani Brigade. Captured Farwana, Al-Ashrafiyya, Baysan, al-Sakhina, Khirbet al-Taqa, Khirbet Umm Sabuna.
13	Maccabi	13 May 1948	This is the second stage of Operation Barak. Conquered Abu Shusha, south east of Ramle, al Qubab, northwest of Latrun and Mughar, southwest of 'Aqir.
14	Dror	13 May 1948	Occupied Jaffa with IZL.
15	Ben-'Ami	13-22 May 1948	"Systematically conquered Western Galilee and Acre" in two stages: Stage 1: Conquest and Demolition of the main targeted villages, al Bassa, al Zib and al Sumeiriya. Stage 2: Conquest, killing of adult males, destruction and torching Kabri, Nahar and Umm al Faraj, al Tell and al Ghabisiya.
16	Qilshon (Pitchfork)	14 May 1948	Against Arab Western Jerusalem, outside Old City (successful).
17	Schiffon	14 May 48	Against Jerusalem, Old City (defeated)
18	Ben-Nun	16-30 May 48	Aimed at occupying al Latrun. Established an alternative supply line to Jerusalem that by-passed al Latrun. Captured Bayt Jiz and Bayt Susin
19	Yoram	8-9 June 48	Attacked Al-Latrun from the southeast by occupying 2 overlooking villages
20	Lar Lar	26 June 1948	Preparation for Dani
21	Ludar	26 June 1948	Preparation for Dani
22	An-Far (Anti Farouk)	7 July 1948	Liquidation of Arab villages within the ['Ajur-Tell as Safi-Majdal] area, attacking the Egyptian Army south of Rehovot
23	Dekel (Palm Tree)	8 July 1948	Advanced eastwards from the Acre-Nahariya area into the Western Galilee's hill-country, and captured 'Amqa, Kuweikat, Kafr Yasif, Abu Sinan, Julis and Al Makr and further to the south I'billin and Shafa 'Amr. In the second stage, Mujeidil, Ma'lul, ar Ruweis and Damun were completely emptied and later Saffuriya also.
24	Dani	9-18 July 1948	The order was to fully open and secure the length of the Tel Aviv-Jerusalem road and push back the Arab Legion from the vicinity of Tel Aviv by conquering the towns of Lydda & Ramle, and later, Latrun and Ramallah.
25	Berosh	8-18 July 1948	Attacked from Al Dirdara against Syrian bridgehead on the Syrian border.
26	Qedem	17 July 1948	Against Old City.
27	Shoter (Policeman)	24-26 July 1948	Conquering the 'Little Triangle'- gaining control of the coast road between Zikhron Ya'akov and Haifa and destroying all the enemy in the area.
28	Ya'ar (Forest)	July 1948	Conquered Nazareth and neighbouring villages.
29	Nikayon (Cleaning)	24-28 August 1948	Cleansed the area between Wadi Suqrir, Wadi Rubin, the Mediterranean Coast and the railway tracks between Ashdod (Isdud) and Yibna.
30	Shikmona	July 1948	After the Start of Second Truce: destruction of several buildings in Haifa to insure a convenient and safe route between Hadar Hacarmel and the industrial part of Haifa and northern suburbs to safeguard the route to the harbour and to reduce manpower needed to guard duty in the city.
31	Yoav (Ten Plagues)	15 Oct-9 Nov 1948	Conquered the coastal strip including small towns of Isdud, Hamama and al Majdal, Beersheba, Beit Jibrin in Hebron foothills, 'Ajur and smaller villages like Beit Tima, Qauqaba, Barbara, Hirbiya, al Qubeiba and Dawayima.
32	Hahar	19-24 October 1948	Captured Deir Aban, Beit 'Itab, Sufla, Beit Jimal, Beit Nattif, Zakariya and Bureij.
33	Yekev	19-22 October 1948	Captured Deir Aban, Beit 'Itab, Sufla, Beit Jimal, Beit Nattif, Zakariya and Bureij.
34	Hiram	28 October - November 1948	The order was 'to destroy the enemy in the cenral Galilee, to occupy the whole of the Galilee and to establish he defence line on the country's northern border'. Upper Galilee was conquered, held by Qawqji, bounded by villages of Yanuh and Majd al Kurum in the West, 'Eilabun, Deir Hanna and Sakhnin in the south, Farradiya, Qaddita, Alma and al Malikiya in the east, and the Lebanese border to the north.
35	Assaf (part of Horev)	5-6 December 1948	Attempt to destroy the Egyptian Army in the Strip and to conquer the area but failed.
36	Magrefa (Rake)	21 December 1948	Scouring 25 'abandoned villages' along the Lebanese border (Iqrit, Tarbikha, Suruh, Nabi Rubin, Fassuta) and the rest in the interior of Western Galilee (Ghabisiya, Kuweikat, 'Amqa, Birwa, Sh'ab, Mi'ar, etc) for returning refugees ("infiltrators").
37	Horev	22 December 1948 - 6 January 1949	The Egyptian Army was driven out of Western Negev and surrounded most of it in the Gaza Strip. It involved a deep thrust into Sinai by IDF armoured columns but was only partially successful.
38	Uvda	March 1949	Occupied the central and southern Negev down to the Gulf of 'Aqaba at Umm Rashrash, expelled all bedouins.
	First Truce	11 June - 8 July 1948	
	Second Truce	18 July - 15 October 1948	
	Armistice Agreement with Egypt	24 February 1949	
	Armistice Agreement with Lebanon	23 March 1949	
	Armistice Agreement with Jordan	3 April 1949	
	Armistice Agreement with Syria	20 July 1949	

Sources: Walid Khalidi (ed.), "All that Remains, the Palestinian Villages Occupied and Depopulated by Israel in 1948", Institute for Palestine Studies, Washington DC, 1992.; Benny Morris, "The Birth of the Palestinian Refugee Problem 1947-1949 Revisited", Cambridge University Press, Cambridge, New York, Sydney, 2004.

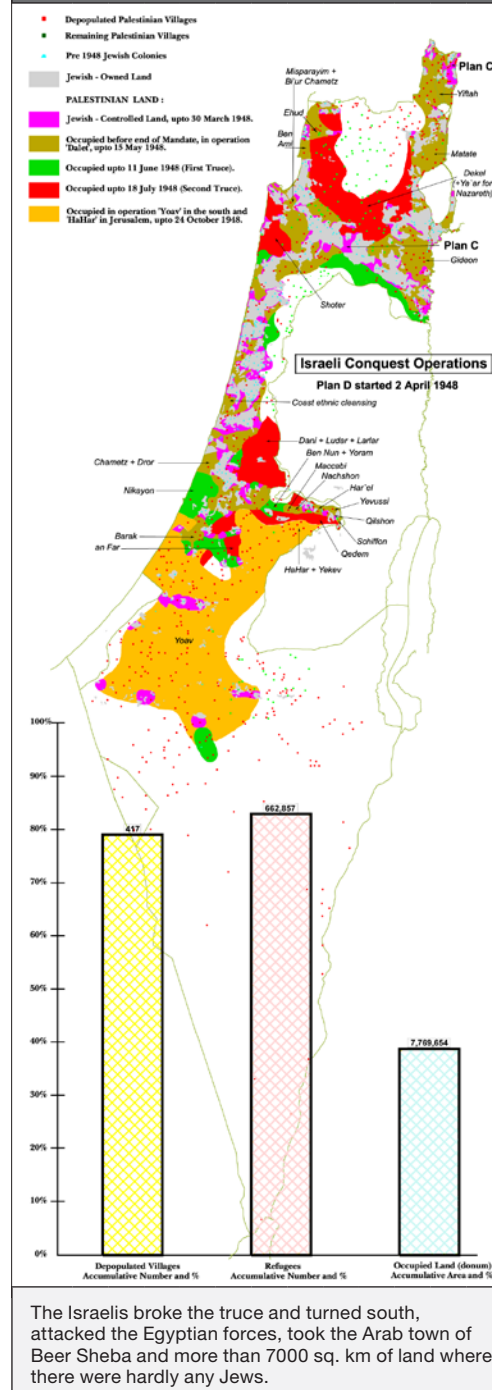
Map 3.3: Land Conquest up to June 11, 1948 (First Truce)



Map 3.4: Land Conquest up to July 18, 1948 (Second Truce)



Map 3.5: Land Conquest up to October 24, 1948 (Yoav)



220 Palestinian towns and villages. This included key commercial, administrative and cultural centres of Palestinian life, such as Haifa, Jaffa, Safad, Tiberias, Baysan and western Jerusalem. The population of the depopulated Palestinian villages and towns exceeded 440,000 at this time, or 55 percent of all the refugees. More than half of the total number of refugees was thus made homeless while under the authority and protection of the British Mandate forces, contrary to British obligations under the Mandate, not to mention the terms of the 1907 Hague Convention. This means that British Mandate officials are responsible for occurrence of the war crimes committed by Zionist forces.

By the middle of May 1948, Zionist forces had not only expelled the Palestinian inhabitants of 220 villages, but they also conquered approximately 3,500 km² of territory, or 13 percent of Palestine, an increase of 2,000 km² over land previously-held. This area was the richest and most fertile part of

Palestine. It was naturally also the most densely populated. Pre-state institutions established by the Zionist movement during the first decade of the British Mandate now had an integral, continuous well-defended territory. David Ben Gurion, who would become Prime Minister of the new Jewish state, declared the State of Israel on May 14, 1948. The traditional Zionist narrative depicted Israel in this period as a small beleaguered community fighting in self-defense against the 'Arab invasion' of vastly superior armies. The historical record does not bear out these claims.²⁶⁶

News of mass displacement and expulsion, massacres and the capture of main cities across Palestine inflamed the Arab public. Demonstrations and protests were held in Arab capitals around the region. Arab governments were ill-prepared to deal with the situation. Some had only recently gained nominal freedom from the yoke of British-French domination, but they had to respond. British diplomatic correspondence in this period shows clearly

that the major powers were convinced that the Zionist forces could defeat any combination of Arab armies.²⁶⁷ Even Arab military advisors to the Arab League, the supposed protector of the beleaguered Palestinians, acknowledged the same.

On May 15 a segment of the Egyptian army entered Palestine on two days notice. The tiny Lebanese forces hardly entered the country. Units from the Syrian army entered Palestine, south then north of Lake Tiberias. The Arab Legion (later the Jordanian Army) entered Palestine to carry out King Abdullah's scheme, with British acquiescence, to annex as much as possible of Palestine leaving the rest to the Jews in accordance with a secret agreement.²⁶⁸ Units of the Iraqi 'Hashemite' army entered in support of the 'Hashemite' King Abdullah and then left. None of these Arab forces had the intention to exceed the limits of the Arab state in the Partition Plan. Their number and preparedness were far less than necessary to meet the task at hand. In the 27 days of fighting,

266 In the late 1980's a number of Israeli scholars started to acknowledge the fallacy in the Israeli official line. See, Morris, *supra* note 242; Pappé, *supra* note 254; Flapan, *supra* note 34, p. 189; and, Norman G. Finkelstein, *Image and Reality of the*

Israel-Palestine Conflict. London: Verso 1995.

267 Toye and Seay, Vols. 1-2, *supra* note 41.

268 On collusion between the Zionist movement and King Abdullah see, generally, Avi Shlaim, *Collusion across the Jordan: King*

Abdullah, the Zionist Movement, and the Partition of Palestine. New York: Columbia University Press, 1988.

from 15 May to 11 June, when the First Truce was declared, these Arab forces achieved little if any progress. See **Map 3.3**.

Arab regular forces were outnumbered during the initial and subsequent phases of the war. Lebanese forces, for example, which started at 700, and reached a maximum of 1,000, had no military impact. They even lost a dozen Lebanese villages to the Israeli forces. Syrian forces (about 2,000) tried and failed to capture two Israeli settlements south of Tiberias. The well-trained Iraqi forces, which started at 2,500 and expanded later, arrived without orders (*macko awamer*) to defend the villages. It was able to defend Jenin against Israeli attacks but lost the villages around Jenin. Iraqi forces were subsequently withdrawn at the request of Transjordan. The Arab Legion, with a maximum force of 4,500, well-trained and armed men, and led by British officers, maintained defensive positions in the Old City of Jerusalem. Together with Palestinian and other volunteers, the Arab Legion over-ran four Etzion Bloc settlements south of Jerusalem in the area allocated to the Arab state.

The brunt of the fighting after 15 May was taken up by Egyptian forces. In the beginning, they numbered 2,800, and grew immediately thereafter to 9,292. In October, the size of the force increased to 28,500, in addition to 1,109 Saudis, 1,675 Sudanese and 4,410 volunteers, mostly Palestinians.²⁶⁹ As a force of 35,662 men under one command, it was by far the largest Arab force. Its task was to defend a large Arab area, over half of Palestine, with very few Jewish settlements in it. Like other Arab forces, at no point did it attempt to enter the designated Jewish state. Under the inept leadership of General Mawawi, however, Egyptian forces lost all of this territory, with the exception of the tiny Gaza Strip, defended by Mawawi's successor, General Ahmad Fouad Sadik.

Israeli forces succeeded in capturing the city of Acre in addition to 37 villages in the Galilee. They committed a massacre in al-Khisas, the second that year, and another in al-Kabri.²⁷⁰ Another large massacre was committed at Tantura.²⁷¹ Twenty-one villages were depopulated in Marj ibn 'Amer. Neither this region nor the Galilee was defended by any credible force. The Arab Liberation Army made a poor showing in this and subsequent phases until it withdrew unnoticed some weeks later to Lebanon under the cover of darkness. On the coastal strip, south and east of Tel Aviv, Israeli forces conquered and emptied 14 villages. Operation *Nikayon* (Cleansing) emptied nine villages on the Palestinian coast south of Jaffa. Thus the area within a wide radius of Tel Aviv became clear of Arabs. East of this region lay the important twin-towns of Lydda and Ramleh which were located in the Arab state according to the UN Partition Plan.

Fierce resistance from villagers in three villages south of Haifa, Ijzim, Jaba' and Ein Ghazal, known as Ijzim Triangle, defeated Israeli attempts to occupy the villages and expel their inhabitants. This triangle was important to the Israelis as it sits just outside the highway from Haifa to Tel Aviv. The villagers paid dearly soon after for their refusal to surrender and leave their homes.

During this phase of 1948 war, 95,000 new refugees who lived in 91 villages joined the ranks of homeless Palestinians.

Israeli forces continued to expand as the war dragged on through the summer of 1948. By August, Israeli forces had grown to 74,450. By October, just before the start of Operation Yo'av, the number of Israeli forces had reached 99,122, and finally reaching 121,000 at the beginning of 1949.²⁷² It had by then a credible navy, a strong airforce and powerful armaments.

The First Truce was announced to start on June 11, 1948. Although Israeli forces were hard pressed in this phase, combat with Arab forces emboldened them and increased Ben Gurion's conviction that Israel could defeat any combination of Arab armies and that the Israeli military was capable of attacking and occupying Arab capitals. During the truce Israel received enormous supplies of armaments, and soon thereafter, their first fleet of aircrafts, including the "flying castles" some weeks later. These aircraft introduced a new element in the fighting and, through indiscriminate air raids on refugee concentrations killing hundreds each time, had a devastating physical and psychological impact on Palestinian refugees. Emboldened and strengthened, Ben Gurion was determined to go beyond the Partition Plan, and occupy a territory connecting Tel Aviv to Jerusalem and expand the Jewish-held Palestinian coast. Israel thus broke the First Truce.

During Operation *Dani*, Israeli forces occupied the Palestinian towns of Lydda and Ramleh and the villages around them. They expelled 60-70,000 inhabitants of the two towns and refugees from nearby villages by direct orders from Yitzhak Rabin with Ben Gurion's agreement.²⁷³ Those who sought shelter in the Lydda mosque were massacred.²⁷⁴ At gun point, the inhabitants were expelled in the July heat during the month of Ramadan. Old men and children fell by the wayside, dying of thirst. Money and women's jewelry were looted by Israeli soldiers. Some soldiers ripped off earrings and severed ring fingers. The two towns were looted at leisure: troops diverted their military trucks to load everything movable from Palestinian homes, ripping every fixed valuable item.²⁷⁵ The refugees' 'death march' reached Ramallah and the villages around Jerusalem villages in a sorry state. Their rage, anger and curses were directed, not only at the Israeli perpetrators, but also at General Glubb,

the Commander-in-Chief of the Arab Legion, because he withdrew his troops from Lydda and Ramleh at night without notice and at King Abdullah because of his collusion with the Jews on dividing Palestine between them.²⁷⁶ Thirty four towns and villages were depopulated in Jaffa and Ramleh districts in this phase.

The Israeli conquest also extended to villages west of Jerusalem widening the Jerusalem-Tel Aviv corridor, although Latrun area remained well-defended by the Arab Legion. Fifteen Jerusalem villages were over-run and their population expelled. Immediately to the south, 15 other villages were also depopulated. The whole coastal strip between Haifa and Tel Aviv fell solidly in Jewish hands. All of western Galilee and part of coast was also conquered. Nazareth was occupied but its inhabitants were spared expulsion due to the refusal of the Israeli Commander, Denkelman, a Canadian Jew, to obey Ben Gurion's orders of expulsion.

This phase, known as the ten days fighting (8-18 July) ended with the Second Truce. See **Map 3.4**. During this phase, Palestinians lost 82 towns and villages, and 116,580 people became homeless. Numerous massacres took place. Apart from the massacre at the Lydda mosque, there were massacres at at-Tira and Qazaza.²⁷⁷ In at-Tira, old and infirm men and women were burnt alive by pouring gasoline over them. Israeli forces occupied a further 1,300 km². With the exception of the Ijzim Triangle, all conquered land was located beyond the boundaries of the Jewish state as delineated in the Partition Plan. This would be the dominant feature of subsequent phases of the war.

As the Second Truce was announced, the UN Mediator, Count Folke Bernadotte, began his earnest effort to bring peace to Palestine as instructed by the UN. Two issues occupied him: first, the enormous number of refugees and depopulated villages; and, second, the Partition Plan, which he found to be unworkable. A new mutually-accepted, not enforced, solution was needed. Bernadotte was adamant that the refugees should be able to return home, if they wished to do so. Bernadotte was a man with strong humanitarian principles, a former vice-chairman of the Swedish Red Cross and a nobleman who helped many Jews escape Nazi Germany.

"It would be an offence against the principles of elemental justice if these innocent victims of the conflict were denied the right to return to their homes," Bernadotte told the UN, "while Jewish immigrants flow into Palestine, and, indeed, at least offer the threat of permanent replacement of the Arab refugees who had been rooted in the land for centuries."²⁷⁸ His recommendations on the right of return of the refugees became the basis for the General Assembly Resolution 194(III), affirming the

269 Ibrahim Shakib, *Palestine War 1948, an Egyptian View*. [Arabic] Cairo: Al Zahra Arab Information Co., 1986, p. 335.

270 The orders to Carmeli brigade regarding Kabri, Nahar and Umm al Faraj, which were carried out, were "killing of adult males, destruction and torching" of the villages. See Table 3.2 and Morris, *supra* note 242, p. 253.

271 Over 200 villagers were killed in groups. See Table 3.2 and Morris, *supra* note 242, p. 247. See particularly, Pappé, Ilan, *The Tantura Case in Israel: The Katz Research and Trial*, Washington DC: Journal of Palestine Studies, XXX, no. 3, Spring 2001, pp. 19-39.

272 Ben Gurion, *supra* note 244, pp. 778-782; Sanbar, *supra* note 244, p. 147.

273 Shlaim, *supra* note 268, pp. 263 and 269. Rabin claimed in his memoirs that Ben Gurion signaled the order to expel the inhabitants of Lydda and Ramle by a wave of his hand. In an earlier version, this paragraph was omitted and instead Rabin claimed that "there was no way to avoid the use of weapons

and warning shots to force the residents to march". He lied. In a new book: Weber, Shaul, *Rabin: The Growth of a Leader*, Maariv books, 2009, [Hebrew], the text of the 'express' expulsion order of July 12, 1948 stated: "The residents must be quickly removed from Lydda without taking time to classify them according to age. [This confirms the standard expulsion order: to take men to labour camps and expel women and children.] They should be sent in the direction of Beit Nabalah... To be implemented immediately. Yitzhak R." The same was applied to Ramle. When Rabin knew that the Red Cross representative was about to visit Ramle, he gave the instruction: "You must evacuate all refugees by then [before the visit]". Weber writes: "This explanation for mass killing is clearly unreasonable". These quotations and review of Weber book was reported by: Tom Segev, *The Makings of History/ With the Wave of a Hand*, Haaretz, November 27, 2009.

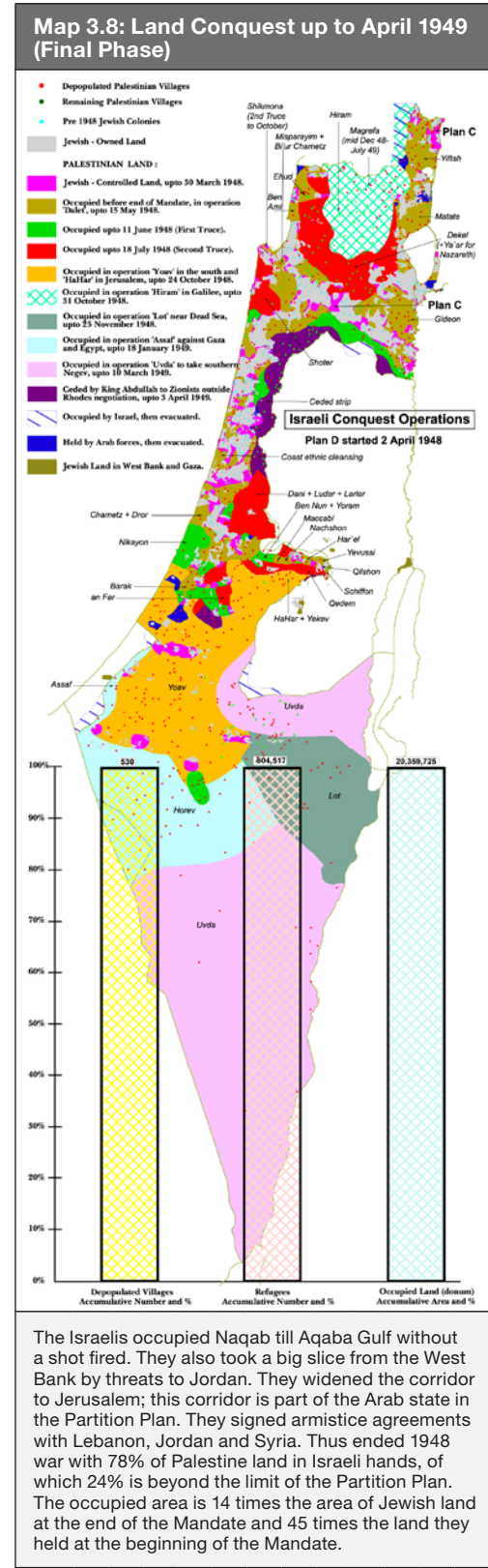
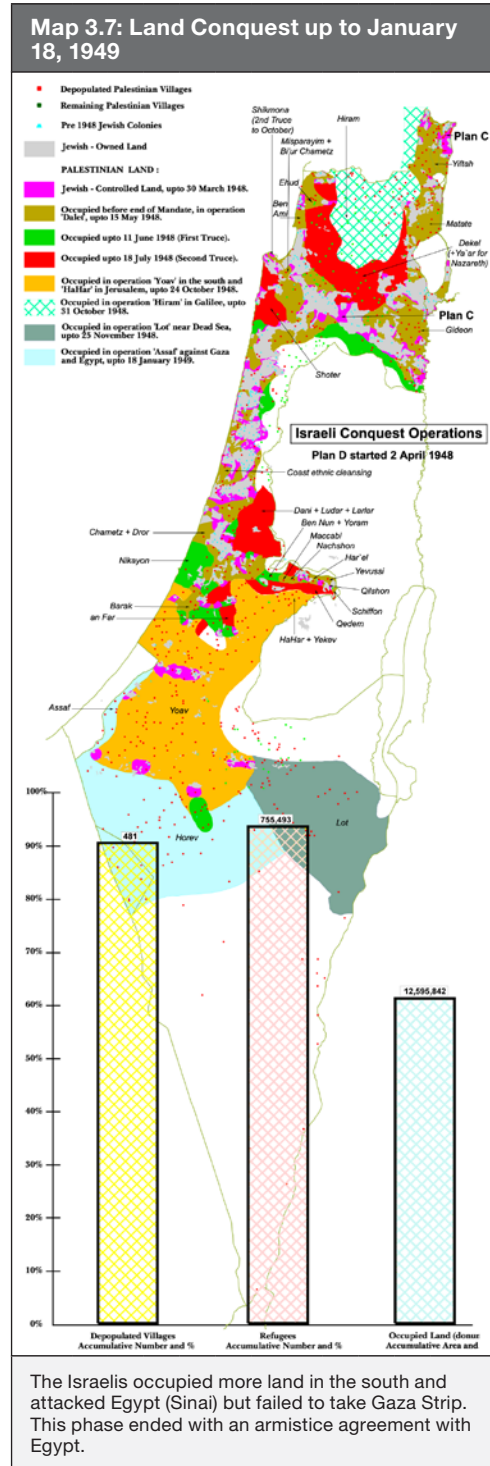
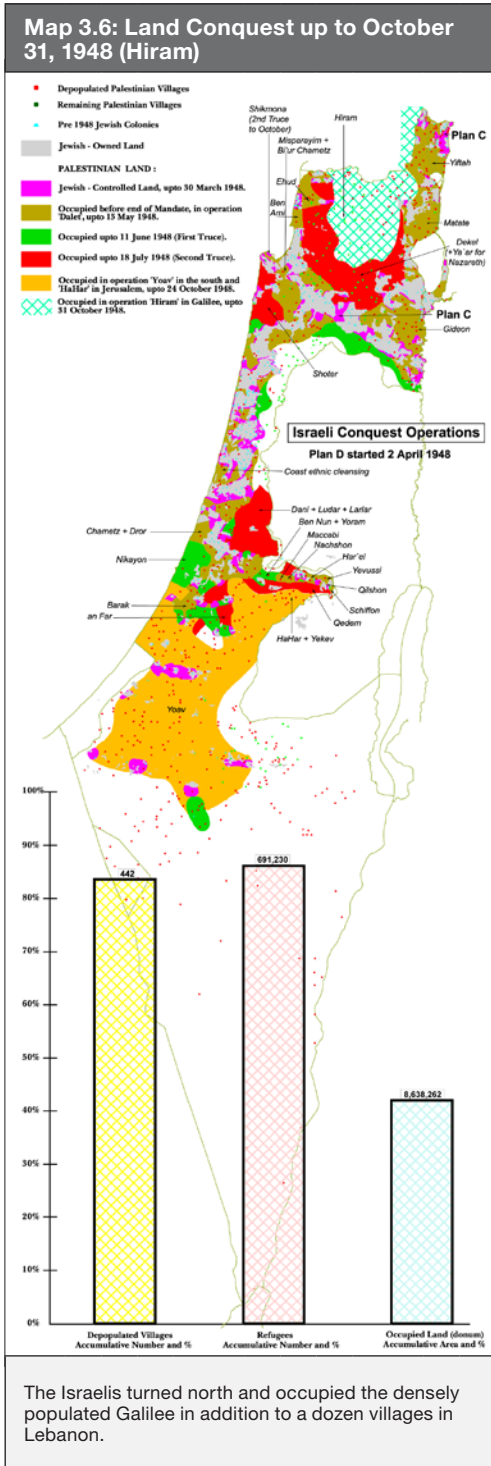
274 Civilians were shot in the streets. People who took refuge in

Dahmash mosque were massacred by machine guns, grenades and rockets. Over 250 were dead. See Table 3.2 and Morris, *supra* note 242, p. 428.

275 Ben Gurion, *supra* note 244, entries: 15, 20 July, 11 November 1948; Tom Segev, 1949: *The First Israelis*. New York: Henry Holt and Co. 1998, pp. 68-74.

276 For details on Lydda and Ramleh see, Aref al-'Aref, *The Disaster: Disaster of Bayt al-Maqdis and of Paradise Lost, 1947-1952*. 6 Volumes. [Arabic] Sidon: al-Maktaba al-'Asriyya, 1956; Abdullah al-Tell, *The Palestine Disaster; Selections from Abdallah al-Tell, Commander in the Battle for Jerusalem*. [Arabic] Cairo: Dar al-Huda, 1990; Shlaim, *supra* note 268; Benny Morris, *The Birth of the Palestinian Refugee Problem 1947-1949*. Cambridge: Cambridge University Press, 1987; and, Khalidi, *supra* note 240.

277 In at Tira, about 30-50 old villagers were burnt alive. See Table 3.2.



right of the refugees to return to their homes and receive compensation. The United Nations has confirmed the resolution annually ever since.

For the resolution of the Palestine Question as a whole, Bernadotte recommended new boundaries for a Jewish state in the coastal plain and in the Galilee. The rest of the country would be a Palestinian Arab state. Bernadotte's final report, "The Progress Report of the United Nations Mediator on Palestine"²⁷⁹, was submitted to the United Nations on September 16, 1948. Israeli officials were already aware of Bernadotte's views and recommendations. The next day, at about 5 p.m. in Jerusalem, while doing the rounds on his peaceful mission, Bernadotte was assassinated by Jewish (Stern Gang) terrorists.²⁸⁰

Aware that other Arab forces would not interfere, Israeli forces decided to attack Egyptian forces and occupy the southern half of Palestine. Under

the pretext that the Egyptians obstructed the passage of supplies to a few Negev Jewish colonies, Israeli forces crossed the vital Majdal- Bayt Jibrin road and occupied 2,500 km², including the pivotal town of Beer Sheba, and threatened Gaza. Forty-five villages, mainly from the southern Jerusalem district, northern Beer Sheba and western Hebron districts, were depopulated. Operation Yoav was a great success in terms of occupied land. Militarily, it met little resistance. The Commander of the Egyptian forces, General Mawawi, was relieved of his duties and a tougher commander was appointed. Israeli forces thus achieved significant gains. See **Map 3.5**.

Having secured the southern front, Israeli forces redirected their attention to the unoccupied part of the Arab state. During Operation *Hiram*, which lasted for several days in late October and early November 1948, Israeli forces swept over the

Galilee, occupied around 1,650 km² of one of the most densely and fertile parts of Palestine. The largest number of massacres took place in the Galilee to induce the inhabitants to leave their homes. (See **Table 3.2** War Crimes.)

Expulsion, as elsewhere, followed a similar pattern. Israeli forces would attack a village and circle it from three directions leaving the fourth open. When the village surrendered with or without resistance, with or without a previous peace agreement with Zionist forces, all men of the village were gathered in one place and all women and children in another. A select number of young men, anywhere from 20 to 200 in number, were killed in small groups; sometimes the last group

278 U.N. Doc. A/648, 1948.
279 U.N. G.A.O.R., 3rd Session, Supplement No.11.
280 For the statement of his chief of staff and his last report see, *Death of a Mediator*. Beirut: Institute of Palestine Studies, 1968. For

the history and background of assassination see, Kati Marton, *A Death in Jerusalem*. New York: Arcade Publishing, 1996; and, Amitzur Ilan, *Bernadotte in Palestine, 1948*. Oxford: MacMillan, 1989. For a background of the killers see, Joseph Heller, *The*

Stern Gang: Ideology, Politics and Terror, 1940-1949. London: Frank Cass, 1995.

buried the previous one. During Operation *Hiram* the remaining able-bodied men were taken to labour camps.²⁸¹ The women, children and old men were expelled, in this case to Lebanon. Israeli soldiers looted all money and valuables from the expelled inhabitants.

The Galilee was heavily studded with ancient villages and the villagers did not part with their homes easily. Many hid behind the rocks in the mountainous region, or returned after some days or months. The returnees were shot on the spot.²⁸² Israel viewed the returnees as ‘infiltrators.’ All across the country, refugees attempted to return to their homes following the end of hostilities, but this phenomenon, which is common when people are displaced, was particularly predominant in Galilee to the extent that Israeli forces initiated a special operation known as Operation *Magrefa* (Scoop) from December 1948 to July 1949 to hunt down and kill the returnees. Operation *Hiram* went further than Palestine and occupied a dozen Lebanese villages. See **Map 3.6**. This violated Lebanese sovereignty and the terms of the Partition Plan under which the Galilee was to be part of the Arab state.

With Egyptian forces defeated, other Arab fronts stagnant or ineffective, and the British-led Arab Legion having already agreed on a plan to divide Palestine between Transjordan and the Zionist movement, Israeli forces were able to move freely throughout Palestine. During Operation *Lot* they occupied a large region near the Dead Sea unopposed. Operation *Yoav* continued in the south of the country. During Operation *Assaf* Israeli forces attempted to dissect the Gaza Strip, where the population had swelled to nearly 300,000 with the influx of some 200,000 refugees from villages in southern Palestine. Refugees found shelter under trees, in tattered tents and in schools, mosques and hospitals. The attack on Gaza would likely result in the massacre of many thousands of innocent civilians. Ahmad Fouad Sadik, the new Egyptian commander refused orders from his HQ to withdraw and to surrender, saying, “My military honour does not allow me to leave behind 200,000 women, children and old men to be slaughtered like chicken”. His forces put up a fierce resistance, assisted by Muslim Brothers volunteers, and defeated Israeli forces in a decisive battle at Sheikh Hamoudeh or Hill 86. The Gaza Strip, crammed with refugees, was thus saved.

During Operation *Horev*, Israeli forces conquered more of the Beer Sheba district up to Asluj and Auja, went deep into the Sinai (Egypt) and threatened the main town in the Sinai, al-Arish. Britain intervened to protect its interests in Egypt, and Israeli forces had to withdraw back into Palestine. See **Map 3.7**.

Soon after, the Armistice Agreement with Egypt was signed. Hardly had the ink dried, when Israel sent two columns, one along central *Negev* and another west of *Wadi Arabah*, the boundary with Jordan. The two columns reached Umm Rashrash, on the Gulf of Aqaba. They planted the Israeli flag and washed their feet in the waters of the Red Sea.

Israeli forces had occupied more than 7,000 km² without a single shot being fired. The Jordanian post alerted General Glubb about the advancing Israeli columns. Glubb ordered the evacuation of Ras al-Naqab and Umm Rashrash.²⁸³ The Egyptians did not even know of the advance. When their sergeant at a post near Umm Rashrash tried to telephone al-Arish, he found that Israeli forces had cut the single wire.

King Abdullah meanwhile was responding to heavy Israeli pressure to cede a large strip in central Palestine. After protracted negotiations, he yielded, and an armistice agreement was signed with him. Lebanon readily signed an armistice agreement and Syria entered into tough negotiations under the UN Acting Mediator Dr. Ralph Bunche, which lasted for four months, but an agreement was signed in the end. (See **Armistice Agreements**, Section 3.2.)

Israel thus managed to win a largely uncontested battle and succeeded in emptying 530 towns and main villages (in addition to 145 smaller villages) of their inhabitants, thus making 805,000 people refugees. Their conquest extended Israeli control to an area of about 20,350 km² or 77 percent of Palestine, an increase of about 19,000 km² over the land they possessed under the British Mandate and with an additional 24 percent of Palestine conquered beyond the limit of the Partition Plan. See **Map 3.8**. Three hundred and fifty six of massacres, atrocities, destruction of property and houses, plunder and looting of possessions were recorded up to 1956. See **Table 3.2**. Between 1947 and 1956 alone, well over 100 massacres and atrocities were committed by Israeli forces. Of these, about half were committed in 51 Galilee villages. Two thirds were committed before 15 May, that is, during the British Mandate, before Israel was created and before Arab forces came to rescue the Palestinians.

With the emptying of so many towns and villages of its people and conquering vast areas of the country, Palestine came close to satisfying the erstwhile Zionist myth, “Palestine is a country without people”.²⁸⁴

3.2 The Armistice Agreements

The Armistice Agreements delineated a ceasefire line separating the warring parties on the day each respective agreement was signed. In effect, the armistice lines were a measure of the Israeli advance into Arab Palestine and of the retreat of the Arab forces. Nevertheless, the armistice lines between Egypt, Jordan, Syria, Lebanon and Israel were legally temporary in nature. According to each agreement,

It is emphasized that it is not the purpose of the Agreement to establish, to recognize, to strengthen or to weaken or nullify, in any way, any territorial, custodial or other rights, claims or interests which may be asserted by either Party

in the area of Palestine or any part or locality thereof covered by this Agreement whether asserted rights, claims or interests derive from Security Council resolutions, including the Security Council resolution of 4 November 1948 and the Memorandum of 13 November 1948 for its implementation, or from any other source. The provisions of this Agreement are dictated exclusively by military considerations and are valid only for the period of the Armistice.²⁸⁵

In spite of the temporary nature of the armistice lines, the agreements had two devastating effects on the future of Palestine. First, the arbitrary and enforced nature of the line caused the dismemberment of the land and the life of 111 villages, in addition to the Beer Sheba district. Second, Israel only regarded the armistice lines as a *de facto* border when pressured to retreat to the lines established by the 1947 Partition Plan. Otherwise, Israeli forces crossed the border at will, and Israel itself freely expanded into the West Bank, Gaza Strip, Golan Heights and Lebanon.

The armistice line in the West Bank is often referred to as the ‘Green Line’ after the colour used to draw the armistice line on the Israeli official map in the 1950’s. This term, however, blurs the legal and practical meaning of the armistice line. It should be referred to as “the Armistice Line of 1949.”

The Armistice with Egypt

Egypt was the first Arab state to sign an armistice agreement with Israel. By January 1949, the Egyptian front was in disarray. The Israeli occupation of vast areas in the southern half of Palestine left the villages of Faluja and Iraq al-Manshiya encircled. The Israeli attack was condemned by the Security Council Resolutions on 4 and 16 November 1948, ordering Israel to withdraw from lands it occupied in violation of the Second Truce. Israel did not comply and Egypt decided to negotiate.

Armistice negotiations between Egypt and Israel opened on the Greek island of Rhodes. Egypt tried to recover the town of Beer Sheba, which was to remain part of the Arab state in the Partition Plan, but failed, even though they offered to install a ‘civilian’ administrator in accordance with the Memorandum drafted by UN Acting-Mediator Dr. Ralph J. Bunche. The two sides agreed that the area around al-Auja area (256 km²) on the Egyptian border was to be demilitarized. It was also agreed that Israeli outposts at Deir Sneid, Tell-Jamma and al-Ma’in would not exceed a platoon’s strength. No Israeli forces were allowed in the village of Bir Asluj. The Gaza Strip, which became the refuge for 200,000 Palestinian refugees who were expelled from the Gaza and Beer Sheba districts, remained in Egyptian hands.

Egypt’s immediate concern was the evacuation of the Faluja garrison, complete with its arms and equipment. Through an exchange of letters, the garrison was allowed to leave. The fate of the Palestinian population of al-Faluja and Iraq

281 ICRC reports G59/II/GC-G3/82 dated November 12, 1948 and February 6, 1949.

282 For the Galilee depopulation see, Nafez Nazzal, *The Palestinian Exodus from Galilee, 1948*. Beirut: Institute for Palestine Studies, 1978.

283 Shlaim, *supra* note 268, p. 402.

284 Nur Masalha, *The Politics of Denial: Israel and the Palestinian Refugee Problem*. London: Pluto Press, 2003, p. 9.

285 Paragraph 3, Article IV of the Egyptian-Israeli General Armistice Agreement, dated February 24, 1949. This clause had been reproduced in other armistice agreements but in a much shortened version. In Paragraph 2, Article II of the Lebanese-Israeli Armistice Agreement, dated March 23, 1949, (the word ‘emphasised’ replaced by the word ‘recognized’). In Paragraph 2, Article II of the Jordanian-Israeli Armistice Agreement dated April 3, 1949 and in Paragraph 2, Article II

of the Syrian-Israeli Armistice Agreement dated July 20, 1949, the short version reads: “It is also recognised that no provision of this Agreement shall in any way prejudice the rights, claims and the position of either Party hereto in the ultimate peaceful settlement of the Palestine question, the provisions of this Agreement being dictated exclusively by military and not by political considerations.”

Table 3.2: War Crimes (Atrocities, Massacres, Destruction, Plunder and Looting) 1947-1956

S No.	Village/ Place	Date of Event	Who: IDF/JNF/ Others	Comments	Combined Code	Reference
1	Jerusalem	22-Jul-46	Haganah & Palmah	Attackers dressed as milkmen blew up King David Hotel killing 92 people of which there were 16 Britons, 1 Arab and the rest Jews, and injuring 58.	2,4	UNITY p.2, PPR p.300
2	Fajja	20-May-47	Palmah	1 coffee house blew up.	4	M-BR p.342
3	Jaffa, Abu Laban orchard (outside Tel Aviv)	Aug-47	Haganah	1 house blew up suspected of being Arab headquarters.	4	M-BR p.342
4	Jerusalem	1-Dec-47	IZL	Looted Arab shops and Jewish mob set fire to Rex Cinema and adjoining houses.	3,4	M-BR p.119
5	Jaffa, Abu Kabir	2-Dec-47	Haganah's Kiryati Brigade	Blew up a house.	4	M-BR p.110
6	Jerusalem	4-Dec-47	Jewish mob	Torched Arab shops.	4	M-BR p.119
7	Jaffa, Abu Kabir	6-Dec-47	IZL	Torched several buildings killing 2 people.	2,4	M-BR p.110, Ben p.102
8	Karatiyya	9-Dec-47	Giv'ati Brigade	1 house blown up.	4	M-BR p.343
9	Qalqilya-Ras al 'Ein-al-Tira-Wilhelma-Yahudiya road	9-Dec-47	Haganah	Ambushed 2 vehicles. Arabs inside burnt alive.	2	M-BR p.72
10	Lydda	10-Dec-47	Haganah	15 vehicles, including 2 buses destroyed; 2 guards killed.	2,4	M-BR p.424
11	Haifa, Wadi Rushmiya neighbourhood	11-Dec-47	Haganah	1 house blown up.	4	M-BR p.343
12	Balad al Sheikh	12-Dec-47	Haganah	6 Arabs murdered.	2	M-BR p.100, also SAJ p. 105.
13	Haifa	12-Dec-47	Haganah	Attacked a bus.	9	M-BR p.75
14	Tira, Haifa	12-Dec-47	IZL	Killed 13 including children and elderly, 10 wounded, 1 house destroyed.	2,4	Khalidi p.196, also SAJ p. 105.
15	Abbasiya (Yehudiyah)	13-Dec-47		Killed 7 Arab civilians.	2	interx-me.com, Khalidi p.232. SAJ p 105.
16	Khisas in the Galilee Panhandle	18-Dec-47	Palmah	Killed 12 - 7 men, 1 woman & 4 children and wounded 5 Arabs mostly women and children. Demolition of 2 houses (one was the palace of Emir Faur).	2,4	Morris p.79, 343 & robincmiller.com, Ben p.103; SAJ p. 105.
17	Qazaza	19-Dec-47	Haganah	Partially destroyed the house of Mukhtar of Qazaza, 'Abdullah Abu Sabah'; 2 villagers killed & several injured.	2,4	M-BR p.126 & 343
18	Qazaza	19-Dec-47	Haganah	Partially destroyed the house of Mukhtar of Qazaza, 'Abdullah Abu Sabah'; 2 villagers killed & several injured.		M-BR p.126 & 343
19	Qazazeh (south of Ramleh)	19-Dec-47	Settlers	Atrocities	2	SAJ, p. 105.
20	Jerusalem, Romema	24-Dec-47	Haganah	Killed Atiya 'Adel, owner of petrol station in Romema for being an informant for the Arab irregulars.	2	
21	Silwan, suburb of East Jerusalem	26-Dec-47	Etzioni Brigade	Several houses blown up.	4	M-BR p.343
22	Jerusalem, Romema	27-Dec-47	IZL	Destroyed petrol station and coffee shop, killed at least 5 Arabs.	2,4	M-BR p.120
23	Yalu	27-Dec-47	Etzioni Brigade	3 houses blown up.	4	M-BR p.343
24	Lifta	28-Dec-47	Haganah	Attacked coffee shop killing 5-6 Arabs.	2	BADIL
25	Jerusalem, Bab Al Amoud	29-Dec-47	Irgun	Killed 14 civilians and wounded 27.	2	PNIC
26	Haifa	30-Dec-47	IZL	Bombed Consolidated Refineries Ltd: 6 died and 42 injured.	2,4	M-BR p.101, SAJ p. 105.
27	Jerusalem, Bab Al Amoud	30-Dec-47	Irgun	Threw bomb on speeding taxi killing 11 Arabs and 2 Britons.	2	robincmiller.com, PNIC
28	Safad	Dec 47-Jan 48	Palmah	Killed 3 Arabs; blew up house of Subhi al Khadra, the local Husseini leader.	2,4	M-BR p.221
29	Balad al Sheikh	31-Dec-47	Haganah	Fired and blew up houses, shot male adults, total: more than 60 killed including 2 women and 5 children, 41 injured.	2,4	M-BR p.101, also SAJ p. 105.
30	Hawassa el Fuqa (near Haifa)	31-Dec-47	settlers	Atrocities	2	SAJ p 105.
31	Bayt Dajan (east of Tel Aviv)	1-Jan-48	Palmah	Village houses destroyed.	4	Khalidi p.237-238
32	East Jerusalem, Sheikh Jarrah quarter	1-Jan-48	Haganah	12 houses torched.	4	M-BR p.123
33	Jerusalem, Sheikh Badr	Jan-48	Haganah, LHI	House of mukhtar Haj Sulayman Hamini blown up, destroyed several other houses.	4	M-BR p.121
34	Ein al Zeitun (Ayn az Zaytun)	2-3 Jan 1948	Haganah	Blew up several houses; killed 23 Arabs and took their watches.	2,3,4	M-BR p.222, Guy
35	Jaffa	4-Jan-48	Haganah	Demolition of town hall (saraya), which housed a militia headquarters, left dozens dead. Utilities and municipal services broke down. 15-30 people killed, 100 wounded.	2,4	M-BR p.112 & robincmiller.com
36	Jerusalem, Qatamon	5-6 January 48	Etzioni Brigade	Semiramis Hotel blown up; 10-25 killed, wounded 20	2,4	M-BR p.123 & 343, robincmiller.com, PPR, PNIC
37	East Jerusalem, Sheikh Jarrah quarter	14-Jan-48	LHI troops	3 houses blown up.	4	M-BR p.344
38	Haifa	16-Jan-48	Jewish mob	Shop in Salah ed-Din St blown up; 31 Arabs including women and children killed, 31 wounded by Jewish terrorists in British uniforms.	2,4	PPR
39	Mansurat al Kheit, north of the Sea of Galilee	18-Jan-48	Palmah	Tents and huts were torched and farm animals killed They were ordered to kill anyone who shows resistance.	2,4	M-BR p.132, also SAJ p. 105.
40	Tiberias	24-Jan-48	Palmah	Murdered an Arab taxi driver.	2	M-BR p. 80
41	Arab Suqir	25-Jan-48	Haganah	Destroyed the whole village (Houses, 2 trucks and well).	4	M-BR p.77 & 343
42	Haifa	28-Jan-48	?	Abbas Street: Barrel stuffed with explosives killed 20 people and wounded 50.	2	Anis Sayigh, PNIC
43	Lifta	29-Jan-48	Haganah	Blew 3 houses.	4	M-BR p.120
44	Salama	Jan-Feb 1948	Palmah	Several houses blown up. The instructions were to attack the northern part of the village..to cause deaths, to blow up houses and to burn everything possible.	4	M-BR p.343
45	Yazur (East of Jaffa)	Jan-Feb 1948	Palmah	Several houses blown up.	4	M-BR
46	Qisarya (Caesarea)	31-Jan-48	LHI	Ambushed a bus killing 2 Arabs and injuring 8.	2	M-BR p.130
47	Abu al Fadl ('Arab al Satriyya) West of Ramle	Feb-48	IZL	Murdered 10 Arabs including 1 woman working in a grove.	2	M-BR p. 80
48	Baysan	Feb-48	Palmah	Several houses demolished.	4	M-BR p.224
49	Caesarea (Haifa District)	1-Feb-48	Settlers	Atrocities	2	SAJ, p. 105.
50	Haifa	Feb-48	Palmah	Dozens killed and injured with 300kg bomb.	2	M-BR p.106
51	Kfar Ureah (near)	Feb-48	Haganah	Murdered an Arab peasant and his wife without provocation.	2	M-BR p. 80

Table 3.2: War Crimes (Atrocities, Massacres, Destruction, Plunder and Looting) 1947-1956, Continued

S No.	Village/ Place	Date of Event	Who: IDF/JNF/ Others	Comments	Combined Code	Reference
52	Petah Tikva (near)	10-Feb-48	IZL or LHI	Stopped a truck carrying workers: killed 8 and wounded 11 after robbing them.	2,3	M-BR p. 80
53	Jaffa, Abu Kabir	12-13 Feb 48	Haganah	13 Arabs killed including mukhtar and 22 injured.	2	M-BR p.116, Ben p.102
54	Safad	12-Feb-48	?	Attacked a bus killing 5 Arabs and injured 5.	2	robincmiller.com
55	Beit Safafa	13-Feb-48	Haganah	Regional militia leader Mahmud al 'Umari killed and others.	2	M-BR p.123
56	Sa'sa	14-15 Feb 48	Palmah	16 houses were blown up, 60 Arabs killed mostly women and children.	2,4	Ben p.107, also SAJ p. 105.
57	Ramle	18-Feb-48	IDF	Killed 7 Arabs and injured dozens in Ramle Market bombing; cases of rape.	2,4,6	M-BR p.424, Segev p.72
58	Ramle	18-Feb-48	IDF	Killed 7 Arabs and injured dozens in Ramle Market bombing; cases of rape.	2,4,6	M-BR p.424, Segev p.72
59	Ramle	18-Feb-48	IDF	Killed 7 Arabs and injured dozens in Ramle Market bombing; cases of rape.	2,4,6	M-BR p.424, Segev p.72
60	Bayt Dajan	19-Feb-48	British forces	Killed 2 and injured 3.	2	Khalidi p.237-238
61	Qisarya (Caesarea)	19-20 Feb 1948	Palmah's 4th Battalion	Demolished houses; All of those villagers who did not escape were killed.	1, 2, 4	M-BR p.130, Ben p.134, Guy
62	Qisarya (Caesarea)	19-20 Feb 1948	Palmah's 4th Battalion	Demolished houses; All of those villagers who did not escape were killed.	1, 2, 4	M-BR p.130, Ben p.134, Guy
63	Haifa	20-Feb-48	Settlers	Killed 6 Arabs and injured 36.	2	robincmiller.com
64	Jerusalem	20-Feb-48	Shetron	Bombed Al Salam Building killing 14 Arabs and wounding 26.	2,4	PNIC
65	Bayt Dajan	26-Feb-48	Palmah	Killed 3 villagers and wounded 4, one house blown up.	2,4	Khalidi p.237-238
66	Kantara-Haifa Train	27-Feb-48	?	Train near Rehovoth attacked: killed 27 British soldiers and injured 36.	2	robincmiller.com
67	Wadi Ara, near Giv'at Ada	27-Feb-48	Guard Milices	Beheaded an Arab prisoner and scalped his head with a knife. Villagers say more people were killed.	2	kibbutz Be'eri member
68	Qa'un	Mar-48	Palmah	15 houses blown up.	4	M-BR p.344
69	Sandala (north of Jenin)	Mar-48	Palmah	Blew up or torched a number of houses.	4	M-BR p.344
70	Wadi Hawarith	Mar-48	Haganah	Ambushed a taxi killing 3 or 4 Arabs.	2	M-BR p.129
71	Haifa	3-Mar-48	Stern Gang	Destroyed Salameh building killing 11 and injuring 27.	2,4	robincmiller.com
72	Haifa, Wadi Nisnas	4-5 March 1948	Haganah	Ordered to kill adult males, killed 19 men.	2	M-BR p.106
73	Haifa, Wadi Nisnas	4-5 March 1948	Haganah	Ordered to kill adult males, killed 19 men. Penetrated houses and destroyed furniture with Molotov Cocktails.	2,4	M-BR p.106
74	Biyar Adas	5-Mar-48	Alexandroni	15 Arabs killed.	2	Khalidi p.239
75	Husseiniya	12-13 March 1948	Palmah	5 houses blown up and 15 Arabs, including members of a Iraqi volunteer contingent and women and children were killed and 20 others injured.	2,4	M-BR p.132 & 344, also SAJ p. 105.
76	Ein (Ayn) Ghazal, Little Triangle, south of Haifa	14-Mar-48	Haganah	4 houses razed, 1 Arab woman killed and 5 men wounded.	2,4	W. Khalidi p.148
77	Husseiniya	16-17 March 48	Palmah	Killed more than 30 people.	2	robincmiller.com., M-BR p.344, also SAJ p. 105.
78	Kiryat Motzkin (near)	17-Mar-48	Haganah	Blew 2 trucks, 12 Arabs, and 2 Britons killed, including Muhamad Bin Hamad al Huneiti, Jordanian commander of Haifa's militia.	2,4	M-BR p.106
79	Jaffa, Jibalya	24-Mar-48	Haganah	6 houses demolished and 2 dead.	2,4	M-BR p.116
80	Benjamina (near)	31-Mar-48	?	Blew up train, killing 24 Arabs and injuring 61; some sources say 40 Arabs killed.	2,4	robincmiller.com, Issa (Encyclopedia), PNIC
81	Al Manshiya, Tiberias district	?/04/1948	settlers	Atrocities	2	SAJ, p. 105.
82	Safad	Apr-48	Haganah	Lobbed a Davidka mortar bomb killing 13 Arabs, mostly children.	2	M-BR p.222
83	Tiberias	1-Apr-48	Haganah	Chopped off legs and hands of people and children using axe, also did awful things to women.	2,6	M-BR p.116
84	Mishmar Ha'emek (near)	4-15 April 1948	Haganah	Captured area; looting; unconfirmed cases of rape; adult males captured and killed.	2,3,6	M-BR p.241-243
85	al Sarafand	5-Apr-48	?	Mortared a house, killed 16 Arabs and injured 12.	2,4	robincmiller.com
86	al Sarafand	5-Apr-48	?	Mortared a house, killed 16 Arabs and injured 12.	2,4	robincmiller.com
87	Biyar Adas	5-Apr-48	Stern Gang	Blew up 30 houses.	4	Khalidi p.239
88	Abu Shusha, Haifa	09-11 Apr 48	Haganah	Village partially razed.	4	M- BR 242, also W. Khalidi p.142
89	Deir Yassin	9-Apr-48	IZL and LHI	Blew up several houses; shot down families and individuals including women and children; executed prisoners; raped a number of Arab girls and murdered them; looted everything; total 110-140 villagers killed (Ben: 254 people killed), 50-70 wounded.	2,3,4,6	M-BR p.237-238, UNITY p.4, Hogan, Khalidi, Dyr, Ben p.115, also Milstein. SAJ p105.
90	Qastal	9-Apr-48	Palmah	Systematically levelled; blew up all houses.	4	M-BR p.235 & 345, Ben p.111
91	Qaluniya	11-Apr-48	Palmah	Systematically levelled; demolished 55 houses.	4	M-BR p.235 & 345, Ben p.111
92	Abu Zureiq, Haifa	12-Apr-48	Palmah	15 adult males, 200 women and children taken captive; killed 2 women and 4 children, 30 houses blown up, 5 of which were occupied. Quote from Eliezer Bauer: "Most villagers murdered who are defenceless, beaten peasants, cases of rape, all village houses and well blown up, looting".	2,3,4,5,6,9	M-BR p.346, also Khalidi, Quote: M-BR pp. 242-243, Ben pp.74-77.SAJ p 116.
93	Al Kafrin, Haifa	12-Apr-48	Palmah's 1st Battalion	Blew up 30 houses.	4	M-BR p.346, also Khalidi
94	Al Mansi, Haifa	12-Apr-48	Palmah	Village completely levelled	4	M-BR p.346,also W. Khalidi
95	Khirbet Nasir ad Din and Sheikh Qadumi Hill, Tiberias	12-Apr-48	Haganah's Golani Brigade	Captured the village; killed most of the villagers, only 40 survived, all houses raised to the ground.	2,4	M-BR p.183 & UNITY p.5, Al-Aref p. 205, Guy p.22, M-A p. 177 SAJ p106.
96	Lajjun	13-Apr-48	Haganah	Killed 13 Arabs. Completely demolished 15-16 April 1948.	2	Anis Sayigh,PNIC, M-BR p.346
97	Deir Tarif, Al Ramla	Apr-48	IDF	Air raided wounding 5 villagers including a 2 yr old child.	9	Khalidi p.379
98	Al Naghnaghiya, Haifa	15-Apr-48	Palmah	Village completely levelled	4	M-BR p.346,also W. Khalidi
99	Hawassa (near Haifa)	16-Apr-48	Carmeli Brigade	Killed 130 Druze tribesmen.	2	Khalidi p.162. Esber
100	Sariss (Jerusalem corridor)	16-17-Apr-1948	Haganah	Indiscriminate killings occur. The Haganah attacks the village at dawn. At that time, at least four elderly women remain in the village as other villagers flee in panic. Later in the same day, returnees discover the corpses of four women. The bodies are all in one spot and each is shot in the forehead.	1,2	Abu Khairy, SAJ p 106.
101	Tel Litvinsky (near)	16-Apr-48	?	Attacked former British camp, killed 90 Arabs.	2	robincmiller.com
102	Al Mazar, Haifa	19-Apr-48	Palmah	Completely demolished.	4	M-BR p.346
103	Beit Surik and Bidu (neighbouring villages in Jerusalem area)	19-20-Apr-1948	Palmah	Palmach troops, commanded from Jerusalem by Yitzak Rabin, occupy the two villages without confronting resistance. Sappers blow up occupied Arab houses. According to Ha'aretz, "the houses collapsed on dozens of Arabs," who are falsely presumed to be fighters (author's comment: according to Arab oral sources).	1,4	Milstein, p. 211, also Ben-Gurion p. 273 (AV) & p. 361 (HV); H-D. SAJ p106.
104	Tiberias	19-Apr-48	?	House blown up killing 14 Arabs.	2,4	robincmiller.com
105	Miska	20-21 Apr 48	Alexandroni	Expelled the inhabitants and destroyed the village.	1,4	M-BR p.350,also Khalidi p.558

Table 3.2: War Crimes (Atrocities, Massacres, Destruction, Plunder and Looting) 1947-1956, Continued

S No.	Village/ Place	Date of Event	Who: IDF/JNF/ Others	Comments	Combined Code	Reference
106	Haifa	21-22 April 1948	Haganah	Captured the city; 100-150 Arabs dead and many wounded. Mass indiscriminate killings occur. After the fall of Haifa, the Haganah continued to bombard civilian gatherings, especially near the port. They create panic. There was considerable looting. POWs were executed.	2,3	M-BR pp.190-192. Al-Aref, p. 222, also Palumbo pp.62-81; P-Khalidi, pp. 29-134; N-Masalha pp. 173-176 (AV); Childers; M-B pp. 76-77; Ben-Gurion p. 284 (AV) & p. 378 (HV); B-Farah p. 197.SAJ p107.More details in Esber.
107	Shu'fat	23-Apr-48	Palmah	Blew up 8 buildings.	4	M-BR p.346
108	East Jerusalem, Sheikh Jarrah quarter	24 Apr-May 1948	Palmah	Largely or partly destroyed.	4	M-BR p.345
109	Acre	25-26 Apr 1948	Haganah	Demolished 3 houses, mortar fell in Acre prison triggering mass prisoner escape.	4	M-BR p.209
110	Jaffa	25-Apr-48	Haganah	City attacked; postoffice, prison hit; coffee shop hit; tens of Arabs killed and injured; supply of food was completely stopped.	2,4	M-BR pp.213-214. Esber.
111	Haifa	27-Apr-48	Haganah	Extra-judicial executions occur. Seven of the oil refinery workers, who are suspected of having been present at the 30 December 1947 killings, are executed by the Haganah.	2	N-Masalha p. 176 (AV), quoting British document: "Section 257. and 317F.S, Weekly Report No. 3", for the week ending 28 April in PRO, WO, 275-79, 3. SAJ p 107.,
112	Jaffa (Al Manshieh neighbourhood)	28-Apr-48	IZL	Indiscriminate killings occur. Following heavy bombardment and a fierce battle, which lasts several days, IZL forces from Tel Aviv occupy al-Manshieh. They systematically massacre both combatants and remaining civilians. Casualties are estimated to be around 50.	2,4	Al-Aref pp. 258-260, also H-Hathut p.32; Abu Raya. SAJ p 107.,
113	Kafr Ana (Lydda District)	29-Apr-48	Israelis	Indiscriminate killings occur. The village is demoralised and occupied after a period of resistance. Ten civilians are killed on the day of the occupation. Those murdered are either elderly people, who remained in the village, or men, who attempted to flee.	2	Abu Sheikh
114	Samakiyya (near Tiberias)	29-Apr-48	Haganah	Indiscriminate killings occur. The Haganah fires on fleeing civilians and kill at least three individuals from Tabigha, who had taken refuge in As Samakiyya. Among the dead are Ahmad Muhammed, Ahmad Abu-Fadil, Hamdih Khadrah, and the sister of Ahmad Yousef Ali.	2	Nazzal. Saj p 108.
115	Jerusalem, Qatamon	30 Apr-2 May 48	Haganah	There are 150 casualties. Indiscriminate killings occur. After the fall of this western neighbourhood in Jerusalem, the Haganah forces kill a number of people estimated to be 150 casualties.	2	BADIL, Palumbo p. 100.
116	Al Sanbariya	May-48	?	Complete demolition of the houses even those without roofs.	4	M-BR p.357
117	Ayn az Zaytoun (Ein al Zeitoun)	1-May-48	Palmah	Took 30-100 Arabs as prisoners; massacred 37 of them; blew up and burned several houses.	2,4,5	M-BR p.223, Ben p.130, Al-Aref Vol. 3, p. 582, Hamoudeh, Abu Hakmeh, M-Abbasi, N-Nazzal p. 34-37, MH-Kelman p. 22, MI-Kelman, Palumbo p. 111-112, N-BY p. 243-248 (quoted in M-BR p. 289), Milstein (quoted in Guy p. 22). SAJ p108.
118	Baysan	May-48	Haganah	Captured the city; 100-150 Arabs dead and many wounded.	2	M-BR p.224
119	Shu'uth, south of Nuran	Apr-May 1948	Palmah	9 bedouin lay-byes and 1 mud hut destroyed.	4	M-BR p.347
120	Tabigha	May-48	Palmah, Alexandroni, Haganah	Blew up most houses; 15 Arabs killed.	2,4	M-BR p.250
121	Aqir, Al Ramla	May-48	Giv'ati	Blew up two houses; 4 villagers killed.	2,4	M-BR p.255
122	Zanghariya, Safad	May-48	Palmah, Alexandroni, Haganah	Operation Broom; 50 houses blown up.	4	M-BR p.250, also Khalidi
123	Sejera, Nazareth	6 or 9 May 1948	?	800 Jews entered the area and killed 8 Arabs and wounded 25, number of casualties among Jews not known.	2	Issa (Encyclopedia)
124	Akbara	9-May-48	Palmah's 1st Battalion	Destroyed few houses, part of mosque and took away livestock.	4,9	M-BR p.224, also Khalidi p.432
125	Qanir (Haifa Area)	9-May-48	Haganah	Indiscriminate killings occur. The village is attacked for the first time on 2 March, according to Masalha. Most of the houses in the village are destroyed. On 9 May, according to Haganah reports, Alexandroni troops raid the village and kill at least four Arabs. They blow up the remaining 55 houses.	2,4	Masalha p. 155 (AV), also M-BR p. 244., SAJ p.108.
126	Qannir, near Sabbarin	9-May-48	Alexandroni	Raided the village; killed 4 Arabs and blew up 55 houses.	2,3,4	M-BR p.244
127	Al Ashrafiya	10-11 May 1948	Golani	Blew up houses and destroyed the entire village.	4	M-BR p.227
128	Beit Daras (Gaza)	10-11 May 1948	Giv'ati	50 casualties; many houses were blown up and torched, wells and granaries sabotaged.	4,9	M-BR p.256
129	Safad	10-May-48	Palmah	Captured citadel and police fort.	9	M-BR p.224
130	Burayr, northeast of Gaza	12-13 May 48	Palmah (Jawad says Haganah)	Killed a large number of villagers; 20 combatants and 50 civilians are killed. Among the massacred, four are women, five are children and eight are over 60; raped and murdered teenage girl.	2,6	Hussein p. 142-147, also M-BR p. 258. SAJ p 109.
131	Haifa, Abbas	12-13 May 48	?	40 armed men entered Abbas area and stole 4 truck loads of flour.	3	Issa (Encyclopedia)
132	Khubbeiza (Haifa District)	12-May-48	IZL	Arab sources refer to a massacre. Israeli sources make no mention of a massacre, but acknowledge that Khubbeiza was one of four villages attacked by the IZL. In the same operation which attacked Khubbeiza, Sabbarin, Um Chouf and Bureika massacres did occur in two of these four.	2	AS-RV p. 10, also M-BR pp. 243-244, SAJ p109.
133	Sabbarin	12-14 May 1948	IZL	Indiscriminate killings occur. A section of the IZL attack four villages (see Khubbeiza above). Civilians who flee are massacred after a short battle. About 20 people die. Over 100 people remain. All or a part of the elderly, women and children are forced into a house, which is blown up by troops.	2,4	Eyewitnesses. SAJp 109.
134	Sumsum	12-13 May 1948	Palmah (Jawad says Egyptian forces)	Blew up 5 houses; killed 5 or 20 people; blew up granaries and well.	2,4	Birzeit RC, also M-BR p. 258. SAJ p 110.
135	Umm Shauf (Haifa District)	12-May-48	IZL	Massacre of prisoners after extra-judicial "court martial" occurs." An IZL officer: The troops detained seven young adult males. The IZL officer held 'a field court martial that sentenced the seven to death.' The seven were executed."	2	M-BR p. 244. SAJ p 109.
136	Abu Shusha (Ramleh District)	13-14 May 48	Giv'ati	Selective killings and forced expulsions occur. The Haganah bombard the village and several men are killed. Men are shot, bayoneted, and axed after the fall of the town. Women and children who take refuge in a cave are discovered three days later. Some of the women are injured by mines planted by the Haganah and at least one woman is raped. 50 people were killed, including ten from the neighbouring village of Sidon, who had taken refuge in Abu Shusha. Women and the elderly are forced to abandon the village.Houses blown up; 30 Arabs killed though Arab claim more than 70; two times attempted rape of a woman prisoner.	1,2,4,6	Y-S. M-BR p.257, also Khalidi p.358. Saj p 111.
137	Acre	13-18 May 1948	Haganah	Captured the city on 17-18 May; Town was ravaged; about 60 corpses; 50 cases of typhoid; rape murder of girl and murder of her father; 4 of them were forced to drink cyanide; 3 died; poisoning of wells by Typhus.	2,6,9	M-BR p.231 & robincmiller.com,ICRC;AS-BW; Al-Aref , Vol. 2, p. 424; Slotsky p.480 (AV) p. 1585 (HV); Titi. SAJ p 112.
138	Bassa	13-May-48	Haganah	Executed a number of youngsters (5-7 inside/outside Orthodox church) and molested or violated a number of women.	2,6	M-BR p.253; Ben p.140; B-Y; Nazzal, dissertation Vol. II, 386; Ben 140. SAJ p 111.
139	Tel Gezer	13-May-48	Kiryati Brigade	Caught 10 Arab men and 2 women (1 old and 1 young): young one was raped, murdered the 10 men and 1 old woman.	2,6	Guy, AS-R
140	al Ghabisiya	14-May-48	Haganah	Indiscriminate killing though village had good relations with jewish neighbours. Killed 11 Arabs.	2	M-BR p.254, Ben p.140. SAJ p 111.

Table 3.2: War Crimes (Atrocities, Massacres, Destruction, Plunder and Looting) 1947-1956, Continued

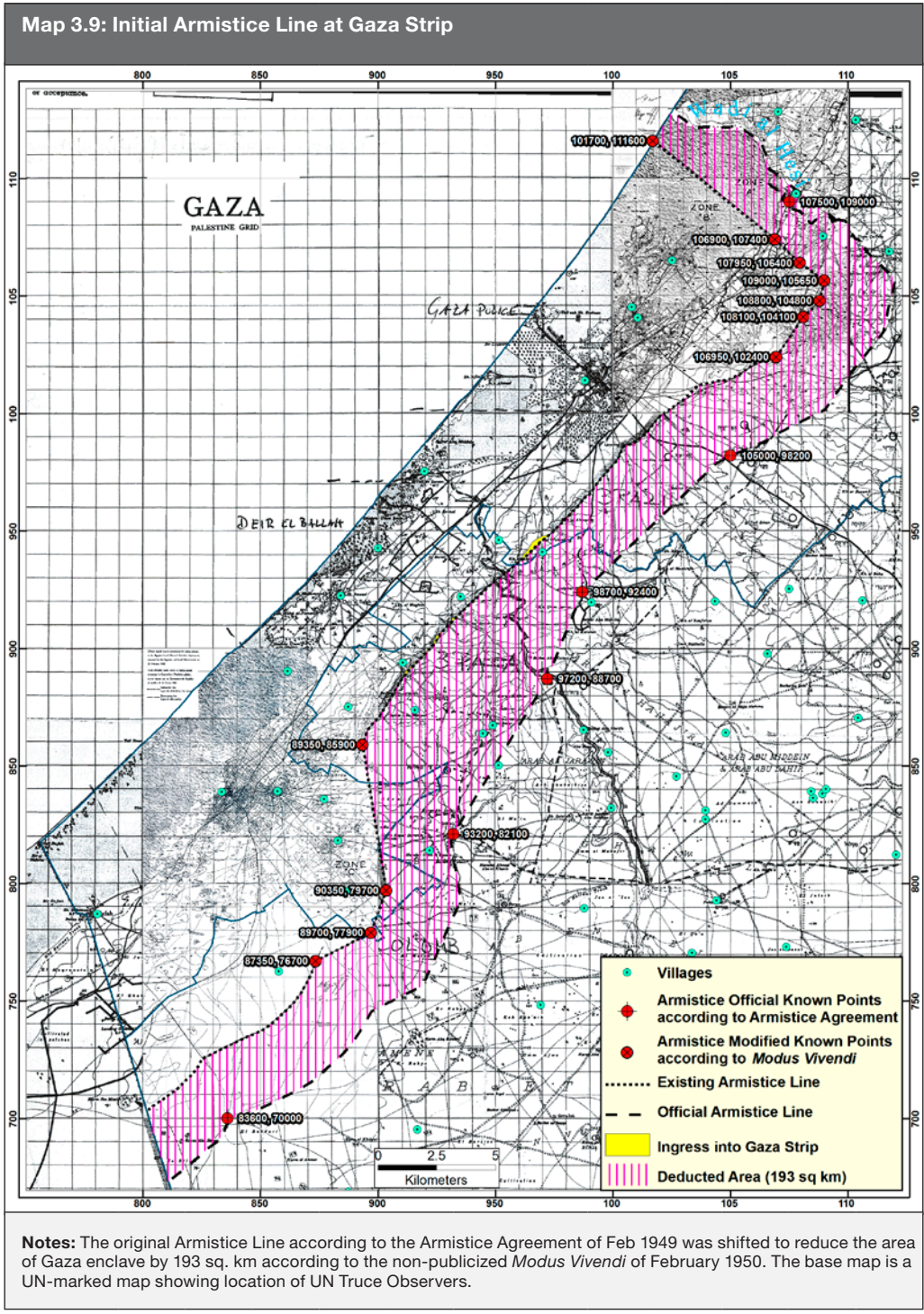
S No.	Village/ Place	Date of Event	Who: IDF/JNF/ Others	Comments	Combined Code	Reference
141	Jaffa	14-15 May 1948	Haganah	Indiscriminate killing, forced expulsion. Massive bombardment and looting after fall. Jabalya, 14 May: 12 year old girl raped; many attempted rapes. 25 May: 15 men found dead. Widespread institutional and private looting; robbery on roads for valuables; vandalism of property.	6	SAJ p 110. M-BR p.220
142	Kafr Saba (Qalqilya area)	14-May-48	Haganah	Indiscriminate killings occur. According to eyewitnesses, 11-20 people are killed after the occupation of the village by the Haganah. After the capitulation of the village, a young man, who tries to help his elderly father leave the village, is shot.	2	S-B p. 59, O-T., SAJ p 112.
143	Sumeiriya, Acre	May-48	Carmeli	Operation Ben-Ami, killed several young men and injured, village completely destroyed.	2,4	M-BR p.347, also Khalidi p.30
144	Farwana, Beisan (Jordan Valley)	10-11 May 1948 (15 May 48)	Golani	Blew up houses and destroyed the entire village through aerial bombardment.	4	M-BR p.227-228, Goldenberg (quoted in Lehn pp. 245-246). SAJ p108.
145	Hunin	May-August 48	IDF	4 women raped and murdered; 20 others killed and 20 buildings demolished.	2,4,6	M-BR p.249 & 447
146	al Kabri	20-21 May 48	Haganah	Killed 7 youngsters by lining them up and firing at them; destroyed and torched the entire village. Chased an Arab man and girl and killed them.	2,4	M-BR p.253 & 347; Guy, Nazzal pp. 62-63.. SAJ p 112.
147	Al Nahr	20-21 May 48	Haganah	Conquered village, killed adult males, destroyed and torched the entire village.	2,4	M-BR p.347
148	Al Tell, Acre	20-21 May 48	Haganah	Completely demolished.	4	M-BR p.253
149	Umm al Faraj	20-21 May 48	Haganah	Conquered village, killed adult males, destroyed and torched the entire village.	2,4	M-BR p.347
150	Beit Daras (Gaza)	21-May-48	Haganah, Stern Gang, Palmah	Forced expulsions and indiscriminate killings occurred. Israelis opened fire on women and children while being evacuated from the village.	1,2	Anis Sayigh; PNIC; Al-Aref, Vol. 3, p. 536; M-BR 256; Najar. SAJ p 113.
151	Tantura (Haifa area)	22-23 May 48	Alexandroni	At least 200 villagers killed; 1 rape.	2,6	robinmiller.com; Susan, Pappé, Al-Khatib pp. 204-205; Al-Aref, Vol. 6, p. 124. SAJ p 113.
152	Zarnuqa, Ramla	23-27/05/1948	Giv'ati	Indiscriminate killing. Multiple small massacres. Operation Barak; Demolished houses, killed an old man, old woman and child.	2,4	M-BR p.259; Khalidi; Al Madani; Ben p. 137; M-B p. 127. SAJ p 114.
153	Gaza City	24-May-48		Poisoned wells causing an epidemic.	9	AS-BW
154	Kaufakha (Gaza District)	25-May-48	IDF	Indiscriminate killings occur. Many civilians are killed for non-military reasons.	2	S-R p. 43; M-BR, map xx, p. 258., SAJ p. 114.
155	Zir'in, Jinin	28-May-48	Golani Brigade	[19 April 48] Ordered to destroy most village houses while some left intact for accommodation and defence. [28 May 48] Captured	4,5	M-BR p.346, also Khalidi p.339
156	Beit Tima	30-31 May 1948	Negev Brigade	20 Arabs killed; granary and well destroyed.	2,4	M-BR p.258
157	Jaffa, Abu Kabir	Jun-48	Haganah	Destroyed parts of the village.	4	M-BR p.359
158	Shu'uth, south of Nuran	Jun-48	IDF	Flourmill was destroyed.	4	M-BR p.133
159	Zarnuqa, Ramla	Jun-48	Giv'ati Brigade	Machinery was destroyed, farm animals were killed, houses and granaries were torched.	4,9	M-BR p.351
160	Indur, Nazareth	7-Jun-48	Golani	Blew up 2 houses.	4	M-BR p.260
161	Faqqu'a	10-11 June 1948	Golani	Blew up 30 houses.	4	M-BR p.262
162	Julis (Gaza District)	11-Jun-48	Israelis	Indiscriminate killings occur. The village of Julis is attacked by Israelis directly after the beginning of the first truce on 11 June. Women and children are slaughtered, as well as houses set on fire.	2,4	J-H; M-BR, p. 260.
163	Fajja	16-Jun-48	JNF	Completely destroyed.	4	M-BR p.349
164	Sabbarin	16-Jun-48	IZL	20 villagers died in fire fight, more than 100 old people, women and children were held behind barbed wire.	2,9	M-BR p.244
165	Umm al Shauf	16-Jun-48	IZL	Sentenced 7 to death for refusing to tell whose weapons they had found.	2	M-BR p.244
166	Qalqilya	29-Jun-48	IDF	Selective killings occur. Israelis execute four men in front of villagers and a Jordanian Army unit, which does not respond.	2	Al-Aref, Vol. 4, p. 903., SAJ p 115..
167	Kafr Manda	Jul-48	IDF	Executed 2 youngsters.	2	M-BR p.423
168	Qula, al Ramla	Jul-48	IDF	Many male villagers killed, many were shot or burnt to death in their homes; 50 Qula fighters died in battle to take British Tel Levitsky Camp; 1 woman raped and killed; 2 elderly women killed.	2,6	M-BR p.354; also Rantisi; Abu Ghanim; Ibrahim; Saleh; also Susan, SAJ p116.
169	al-Khayma, al Ramla	9-10 Jul 48	Giv'ati	Expelled the inhabitants; blown up and torched a number of houses.	1,4	M-BR p.437, also Khalidi p. 388
170	Beit 'Affa (Gaza District)	9-Jul-48	IDF	Selective killings occur. After the village is occupied, dozens of men are handcuffed, blindfolded, and held face down on the ground. When an Egyptian unit counter-attacked, the Israelis machine-gunned down dozens of blindfolded men.	2	SAJ, p. 115.
171	Idnibba, al Ramla	9-10 Jul 48	Giv'ati	Expelled the inhabitants; blown up and torched a number of houses.	1,4	M-BR p.437, also Khalidi p.382
172	Idnibba, al Ramla	9-10 Jul 48	Giv'ati	Expelled the inhabitants; blown up and torched a number of houses.		M-BR p.437, also Khalidi p.382
173	Jilya, al Ramla	9-10 Jul 48	Giv'ati	Expelled the inhabitants; blown up and torched a number of houses.	1,4	M-BR p.437, also Khalidi p 385
174	Mughallis	9-10 Jul 48	Giv'ati	Expelled the inhabitants; blown up and torched a number of houses.	1,4	M-BR p.437
175	Abbasiyeh (Ramleh District)	10-Jul-48	IDF	Massacre of prisoners occurs.	2	M-M; Al-Aref, Vol. 3, p. 582; Hamoudeh pp. 47-50, Abu Hakmeh. SAJ p 115.
176	Innaba, al Ramla	10-Jul-48	IDF	Blew up most houses leaving 9 intact to accommodate a small garrison.	4	M-BR p.355, also Khalidi p.384
177	Kharruba, al Ramla	10-Jul-48	IDF	Blew up houses and cleansed the village, occupied strongpoints overlooking the village.	2,4	M-BR p.355, also Khalidi p.388
178	Khirbet al Kuneisa (Al Kunaiyisa)	10-Jul-48	IDF	Blew up houses and cleansed the village, occupied strongpoints overlooking the village.	2,4	M-BR p.355, also Khalidi p.391
179	Lydda	10-Jul-48	Yiftah's Brigade	Killed and wounded dozens of Arabs perhaps as many as 200.	2	M-BR p.427
180	Tall as Safi (Hebron District)	10-Jul-48	Givati Brigade	Indiscriminate killings occur. According to Israeli testimony, Battalion 51 of the Givati Brigade (IDF) finds ten Palestinian peasants, including a very old man, and "liquidate[s] [them] in cold blood."	2	Menachem Attar (quoted in Ehrlich p. 25). SAJ p115.
181	Daniyal (Ramleh District)	12-Jul-48	IDF	Indiscriminate killings occur. IDF shelling induces most villagers to flee. All who remain are killed. Two Egyptians and threewomen were instantly killed. A couple: man was shot, woman injured. . Another three old women remained; were also subsequently killed.	2	Danyali; Bajjis; Rashid. SAJ p115.
182	Lydda	12-Jul-48	Yiftah's Brigade	Killed about 25 people and wounded many; 70,000 were expelled; many died from exhaustion, dehydration and disease Gunned down 80-100 men inside Dahmash mosque; Extensive looting; 1800 trucks loaded with looted property.	1,2,3,8	M-BR p.430- 433 & UNITY p.6, Segev p.69, Kurzman p.515 ;SAJ p115.
183	Saffuriya	15-Jul-48	IDF	Blew up 30 houses; killed some inhabitants.	2,4	M-BR p.417
184	Barqusiya	16-Jul-48	Giv'ati	Completely torched; Commando unit ran over tens of bodies.	2	M-BR p.437
185	Bi'llin	16-Jul-48	Giv'ati	Completely torched; Commando unit ran over tens of bodies.	2	M-BR p.437
186	Illut	16-Jul-48	IDF (SAJ says Golani Brigade)	25 inhabitants killed; few youngsters found dead; Arrested 46 young men and killed several of them on 3 Aug.	2,5	M-BR p.422-423 & robinmiller.com; Al-Aref, Vol. 3, p. 631; Al-Ithad p. 11. SAJ p 116.
187	Qazaza	16-Jul-48	Giv'ati Brigade	Expelled inhabitants; blown up and torched a no. of houses.	1,4	M-BR p.437
188	Tira, Haifa	16-Jul-48	IDF	Indiscriminate killing. 28 Al Tira villagers who sought refuge in 'Ayn Gazal burned alive there.	2	Khalidi p.198, UNTSO; Mudor p. 28-30; Ze-ev; M-BR p. 440&458. SAJ p 117.
189	Deir Rafat, Jerusalem	17-18 Jul 48	IDF	Operation Dani; Most of village and monastery blown up.	4	M-BR p.355, also Khalidi p.287

Table 3.2: War Crimes (Atrocities, Massacres, Destruction, Plunder and Looting) 1947-1956, Continued

S No.	Village/ Place	Date of Event	Who: IDF/JNF/ Others	Comments	Combined Code	Reference
190	Ein (Ayn) Ghazal, Little Triangle, south of Haifa	24-26 July 1948	IDF	37 to 100 people killed in air-raids; burned alive 25-30 bodies; IDF claimed to have found 200 Arab bodies.	2	M-BR p.440
191	Ijzim	24-Jul-48	IDF	IDF found hundreds of women, children and old people. 100 militiamen taken prisoners and more than 100 Arabs killed. Quote: 'This large number killed is more like execution than in battle'. UN investigation put the number of killed at 130.	2,5	M-BR p.439, Khalidi p. 164
192	Isdud	Aug-48	Giv'ati	Ten fellahin were murdered.	2	Guy, AS-R
193	Umm al Zinat (Haifa District)	1-Aug-48	IDF	Selective killings occur. Most of them, mainly women and children. Later, the Israelis killed four people to force a final expulsion. Two of the four are killed on the street. Another victim killed outside of the house. A young man was slaughtered in a house two days after the expulsion.	1,2	Ben-Gurion p. 278 (AV), p. 369 (HV). SAJ p 117.
194	Zikrin	6-Aug-48	IDF	Torched 3 or 4 houses; killed 10 adult males, 2 children and 1 woman.	2,4	M-BR p.447
195	Yibna-Arab Suqir-Nabi Rubin areas	28-Aug-48	Giv'ati	Destroyed most of the stone houses and wooden shacks were torched; killed 10 Arabs; wounded 3 and captured 3; killed about 20 camels, cows and mules.	2,4,9	M-BR p.444
196	Sheikh al Rumi (al Quderiya) Just south of Safad	10-Sep-48	Giv'ati	Killed 32; took the village and blew it up.	2,4	M-BR p.445
197	Jaffa	mid-Sep 1949	Haganah	Occupied by Haganah in mid-May 1948. Ordered demolition of the whole city, carried out in piecemeal fashion. Army looted goods estimated at 30,000 pounds daily; houses fell to whoever grabbed them first.	3,4	M-BR p.359, Segev p.73, 75. Al-Aref, pp. 250-268, also Abu Raya and Shammoutt; Anonymous; Palumbo pp.87-94; W Khalidi pp. 134-138; see D.Kimchee in W Khalidi.
198	Jerusalem	17-Sep-48	Stern Gang	Assassinated Count Folke Bernadotte, UN Mediator.	2	robincmiller.com
199	Marus, north of Safad	17-18 Sep 1948	IDF	Village completely demolished; several Arabs killed and wounded.	2,4	M-BR p.448
200	Beer Sheba	21-Oct-48	Palmah	Indiscriminate killings and prisoner massacres occurred. Two massacres were committed during the occupation of the city. In one massacre, 19 civilians were killed. In the second at least 20 Egyptian soldiers were killed after they surrendered. No mercy for children or women, 9 killed including a mother, several injured. Looting of shops. Army had removed several tractors.	2,3	Al-Aref, Vol. 3, p. 736 & Vol. 6 pp. 29-30, 36-37, 39, 43, 51, 62-63, 72, 92, 94; Guy (citing Abraham Adan – IDF officer and eyewitness) p. 25. AS- R, Segev p.74, Kurzman p.601. SAJ p 118.
201	Al Qubeiba, Hebron	Oct-48	Giv'ati Brigade or Har'el Brigades	Machinery was destroyed, farm animals were killed, houses and granaries were torched.	4,9	M-BR p.351, also Khalidi p.220
202	Dawayima	29-Oct-48	Giv'ati	Villagers gunned down inside houses and mosque; massacred about 80-100 people, (Mukhtar gave a list of 500); including children by breaking their heads with sticks, killed old women, woman with her baby and committed rape.	2,6	M-BR p.469; Ben p.153; Palumbo p. xii; Hudeib; Atharbeh pp. 212-216; Al Huriya, p. 9. SAJ p 89.
203	Safsaf	29-Oct-48	IDF	Indiscriminate killing. Shot and dumped 50-70 villagers and POWs into a well; Another 30-40 men missing; 4 young women raped.	2,6	M-BR p.481; Ben p.153; N-Nazzal p. 43 & pp. 93-95; M-B p. 230; Al-Aref, Vol. 6, p. 125; M-K., SAJ p119.,
204	Tarshiha	29-30 Oct 48	IDF	Killed 24 and buried 60 more under rubble.	2,9	M-BR p.473
205	Arab al Jubarat (Beer Sheba District)	Late Oct 1948	IDF	Selective and indiscriminate killings occur.	2	Al Diqs. SAL p122.
206	Arab al Samniyya and other Galilee villages	30-Oct-48	Sheva', Carmeli, Golani, 'Oded	Operation Hiram; emptied the Galilee villages; extensive looting in and around the villages, several hundreds taken as prisoners and several hundred killed in Galilee.	1	Khalidi p.5-6
207	Bi'neh and Deir al-Asad (Acre District)	Oct-Nov 48	IDF	Selective killings occur. Typical: The IDF occupied both villages without encountering resistance and ordered villagers to assemble. Two young men were chosen at random from each village, were executed in an olive grove. The villagers, forced to leave, saw the bodies of the men. UN observers describe the killings as "wanton slaying without provocation."	2,4	N-Nazzal p.89; Titti; M-BR p. 477; Palumbo p. 168. SAJ p 120.
208	Dayr al Asad	Oct-Nov 48	IDF	Executed 2 people; blew up 3 houses.	2,4	M-BR p.477
209	Eilabun	30-Oct-48	IDF	Killed 12 young men, 1 old man, injured 3 women; robbed the inhabitants of money and women of jewelry, 42 of them sent to detention camp, desecrated church.	2,3,5,9	M-BR p.480; Ben p.154; UNTSO; Srouj; Palumbo ch.10 note 225; Sunara p. 6; Srouji p. 74; Al-Ayyam. SAJ p 119.
210	Hule (Houle)	30 Oct-2 Nov 48	IDF	Shot 3 dozen people, captured Lebanese soldiers and peasants and demolished a house on top of them, killing them all. Another account of the same incident: Jews entered the village dressed in Arab costume and killed 83 people.	2,4	M-BR p.481, also Nakba Register; Al-Aref, Vol. 6, p. 125; Guy; UN Doc. SAJ p 120.
211	Jish	30-Oct-48	IDF	Killed 150-200 Arabs; murdered 10 Moroccan POWs, no. of civilians, including 4 Maronite Christians, a woman and her baby. Robbed several houses and stole 605 pounds, jewellery and other valuables, killed people who insisted on demand of their valuables, cut off the finger of one to remove a ring.	2,3	M-BR p.474 & 481 & 501; Segev p.72; G-B; G-C; S-B p. 28; Palumbo p. 171; M-B p. 230. SAJ p118
212	Kafr Anan (Acre District)	30-Oct-48	IDF	Selective and indiscriminate killings occur.	2	Al-Aref, Vol. 6, p. 145; M-BR p. xvii; UN-DOCS- SAJ p 121.
213	Majd al Kurum	30-Oct-48	IDF	Selective killing. Killed 10 people including 1 woman, confiscated 275 sheep and goats; blew up Mukhtar's house.	2,3,4	M-BR p.478; M-S., SAJ p 123.
214	Saliha	30 Oct-2 Nov 48	IDF	Indiscriminate killing. Blew up a house, possibly village mosque, killing 60-94 people crowded inside.	2,4	M-BR p.481; Al-Aref, Vol. 6, p. 125; UN-DOCS. SAJ p 121.
215	Sa'sa	30-Oct-48	Haganah	Mass murder, whole village expelled. This is second massacre. First: 14-15 Feb 1948	1,2	robincmiller.com; M-BR p. 230&501; Ben-Gurion p. 844. SAJ p 121.
216	Nahaf	31-Oct-48	IDF	Selective killings occur.	2	S-Titi; UN Docs.. SAJ p122.
217	Farradiya (Safad District)	Early Nov 1948	IDF	Atrocities	5	SAJ p. 124. Interview of eyewitnesses by Wadi Awawada July 2004.
218	Khirbet Wa'ra as Sawda	2-Nov-48	IDF	Torched the village; 14 prisoners were liquidated (huslu) and 5 were transferred to POW camp.	2,4,5	M-BR p.481, SAJ p 123.
219	Sha'b	5-Nov-48	IDF	Forced expulsion/ death march in mud. Firing 'in the air to scare fleeing refugees', injured a small boy. Eyewitness saw many corpses.	2,8,9	M-BR p. 478 & Eyewitness; N-Nazzal, p. 87&90; UN-Docss. SAJ p 123.
220	Nabi Yosha' (Galilee panhandle)	12-Dec-48	Settlers	Atrocities	2	SAJ, p. 105.
221	Al Araqib (near Beer Sheba)	Jan-49		Shot dead 14 people.	2	AS- R; IDF
222	Azazma	Jan-49		People were shot by machine guns and from helicopters.	2	AS-R, M-BW p.155, M-A p.266
223	Sheikh Muwannis	12-Mar-49	LHI	Kidnapped 5 village notables.	9	M-BR p.127
224	Beit Jala	11-Jan-52	IDF	Killed 7 unarmed civilians, 1 man, 2 women and 4 children.	2	robincmiller.com
225	Jerusalem	22-Apr-53	IDF	Killed 10 people in front of Damascus Gate.	2	robincmiller.com
226	Bureij Refugee Camp	28-Aug-53	Unit 102 Sharon	Killed 20 refugees and injured 62.	2	robincmiller.com, M-BW p.242
227	Qibya, West Bank	14-15 Oct 53	IDF	Killed 70 civilians.	2	M-BW p. 236-255 robincmiller.com
228	Nahalin, West Bank	28-29 Mar 54	IDF	Killed 9 and injured 14.	2	robincmiller.com, M-BW p.300-304
229	Gaza City	28-Feb-55	IDF	Killed 56 and injured 193.	2	robincmiller.com, M-BW p.84-85
230	Kafr Qasem	29-Oct-56	Israel Frontier Guards	Massacred 49 people.	2	Nur Masalha
231	Khan Yunis	3-Nov-56	IDF	Murdered 275 civilians. List of names by Agha.	2	UNITY p.8, UNRWA, Agha
232	Rafah Refugee Camp	12-Nov-56	IDF	111 refugees killed.	2	robincmiller.com, UNRWA

Code	Explanation	# Listed
1	Expulsion, Flight of Population	15
2	Killing People. Atrocities, Massacres	159
3	Looting and Plunder	15
4	Destruction of Villages, Houses etc	124
5	Detention and Forced Labour Camps	7
6	Maltreatment, Starvation, rape	18
8	Suffering after Expulsion as Refugees	2
9	Other Wrongdoing	16
Total	Note: These numbers are not exhaustive	356

Code	Explanation	# Listed
23.0	Agha Ihsan Khalil al Agha, "Khan Yunis Massacre"(in Arabic), Fajr Centre, Cairo, 1997.	
24.0	ICRC Ronald Bleier, "Terror", The Link, July-August 2003, Vol.36, No.3, http://desip.igc.org/InTheBeginning.html .	
25.0	Bleier Guy Ehrlich, "Not Only Deir Yassin", Ha'ir, 6 May 1992. Reference is made in this article to: Aryeh Yitzhaki, Moshe Kalman, Uri Milstein. Daniel A. McGowan and Mathew C. Hogan, "The Saga of Deir Yassin: Massacre, Revisionism and Reality", Deir Yassin Remembered, New York, 1999.	
26.0	Guy Hogan Arie Aharoni, "A Candidate for Treason" (in Hebrew), Sifriat Poalim Publishing House, Tel Aviv, Israel, 2000. This officer admitted receiving an order to poison Gaza wells. U. Milstein, "The War of Independence Vol. IV: Out of Crisis Came Decision", 1991, 255-276.	
27.0	Hogan A. al-Aref, "Nakbat Filastin wa al-Firdaws Ma'qud" (Palestinian Nakba and the Lost Paradise)", 1956-1958, Vol. 1, 205	
28.0	Aharoni Student interview with Hadj Mahmoud Jaber Mahmoud Abu Khairy, Beit Hanina, November 2000 (in SAJ).	
29.0	Milstein D. Ben-Gurion, "Yumann Hamilhamah, 1947-1949 (Diaries of War, 1947-1949)", 1984, G. Rivlin/E.Orren (eds.), Samir Jabbour (trans.), 1993.	
30.0	Al-Aref Oral testimonies indicate that those killed were civilians, student interview with Hassan Dawud Al Khatib, head of the village local council, 11 November 2000 (in SAJ).	
31.0	Abu Khairy E. Childers, "The Other Exodus", The Spectator (a London weekly), 12 May 1961	
32.0	Ben-Gurion B.Farah, "Min al-uthmaneya ila adawat al-ibrya (From Ottomanism to the Hebrew State)", 1985.	
33.0	H-D H. Hathut, "Diaries of an Egyptian Doctor, Palestine the First Disaster of 1948", 1988.	
34.0	Childers Student eyewitness interview with Abed Aziz Abu Raya, village of Silwad, 1979 (in SAJ).	
35.0	B-Farah Nazzal, dissertation, Vol. II, 260-264, interviews with Ahmad Yousef Ali and Ahmad Shahadi Muhammed.	
36.0	H-Hathut N-Nazzal, "The Palestinian Exodus from the Galilee", Galilee, 97 et seq.	
37.0	Abu Raya Student eyewitness interview with testimony of Ahmad Abdullah Abu Sheikh, Ramallah, 5 April 1995 (in SAJ).	
38.0	Nazzal Two eyewitness accounts offer different details, but confirm the massacre. Muhammad Adel Qadir al-Azziz Nazzal, student interview, Qabattia, 23 October 1999, provided an eyewitness report of the blowing up of houses. Ra'ouf al-Hadj Yehya, interview, 2001, provides details of approximately 20 people killed while fleeing (in SAJ).	
39.0	Abu Sheikh M.H.A. Hussein, "Burayr Village", 1999 (in SAJ).	
40.0	Eye-witnesses Rashad Madani from Gaza who conducted oral history interviews with refugees in the south of Palestine for Birzeit Research Center and Amneh al-Najar, student interviewer from Beit Affa, el-Amari Refugee Camp, 1999	
41.0	Hussein Other oral testimonies from people who still live in Jaffa and who wish to remain anonymous were given to Saleh Abdel Jawad (in SAJ).	
42.0	Birzeit RC H. Hamoudeh, "Al-Abbasiyeh 1921-1948: The Struggle of a Palestinian Village", Abbasiyeh Villagers Association, n.d., 47-50, in Arabic.	
43.0	Shammout Saleh Abdel Jawad interview with Anis Abu Hakmeh, Ramallah, 1997.	
44.0	Anonymous M. Abbasi, "The Battle for Safad in the War of 1948: A Revised Study", International Journal of Middle East Studies 36 (2004).	
45.0	Hamoudeh M. Kelman, Hagana Archives, file no. 65/13	
46.0	Abu Hakmeh M. Kelman, IDF Archives, file no. 1226/922/75, 121/4.	
47.0	M-Abbasi N. Ben-Yehuda, Passed the Ropes, 1985, in Hebrew, quoted in Benny Morris, "The Birth of the Palestinian Refugee Problem 1947-1949 Revisited", Cambridge University Press, Cambridge, New York, Sydney, 2004.	
48.0	MH-Kelman M. Goldenberg quoted in W. Lehn (in association with U. Davis), "The Jewish National Fund", 1988, 245-246.	
49.0	N-BY Information communicated to the author (Saleh Abdel Jawad) by Elham Bayour, 1997, and Yousef Haddad, 1999 in California. Both are intellectuals from Bassa who did important work on village history (in SAJ).	
50.0	Goldenberg N.Yakub/F. Shalabi, Abu Shusha, Birzeit Research Center, Palestinian Destroyed Villages, series #18, 1995. This monograph dedicated one whole chapter to the massacre. Later the author published more advanced accounts of the massacre in a number of newspaper articles.	
51.0	E-Y S. Kanaana/B. al-Ka'bi, Kofr Saba, Birzeit Research Center, Palestinian Destroyed Villages, series #11, 1991.	
52.0	Y-S Five oral testimonies from the village, Saleh Abdel Jawad and his students interviews (in SAJ).	
53.0	S-B Y. Slotsky, "Sefer Toldot Ha Haganah" [The History of Haganah], From Struggle to War, Part II, 1972, Hebrew version, translated into Arabic by A. Kalifah as <i>The Palestine War 1947-1948: An Official Israeli Account</i> , 1986.	
54.0	O-T Saleh Idriss Titi, communication to Saleh Abdel Jawad, confirms atrocities, saying that most of those killed were refugees (in SAJ).	
55.0	Slotsky Amneh Al-Najar, student interview from Beit Affa, el-Amari Refugee Camp, 1999 (in SAJ).	
56.0	Titi	
57.0	Najar	
58.0	Al-Khatib M.N. al-Khatib, "From the Events of the Disaster or the Palestinian Disaster," 1951, who presented a complete eyewitness account from a survivor, Marwan 'Iqab al-Yahya.	
59.0	Al Madani Oral testimonies taken by Rashad al Madani, for Birzeit Research Center document the killing of the Egyptian workers and the killing in the Muslim sanctuary.	
60.0	S-R S. Kanaana/R. al-Madani, Kaufakha, Birzeit Research Center, Palestinian Destroyed Villages, series #8, 1990.	
61.0	J-H Jamal Hussein report, dated 13 July 1948, entitled "Memorandum to the Secretary General of the United Nations on the Violation of the Truce by Jews".	
62.0	M-M Interview by Saleh Abdel Jawad with Mahmoud Mohammed Ghabish, el-Bireh, 29 October 1997 (in SAJ).	
63.0	Menachem Attar Menachem Attar (soldier)'s letter to editor, 2 May 1972, Yedi'ot Ahronot, quoted in Ehrlich.	
64.0	Khoure Khalid Khoure, communication to Saleh Abdel Jawad, Berne Switzerland, August 1997 (in SAJ).	
65.0	Danyali Student interview with oral testimony of Amneh Ahmad Khalil Danyali, Birzeit, 1999 (in SAJ).	
66.0	Bajiss Student interview with Abdel Jabir Bajiss (Abu 'Izaf, Rafat, near Ramallah, 20 October 1999 (in SAJ).	
67.0	Rashid Student interview with Ahmad Rashid, Qalanda Refugee Camp, 10 November 1999 (in SAJ).	
68.0	Rantisi Saleh Abdel Jawad interview with oral testimony of Samara Rantisi, el-Bireh, 2001 (in SAJ).	
69.0	Abu Ghanim Student interview with Hassan Abu Ghanim, Birzeit, 20 December 2000 (in SAJ).	
70.0	Ibrahim Student interview with Mohammad Mahmoud Ibrahim, el-Bireh, 2 January 2001 (in SAJ).	
71.0	Saleh Student interview with Tawfiq Hussein Saleh, Birzeit, 2000 (in SAJ).	
72.0	Al-Itihad Al-Itihad (Haifa newspaper), 6 January 1998.	
73.0	Mudor A.R. Al-Mudor, <i>Tieret Haifa</i> , Birzeit Research Center, Palestinian Destroyed Villages, series #19, 1995.	
74.0	Ze-ev Saleh Abdel Jawad interview with Efrat ben Ze-ev, Hebrew University, 1996, translated and gave SAJ copies of some of the correspondence between the IDF and the UN.	
75.0	Hudeib M.A.S. Hudeib, <i>Al-Dawayimah Village</i> , 1985.	
76.0	Atharbeh A. Atharbeh, Al-Dawayimah, Birzeit Research Center, The Palestinian Destroyed Villages, 21 April 1997.	
77.0	Al-Huriya "Olive Season Massacres: This is How They Killed The People in al-Dawayima Mosque During the Friday Prayer", <i>Sawt al-Haq wa al-Huriya</i> , 21 October 1994.	
78.0	S-M S.Kanaana/M. Eshtieh, Kofr Bir'am, Birzeit Research Center, Palestinian Destroyed Villages, series #13, 1991.	
79.0	G-B G. Gil'ad, "Hiram" Report Activites 'B' 290800-292000, undated, IDFA 7249/49/170.	
80.0	G-C G. Gil'ad, "Hiram" Report Activites 'C' -292000-300800, undated, IDFA 7249/49/170.	
81.0	M-K The testimony by Mouhamed Karim, Mukhtar of Safsaf in UN documents, # S-0636-003-002, "Subject files - UN Military Observer Records 9/8/48 - 23/03/4" reported by Major Loheac and Captain Ballanie on 13 December 1948.	
82.0	Srouer E.S. Srouer, "Eilaboun: History and Memory", 1997, using the diaries of Fr. Marcos, the village priest who was an eyewitness and who interceded with the IDF.	
83.0	Sunara Interview with Butrus Shukri Mata (Abu Hana), Sunara (newspaper), supplement, 31 October 1997.	
84.0	Srouji E.Srouji, "The Fall of a Galilean Village during the 1948 Palestine War: An Eyewitness Account", Journal of Palestine Studies 33 (2004).	
85.0	Al-Ayyam Al-Ayyam, 15 May 2000, reports on a monument in 'Eilaboun to 28 villagers killed during the war.	
86.0	UN UN Document S-0636-0002-003 Subject Files - Senior UN Military Observers Records 28 July 1948 - 30 November 1948 Field Observer's Group: Beirut, "19 Septembre, 1948 No. 17/F: Reference votre lettre du 15 septembre 1948.	
87.0	UN-Doc UN document # S-0636-003-002, "Subject files - UN Military Observer Records 9/8/48 - 23/03/49 reported by Major Loheac and Captain Ballanie on 13 December, 1948".	
88.0	UN Docs UN Documents, #S-0636-003-002, "Subject files - UN Military Observer Records 9/8/48 - 23/03/49".	
89.0	UN-Doccs UN document # S-0636-0002-003 "Subject Files - Senior UN Military Observers Records", 28 July, 1948 - 30 November, 1948 Field Observers' September 1948 No. 21/F Reference votre lettre du 15.9.48 paragraphe 2. Incidents de Sha'b (173-255).	
90.0	S-Titi Saleh Abdel Jawad interview with Saleh Idriss Titi, quoting his aunt Fatme Othman Hassan 'Abas, Irvine, California, 6 June 1999.	
91.0	Al Daqs Oral testimony of Abu Ishaq al Daqs, 85 years old when interviewed by Kadja Abu 'Arqoub for Wattani (newspaper), No. 25.	
92.0	Esber Esber, Rosemarie, <i>Under the Cover of War: The Zionist Expulsion of the Palestinians</i> , Alexandria, VA: Arabicus, 2008.	
93.0	IDF "C Company," 103 rd Battalion report, signature illegible, November 2, 1948, IDF Archive 1096\49\65. Quoted by B Morris in Crimes of War: a-z Guide.	



Ben-Gurion had agreed on the need to drive out by intimidation Arab communities along the Faluja-Majdal axis.²⁹¹ The intimidation to induce villagers to leave was an established policy. Moshe Shertok, (Sharett), Israel's foreign minister, stated on July 28, 1949, some four months after the expulsion of the population of the two villages: "It is not possible in every phase to arrange what some of our boys engineered in Faluja [where] they chased away the Arabs after we signed an...international commitment... There were warnings from the UN and the U.S. in this matter...[There were] at least 25-30,000...[in other places] whom we could not uproot".²⁹² Contrary to the terms of the Armistice Agreement, Israel expelled the population and confiscated their property after the end of the 1948 war, by means of "intimidation 'without end' (*blisof*)" - "intimidation using ALL means".²⁹³

This was not the only violation of international agreements. Israel managed to take a further bite of the Gaza Strip, shrinking its area by some 200 sq. km.

After Israel's failure to decimate the Gaza Strip, it started a wave of land and air attacks on the Strip. UNTSO reports for the period of 26-31 December 1948²⁹⁴ show that Israel bombed by air hospitals and civil sites. In particular, on January 2, 1949, 4 Israeli planes bombed the refugees' food distribution centre in Deir el Balah and killed 30 civilians and wounded seventy. The ICRC report²⁹⁵ was more detailed; it gave the fatalities figure at 150 and described the attack as "a scene of horror". Eye witnesses gave the figure of 225 killed.

These terrible attacks were intended to deter the refugees from returning to their homes. Israel booby-trapped the houses and wells of the refugees. It complained to the Egypt-Israel Mixed Armistice Commission about forays of returning refugees, termed "infiltrators". At the same time, Israel carried out a hydro-geological survey at Wadi el Hesi, marking the northern side of the armistice line, within the Gaza Strip, and found considerable water resources. It planned to take it.

Under the pretext of curbing the refugees trips to their villages, Israeli truce officers negotiated with their Egyptian counterparts, Mahmoud Riyadh and Salah Johar, the possibility of shifting the armistice line 3 km inwards, reducing the area of Gaza Strip from 555 to 362 sq. km. Thus the underground water of Wadi el Hesi was severed from Gaza Strip and the armistice was shifted inwards. See Map 3.9 for details of original and shifted armistice line.

Thus, an agreement, known as *Modus Vivendi* agreement²⁹⁶, was signed secretly on February 22, 1950 in Al Auja (Nizana) and registered at the Security Council on March 17, 1950. The people in Gaza, and Egypt generally, were not aware of this agreement. But when demarcation of the line started, men and women of the affected villages came out to obstruct the path of the truce officers, shouting, wailing and protesting the dismemberment of their land.²⁹⁷

al-Manshiya, after the evacuation of the Egyptian forces, was also discussed and it was agreed that, "[t]hose of the civilian population who may wish to remain in al-Faluja and Iraq al-Manshiya are to be permitted to do so... All of these civilians shall be fully secure in their persons, abodes, property and personal effects."²⁸⁶

Israel did not respect the Armistice Agreement with the exception of the arrangements for the evacuation of Egyptian forces from the so-called Faluja pocket. Al-Auja (Nitzana) and Bir Asluj were not demilitarized, nor al-Ma'in and Tell-Jamma had only nominal Israeli troops. On the contrary, these areas became staging centres for attacks on the Gaza Strip and Egypt.²⁸⁷ After signing the Armistice Agreement, the population of al-Faluja and Iraq al-Manshiya was placed

under Israeli military rule. They were harassed, shot at and killed, women raped and subjected to nightly curfews.²⁸⁸ The 'guaranteed' safety in the two villages was shattered by the local Israeli garrison. Representatives of the AFSC (Quakers) called what happened, "Jewish psychological warfare".²⁸⁹ Ralph Bunche, quoting UN observers on the spot, complained to Israel that "Arab civilians...at al-Faluja have been beaten and robbed by Israeli soldiers and ... there have been some case of attempted rape". The Israeli troops had been "firing promiscuously" and the 2,400 remaining Arab civilians, seeking protection, had "gathered around the UN observers".²⁹⁰

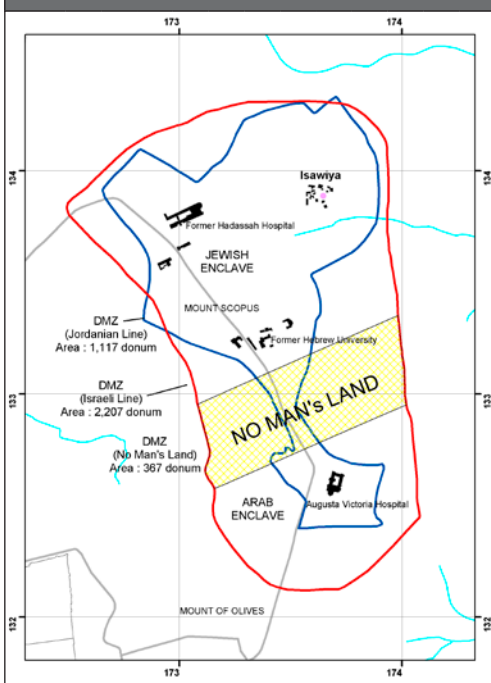
The two villages sat astride the strategically important al Majdal-Hebron axis and on good agricultural land. A few months before, Weitz and

286 Exchange of Letters, signed by Dr. Ralph J. Bunche, UN Acting Mediator and Walter Eytan, Head of the Israeli Delegation, dated 24 February 1949, attached to the Egyptian-Israeli Armistice Agreement.
287 Attacks on Gaza Strip in 1950-1956 were staged from military bases at these locations. See Benny Morris, *Israel's Border Wars 1949-56*. Oxford: Clarendon Press, 1993.
288 Julie Peteet, "The AFSC Refugee Archives on Palestine, 1948-1950," *Reinterpreting the Historical Record*, in Salim Tamari & Elia Zureik (ed.) Washington, DC: Institute for Palestine Studies,

2001, Appendix 4, pp. 124-126.
289 *Ibid*.
290 Michael Palumbo, *The Palestinian Catastrophe: The 1948 Expulsion of a People from their Homeland*. London: Quartet books, 1987, pp. 175-178; and, Morris, *supra* note 242, p. 522.
291 Morris, *supra* note 242, pp. 243-45.
292 *Ibid*, p. 249.
293 Benny Morris, *1948 and After, Israel and the Palestinians*. Oxford: Clarendon Press, 1990, p. 131.

294 UNTSO, December 25, 1948 entry, UN file DAG - 13/3.3.1:10 (Atrocities).
295 ICRC G59/I/GC, G 3/82, January 1949 Report, dated Gaza, February 4, 1949.
296 See *Security Council S/1471* of March 17, 1950, Text and Map.
297 See details of the case and eyewitness testimonies in: Abu Sitta, Salman, *How Israel contrived to shrink Gaza Strip*, London: al-Hayat newspaper, March 28, 2009, p. 15 [Arabic] accessed at: <http://www.plands.org/store/writing/GazaArmisticeLine.pdf>.

Map 3.10: The Demilitarized Zone in Jerusalem according to the Agreement of July 7, 1948



Art. III of the *Modus Vivendi* stated that it is of “a purely local character and will not affect in any way the provisions of the principal [Armistice] agreement”. However this article was never applied. Instead, the line was demarcated by barrels, then by a tractor-ploughed line, and finally, after the 1956 Suez war (The Tripartite Aggression), by fixed pillars and electrified barbed wire.

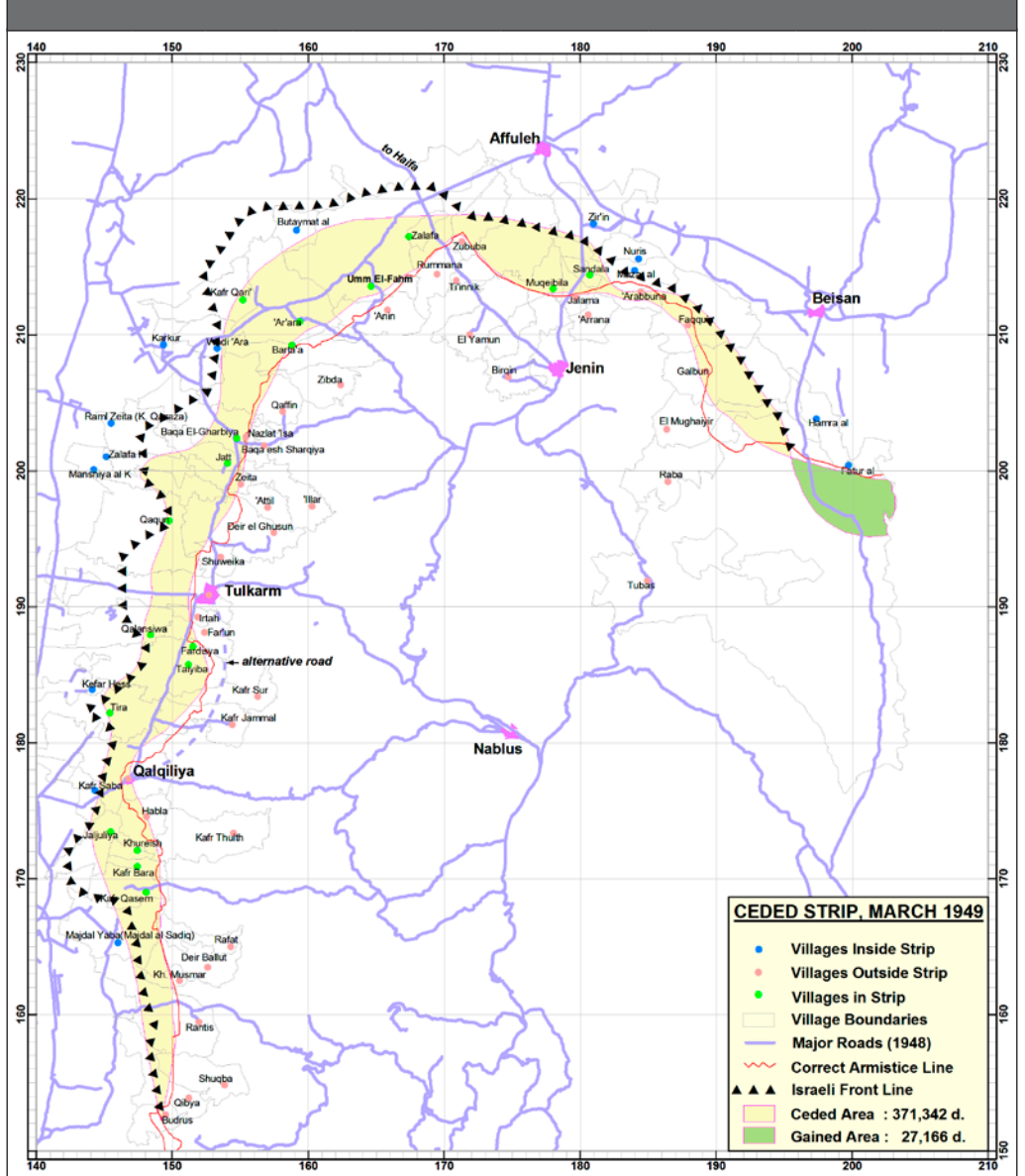
Several decades later, the Israelis admitted the ruse.²⁹⁸ Contrary to the terms of the Armistice Agreement, Israel declared that the (shifted) armistice line enclosing Gaza Strip is “an international border” with Israel.²⁹⁹

The Armistice with Jordan

On the Jordanian front, the situation was more complex: (1) the confrontation line with Israel was the longest, about 650 km, and contained heavily-populated areas; (2) the fight for the capture of the holy city of Jerusalem was the fiercest and agreement on Jerusalem was difficult; and, (3) the strong Iraqi army which held the northern section of the front along the Rantis-Qalqilya-Tulkarem-Rummana-Jordan river line with headquarters at Nablus, an area of about 4,000 km², was about to leave Palestine.

The first problem was the defense of Jerusalem, the capital of Palestine and the subject of Arab (Muslim and Christian) and Jewish reverence. Propelled by waves of Palestinian protests and appeals, King Abdullah of Jordan was forced to order his British-led and supplied army (Arab Legion) to protect at least the Old City of Jerusalem. The reluctance of King Abdullah to enter Jerusalem was due, in part, to its designation as *Corpus Separatum* in the Partition Plan. His aim was not to ‘liberate’ Palestine but to annex Arab Palestine to his kingdom through an agreement with the Jews to divide Palestine between them.³⁰⁰ Due to immense popular pressure, the Arab Legion entered Jerusalem just after 15 May and succeeded in holding the eastern part of Jerusalem against further Zionist/ Israeli attacks.

Map 3.11: Ceded Strip in Nocturnal Negotiations



Source of Ceded Strip: UN map H212-10-1947. The correct armistice line, Israeli frontline, village names, roads and areas are added.

An Israeli garrison and Jewish institutions such as the Hebrew University and Hadassah hospital on Mount Scopus in eastern Jerusalem were within the Arab-held region. The British government and President Truman pressured the Arab Legion to relieve Israelis encircled on Mount Scopus. No such effort was made to relieve the 60,000 Arab inhabitants in western Jerusalem who were besieged or allow the return of those who left.

During the First Truce, Brigadier Norman Lash signed the first demilitarization agreement between the ‘provisional government’ of Israel and Jordan in the presence of the UN Truce Supervision Organization (UNTSO) officers. Arab officers criticized Lash, who signed the agreement apparently on orders from Glubb and without the clear approval of Jordan government.³⁰¹ Abdullah al-Tell, the officer authorized by King Abdullah to sign such agreements described the Mount Scopus agreement as a disaster.³⁰² He pointed out that Mount Scopus was a major strategic asset overlooking Old City, Jerusalem-Amman and Jerusalem-Ramallah roads and the Arab quarters in western Jerusalem. He considered its surrender a crime. Lash ostensibly signed the agreement to protect manuscripts in the Hebrew University from possible

war damage. No similar consideration was given to the actual damage to Muslim and Christian sites and looting of thousands of Arab homes in western Jerusalem, nor of the tens of private libraries of Palestinian scholars who were living in western Jerusalem which were looted by the Haganah and ultimately deposited at the National Library of the Hebrew University on Mount Scopus.

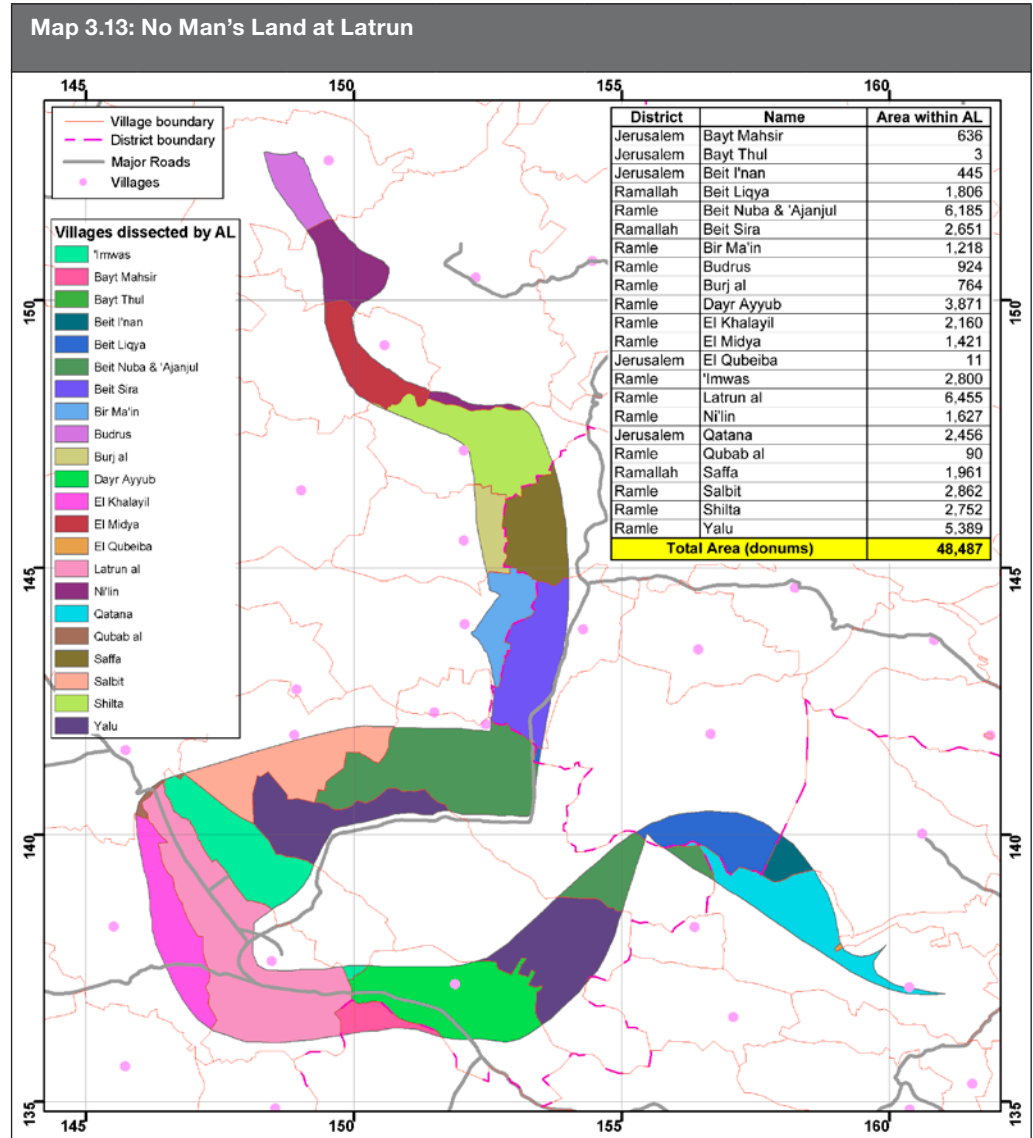
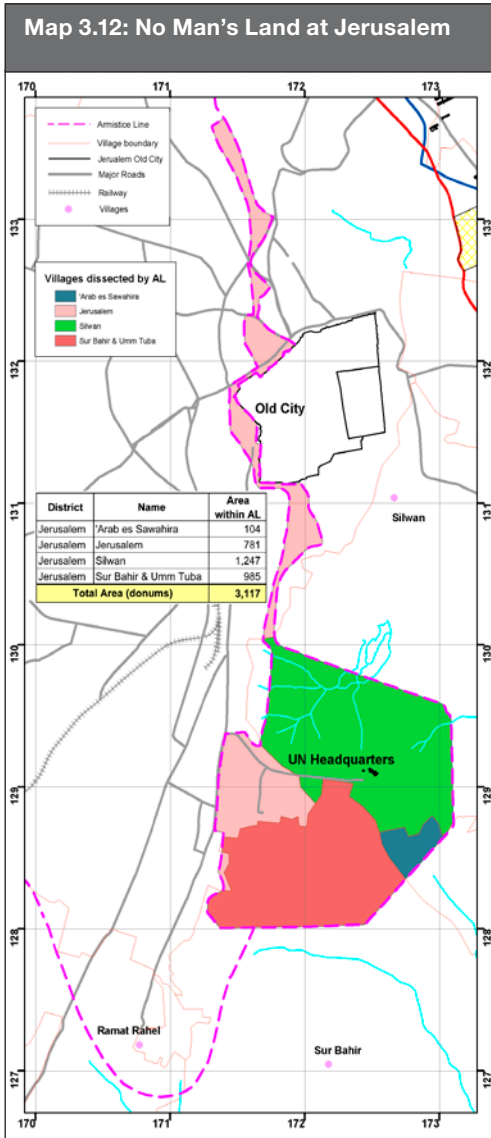
The first agreement was signed on July 7, 1948. The area covered by the agreement contained Hadassah hospital, Hebrew University, the Arab village of Isawiya and Augusta Victoria hospital (a German institution for the benefit of the Palestinians). See **Map 3.10**. The Arab and Jewish areas were to be separated by a 180 meter wide strip of no-man’s land. Arab and Jewish civilian police under UN Command would be located in no-man’s land. Supplies of food and water were to be provided to Israelis. No military personnel, equipment or operations were allowed.

In the following ten months, the British-led Arab Legion did not enter into any serious battles. Britain’s interest was to establish a Jewish state within reasonable boundaries and annex the remainder of Palestine to King Abdullah’s Transjordan, provided

298 See, Akiva Eldar, *How we fooled the Egyptians*, Haaretz, Sept. 27, 2005.
299 *Israel says it sets international border with the Gaza Strip*,

Haaretz (and Reuters), Sept. 21, 2005.
300 See, generally, Shlaim, *supra* note 268.
301 See, Sadik al Shara’, *Our Wars with Israel, 1947-1973*. [Arabic]

Amman: al-Shorouk, 1997, p. 109. Also see, al-Tell, *supra* note 276, p. 234.
302 *Ibid*, al-Tell, pp. 234-38.



continuity was maintained through Palestine between Transjordan and Egypt both under British influence. Neither Britain, nor any Arab government actively supported an independent Arab Palestine. The Arab Legion did not provide assistance to the Egyptian army in the southern front which came under Israeli attack from mid-October 1948 to mid-January 1949. Iraqi officers became agitated when the Arab Legion disobeyed orders from the joint command in Nablus. The strain between the two Hashemite armies of Iraq and Jordan reached its height in the spring of 1949. The Iraqi army decided to leave Palestine and hand over control of Tulkarm, Nablus and Jenin to Jordan. The Iraqis had held this front and repulsed the Israeli attacks on it for about ten months. While armistice negotiations were proceeding between the Jordanian and Israeli delegations in Rhodes under UN sponsorship, the Israelis sent a message to King Abdullah that they wanted to share the land evacuated by the Iraqi army. Israel threatened that it would occupy the whole of the West Bank, noting they outnumbered the Jordanians ten to one. Jordan did not agree to their demand. To prove the seriousness of their demand, the Israelis mobilized three brigades in broad daylight. During three nights of meetings at Shuneh in Jordan, senior Israelis met in utmost secrecy with King Abdullah and his senior ministers and officers to hammer out the best way to satisfy this Israeli demand. The King finally caved in leading to the secret agreements of March 23 and 30, 1949, which were incorporated in the official armistice agreement being discussed in Rhodes.

His negotiators in Rhodes were unaware of the mysterious secret dealings.³⁰³

The loss to Palestinians was unexpected and caused a great deal of grief. See **Map 3.11**. The nocturnal agreement affected the life of about 100,000 (98,545 in mid-1949) Palestinians living in 70 villages intersected or dissected by the new line. Of those, 18 Arab villages in the ceded strip found themselves suddenly under Israeli rule. Thirty-eight villages, which remained in the West Bank, lost much of their land. Fourteen additional villages on the Israeli side of the line lost some of their land. Palestinians lost one of the richest and most strategic areas of 371 sq.km. which is comparable to the area of Gaza Strip. Known as the Little Triangle, the area contained the villages of Umm al-Fahm, at-Tire, at-Taiyba, Kafr Qasem and Baqa al-Gharbiya. Many of these villages have now grown into towns. The larger towns of Tulkarm and Qalqilya barely escaped being divided by the line and remained in the West Bank.

The final Armistice Agreement, signed on April 3, 1949,³⁰⁴ incorporated the terms of the secret negotiations between King Abdullah and Israel and added fictitious or unfulfilled clauses to make it appear more balanced. An area said to be gained by Jordan at al Fatour was never handed over. The cost of an alternative road between Tulkarm and Qalqilya to be paid by Israel (article VI, paragraph 5) was never paid. The modifications "in favour of the forces of the Hashemite Jordan

Kingdom...designed to offset the...lines in the Iraqi sector", (article VI, paragraph 4) are entirely fictitious. No modification whatsoever was made. In the Jerusalem sector, article V, paragraphs a, b, hides the fact that Jordan ceded to Israel the Jaffa-Jerusalem railway line running south of Jerusalem and eliminated the No Man's Land north of Jerusalem, limiting the No Man's Land to the Latrun area. See below. The "heavy-handed, devious and plainly unscrupulous methods employed by Dayan" apparently paid off.³⁰⁵

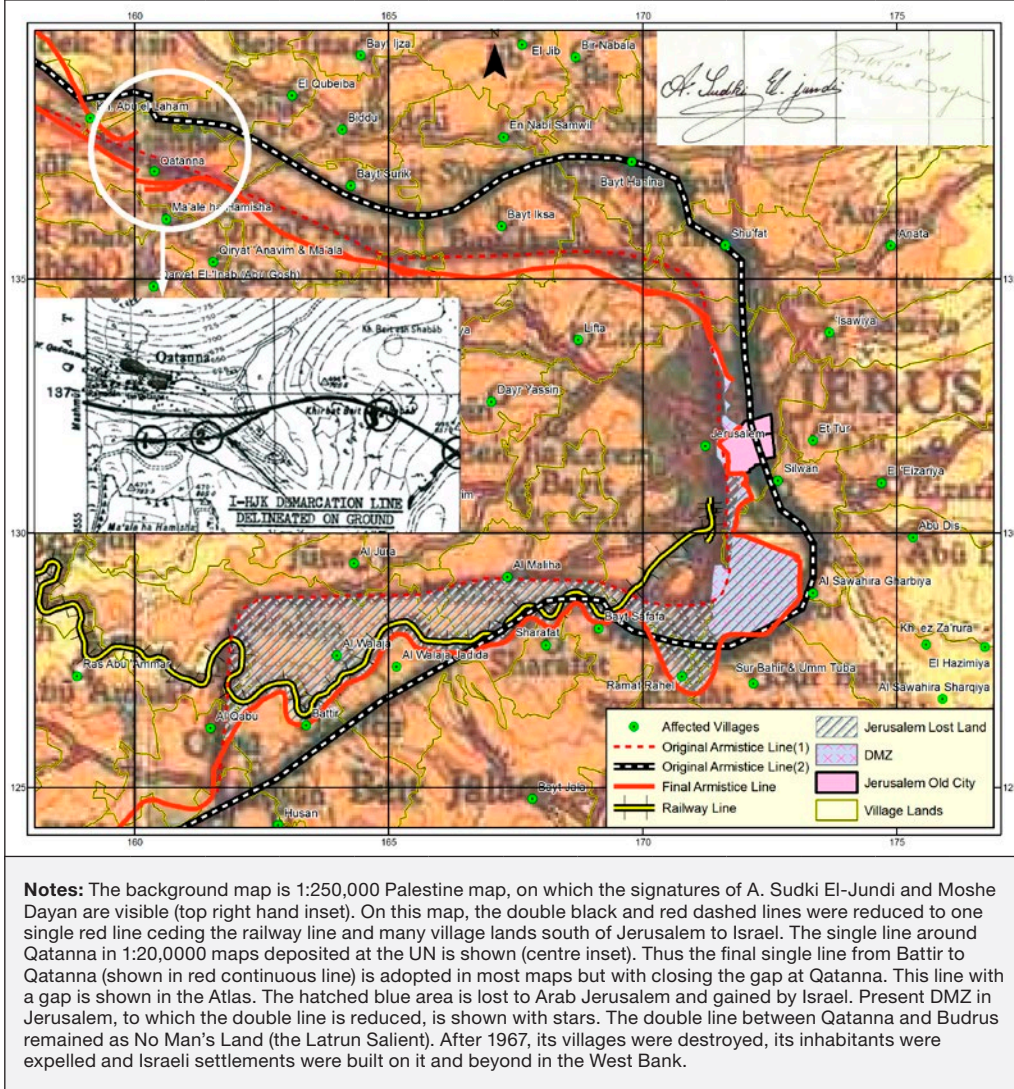
Dayan used the 1:20,000 maps he already signed with Abdullah al-Tell on November 30, 1948 in connection with the 'sincere and absolute cease-fire' agreement for Jerusalem to Israel's advantage. Dayan used soft wax pencils which translated into 40-60 metres of the ground, enough to cover houses and streets. Upon Dayan's request, King Abdullah agreed, to Ben Gurion's surprise, to move the cease-fire line 200 metres south to include the railway line on the Israeli side. The Jordanians were ready to split the Government House, the United Nations Truce Supervision Organization (UNTSO) headquarters, had it not been for international protest. The division of No Man's Land met with strong and violent resistance from the hapless inhabitants. The village of Bayt Safafa was doomed to be severed in the middle. The village of Sur Baher with its dominant hillside in south Jerusalem also passed into Israel's hands.³⁰⁶ (See **Map 3.12**.) Attempts to exchange places and villages at Latrun failed and the status quo remained.

303 This bizarre story is lucidly described by Avi Shlaim, *supra* note 268, pp. 406-33, or in an abridged edition, *The Politics of Partition, King Abdullah, the Zionists and Palestine, 1921-1951*.

Oxford: Oxford University Press, 1990, pp. 290-316.
304 General Armistice Agreement between the Hashemite Kingdom of Jordan and Israel, dated April 3, 1949.

305 Shlaim, *supra* note 268, pp. 326-28.
306 *Ibid.*, p. 328.

Map 3.14: The Changing Armistice Line in Jerusalem and Latrun Areas



But two important installations became inaccessible to the Palestinians: the vital pumping station for Jerusalem Water Supply and a big military camp. Both were located in Latrun's No Man's Land and were taken over by Israel. The ancient Latrun convent and monastery were left in the West Bank side of the Armistice Line, so was the Biblical 'Imwas village and two other villages in this area (See **Map 3.13**.)

The background to these developments may be explained by further analysis. The question of Latrun Salient (No Man's Land) and the location of Qatanna village are discussed by Farsakh.³⁰⁷ The story of the agreement on the location of the armistice line was given by a contemporary and a senior official of the Jordan government, the well-known historian, Aref al Aref.³⁰⁸

The Jordanian negotiators signed, with their Israeli counterparts, a 1:250,000 map showing No Man's Land extending from Budrus to Battir. Thus large parts of Jerusalem, its southern villages and Jerusalem-Jaffa railroad would be outside Israel's control. This map was signed by A. Sudki El-Jundi and Moshe Dayan. However, the Israelis convinced King Abdullah to agree to another map of 1:100,000 scale which was signed

by Jordanian officials on the King's orders.³⁰⁹ The final map (1:20,000), deposited at the UN and marked: I-HJK DEMARCATION LINE (correctly: delineation line), shown in **Map 3.14**, shows the final line depicted since then on all maps. This final line cedes to Israel the villages of Al Walaja, al Qabu, Battir, al Jura, al Maliha, Sharafat, Bayt Safafa or large parts of their lands. (The underlined villages suffered most by the line shifting.) In addition, the final line annexed an important section of the Jerusalem-Jaffa railway line to Israel. The final armistice line was thus reduced to a single line in the south and east until Qatanna where it skirts the southern edge of the village leaving it in the West Bank. At this point there is a gap south of Qatanna, after which the double line of No Man's Land starts to enclose the Latrun salient until it reaches Budrus and continues thereafter as a single line. The gap at Qatanna remains in all maps till at least 1957 where Israeli maps showed the Armistice Line in green.³¹⁰ (Since then the line was dubbed: Green Line, instead of the proper Armistice Line). According to the Armistice Agreement, the Latrun salient is not under Israel's sovereignty. In the summer of 1967, Yitzhak Rabin ordered the destruction of villages there (Imwas, Yalu and Bayt Nuba) and the expulsion of their inhabitants. Jewish settlements were built on their

land and beyond, in the West Bank.

The obvious conclusion from this review is that the Israelis were pushing to annex more land and the Jordanians were unable to resist that, especially if ordered by King Abdullah. The secret negotiations with him were going on for at least 2 years earlier. The final position of both parties was more dictated by the balance of power, including crude arm twisting, rather than by the skill of negotiations.

Although the Armistice Agreement was signed in April 1949, the Israeli pressure to shift the line was applied several months earlier. The commander of the Egyptian forces in Bethlehem was approached in December 1948 by a UN Truce Observer suggesting withdrawal from the line in his front in the railway vicinity but he refused.³¹¹ Weeks later, the Egyptian forces withdraw from the whole Bethlehem area and handed it over to the Jordanians due to repeated Jordanian demand and Israeli victory over the Egyptians in the southern front with no assistance or relief from other Arab forces.

Further, Article V paragraph d of the Armistice Agreement hid the fact that the Potash works on Dead Sea and a large swath of Arab land around it and leading to its western and southern approaches had been ceded to Israel. According to Article VIII, a Special Committee between Jordan and Israel, sidestepping the UN Mixed Armistice Commission, was to be formed with "exclusive competence" to settle matters between the two parties to the exclusion of the UN.

The Jordan-Israel Armistice Agreement was the most-convoluted and least understood agreement of the four armistice agreements. No wonder therefore it caused the most hardship. Scathing criticism and resentment were expressed by all when news of this agreement came out, especially by Palestinians who were uprooted, displaced or separated. "Lamentations, Biblical in colour and intensity, with women beating themselves and refugees starting to stream along the road from the Plain of Sharon" was how one eyewitness described the latest developments in Arab Palestine.³¹²

But the anger and outrage of Palestinians reached its height when the Jordanian and Israeli officers in the West Bank and the Egyptian and Israeli officers in Gaza Strip started demarcating the armistice line on the ground. Drove of angry people, shouting, cursing, tried to chase these officials away from their land. The Israeli officers resorted sometimes to shooting angry protestors. A total of 111 villages (104 in the West Bank and 7 in Gaza Strip) in addition to the Beer Sheba district were dismembered by the armistice line. Village houses were frequently separated from the village land and the villagers lost their livelihood. The well, spring or other water sources of the village sometimes became inaccessible behind the barbed wire. The village school, cemetery, mosque or church disappeared behind the watch tower with its pointed machine-guns. A funeral

307 Farsakh, Nizar, *The Status of the Latrun's No Man's Land*, MA Thesis, Geography Dept, King's College, London, 2003.

308 Aref Aref, Aref, *Al Nakba, Nakbet Beit al Maqdis and the Lost Paradise, 1947-1955*, Saïda; Lebanon: Al Maktaba Al Asria, n.d., vol. 4, pp. 897-901 [Arabic].

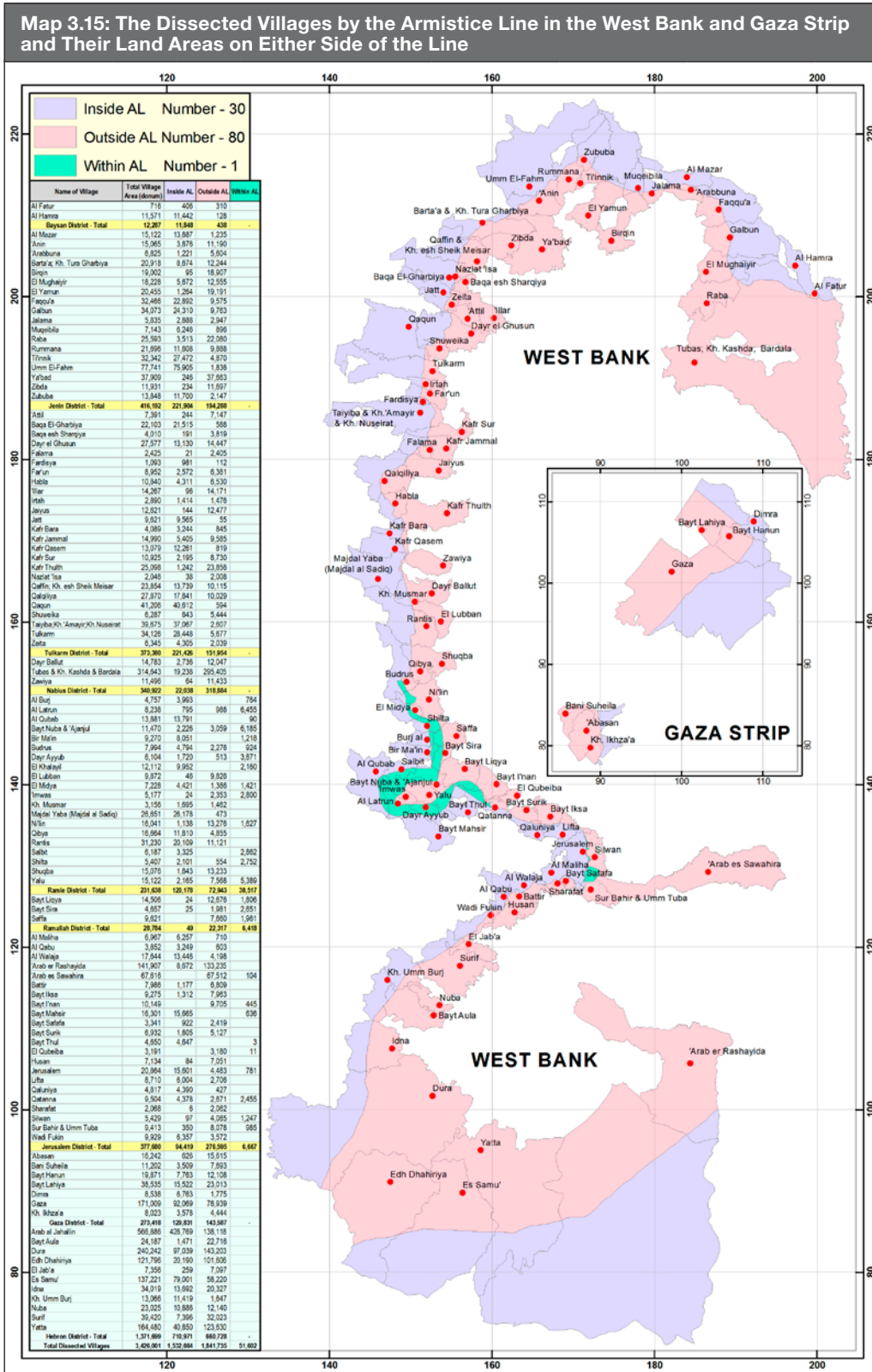
309 Ibid, p. 898.

310 Survey of Israel, 1:100,000 (based on Survey of Palestine), Ramleh Sheet, 1952-1959, partly in Hebrew. See also Farsakh, *supra* note 307, p.21, no.

311 This is the text of Egyptian military telegram dated December 7, 1948. "From Bethlehem Command to HQ. A Truce officer came to [see] me to agree on modification of the line according to the agreement between the Arab Legion's '[the Jordanian Army] representative and the Jews' representative. I understood that the Arab Legion representative was speaking on my behalf. I told the Truce officer that he [the Arab Legion officer] was not authorized by me [to speak on my behalf]. Modification requires withdrawal of some of my forces from [the position] in front of

the railway line at Beit Safafa to about 300 m behind. I refused. I do not recognize this modification. There are Arab houses in the area and this is the only place in my front where the railway passes...", quoted in Mohamed Hasanein Heikal, *Thrones and Armies: 1948 Palestine War Diary*, Cairo: Dar al Shurouk, 2000, Vol. 2, [Arabic] p. 430.

312 Shlaim, *supra* note 268, p. 432.



procession proceeding along both sides of the barbed wire of a divided village, like Bayt Safafa, was often the scene of anger and rage. Doubts about the location were always interpreted against the villagers' interest. It did not help matters that the Arab officers, whether Egyptian or Jordanian, accompanying the Israelis, were ignorant of the territory. They did not appreciate the value of a hill, a valley or a road to the village life. Villagers' protestation rarely succeeded.³¹³ Definitions of various DMZ and No-Man's Land allowed controlled access to the area for the inhabitants in order to reach their homes and lands. In practice, they only met harassment and obstruction. After 1967, Israel annexed DMZ and No-Man's Land areas and destroyed the villages within it.

The extent of dismemberment can be seen by examining **Map 3.15** and the accompanying table. The table shows that out of 3,426,001 donums, the area of all dissected villages, 45 percent came under Israeli rule, 54 percent in the West Bank and 1 percent within the armistice line. The Israeli gain in land resulting from the dissection of villages can be seen by examining the summary table of measured areas on both sides. **Table 3.3** shows that 1,532,664 donums (45 percent of 3,426,001 donums) was added to Israel, which is equivalent to 24 percent of Israel's area without Beer Sheba district. The armistice lines, as they cut Palestine into three regions, Israel, West Bank and Gaza Strip, have therefore been the theatre of many clashes.

It is only natural to expect villagers to cross the imaginary armistice line, before it became electrified barbed wire with watch towers and armed patrols, in order to rescue an old relative who remained behind, to bring back animals left in the sheds, to water or harvest own crops, to fetch stored supplies or important papers left in a cupboard. There were, however, young men who went back to fight the occupiers of their homes and lands. Their limited arms and training were so poor as to produce little material effect. The operations, however, provided an excuse for Israel to carry out attacks on the villages near the armistice line. The massacres at Qibiya, Nahalin, Samu' and other villages, committed by unit 101, led by Ariel Sharon, were an embodiment of this policy.³¹⁴

The Armistice with Lebanon

The Armistice Agreement with Lebanon, signed on March 23, 1949³¹⁵, presented no problems. The Lebanese Army never crossed the Lebanese border. The negotiations went smoothly. The Lebanese officers were very friendly and cooperated with the Israelis.³¹⁶ The short agreement defined the armistice line as the 1923 international border between Palestine and Lebanon. But this situation has changed dramatically after the Israeli invasion of Lebanon in 1982. It is now one of the hottest borders.

The Armistice with Syria

The Armistice Agreement, signed July 20, 1949³¹⁷, was the last and most difficult. The territory which Syria controlled at the eve of signing the Armistice

Table 3.3: Summary of Village Lands' Area inside, outside and within the Armistice Line (AL) with Palestine Total

Description	Total Area (donums)	Inside AL	Outside AL	Within AL
Villages totally inside AL	6,357,781	6,357,781		
Villages totally outside AL	4,016,915		4,016,915	
Villages Dissected by AL	3,426,001	1,532,664	1,841,735	51,602
BeerSheba District	12,523,751	12,444,107	79,644	
Total Land Area	26,324,447	20,334,552	5,938,294	51,602
Lake Tiberias	168,278			
½ Dead Sea	493,306			
Palestine Total (Land and Water)	26,986,031			

313 One exception was a slight deviation of the line in favour of the village. The land in question was not very strategic. Interview with Haj Mohammed Abu Daqqa, mukhtar of Abasan, Gaza Strip, October 1995.

314 Arab sources describe many of these atrocities. See, e.g.,

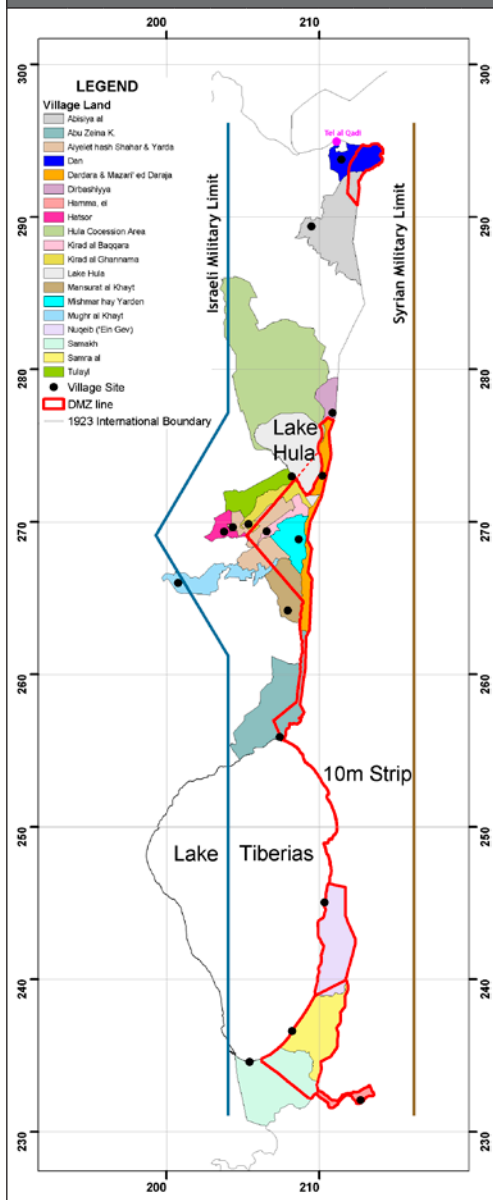
Shara', *supra* note 301, p. 298; and, al-Aref, *supra* note 308. For study of released Israeli files see, Morris, *supra* note 293; and, Benny Morris, *supra* note 287.

315 Lebanese-Israeli General Armistice Agreement, dated March 22, 1949.

316 Shlaim, *supra* note 268, p. 275.

317 Israeli-Syrian General Armistice Agreement, date July 20, 1949.

Map 3.16: DMZ at Palestine/Syria Border and Village Land Areas



District	Village Name	Area Outside DMZ	Area Within DMZ	Total Area
Safad	Abisiya al	14,119	1,398	15,516
Safad	Abu Zeina K.	13,356	3,585	16,941
Safad	Aiyelet hash Shahar & Yarda	3,938	4,812	8,751
Safad	Dan	2,697	2,863	5,560
Safad	Dardara & Mazari' ed Daraja	-	6,467	6,467
Safad	Dirbashiyya	2,766	-	2,766
Tiberias	Hamma, el	-	1,628	1,628
Safad	Hatsor	2,293	27	2,320
Safad	Hula Cession Area	41,768	242	42,010
Safad	Kirad al Baqqara	-	2,206	2,206
Safad	Kirad al Ghannama	2,695	1,484	4,179
Safad	Lake Hula	14,110	594	14,703
Safad	Mansurat al Khayt	4,296	2,408	6,704
Safad	Mishmar hay Yarden	-	5,223	5,223
Safad	Mughr al Khayt	6,508	134	6,642
Tiberias	Nuqeib ('Ein Gev)	-	12,916	12,916
Tiberias	Samakh	12,223	6,391	18,614
Tiberias	Samra al	-	12,056	12,056
Safad	Tulayl	5,286	12	5,298
Total		126,055	64,444	190,499

Note: All areas in donums

Agreement included: the north sector, north of Azizat (4.2 sq. km); the central sector, south of Huleh and a strip along the Jordan (26.9 sq. km) and the south sector, east of Lake Tiberias (33.3 sq. km). This makes a total of 64,444 donums. If lake Hula is included (dotted line in Map 3.16)

(2,437 donums), the grand total will be 66,881 donums. This territory was Palestinian land. It had ten Palestinian villages (Khan ad-Duweir in the northern sector; Kirad Baqqara, Kirad Ghannameh, Mansurat al-Khayt, Yirda in the central sector; Samra, old and new Nuqeib, Khirbet Tawafiq and al-Hemma in the southern sector). There were only two Jewish settlements: Mishmar Hayarden and Ein Gev. (Map 3.16 and the accompanying table.)

The negotiations leading to the Armistice Agreement were strenuous, lasting from April to July 1949. The Israelis insisted on the withdrawal of Syrian forces from the area so that the area would be demilitarized. The Syrians rejected this demand while Israel was illegally occupying large parts of Palestine. Dr. R. Bunche, the UN Acting Mediator, finally arrived at a solution by issuing a letter which became known as the "authoritative statement". Three weeks before the signing, on June 26, 1949, Dr. Bunche sent a letter to both the Israeli and Syrian sides. In this letter, which was made part of the official record, he specifically excluded Israel's claims of sovereignty over the area to be included in the Armistice Agreement. "Questions of permanent boundaries, territorial sovereignty, customs, trade relations and the like must be dealt with in the ultimate peace agreement and not in the armistice agreement", he stated³¹⁸ (emphasis in the original). The listed topics of future negotiations, except sovereignty, reflected the same issues resolved in the 1926 Agreement.

Dr. Bunche went on to say, addressing Moshe Sharett (Shertok), Israel's Foreign Minister, "From the beginning of these negotiations, our greatest difficulty has been to meet Israel's unqualified demand that Syrian forces be withdrawn from Palestine. We have now, with very great effort, persuaded the Syrians to agree to this. I trust this will not be undone by legalistic demands about broad principles of sovereignty and administration which in any case would be worked out satisfactorily in the practical operation of the scheme"³¹⁹ (emphasis added). Dr. Bunche extended the exclusion of Israel's claims of sovereignty to other demilitarized areas, such as the Government House and Mt. Scopus in Jerusalem and al-Auja DMZ on the Palestine/Egypt border. Two years after Dr. Bunche's statement, the Security Council, in its resolution of May 18, 1951 about Israeli violations of the Armistice Agreement, affirmed his statement and called upon the parties to give effect to "the authoritative comment on article V of the Syrian-Israeli Agreement".³²⁰

It is somewhat surprising that, during this armistice negotiation, Ben Gurion did not jump at the offer made by Husni az-Zaim, the officer who just toppled, in a *coup d'etat*, the democratically elected government of Shukri al-Quwatli. Zaim had a record of embezzlement, poor military performance and a penchant for high living. Zaim offered Ben Gurion, not an armistice agreement, but a full-fledged peace treaty with Israel, unthinkable at the time. He also offered to settle in Syria 300,000 Palestinian refugees, the entire population of Galilee. His only condition was to

split Lake Tiberias between Israel and Syria, not an unreasonable demand, considering the Syrian riparian rights according to the 1923 *Border Agreement* and the 1926 *Good Neighbourly Agreement*. Ben Gurion refused the offer.³²¹ Just after signing the Armistice Agreement, Zaim himself was toppled by another officer.

Soon after the Armistice signing, Israel started to assert control over the DMZ in an effort to claim sovereignty. Twenty years later, Dayan admitted that Israel provoked clashes (80 percent according to Dayan) with Syrians as a justification for introducing Israeli military forces into the DMZ.³²² This was in direct violation of the Armistice Agreement. Israel then started to divert the Jordan River and drain Lake Huleh. The Security Council condemned this action and ordered Israel to stop all diversion work. US President Gen. Eisenhower stopped financial aid to Israel. Israel expelled most Palestinians from their villages to Syria (population 3,770). Those who remained (600) were relocated in Sha'ab near Acre. One of them, Abu Salim Khawalid, had this to say in his testimony, "The soldiers ordered us to leave the village that very night, and threatened that if we did not leave, they would do to us what was done to the inhabitants of al-Husseiniya village. We knew that the Jews had slaughtered dozens of them like sheep. We were absolutely panic-stricken".³²³

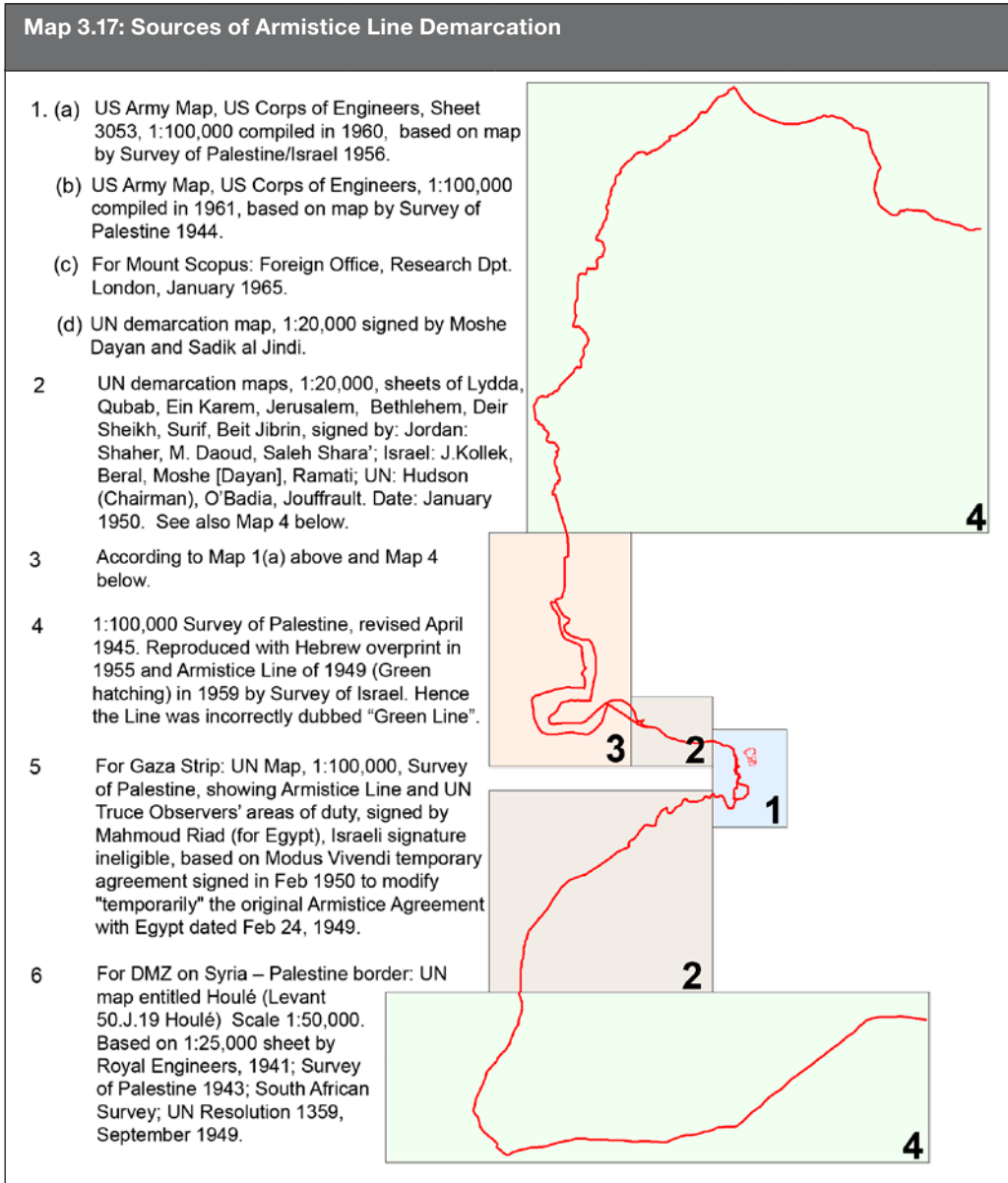
A statement by the Israeli Foreign Minister on April 15, 1951 claimed Israeli sovereignty over DMZ as of 14 May 1948, on the basis that, "it was always part and parcel of the British Mandated Territory".³²⁴ The British immediately rejected the statement as "most menacing assertion" and noted that "Israel had on numerous occasions firmly refused to have themselves regarded as the successors of the former Palestine Government" and also noted that "firm UN action was necessary in order to combat Israeli pretensions".³²⁵ Israel has denied repeatedly that it is a successor state to Palestine lest it should restore to the Palestinians their nationality, their property and other obligations of the state to its citizens. Israel claimed that it should annex this area because it fell in the Jewish part of the Partition Plan (UN Resolution 181). If the Partition Plan is Israel's legal reference, Israel should not then refuse, as it did, to hand back 24 percent of Palestine (6,320 sq. km or about 100 times the area of DMZ) which was occupied over and above its allocation in the Partition Plan, most of it in Galilee itself.

Syria insisted on the return of the expelled refugees and restitution of their land as affirmed by Security Council resolution of May 18, 1951. Syria did not accept Israeli sovereignty over DMZ. Ben Gurion was determined to seize the demilitarized zone with Syria, in Jerusalem with Jordan and in the south (al-Auja) with Egypt. Frequent attacks on Syria were designed to provoke Nasser into a war to defend Syria under the *Combined Defence Pact* of October 20, 1955. Nasser did not respond, neither did he respond when Egypt itself was attacked in Subha and Kuntilla. But another opportunity was sought and found. The collusion of Britain, France and Israel in the Suez Campaign of 1956 provided the required oppor-

318 Toye and Seay, *supra* note 41, Vol. 5, pp. 330-331.
 319 *Ibid.*
 320 *Ibid.*, Vol. 5, p. 335.
 321 Shlaim, *supra* note 268, p. 316.
 322 Interview with Moshe Dayan by Haim Hanegbi, *Ma'ariv* [Hebrew],

July 1, 1999.
 323 Minority Rights Bulletin – The Palestinians. Available at, www.minorityrights.org/profiles. Also see, Donal Neff, "Israel-Syria: Conflict at the Jordan River, 1949-67," 23 *Journal of Palestine Studies* 4 (Summer 1994), pp. 26-40; and, Morris, *supra* note

240, pp. 361-364.
 324 Toye and Seay, *supra* note 41, Vol. 5, p. 342.
 325 From the British Legation, Tel Aviv to F.O. London, April 16, 1951 in Toye and Seay, Vol. 5, *supra* note 41, p. 340. The whole subject is discussed in correspondence, pp. 335-374.



3.4 gives the code for classification of villages with respect to their location in relation to the Armistice Line and their status regarding depopulation or repopulation and other data for old and new villages. **Table 3.5** gives the measured area of each district classified according to whether its villages were located fully inside, outside or within Armistice Line. The final measured area is compared with the official area in *Village Statistics* (1945). The comparison shows good correlation. The largest relative difference is in Beer Sheba and al-Khalil (Hebron) due to the uncertainty of the eastern boundary at the Dead Sea and Wadi Arabah. The same table shows at right the DMZ measured areas per district. Figures for Safad and Tiberias districts represent DMZ at the Syria border. Figures for Ramle, Ramallah and Jerusalem districts represent DMZ and No Man's Land at Latrun and Jerusalem. Figure for Beer Sheba represents the DMZ at al-Auja at the Egyptian border.

Table 3.6 classifies all towns and villages in Palestine in 1948. There were 1,304 localities in Palestine in 1948. Of those, there were 185 Jewish colonies (including 2 outside Armistice Line), 4 mixed towns and 2 virtual locations. This leaves 1,113 Palestinian towns/villages in all of Palestine in 1948.

The Jewish state according to the Partition Plan was to have 646 localities, of which 174 were Jewish (10 Jewish localities were outside the Jewish state) and 467 Palestinian towns/villages to come under the Jewish state in addition to 3 mixed and 2 virtual points for statistical purposes. As stated before, half the population of the Jewish state was to be Arab Palestinians. The Palestinian villages to come under the Jewish rule were 2.5 times the number of Jewish colonies and much larger, which of course was one of the reasons for the Arab rejection of the Partition Plan. These villages are shown on **Maps 3.18 and 3.19**. Map 3.18 shows all Palestinian villages and Jewish colonies in 1948 with respect to their location to the Armistice Line. Map 3.19 shows the status of all Palestinian villages and Jewish colonies as in 1948 with the addition of new recognized and unrecognized Palestinian villages in the period 1948-1998 (i.e. status 6, 7). Until 1998 and to the best available information, the number of the new recognized villages (status 6) is 53 and the new unrecognized villages (status 7) is 59.

The Israeli conquest of 1948 went much further than the Partition Plan. The area of Israeli-occupied Palestine in 1948 (77 percent) had 956 localities, of which 183 were Jewish, as shown in **Table 3.7**. Table 3.7 also shows that 306 Palestinian villages were occupied by Israel *in excess* of the Partition Plan. The Palestinian villages which came under Israeli control (773) outnumbered the Jewish colonies by 4.3 times. This is one reason why Israel followed (in 1948 and thereafter) a consistent policy of ethnic cleansing which succeeded in depopulating most of these villages and towns. Of the 773 Palestinian towns/villages, 87 remained although their population were dislocated by adding or losing population from or to nearby villages. Another 12 had been depopulated but then repopulated by roughly the same population. (For more details about remaining villages see Section 4.6). That leaves a total number of 674 depopulated Palestinian villages. That is, 87 percent of all Palestinian localities in the part of Palestine that became Israel were depopulated.

Table 3.4: Code for Classification of Villages with respect to Armistice Line and their Depopulation Status

Armistice Line (AL) Code		Status Code	
1	Villages Inside Armistice Line (AL)	1	Depopulated villages (from the Register - 530 List) and extra depopulated villages
2	Villages Outside Armistice Line (AL)	2	Unidentified Palestinian names(not in the Register-530 list)
31	Villages On AL - Inside Armistice Line	3	Destroyed in 1967 within Armistice Line (AL code 32)
32	Villages On AL - Outside Armistice Line	4	Depopulated and repopulated:Towns and Villages like jish.
33	Villages On AL - Middle of Armistice Line	5	Existing since 1948
41	Villages On North DMZ - Inside AL	6	Existing new - recognised
43	Villages On North DMZ - Middle of AL	7	Existing new - unrecognised
See Map 3.17 for sources of information about Armistice Line delineation.		8	Depopulated multi-locations in Beersheba
		9	West Bank Villages
		10	Jewish Settlements inside Armistice Line
		11	Jewish Settlements outside Armistice Line
		12	Post 1948 West Bank Villages

tunity to seize both DMZ areas in the north and the south. By October 1956, Israeli troops under Sharon succeeded in expelling the population of al-Auja, all the remaining Palestinians in and around Huleh and in Samra and Nuqeib on Lake Tiberias. This left a continuous strip of land in DMZ, approximately 40 percent of the whole DMZ area, under Syrian control.

Israel's main objective was not DMZ territory *per se*, but to control Arab water resources. Syria's rights were clearly spelled out in the 1926 *Good Neighborly Agreement*. The Armistice Agreement did not invalidate these rights. Israel now uses 50 million cubic meters (mcm) annually from Syrian Golan occupied in 1967. It also uses 100 mcm from Yarmouk river compared to only 25, its share

from it according to Eric Johnston Plan of 1954. Israel also uses 550 mcm from upper Jordan compared to its share of 375 of Johnston Plan. Thus Israel illegally takes 300 mcm from the share of Syria, Lebanon, Jordan and Palestine. All in all, almost two thirds of Israel's water consumption is taken illegally from Arab waters in upper River Jordan, Lebanon and the West Bank.

Villages and the Armistice Line

The following tables and maps illustrate the tremendous impact of the Armistice Line on the separated villages of Palestine.

Map 3.17 and the accompanying text lists the sources of Armistice Line demarcation discussed in this section and shown in the Atlas. **Table**

Table 3.5: Summary of Measured Areas of Village Lands Separated or Dissected by the Armistice Line by District

S. No.	District Name	Measured Land Area						Measured District Area	Official District Area	Difference	DMZ Area
		Inside AL (1)	Outside AL (2)	Inside (31)	Outside (32)	Within AL (33)	Total Online AL				
1	Safad	695,123	-				-	695,123	696,131	(1,008)	31,453
2	Acre	802,198	-				-	802,198	799,663	2,535	
3	Haifa	1,031,758	-				-	1,031,758	1,031,755	3	
4	Tiberias	440,435	-				-	440,435	440,969	(534)	32,991
5	Nazareth	499,623	-				-	499,623	497,533	2,090	
6	Baysan	349,075	-	11,848	438		12,287	361,362	367,087	(5,725)	
7	Jenin	39,672	385,919	221,904	194,288		416,192	841,783	835,214	6,569	
8	Tulkarm	286,584	176,802	221,426	151,954		373,380	836,767	835,336	1,431	
9	Nablus	-	1,254,944	22,038	318,884		340,922	1,595,866	1,591,718	4,148	
10	Jaffa	335,453	-				-	335,453	335,366	87	
11	Ramle	614,674	23,694	120,178	72,943	38,517	231,638	870,006	870,192	(186)	38,517
12	Ramallah	-	659,272	49	22,317	6,418	28,784	688,056	686,564	1,492	6,418
13	Jerusalem	211,163	971,709	94,419	276,595	6,667	377,680	1,560,553	1,570,785	(10,232)	6,667
14	Gaza	689,745	149,960	129,831	143,587		273,418	1,113,124	1,111,501	1,623	
15	Hebron	362,276	394,615	710,971	660,728		1,371,699	2,128,590	2,076,185	52,405	
	Sub Total	6,357,781	4,016,915	1,532,664	1,841,735	51,602	3,426,001	13,800,697	13,745,999	54,698	116,046
16	Beer Sheba	12,444,107	79,644					12,523,751	12,577,000	(53,249)	256,305
	GRAND TOTAL	18,801,888	4,096,559	1,532,664	1,841,735	51,602	3,426,001	26,324,447	26,322,999	1,448	372,351

Notes: All areas in donums. Safad District includes Lake Hula. Tiberias District excludes Lake Tiberias. Largest differences are in Hebron and Beer Sheba due to the uncertainty of the eastern boundary.

Table 3.6: Classification of All Palestinian Villages and Jewish Colonies in Palestine (1948) by Number

S. No.	District Name	Armistice Code (AL)								Register Count	Status Code											
		In 1	Out 2	ON 31	ON 32	Within 33	DMZ 41	Within 43	Total		1	2	3	4	5	8	9	10	11	Total		
1	Safad	83					17	6	106	79	89			2	3					12		106
2	Acre	67							67	28	31			2	32					2		67
3	Haifa	111							111	59	63			2	10					36		111
4	Tiberias	46					1	4	51	27	28			2	2					19		51
5	Nazareth	47							47	5	7				22					18		47
6	Baysan	50		2					52	31	33				2					17		52
7	Jenin	5	36	6	14				61	6	6				5				50		61	
8	Tulkarm	58	20	9	18				105	18	26				9				38	32	105	
9	Nablus		87		3				90										90		90	
10	Jaffa	48							48	25	25			1						22		48
11	Ramle	70	4	9	12	1			96	63	62			3	2				12	17	96	
12	Ramallah		57		3				60										60		60	
13	Jerusalem	36	38	8	14				96	39	38			1	2				50	3	96	
14	Gaza	51	8	1	7				67	46	47								15	5	67	
15	Hebron	16	12	1	10				39	16	16						1	22			39	
16	Beer Sheba	203	5						208	88	88	20					100					208
	TOTAL	891	267	36	81	1	18	10	1304	530	559	20	3	12	87	101	337	183	2	1304		

Table 3.7: Classification of All Palestinian Villages and Jewish Colonies (1948) inside Armistice Line and within it

S. No.	District Name	Armistice Code (AL)								Capital Code				P-J (Ethnic)				Register Count	Status Code												
		In 1	Out 2	ON 31	ON 32	Within 33	DMZ 41	Within 43	Total	1	2	3	4	Total	1	2	3		4	Total	1	2	3	4	5	8	9	10	11	Total	
1	Safad	83					17	6	106	84	18	2	2	106	91	12	1	2	106	79	89			2	3				12		106
2	Acre	67							67	52	15			67	65	2			67	28	31			2	32			2		67	
3	Haifa	111							111	82	29			111	74	36	1		111	59	63			2	10			36		111	
4	Tiberias	46					1	4	51	44	7			51	31	19	1		51	27	28			2	2			19		51	
5	Nazareth	47							47	43	3	1		47	29	18			47	5	7				22			18		47	
6	Baysan	50		2					52	40	10	2		52	35	17			52	31	33				2			17		52	
7	Jenin	5	36	6	14				61	9	2			11	11				11	6	6						5		11		
8	Tulkarm	58	20	9	18				105	54	6	7		67	35	32			67	18	26				9			32		67	
9	Nablus		87		3				90					0					0											0	
10	Jaffa	48							48	48				48	26	22			48	25	25			1				22		48	
11	Ramle	70	4	9	12	1			96	76	3	1		80	63	17			80	63	61			2				17		80	
12	Ramallah		57		3				60					0					0											0	
13	Jerusalem	36	38	8	14				96	43	1			44	40	3	1		44	39	38			1	2			3		44	
14	Gaza	51	8	1	7				67	50	2			52	47	5			52	46	47						5		52		
15	Hebron	16	12	1	10				39	16	1			17	17				17	16	16					1			17		
16	Beer Sheba	203	5						208	86	117			203	203				203	88	86	20				97			203		
	TOTAL	891	0	36	0	1	18	10	956	727	214	13	2	956	767	183	4	2	956	530	556	20	0	12	87	98	0	183	0	956	

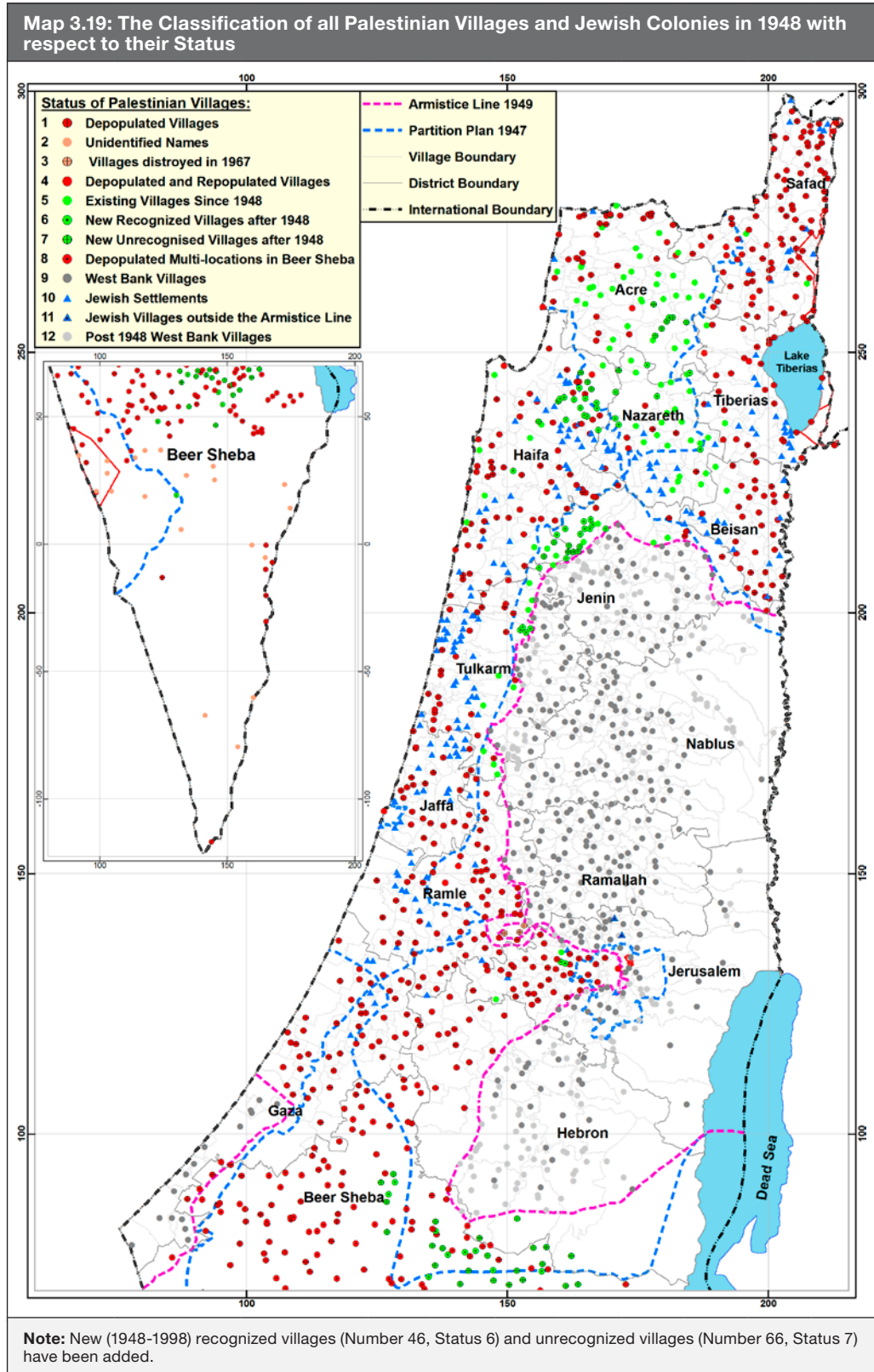
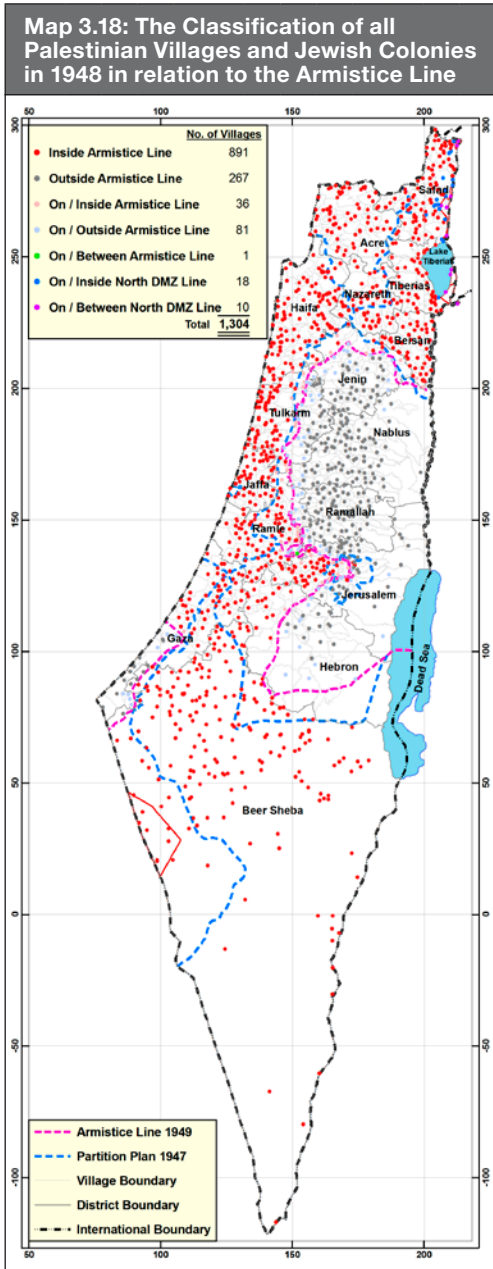


Table 3.8 shows the classification of the 773 Palestinian localities lost to Israel. It should be noted that, in all these tables, villages within Armistice Line (e.g. Latrun) are listed because they were depopulated or have suffered in some way by dissecting their land and separating them from their relatives. It is not to be assumed however that such lands and villages within AL (code 33) belong to Israel. They belong to the West Bank as shown on all official maps. In 1967, Israel occupied the remainder of Palestine and omitted the Armistice Line from its maps.

Two obvious conclusions emerge from the preceding maps and tables. The first is that Israel occupied by force in 1948 a much larger area than the area it acquired during the Mandate (14 times) entirely by force of arms. This occupied area is 45 times greater than the Jewish land acquired before the British came and the Mandate instated. If legality is accorded to Balfour Declaration and the Mandate, and if further, the legality of the Partition Plan is accepted, those two big contested 'ifs' do not justify the fact that Israel exceeded the Partition Plan by conquering extra 310 Palestinian villages and extra 24 percent of the land of Palestine.

The second conclusion is derived from the fact that Israel, after this immense conquest, was left

with a vast area of land (20,359,000 donums as measured) and 773 Palestinian towns and villages. Since the Zionist ideology rests on the need to acquire a 'Palestine land without people', the obvious corollary is to remove the people of this land. Hence, only 99 Palestinian villages remained in Israel, *albeit* under military rule until 1966, and 674 villages had been totally depopulated. This was one of the largest acts of planned ethnic cleansing in modern history. It is also continuous and applied daily in the Occupied West Bank.

3.3 Al Nakba Register

The following table (Table 3.9, The Nakba Register) summarizes the data about 530 towns and villages which were depopulated during the *Nakba*.

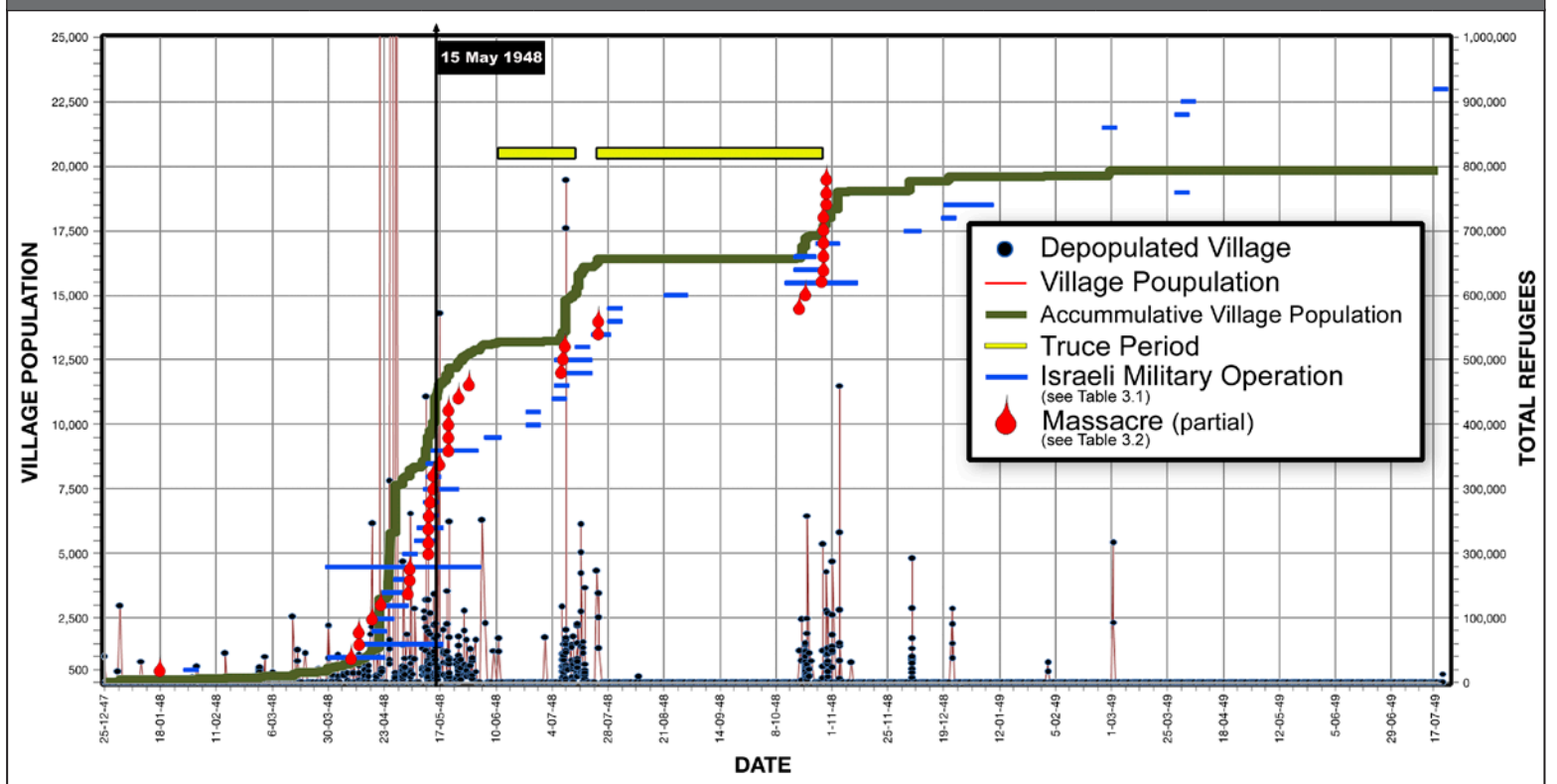
This figure (530) is higher than the figure given by Morris (369)³²⁶ or by W. Khalidi (418).³²⁷ Morris determined that only 369 towns and villages were depopulated. The Khalidi list was based on a specific definition: villages or hamlets listed in the *Palestine Index Gazetteer* of 1945 falling inside the 1949 Armistice Line, including *No Man's Land*, which had a core of permanent structures, had their own name, had Arabic-speaking Palestinians, had Arab land and were depopulated in the 1948 war. Thus, Khalidi excludes all cities and towns, tribes, villages which lost their land but not their homes, localities where villagers lived on or near Jewish or German colonies or who were expelled/left due to the war one or two years after 1948. An important addition to this Register, in addition to the depopulated cities and towns, is Beer Sheba district which had a population of over 100,000

326 Morris, *supra* note 242. 327 Khalidi, *supra* note 240.

Table 3.8: Palestinian Towns (including Mixed) and Villages that fell under Israel in 1948 (inside and within AL)

S. No.	District Name	Armistice Code (AL)							Capital Code					P-J (Ethnic)					Register Count	Status Code						
		In 1	Out 2	ON 31	ON 32	Within 33	DMZ 41	Within 43	Total	1	2	3	4	Total	1	2	3	4		Total	1	2	4	5	8	Total
1	Safad	75					14	5	94	73	17	2	2	94	91		1	2	94	79	89		2	3	94	
2	Acre	65							65	50	15			65	65				65	28	31		2	32	65	
3	Haifa	75							75	49	26			75	74		1		75	59	63		2	10	75	
4	Tiberias	28					1	3	32	26	6			32	31		1		32	27	28		2	2	32	
5	Nazareth	29							29	26	2	1		29	29				29	5	7			22	29	
6	Baysan	33		2					35	31	3	1		35	35				35	31	33			2	35	
7	Jenin	5		6					11	9	2			11	11				11	6	6			5	11	
8	Tulkarm	26		9					35	22	6	7		35	35				35	18	26			9	35	
9	Nablus								0					0					0						0	
10	Jaffa	26							26	26				26	26				26	25	25		1		26	
11	Ramle	53		9		1			63	60	2	1		63	63				63	63	61		2		63	
12	Ramallah								0					0					0						0	
13	Jerusalem	33		8					41	40	1			41	40		1		41	39	38		1	2	41	
14	Gaza	46		1					47	46	1			47	47				47	46	47				47	
15	Hebron	16		1					17	16	1			17	17				17	16	16			1	17	
16	Beer Sheba	203							203	86	117			203	203				203	88	86	20			97	203
	TOTAL	713	0	36	0	1	15	8	773	560	199	12	2	773	767	0	4	2	773	530	556	20	12	87	98	773

Figure 3.1: The Correlation between Israeli Operations, Massacres and Village Depopulation



listed under 77 clans. They owned and cultivated land more than half the registered land in Palestine. In terms of population they were equivalent to 125 average villages. The land of each clan was much bigger than a typical northern village.

The Register records 530 towns and primary villages which were the refugees' home. However there were other locations or hamlets which were depopulated. Their total number (674) is marked in the Atlas but the additional villages were not listed in the Register because their names were uncertain or because the village was a satellite, or part, of the same village but scattered in other multiple locations as in the Beer Sheba district. The UN Relief and Works Agency for the Palestine Refugees (UNRWA) has on its list refugees from another 662 (Palestinian and Jewish) locations, giving a total of depopulated localities of 1,192. These additional localities may be Jewish colonies, such as Bayt Alfa and Bayt Yousef; Palestinian villages beyond the Armistice Line but their

lands were occupied by Israel such as Qibya and Shuqba; intermediate localities such as Wadi Sarar and Wadi al-Bira or bedouin clans other than in Beer Sheba such as Arab al-Wuheidat and Arab Sawarka Daldum (ar-Ramleh district). Thus the number of depopulated localities is much larger than reported before.

The name of each town/village is given in English and Arabic according to W. Khalidi based on the official Gazetteer (when such names are available). The definitive article, al, is added in the end. So are the letters A (Arab) or K (Khirbet = old site of). Thus: Samniyya al K A = Khirbet Arab al Samniyya. The names are arranged alphabetically for each district.

The term 'district', was used instead of the longer but more accurate 'sub-district', or Arabic *qadha*, indicating one of the 16 districts according to the latest (1944) administrative boundaries of Palestine.

The Depopulation Date is by necessity approximate. It could be the date of the Israeli onslaught on the village or after that date by one to two days when Israeli troops completed the occupation of the village and started expelling the population. If the village was depopulated more than once, that is the population were expelled but some returned later, the first date is entered. There are listed dates on which the bulk of population, especially women, children and old men, have left, while a dozen young men remained fighting, protecting their property, watering their orchards or taking care of their cattle. Few dates are imprecise, such as early November. These were entered at a definite date such as 1 or 5 November. Nevertheless the majority of dates are reasonably accurate.

Plotting the population of the villages against the depopulation date and superimposing the dates of Israeli-operations and the occurrence of massacres reveal a remarkable result. **Figure 3.1** displays highly significant aspects of *al Nakba*. We explain

Table 3.9: Al Nakba Register

AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
441	Abil al Qamh	أبل القمح	Safad	10-05-48	4	383	4,615	yh			2	2,247	3,178
462	Abisiya al	العابسية	Safad	25-05-48	5	1,415	15,429	yh			1	8,969	11,751
419	Madahil al	المداحل	Safad	30-04-48	4	0		mt/yh			1	0	0
433	Butayha al	البطيحة	Safad	4-05-48	1	754	16,690	mt/yh	ALA		3	83	6,261
436	Shamalina al A	عرب الشمالينة	Safad	4-05-48	1			yh			2	5,669	0
412	Yarda	يردا	Safad	1-04-48	2	23	1,368	yh			3	30	193
439	Akbara	عكبرة	Safad	9-05-48	2	302	3,224	yh			4	2,455	2,504
477	Alma	علما	Safad	30-10-48	2	1,102	19,498	hm			3	7,327	9,150
459	Ammuqa	عموقة	Safad	24-05-48	2	162	2,574	yh			2	557	1,348
429	Ayn az Zaytun	عين الزيتون	Safad	2-05-48	2	951	1,100	yh		M,A	4	5,544	7,898
463	Baysamun	بيسمون	Safad	25-05-48	3	23	2,102	yh			1	109	193
430	Biriyya	بيريا	Safad	2-05-48	2	278	5,579	mt/yh			6	2,138	2,312
445	Buwayziyya	البويزية	Safad	11-05-48	5	592	14,620	yh			2	3,296	4,912
442	Dallata	دلاته	Safad	10-05-48	2	418	9,074	yh			2	2,276	3,467
475	Khan al Duwayr	خان الدوير	Safad	30-05-48	2	302	2,163	yh			1	697	2,504
421	Dirdara al (Mazr'et Daraja)	الدردارة	Safad	30-04-48	2	116	6,361	yh			1	416	963
464	Dawwara al	الدوارة	Safad	25-05-48	3	812	5,470	yh			1	7,545	6,742
478	Dayshum	ديشوم	Safad	30-10-48	2	684	23,044	hm			2	3,870	5,683
414	Zubeid A	عرب الزبيد	Safad	20-04-48	4	0		yh			2	1,860	0
443	Dhahiriyya Tahta al	الظاهرية التحتا	Safad	10-05-48	5	406	6,773	yh	ALA		2	788	3,371
422	Dirbashiyya	الديرباشية	Safad	1-05-48	2	360	2,883	yh			2	363	2,986
411	Urayfiyya al	العريفية	Safad	1-04-48	2	0		yh			1	0	0
468	Mansura al	المنصورة	Safad	25-05-48	3	418	1,544	yh			1	4,799	3,467
479	Fara	فارة	Safad	30-10-48	2	371	7,229	hm			4	2,617	3,082
486	Farradiyya al	الفراضية	Safad	1-02-49	1	777	19,747	hm			2	4,345	6,453
469	Fir'im	فرعم	Safad	26-05-48	2	858	2,191	yh			2	5,574	7,127
480	Ghabbatiyya	غباطية	Safad	30-10-48	2	70	2,933	hm	ALA		3	64	578
473	Ghuraba	غرابية	Safad	28-05-48	4	255	3,453	yh			3	1,853	2,119
465	Harawi	هراوي	Safad	25-05-48	2	290	3,726	yh	ALA		1	185	2,408
432	Hunin	هونين	Safad	3-05-48	4	1,879	14,224	yh		M	2	16,005	15,603
440	Ja'una al	الجاعونة	Safad	9-05-48	5	1,334	839	yh			6	10,454	11,076
426	Jahula	جاحولا	Safad	1-05-48	2	487	3,869	yh			2	3,146	4,045
29	Jish	جيش	Safad	29-10-48		0	12,430	hm	ALA	M		0	0
485	Kafr Bir'im	كفر برعم	Safad	4-11-48	1	824	12,250	hm			3	664	6,838
446	Khalisa al	الخالصة	Safad	11-05-48	3	2,134	11,280	yh			4	13,116	17,722
466	Khisas al	الخصاص	Safad	25-05-48	3	545	4,795	yh		M	4	3,992	4,527
424	Khiyam al Walid K	خيام الوليد	Safad	1-05-48	4	325	4,215	yh			2	2,879	2,697
416	Kirad al Baqqara	كراد البقارة	Safad	22-04-48	5	418	2,262	yh			3	957	3,467
417	Kirad al Ghannama	كراد الغنامة	Safad	22-04-48	5	406	3,975	yh			2	1,344	3,371
456	Lazzaza	لزازة	Safad	21-05-48	3	267	1,586	yh			1	1,687	2,215
472	Malikiyya al	الملكية	Safad	28-05-48	2	418	7,328	yh	ALA			3,954	3,467
467	Mallaha	ملاحة	Safad	25-05-48	3	1,032	2,168	yh			2	7,557	8,572
410	Mansurat al Khayt	منصورة الخيط	Safad	18-01-48	2	232	6,735			M	2	0	1,926
470	Marus	ماروس	Safad	26-05-48	2	93	3,183	yh		A	2	143	771
444	Mirun	ميرون	Safad	10-05-48	5	336	14,114	yh			3	1,406	2,793
453	Muftakhira al	المفتخرة	Safad	16-05-48	4	406	9,215	yh			2	3,726	3,371
423	Hamra al	الحمراء	Safad	1-05-48	2	0		yh			3	0	0
431	Mughr al Khayt	مُغر الخيط	Safad	2-05-48	2	568	6,627	yh			4	4,331	4,719
451	Na'ima al	الناعمة	Safad	14-05-48	5	1,195	7,155	yh			1	8,064	9,921
454	Nabi Yusha al	النبي يوشع	Safad	16-05-48	2	81	3,617	yh	ALA		2	514	674
471	Qabba'a	قباعة كباة	Safad	26-05-48	2	534	13,817	yh			2	3,513	4,431
474	Qadas	قدس	Safad	28-05-48	5	452	14,139	yh/hm	LEB/ALA		3	3,677	3,756
448	Qaddita	قديتا	Safad	11-05-48	5	278	2,441	yh			2	1,391	2,312
455	Qaytiyya	قيطية	Safad	19-05-48	3	1,090	5,390	yh			2	7,680	9,054
435	Qudayriyya al	القديرية	Safad	4-05-48	1	452	12,487	mt/yh	ALA	M	3	3,507	3,756
481	Ras al Ahmar al	الراس الأحمر	Safad	30-10-48	2	719	7,934	hm			5	3,843	5,972
482	Sa'sa	سعين	Safad	30-10-48	1	1,311	14,796	hm		M	6	9,273	10,884
483	Sabalan	سبلان	Safad	30-10-48	2	81	1,798	hm			4	806	674
447	Safad (Arab)	صفد	Safad	11-05-48	2	11,055	4,431	yh	ALA	A		60,596	91,789
476	Safsaf	صفصاف	Safad	29-10-48	1	1,056	7,391	hm	ALA	M	4	6,703	8,765
484	Saliha	صالحه	Safad	30-10-48	2	1,241	11,735	hm		M	4	8,038	10,306
461	Salihiyya al	الصالحية	Safad	25-05-48	3	1,763	5,607	yh			1	13,422	14,640
450	Sammu'i al	السّموعي	Safad	12-05-48	5	360	15,135	yh			3	2,007	2,986
425	Sanbariyya al	السنبرية	Safad	1-05-48	2	151	2,532	yh			1	1,042	1,252
452	Shawka at Tahta	الشوكة التحتا	Safad	14-05-48	4	232	2,132	yh			2	2,270	1,926
420	Shuna al	الشونة	Safad	30-04-48	2	197	3,660	yh			4	478	1,637
437	Suyyad al A(Jubb Yusuf)	جب يوسف - عرب الصياد	Safad	4-05-48	1	197	11,325	yh	ALA		1	3,426	1,637
427	Taytaba	طيظبا	Safad	1-05-48	2	615	8,453	yh			2	3,939	5,105
487	Muntar al, K	خربة المنطار	Safad	20-07-49	1	0	52	yh			2	0	0
418	Tulayl	طليل تليل	Safad	28-04-48	2	394	5,324	yh			4	1,140	3,275
415	Husayniyya	الحسينية	Safad	21-04-48	5			yh		M	3	721	0
413	Ulmaniya al	العلمانية	Safad	20-04-48	2	302	1,169	yh			1	1,108	2,504

Table 3.9: Al Nakba Register, Continued													
AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
428	Wayziyya	الويزية	Safad	1-05-48	2	116	3,826	yh			2	42	963
438	Zanghariyya al (Zuhluq)	الزنجارية	Safad	4-05-48	1	974	27,918	mt/yh			3	5,723	8,091
434	Karraza, Khirbat	خربة كرازة	Safad	4-05-48		0					4	0	0
458	Zawiya al	الزاوية	Safad	24-05-48	2	882	3,958	yh			1	4,979	7,320
457	Zuq al Fawqani	الزوق الفوقاني - زوق الحاح	Safad	21-05-48	2	186	1,832	yh			2	54	1,541
449	Zuq at Tahtani al	الزوق التحتاني	Safad	11-05-48	5	1,218	11,634	yh			4	10,022	10,113
460	Manshiyya al	المنشية	Safad	24-05-48	5	140		yh			1	0	1,165
	Others											17,312	0
SAFAD DISTRICT TOTAL						51,099	516,173					336,326	424,281
6	Acre	عكا	Acre	17-05-48	1	14,280	1,949	ba		M		45,075	118,565
13	Amqa	عمقا	Acre	10-07-48	2	1,438	6,068	dk			2	9,574	11,943
19	Iribbin, Khirbat (A el Quleitat)	خربة عريبين	Acre	30-10-48	2	418	11,463	hm			2	33	3,467
2	Bassa al	البصة	Acre	14-05-48	1	3,422	29,535			M	4	14,484	28,413
11	Birwa al	البروة	Acre	11-06-48	2	1,694	13,542	ba/dk	ALA		4	4,527	14,062
15	Damun al	الدامون	Acre	15-07-48	2	1,520	20,357	dk			2	4,089	12,617
23	Mansura al	المنصورة	Acre	1-11-48	1	0		hm			1	322	0
18	Dayr al Qasi	دير القاسي	Acre	30-10-48	2	2,668	34,011	hm	ALA		6	8,386	22,153
1	Ghabisiyya	الغابسية	Acre	1-05-48	1	1,438	11,786	ba		A	2	4,316	11,943
22	Iqrit	إقريت	Acre	1-11-48	1	568	24,722				2	274	4,719
12	Jiddin, Khirbat	خربة جدين	Acre	1-07-48	2	1,740	7,587				2	889	14,447
27	Kafr 'Inan	كفرعنان	Acre	1-02-49	1	418	5,827	hm			4	1,852	3,467
14	Kuwaykat	كويكات	Acre	10-07-48	2	1,218	4,733	dk			2	7,612	10,113
30	Majd al Kurum	مجد الكروم	Acre	29-10-48		0		hm	ALA	M		2,423	0
3	Manshiya al	المنشية	Acre	14-05-48	2	940	14,886	ba			5	6,410	7,802
16	Mi'ar	معار	Acre	15-07-48	2	893	10,788	dk			3	1,108	7,416
20	Samniyya al K A	عرب خربة السمنية	Acre	30-10-48	2	232	1,872	hm		M	4	898	1,926
8	Nahr al	النهر	Acre	21-05-48	2	708	5,261			M	4	3,769	5,875
9	Tell al	التل	Acre	21-05-48	2	348					2	0	2,889
17	Ruweis al	الرؤيس	Acre	15-07-48	2	383	1,163	dk			2	239	3,178
21	Suhmata	سُحَمَاتَا	Acre	30-10-48	2	1,311	17,056	hm	ALA		3	7,454	10,884
4	Sumayriyya	السُمَيْرِيَّة	Acre	14-05-48	2	882	8,542	ba			3	5,161	7,320
26	Tarbikha	تربخا	Acre	1-11-48	1	1,160	18,563	hm			6	4,807	9,632
24	Nabi Rubin	النبي رويين	Acre	1-11-48	1	0					2	1,500	0
25	Suruh	سُرُوح	Acre	1-11-48	1	0					2	495	0
7	Kabri al	الكابري	Acre	21-05-48	2	6,218	47,428	ba	ALA	M	2	7,069	51,625
10	Umm Al Faraj	ام الفرج	Acre	21-05-48	2	928	825			M	2	6,066	7,705
5	Zib al	الزيب	Acre	14-05-48	2	2,216	12,607				4	11,661	18,396
	Others											44,100	0
ACRE DISTRICT TOTAL						47,038	310,571					204,594	390,561
296	Jalama al	الجلمة	Haifa	1-05-48	1	0	7,713	d			7	0	0
272	Abu Shusha	ابوشوشة	Haifa	9-04-48	2	835	8,960		ALA		2	5,454	6,935
277	Abu Zureiq	أبو زريق	Haifa	12-04-48	2	638	6,493			M	1	4,131	5,297
302	Atlit	عتليت	Haifa	15-05-48		174	9,083					608	1,445
310	Ayn Haud	عين حوض	Haifa	15-07-48	5	754	12,605				6	3,455	6,261
316	Ayn Ghazal	عين غزال	Haifa	24-07-48	2	2,517	18,079	st		M	3	12,866	20,901
309	Sawamir al K	خربة السوامر	Haifa	22-05-48		0					3	0	0
287	Balad ash Sheikh	بلد الشيخ	Haifa	25-04-48	2	4,779	9,849	d		M,A	6	23,768	39,682
267	Beit Lahm	بيت لحم	Haifa	1-04-48	2	429	7526					12	3,564
266	Shuna al, Khirbat	خربة الشونة	Haifa	15-03-48	1	0					4	0	0
297	Burayka	بُريكة	Haifa	5-05-48	5	336	11,434				7	2,294	2,793
260	Burj al, Khirbat	خربة البرج	Haifa	15-02-48	4	0	5,291				3	75	0
295	Butaymat al	الْبُطَيْمَات	Haifa	1-05-48	4	128	8,557				3	772	1,059
263	Daliyat ar Rawha	دالية الروحاء	Haifa	1-03-48	2	325	10,008				2	562	2,697
290	Mansura al, Khirbat	خربة المنصورة	Haifa	28-04-48	1	223		bc			1	0	1,849
292	Damun al, Khirbat	خربة الدامون	Haifa	30-04-48	2	394	2,797				4	98	3,275
274	Dumeira al (cf AS304)	الدميرة	Haifa	10-04-48	1	0	1387				1	3,228	0
275	Fuqara al A	عرب الفقراء	Haifa	10-04-48	1	360	2,714				1	1,841	2,986
270	Ghubayya al Fauqa al	الغُبَيَّة الفوقا	Haifa	8-04-48	2	0			ALA		2	0	0
271	Ghubayya al Tahta al	الغُبَيَّة التحتا	Haifa	8-04-48	2	0			ALA		1	0	0
280	Naghnaghiyya al	النغنجية	Haifa	12-04-48	2	1,311	12,139			A	2	0	10,884
286	Haifa (Arab)	حيفا	Haifa	21-04-48	2	72,848	54,305			M,A		255,033	604,864
304	Dhahrat al-DhumayriA(cf AS274)	عرب ظهرة الضميري	Haifa	15-05-48		719					1	0	5,972
317	Ijzim	إجزم	Haifa	24-07-48	2	3,445	46,905	st		M	6	14,843	28,606
264	Manara al	المنارة	Haifa	1-03-48	2	0					2	0	0
305	Qumbaza K	خربة قمبازة	Haifa	15-05-48		0					7	0	0
307	Manara al, Khirbat	خربة المنارة	Haifa	21-05-48		0					2	0	0
318	Jaba'	جَبَع	Haifa	24-07-48	2	1,322	7,012	st			2	1,174	10,980
281	Ghawarina A (incl. Jidru)	عرب الغوارنة	Haifa	15-04-48	2	719	3,428					4,152	5,972
293	Kabara	كَبَارَة	Haifa	30-04-48	1	139	9,831				2	830	1,156
312	Kafr Lam	كفر لام	Haifa	16-07-48	2	394	6,838				5	1,382	3,275
278	Kafrayn al	الكفرين	Haifa	12-04-48	2	1,067	10,882		ALA		2	7,171	8,861
298	Khubbayza	خُبيرة	Haifa	12-05-48	2	336	4,854				2	2,041	2,793

Table 3.9: Al Nakba Register, Continued

AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
273	Lid, Khirbat (Lydd el 'Awadin)	خربة ليد	Haifa	9-04-48		742	13,572				2	5,628	6,164
279	Mansi al ('Arab Baniha)	المنسي	Haifa	12-04-48	2	1,392	12,272		ALA	A	3	15,671	11,558
311	Mazar al	المزار	Haifa	15-07-48	5	244	7,976			A	2	1,591	2,023
276	Nufay'at al A	عرب النفيعات	Haifa	10-04-48	1	951	8,937				4	4,968	7,898
283	Sarkas al K	خربة لسركس	Haifa	15-04-48	1	751					1	4,098	6,232
288	Qannir	قنير	Haifa	25-04-48	4	870	11,331			A	2	7,596	7,224
261	Qisarya	قيسارية	Haifa	15-02-48	1	1,114	31,786			M,A	4	3,814	9,246
303	Barrat Qisarya	بيرة قيسارية	Haifa	15-05-48		0					4	0	0
294	Rihaniyya al	الريحانية	Haifa	30-04-48	1	278	1,930	bc			2	1,789	2,312
299	Sabbarin	صبارين	Haifa	12-05-48	2	1,972	25,307			M	2	13,724	16,374
313	Sarafand al	الصرفند	Haifa	16-07-48	2	336	5,409				4	1,007	2,793
314	Shafa Amr	شفا عمرو	Haifa	16-07-48	2	4,211	89,985	dk				5,563	34,963
285	Wa'arat al-Sarris	وعرة السريس	Haifa	16-04-48	2	220			ALA		6	569	1,830
268	Ras 'Ali K	خربة راس علي	Haifa	1-04-48		0						67	0
282	Hawsha	هوشة	Haifa	16-04-48	2	464			ALA		3	1,338	3,853
284	Kasayir al, Khirbat	خربة الكسائر	Haifa	16-04-48	2	0			ALA		2	1,796	0
291	Sa'sa, Khirbat	خربة سعسع	Haifa	28-04-48		151					3	378	1,252
300	Sindiyyana al	السديانة	Haifa	12-05-48	2	1,450	15,172				2	9,774	12,039
308	Tantura al	الطنطورة	Haifa	21-05-48	1	1,728	14,520			M	4	9,218	14,351
315	Tira al	الطيرة	Haifa	16-07-48	2	6,113	45,262			M,A	6	36,345	50,758
301	Umm ash Shauf	أم الشوف	Haifa	12-05-48	2	557	7,426			M	2	3,527	4,623
306	Umm az Zinat	أم الزينات	Haifa	15-05-48	2	1,705	22,156	bc			2	11,200	14,158
262	Wadi 'Ara	وادي عارة	Haifa	27-02-48	4	267	9,795		ALA		4	3,021	2,215
269	Waldheim (Umm al 'Amad)	أم العمدة	Haifa	1-04-48	2	302	9,225					140	2,504
289	Yajur	ياجور	Haifa	25-04-48	2	708	2,720				1	3,683	5,875
265	Qira wa Qamun	قيرة وقمون	Haifa	1-03-48	3	476	7				2	1,314	3,949
	Others											29,351	0
HAIFA DISTRICT TOTAL						121,196	613,478					522,960	1,006,298
509	Nuqayb al	النُقَيْب	Tiberias	15-05-48	1	371	13,010		SYR		3	2,086	3,082
506	Awlam ('Ulam)	عَوْلَم	Tiberias	12-05-48	6	835	18,546				2	2,422	6,935
492	Dalhamiyya al	الدلهمية	Tiberias	15-04-48	1	476	2,852				1	1,504	3,949
28	Eilaboun	عَيْلابون	Tiberias	29-10-48		0		hm	ALA	M		0	0
495	Ghuwayr Abu Shusha	غوير أبو شوشة	Tiberias	21-04-48	5	1,438	12,098		ALA		2	10,676	11,943
507	Hadatha	حدثا	Tiberias	12-05-48	6	603	10,310				2	3,326	5,008
513	Hamma al	الحمة	Tiberias	20-07-49	1	336	1,692				4	1,661	2,793
510	Hittin	حطين	Tiberias	16-07-48	2	1,380	22,764	dk	ALA		2	11,289	11,462
497	Kafr Sabt	كفر سبت	Tiberias	22-04-48	5	557	9,850				2	2,588	4,623
511	Lubiya	لوبييا	Tiberias	16-07-48	2	2,726	39,629	dk			2	23,304	22,634
508	Ma'dhar	معدن	Tiberias	12-05-48	6	557	11,666				2	2,460	4,623
498	Majdal al	المجدل	Tiberias	22-04-48	2	418	103				2	3,803	3,467
488	Manara al	المنارة	Tiberias	1-03-48	1	568	6,797				2	1,821	4,719
505	Mansura al	المنصورة	Tiberias	10-05-48		2,482	55,583	hm			3	49	20,612
512	Nimrin	نمرين	Tiberias	16-07-48	2	371	12,019	dk				1,991	3,082
500	Samakh	سَمَخ	Tiberias	28-04-48	2	4,014	18,611				2	16,895	33,325
502	Samakiyya al A	عرب السمكية	Tiberias	4-05-48	1	441	10,526	mt			2	403	3,660
496	Samra al	السمرا	Tiberias	21-04-48	5	336	12,563				1	2,568	2,793
504	Shajara al	الشجرة	Tiberias	6-05-48	2	893	3,754				2	4,821	7,416
503	Tabigha al	الطابغة	Tiberias	4-05-48	1	383	5,389	mt		M	3	4,039	3,178
493	Tiberias (Arab)	طبرية	Tiberias	18-04-48	2	6,160	15,729		ALA	M,A		26,567	51,144
491	Nasir ad Din K	خربة ناصر الدين	Tiberias	12-04-48	2	104				M	1	4,568	867
490	Ubaydiyya al	العُبَيْدِيَّة	Tiberias	3-03-48	4	1,009	5,173				3	8,143	8,379
489	Manshiyya al	المنشية	Tiberias	3-03-48		0					2	0	0
494	Wa'ra al-Sawda al K(A alMawasi)	الوعرة السوداء	Tiberias	18-04-48	1	2,169	7,036	dk		M	3	5,940	18,011
499	Wadi al-Hamam K	وادي الحمام	Tiberias	22-04-48		0					3	0	0
501	Yaquq	ياقوق	Tiberias	1-05-48	5	244	8,507				2	3,181	2,023
	Others											3,176	0
TIBERIAS DISTRICT TOTAL						28,872	304,207					149,278	239,730
405	Subeih al A	عرب الصبيح	Nazareth	19-04-48	5	0	8,686					7,338	0
406	Indur	إندور	Nazareth	24-05-48	2	719	12,444				3	4,311	5,972
407	Ma'lul	معلول	Nazareth	15-07-48	2	800	4,698	dk			2	695	6,646
408	Mujaydil al	المجدل	Nazareth	15-07-48	2	2,204	18,836	dk			2	7,332	18,300
409	Saffuriyya	صفورية	Nazareth	16-07-48	2	5,023	55,378	dk	ALA	A	4	32,554	41,705
	Others											21,016	0
NAZARETH DISTRICT TOTAL						8,746	100,042					73,246	72,622
115	Arida al A	عرب العريضة	Baysan	20-05-48	5	174	2,280				1	864	1,445
99	Ashrafiyya al	الاشرفية	Baysan	12-05-48	5	267	6,711	gd			1	3,209	2,215
109	Bawati al A	عرب البواط	Baysan	16-05-48	5	603	10,641				2	2,912	5,008
113	Bashatwi al A	البشاتوة	Baysan	16-05-48	5	1,810	20,739				1	10,713	15,025
120	Umm Sabuna, K.(A al-Saqr)	أم صابونة - عرب الصقر	Baysan	21-05-48	5	868		gd			2	444	7,204
100	Baysan	بيسان	Baysan	12-05-48	2	6,009	28,957	gd		M		37,870	49,892
107	Bira al	البيرة	Baysan	16-05-48	5	302	6,866				3	1,451	2,504
122	Danna	دنة	Baysan	28-05-48	1	220	6,614				2	1,514	1,830

Table 3.9: Al Nakba Register, Continued													
AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
98	Farwana	فَرُونَة	Baysan	11-05-48	2	383	4,996				3	1,691	3,178
101	Fatur al	الفاتور	Baysan	12-05-48		128	729	gd	ALA		1	133	1,059
116	Ghazawiyya al A	عرب الغزاوية	Baysan	20-05-48	5	1,183	18,408				1	7,515	9,824
102	Hamidiyya al	الحميدية	Baysan	12-05-48	5	255	10,902				2	1,169	2,119
123	Hamra al	الحمراء	Baysan	31-05-48	5	847	11,511				1	4,060	7,031
114	Jabbul	جَبُول	Baysan	18-05-48	4	290	15,127				2	1,762	2,408
110	Kafra	كفرا	Baysan	16-05-48	5	499	9,172				2	3,009	4,142
111	Kaukab al Hawa	كوكب الهوا	Baysan	16-05-48	2	348	9,949	gd	IR		1	2,027	2,889
117	Khunayzir al A	عرب الخنيزير	Baysan	20-05-48	5	302	3,107				1	653	2,504
124	Masil al-Jizl(al Zinati)	مسيل الجزل - الزناتي	Baysan	31-05-48	1	116	5,873				1	0	963
108	Murassas al	المرصص	Baysan	16-05-48	5	534	14,477				1	3,036	4,431
95	Qumiya	قومية	Baysan	26-03-48	4	510	4,898				2	2,436	4,238
118	Safa al A	عرب الصفا	Baysan	20-05-48	5	754	12,518				1	2,622	6,261
103	Sakhina al	الساخنة	Baysan	12-05-48		615	6,400	gd			1	1,079	5,105
121	Samiriyya al	السامرية	Baysan	27-05-48	2	290	3,873				3	2,328	2,408
96	Sirin	سيرين	Baysan	6-04-48	6	940	28,445				4	6,794	7,802
104	Tall ash Shawk	تل الشوك	Baysan	12-05-48	5	139	3,685				1	1,358	1,156
97	Tira al	الطيرة	Baysan	15-04-48	3	174	10,207				2	795	1,445
125	Umm 'Ajra	أم عجرة	Baysan	31-05-48		302	6,443				1	938	2,504
106	Taqa al, Khirbat	خربة الطاقا	Baysan	15-05-48		0		gd	IR		1	0	0
112	Yubla	يُبلى	Baysan	16-05-48	5	244	5,165				1	2,403	2,023
105	Zab'a	زبعا	Baysan	12-05-48		197	3,968	gd			1	706	1,637
119	Zarra'a al A	عرب الزراعة	Baysan	20-05-48	5							41	0
	Others											5,086	0
BEISAN DISTRICT TOTAL						19,300	272,661					110,619	160,250
399	Ayn al-Mansi	عين المنسي	Jinin	12-04-48	2	104	1,295		ALA		1	11	867
400	Jawfa al K	خربة الجوفة	Jinin	12-05-48	5	0					3	0	0
404	Mazar al	المزار	Jinin	30-05-48	2	313	14,501				2	2,795	2,601
402	Nuris	نورس	Jinin	29-05-48	1	661	6,256		ALA		2	3,916	5,490
403	Lajjun al	اللجون	Jinin	30-05-48	2	1,279	77,242		ALA	M	4	4,230	10,624
401	Zir'in	زرعين	Jinin	28-05-48	2	1,647	23,920				2	9,567	13,677
	Others											22,678	0
JENIN DISTRICT TOTAL						4,005	123,214					43,197	33,258
523	Bayt Lid K	خربة بيت ليد	Tulkarm	5-04-48	4	534	5,336	d			1	4,278	4,431
526	Birket Ramadan (Wakf Kh Rahman)	بركة رمضان	Tulkarm	20-04-48		0	5,554					8	0
521	Fardisyia	فرديسيا	Tulkarm	1-04-48	1	23	1,092				4	15	193
528	Ghabat Kafr Sur	غابة كفر صور	Tulkarm	15-05-48	4	858	19,666				4	15	7,127
520	Bayyarat Hannun	بيارة حنون	Tulkarm	31-03-48	1	0					4	0	0
529	Kafr Saba	كفر سابا	Tulkarm	15-05-48	2	1,473	9,688		ALA		4	9,848	12,232
524	Manshiya al K	خربة المنشية	Tulkarm	15-04-48	4	302	16,770				2	606	2,504
527	Miska	مسكة	Tulkarm	20-04-48	1	1,021	8,076				2	4,897	8,476
531	Qaqun	قاقون	Tulkarm	5-06-48	2	2,285	41,767				2	13,477	18,974
517	Raml Zeita(K.Qazaza)	رمل زيتا	Tulkarm	15-03-48	1	162	14,837				5	1,581	1,348
515	Majdal al K	خربة المجدل	Tulkarm	1-03-48		0					1	0	0
522	Tabzur (Khirbet 'Azzun)	تبضر	Tulkarm	3-04-48	1	0	5,328				1	3,083	0
519	Umm Khalid	أم خالد	Tulkarm	20-03-48	4	1,125	2,894				6	6,074	9,343
518	Wadi al Hawarith	وادي الحوارث	Tulkarm	15-03-48	2	2,552	4,447			A	5	12,072	21,189
516	Wadi Qabbani	وادي القبانى	Tulkarm	1-03-48	1	371	9,812				1	491	3,082
530	Zababida al, Khirbat	خربة الزبابدة	Tulkarm	15-05-48	1	0	10,879				4	743	0
525	Zalafa K	خربة زلفة	Tulkarm	15-04-48	4	244	7,713				1	456	2,023
514	Jalama al	الجلمة	Tulkarm	1-03-48	1	81					2	132	674
	Others											60,835	0
TULKARM DISTRICT TOTAL						11,032	163,859					118,611	91,596
	Others											1,090	0
NABLUS DISTRICT TOTAL						-	-					1,090	0
355	Abbasiyya al (al Yahudiyya)	العباسية - اليهودية	Jaffa	4-05-48	2	6,554	20,540	dn		A	6	41,301	54,418
341	Abu Kishk A	عرب أبو كشك	Jaffa	30-03-48	4	2,204	18,470				4	17,796	18,300
347	Bayt Dajan	بيت دجان	Jaffa	25-04-48	5	4,454	17,327	ch	ALA		6	26,353	36,985
346	Biyar 'Adas	بيار عدس	Jaffa	12-04-48	2	348	5,492		ALA		4	4,735	2,889
356	Fajja	فجة	Jaffa	15-05-48	3	1,392	4,919			A	4	7,466	11,558
338	Haram al (Sayyidna 'Ali)	الحرم - سيدنا علي	Jaffa	3-02-48	4	603	8,065				6	4,220	5,008
344	Ijlil al-Qibliyya	إجليل القبليّة	Jaffa	3-04-48	4	545	15,207				4	0	4,527
345	Ijlil al-Shamaliyya	إجليل الشماليّة	Jaffa	3-04-48	4	220	2,450				1	3,511	1,830
352	Jaffa	يافا	Jaffa	26-04-48	2	76,920	17510			M,A		231,604	638,670
339	Jammasin al-Gharbi al	الجماسين الغربي	Jaffa	17-03-48	4	1,253	1,365				6	8,900	10,402
340	Jammasin al-Sharqi al	الجماسين الشرقي	Jaffa	17-03-48	4	847	358				4	1,517	7,031
353	Jarisha	جریشه	Jaffa	1-05-48	1	220	555				1	1,046	1,830
348	Kafr 'Ana	كفر عانة	Jaffa	25-04-48	2	3,248	17,353	ch			1	17,161	26,968
349	Khayriyya al	الخيرية	Jaffa	25-04-48	2	1,647	13,672	ch			4	8,216	13,677
335	Mas'udiyya al (Summayl)	المسعوديّة - صُمَيْل	Jaffa	25-12-47	4	986					4	5,699	8,187
337	Mirr al (Mahmudiya)	المِرّ	Jaffa	1-02-48	4	197	51				4	516	1,637
336	Muwaylih al	المويلح	Jaffa	31-12-47	2	418	3,342				4	88	3,467

Table 3.9: Al Nakba Register, Continued

AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
359	Rantiya	رنتية	Jaffa	10-07-48	2	684	4,389	dn			4	3,939	5,683
358	Safiriyya	السافرية	Jaffa	20-05-48	1	3,561	12,842	ch			6	26,931	29,569
350	Salama	سلمة	Jaffa	25-04-48	2	7,807	6,471	ch	ALA	A	6	44,743	64,821
351	Saqiya	ساقية	Jaffa	25-04-48	2	1,276	5,850				6	7,689	10,595
357	Sarona	سارونا	Jaffa	15-05-48		0						146	0
342	Sawalima al A	عرب السوالمه	Jaffa	30-03-48	4	928	5,942				1	5,623	7,705
343	Sheikh Muwannis	الشيخ مؤنس	Jaffa	30-03-48	2	2,239	15,972			A	6	12,632	18,589
76	Wilhelma	ولهلما	Jaffa	10-07-48	2	0						0	0
354	Yazur	يازور	Jaffa	1-05-48	2	4,675	11,807	ch	ALA	A	5	24,392	38,815
	Others											162,697	0
JAFFA DISTRICT TOTAL						123,227	209,949					668,923	1,023,163
69	Innaba	عنابة	Al-Ramla	10-07-48	2	1,647	12,857	dn			2	10,887	13,677
42	Abu al Fadl (Sautariyya)	ابو الفضل	Al-Ramla	9-05-48	5	592	2,870	bk		A	4	3,942	4,912
46	Abu Shusha	أبوشوشة	Al-Ramla	14-05-48	2	1,009	9,425	bk		M	1	6,208	8,379
41	Aqir	عافر	Al-Ramla	6-05-48	2	2,877	15,825	d		A	6	22,866	23,886
87	Barfiliya	برفيلية	Al-Ramla	14-07-48	2	847	7,134	dn	AL			7,811	7,031
65	Barriyya al	البرية	Al-Ramla	10-07-48	2	592	2,831	dn			4	4,237	4,912
44	Bash-shit	بشيت	Al-Ramla	13-05-48	2	1,879	18,553				5	13,124	15,603
35	Bayt Far, Khirbat	خربة بيت فار	Al-Ramla	7-04-48		348	5,604	nn			2	1,431	2,889
55	Bayt Jiz	بيت جيز	Al-Ramla	30-05-48	2	638	8,357				4	4,545	5,297
88	Bayt Shanna	بيت شنة شنة	al-Ramla	15-07-48	2	244	3,617				4	4,147	2,023
56	Bayt Susin	بيت سوسين	Al-Ramla	30-05-48	2	244	6,481				2	1,302	2,023
45	Beit Nabala	بيت نبالا	Al-Ramla	13-05-48	6	2,680	15,051		AL		3	22,119	22,249
77	Ajanjul	عجنجول	Al-Ramla	12-07-48		1,438	11,401	dn			2	1,268	11,943
89	Bir Ma'in	بئر ماعين اماعين	Al-Ramla	15-07-48	2	592	9,319	dn	AL		3	4,914	4,912
43	Bir Salim	بئر سالم	Al-Ramla	9-05-48	2	476	3,401				1	5,077	3,949
90	Burj al	البرج	Al-Ramla	15-07-48	2	557	4,708	dn	AL		3	6,345	4,623
91	Buwayra al, Khirbat	خربة البويرة	Al-Ramla	15-07-48	2	220	1,150	dn			3	2,379	1,830
66	Daniyal	دانيال	Al-Ramla	10-07-48	2	476	2,808	dn			5	2,085	3,949
84	Dayr Abu Salama	دير ابوسلامة	Al-Ramla	13-07-48	2	70	1,195	dn			2	631	578
31	Dayr Ayyub	دير ايوب	Al-Ramla	6-03-48	2	371	6,028	mc/bn/ym	AL		3	2,151	3,082
32	Dayr Muhaysin	دير محيسين	Al-Ramla	6-04-48	2	534	10,008	nn			2	2,717	4,431
67	Dayr Tarif	دير طريف	Al-Ramla	10-07-48	2	2,030	8,756	dn	AL	A	2	14,713	16,855
68	Dhuhayriyya al K	خربة الدههييرية	Al-Ramla	10-07-48	2	116	1,341				3	993	963
74	Ramle	الرملة	Al-Ramla	10-07-48	1	17,586	40567		AL	A		95,165	146,015
78	Hadiitha al	الحديثة	Al-Ramla	12-07-48	2	882	7,110	dn			4	7,630	7,320
61	Idnibba	إدنية	Al-Ramla	9-07-48	5	568	8,103				2	4,828	4,719
62	Jilya	جليا	Al-Ramla	9-07-48	5	383	10,347					3,806	3,178
70	Jimzu	جمزو	Al-Ramla	10-07-48	2	1,752	9,681	dn			3	14,440	14,544
80	Jindas	جنداس	Al-Ramla	12-07-48		0	4448					60	0
81	Kharruba	خزوية	Al-Ramla	12-07-48	2	197	3,374	dn			2	3,501	1,637
63	Khayma al	الخيمة	Al-Ramla	9-07-48	2	220	5,150	af			1	2,494	1,830
33	Khulda	خلدة	Al-Ramla	6-04-48	2	325	9,461	nn			4	1,798	2,697
71	Kunayyisa al	الكنيسة	Al-Ramla	10-07-48	2	46	3,872	dn			3	2,905	385
94	Latrun al	اللطرون	Al-Ramla	10-08-48	2	220	8,376	dn/ym/bn/mc	AL		1	1,030	1,830
72	Lydda	اللد	Al-Ramla	10-07-48	1	19,442	23723		AL	M,A		130,069	161,425
51	Maghar al	المغار	Al-Ramla	18-05-48	2	2,018	15,390	bk			6	14,484	16,759
85	Majdal Yaba(Majdal al Sadiq)	مجدل يابا - الصادق	Al-Ramla	13-07-48	2	1,763	26,632	dn			2	9,943	14,640
86	Ras al 'Ein	راس العين	Tulkarm	13-07-48	2							884	0
38	Mansura al	المنصورة	Al-Ramla	20-04-48	2	104	2,328	bk			1	1,187	867
39	Mukhayzin al	المخيزن	Al-Ramla	20-04-48	2	232	12,548	nn			1	981	1,926
82	Muzayri'a al	المزيرة	Al-Ramla	12-07-48	2	1,346	10,822	dn			2	6,726	11,173
47	Na'ani al	النعاني	Al-Ramla	14-05-48	4	1,705	16,129	bk			4	13,003	14,158
57	Nabi Rubin al	النبي روبين	Al-Ramla	1-06-48	1	1,647	31,002	bk			4	1,012	13,677
50	Qatra	قطرة	Al-Ramla	17-05-48	2	1,404	7,853				4	9,720	11,654
64	Qazaza	قزازة	Al-Ramla	9-07-48	5	1,090	18,829	af		A		9,646	9,054
49	Qubab al	القباب	Al-Ramla	15-05-48	2	2,297	13,918				6	19,302	19,071
53	Qubayba al	القببية	Al-Ramla	27-05-48	1	1,995	10,737	bk			5	12,523	16,566
73	Qula	قولة	Al-Ramla	10-07-48	2	1,172	4,347		AL	M	2	6,561	9,728
58	Sajad	سجد	Al-Ramla	1-06-48	2	429	2,795	af				3,511	3,564
92	Salbit	سلبيت	Al-Ramla	15-07-48	2	592	6,111	dn	AL		1	9,284	4,912
52	Sarafand al 'Amar	صرفند العمار	Al-Ramla	20-05-48	2	2,262	13,267	bk			5	22,806	18,782
40	Sarafand al Kharab	صرفند الخراب	Al-Ramla	20-04-48	4	1,206	5,503	nn			5	6,413	10,017
34	Saydun	صيدون	Al-Ramla	6-04-48	2	244	7,487	nn			4	1,710	2,023
48	Shahma	شحمة	Al-Ramla	14-05-48	5	325	6,875					2,068	2,697
93	Shilta	شلتا	Al-Ramla	18-07-48	2	116	5,380	dn	AL		1	1,327	963
60	Tina al	التينة	Al-Ramla	8-07-48	2	870	7,001	af			2	5,931	7,224
75	Tira al	الطيرة	Al-Ramla	10-07-48	2	1,496	6,956	dn	ALA		6	10,143	12,425
36	Umm Kalkha	أم كلكة	Al-Ramla	7-04-48		70	1,405	nn			1	54	578
37	Wadi Hunayn	وادي حنين	Al-Ramla	17-04-48	5	1,879	5,401	nn			5	12,000	15,603
59	Yibna	يبنة	Al-Ramla	4-06-48	1	6,287	59,554	bk	EG		6	45,266	52,203
83	Zakariya K	خربة زكريا	Al-Ramla	12-07-48	2	0	4,538				1	12	0

Table 3.9: Al Nakba Register, Continued

AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
54	Zarnuqa	زرنوقة	Al-Ramla	27-05-48	1	2,761	6,068	bk		A	5	17,160	22,923
	Others											61,166	0
RAMLE DISTRICT TOTAL						97,405	611,808					718,441	808,764
	Others											890	0
RAMALLAH DISTRICT TOTAL						-	-					890	0
397	Allar	علاّر	Jerusalem	22-10-48	2	510	12,356	hh	EG		4	3,705	4,238
371	Aqqur	عقّور	Jerusalem	13-07-48	2	46	5,522				3	148	385
379	Artuf	عرتوف	Jerusalem	18-07-48	2	406	403				5	3,777	3,371
380	Ayn Karim	عين كاريم	Jerusalem	18-07-48	2	3,689	15,029				6	19,020	30,628
389	Bayt 'Itab	بيت عطاب	Jerusalem	21-10-48	2	626	8,757	hh			3	5,564	5,201
394	Tannur al, Khirbat	خربة التنور	Jerusalem	21-10-48	2	0		hh			4	0	0
369	Bayt Mahsir	بيت محسير	Jerusalem	10-05-48	2	2,784	16,268	mc	ALA		6	23,441	23,116
361	Bayt Naqquba	بيت نقّوبا	Jerusalem	1-04-48	2	278	2,979	nn			6	950	2,312
362	Bayt Thul	بيت ثول	Jerusalem	1-04-48		302	4,629	nn			3	2,452	2,504
390	Bayt Umm al Mays	بيت أم الميس	Jerusalem	21-10-48	2	81	1,013	hh			3	357	674
385	Burayj al	البرييج	Jerusalem	19-10-48	2	835	19,080	hh				8,299	6,935
376	Dayr 'Amr	دير عمرو	Jerusalem	17-07-48	1	12	3,072	dn			6	336	96
386	Dayr Aban	دير أبان	Jerusalem	19-10-48	2	2,436	22,734	hh	EG		3	20,407	20,226
387	Dayr al Hawa	دير الهوا	Jerusalem	19-10-48	2	70	5,907	hh	EG		2	361	578
391	Dayr ash Sheikh	دير الشيخ	Jerusalem	21-10-48	2	255	6,781	hh			2	1,204	2,119
365	Dayr Yassin	دير ياسين	Jerusalem	9-04-48	1	708	2,857			M	6	4,576	5,875
381	Dayr Rafat	دير رافات	Jerusalem	18-07-48	2	499	13,242	dn			2	669	4,142
382	Ishwa	إشوع	Jerusalem	18-07-48	2	719	5,522				6	4,005	5,972
383	Islin	عسلين	Jerusalem	18-07-48	2	302	2,159	dn			3	2,306	2,504
377	Ism Allah, Khirbat	خربة اسم الله	Jerusalem	17-07-48		23	568	dn			5	5	193
392	Jarash	جرش	Jerusalem	21-10-48	2	220	3,518	hh			2	1,827	1,830
368	Jerusalem (Qatamon)	القدس - القطمون	Jerusalem	28-04-48		69,693	20,790	ys,qn,sc,qd		M,A		139,020	578,666
370	Jura al	الجورة	Jerusalem	11-07-48	2	487	4,158	dn			4	2,871	4,045
378	Kasia	كسلا	Jerusalem	17-07-48	2	325	8,004				2	1,675	2,697
372	Lawz al, Khirbat	خربة اللوز	Jerusalem	13-07-48	2	522	4,502	dn			2	5,033	4,334
360	Lifta	لقتا	Jerusalem	1-01-48	2	2,958	8,743			A	6	18,223	24,561
375	Maliha al	المالحة	Jerusalem	15-07-48	2	2,250	6,828	dn			6	13,890	18,685
366	Nitaf	نطاف	Jerusalem	15-04-48		46	1,401				4	308	385
398	Qabu al	القبو	Jerusalem	22-10-48	2	302	3,806	hh			2	2,864	2,504
363	Qaluniya	قالونيا	Jerusalem	3-04-48	2	1,056	4,844	nn			5	7,265	8,765
364	Qastal al	القسطل	Jerusalem	3-04-48	2	104	1,446				2	995	867
393	Ras Abu 'Ammar	راس أبوعمار	Jerusalem	21-10-48	2	719	8,342	hh			2	5,485	5,972
384	Sar'a	صرعة	Jerusalem	18-07-48	2	394	4,967				2	3,666	3,275
367	Saris	ساريس	Jerusalem	16-04-48	2	650	10,699	nn	ALA		2	4,535	5,394
373	Sataf	صطاف	Jerusalem	13-07-48	2	626	3,775	dn			3	5,139	5,201
374	Suba	صوبا	Jerusalem	13-07-48	2	719	4,102	dn			3	5,130	5,972
388	Suffa	سُفلى	Jerusalem	19-10-48	2	70	2,061	hh			2	521	578
395	Umur al K	خربة العُمرور	Jerusalem	21-10-48	2	313	4,163		EG		2	2,240	2,601
396	Walaja al	الوَلجَة	Jerusalem	21-10-48	2	1,914	17,708	hh			4	12,932	15,892
	Others											59,178	0
JERUSALEM DISTRICT TOTAL						97,950	272,735					394,381	813,291
250	Al Majdal (Ashkelon)	المجدل	Gaza	4-11-48	2	11,496	43,680	yv	EG			65,883	95,449
251	Barbara	بربرية	Gaza	4-11-48	2	2,796	13,978	yv	EG		3	22,274	23,212
219	Barqa	بَرْقَة	Gaza	13-05-48	2	1,032	5,206				4	6,423	8,572
220	Batani Gharbi	البطاني الغربي	Gaza	13-05-48	2	1,137	4,574	bk			2	7,306	9,439
221	Batani Sharqi	البطاني الشرقي	Gaza	13-05-48	2	754	5,764	bk			2	5,754	6,261
215	Bayt Daras	بيت دراس	Gaza	11-05-48	2	3,190	16,357			M,A	2	23,775	26,487
247	Bayt Jirja	بيت جرجا	Gaza	30-10-48	2	1,090	8,481	yv	EG		4	8,672	9,054
214	Beit 'Affa	بيت عفا	Gaza	10-01-48		812	5,808				1	5,442	6,742
244	Beit Tima	بيت طيما	Gaza	18-10-48	2	1,230	11,032	yv	EG	M	2	9,160	10,209
233	Bi'l'in	بعلين	Gaza	8-07-48	2	209	8,036	af		M	2	1,438	1,734
216	Burayr	بُرير	Gaza	12-05-48	2	3,178	46,184	bk		M	3	21,739	26,391
248	Dayr Suneid	دير سُنيد	Gaza	30-10-48	2	847	6,081	yv	EG		4	7,553	7,031
245	Dimra	دمرة	Gaza	28-10-48	2	603	8,492	yv	EG		2	5,391	5,008
258	Faluja al	الفالوجة	Gaza	1-03-49	1	5,417	38,038		EG		2	39,435	44,980
252	Hamama	حمامة	Gaza	4-11-48	2	5,812	41,366	yv	EG		1	47,662	48,254
241	Hatta	حَتا	Gaza	17-07-48	2	1,125	5,305		EG		2	8,152	9,343
249	Hiribya	هربييا	Gaza	1-11-48	2	2,598	22,312	yv	EG		4	21,712	21,575
230	Huj	هوج	Gaza	31-05-48	1	940	21,988				4	6,233	7,802
217	Huleiqat	حُلَيْقات	Gaza	12-05-48	5	487	7,063				1	3,264	4,045
234	Ibdis	عبدس	Gaza	8-07-48	2	626	4,593		EG		1	4,180	5,201
259	Iraq al Manshiyya	عراق المنشية	Gaza	1-03-49	1	2,332	17,901	yv	EG		1	19,569	19,359
257	Iraq Suwaydan	عراق سويدان	Gaza	9-11-48	2	766	7,529	yv	EG		1	5,067	6,357
246	Isdud	إسدود	Gaza	28-10-48	2	5,359	47,871	yv/hh	EG	M		32,210	44,498
235	Jaladiyya al	الجلديّة	Gaza	8-07-48	1	418	4,329				1	3,056	3,467
253	Jiyya al	الجية	Gaza	4-11-48	2	1,427	8,506	yv	EG		1	9,296	11,847
232	Julis	جولس	Gaza	11-06-48	2	1,195	13,584		EG		5	8,303	9,921

Table 3.9: Al Nakba Register, Continued

AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
254	Jura al	الجورة	Gaza	4-11-48	2	2,807	12,224	yv	EG		4	20,482	23,308
242	Juseir	جسير	Gaza	17-07-48	2	1,369	12,361		EG		4	9,073	11,365
243	Karatiyya	كرتيا	Gaza	17-07-48	2	1,589	13,709		EG	A	2	11,182	13,195
227	Kawfakha	كوفخة	Gaza	25-05-48	2	580	8,569				2	4,797	4,816
218	Kawkaba	كوكبا	Gaza	12-05-48	5	789	8,542	bk/yv			3	5,715	6,549
255	Khisas K	الخصاص	Gaza	4-11-48	2	174	6,269	yv	EG		2	1,470	1,445
236	Masmiyya al Kabira	المسمية الكبيرة	Gaza	8-07-48	2	2,923	20,687	af			6	22,810	24,272
237	Masmiyya as Saghira(Huraniyya)	المسمية الصغيرة	Gaza	8-07-48	2	615	6,478	af			1	2,628	5,105
229	Muharraqa al	المحرقة	Gaza	27-05-48	2	673	4,855				2	4,856	5,586
222	Najd	نجد	Gaza	13-05-48	1	719	13,576				3	6,454	5,972
256	Ni'ilya	نعليا	Gaza	4-11-48	2	1,520	5,233	yv	EG		4	10,341	12,617
239	Qastina	قسطينة	Gaza	9-07-48	2	1,032	12,019				2	7,284	8,572
224	Sawafir al Gharbiya al	السوافير الغربية	Gaza	18-05-48	4	1,195	7,523	bk			1	9,409	9,921
225	Sawafir ash Shamaliya al	السوافير الشمالية	Gaza	18-05-48	4	789	5,861	bk			2	3,772	6,549
226	Sawafir ash Sharqiya al	السوافير الشرقية	Gaza	18-05-48	4	1,125	13,831	bk			1	9,261	9,343
223	Simsim	سمسم	Gaza	13-05-48	1	1,496	16,797			M	2	10,410	12,425
238	Summayl	صُمَيْل	Gaza	8-07-48	1	1,102	19,304				3	8,272	9,150
228	Suqfir A	عرب صُقَيْر	Gaza	25-05-48	2	452	40,224	bk/nk	EG	A	4	5,070	3,756
240	Tall at Turmus	تل الترمس	Gaza	9-07-48	1	882	11,508	af			2	5,971	7,320
231	Yasur	ياصور	Gaza	9-06-48	2	1,241	16,390				4	7,770	10,306
	Others											42,238	0
GAZA DISTRICT TOTAL						79,947	680,018					608,214	663,809
323	Ajjur	عجور	Hebron	23-07-48	2	4,327	58,074	yv			4	35,467	35,926
319	Barqusiya	برقوسيا	Hebron	9-07-48	2	383	3,216	af		M	2	3,373	3,178
324	Bayt Nattif	بيت نَتَيْف	Hebron	21-10-48	2	2,494	44,587	hh			2	24,347	20,708
331	Bayt Jibrin	بيت جبرين	Hebron	29-10-48	2	2,819	56,185	yv	EG		6	23,565	23,405
328	Dayr ad Dubban	دير الدُبَّان	Hebron	23-10-48	2	847	7,784	yv			2	8,619	7,031
333	Dayr Nakh-khas	دير نخاس	Hebron	29-10-48	2	696	14,476	yv	EG		4	6,375	5,779
332	Dawayima al	الدوايمة	Hebron	29-10-48	1	4,304	60,585	yv	EG	M	2	42,758	35,733
329	Qubayba al	القبيبية	Hebron	28-10-48	2	1,230	11,912	yv	EG		1	10,184	10,209
325	Kidna	كدنا	Hebron	22-10-48	2	522	15,744	yv			2	3,862	4,334
320	Mughallis	مُغَلِّس	Hebron	9-07-48	5	626	11,459	af			2	3,884	5,201
326	Ra'na	رُغْنا	Hebron	22-10-48	2	220	6,925	yv			1	2,159	1,830
321	Tall as Safi	تل الصافي	Hebron	9-07-48	2	1,496	28,925	af			3	12,066	12,425
330	Umm Burj K	خربة أم برج	Hebron	28-10-48	1	162	13,083	yv	EG		3	2,745	1,348
334	Zakariyya	زكريا	Hebron	1-06-50	1	1,369	15,320				6	10,683	11,365
322	Zayta	زيتا	Hebron	17-07-48	2	383	10,490	af			1	3,033	3,178
327	Zikrin	زكريون	Hebron	22-10-48	2	1,114	17,195	yv		A	2	9,245	9,246
	Others											40,003	0
HEBRON DISTRICT TOTAL						22,991	375,960					242,366	190,898
126	Imara al PS	العمارة	Beersheba	13-05-48	2	46					1	905	385
127	Jammama PS	الجَمَّامة	Beersheba	22-05-48	2	46					3	1,150	385
128	Asluj PS	عسلوج	Beersheba	26-12-48	2	46		yv	EG			727	385
129	Awja Hafir PS	عوجة الحفير	Beersheba	27-12-48	2	46		yv	EG			891	385
130	Kurnub PS	كُرنُب	Beersheba	23-11-48	2	46		uv				741	385
131	Zuwaira al PS	الزويرة	Beersheba	25-11-48	2	46		uv	AL			727	385
132	Ghamr PS	الغَمْر	Beersheba	5-03-49	2	46		uv	AL			727	385
133	Um Rashrash	ام الرشراش	Beersheba	10-03-49	2	46		uv	AL			727	385
134	Khalasah al PS	الخلصة	Beersheba	17-11-48	2	46		yv	EG		3	727	385
135	Beersheba	بئر السبع	Beersheba	21-10-48	1	6,461	3,890	yv	EG	M		45,662	53,648
136	Al Sani/Najamat/Tarabin	الصانع نجمات ترابين	Beersheba		1	1,854		yv	EG			12,930	15,394
137	Al Soufi/Najamat/Tarabin	الصوفي نجمات ترابين	Beersheba		1	1,786		yv	EG			16,193	14,832
138	Abu Athera/Najamat/Tarabin	أبوأثره نجمات ترابين	Beersheba	1-11-48	4	1,390		yv	EG			9,850	11,538
139	Abu Sousain/Najamat/Tarabin	أبوصوسين نجمات ترابين	Beersheba	1-11-48	4	1,225		yv	EG			7,294	10,170
140	Al Ksar/Najamat/Tarabin	القصار نجمات ترابين	Beersheba	1-11-48	4	1,831		yv	EG			10,157	15,204
141	Abu Suhaiban/Najamat/Tarabin	أبوصهيبان نجمات ترابين	Beersheba	1-11-48	4	4,673		yv	EG			30,297	38,804
142	Abu Sitteh/Ghawali/Tarabin	أبوسته غوالي ترابين	Beersheba	5-12-48	2	1,335		yv/as	EG			6,564	11,082
143	AbuAlHussain/Ghawali/Tarabin	أبوالحسين غوالي ترابين	Beersheba	5-12-48	2	1,705		yv/as	EG			5,172	14,156
144	Abu Shalhoub/Ghawali/Tarabin	أبوشلهوب غوالي ترابين	Beersheba	5-12-48	2	521		yv/as	EG			1,681	4,325
145	Abu Khatleh/Ghawali/Tarabin	أبوختلة غوالي ترابين	Beersheba	5-12-48	2	399		yv/as	EG			2,557	3,311
146	Abu Bakrah/Ghawali/Tarabin	أبو بكره غوالي ترابين	Beersheba	5-12-48	2	203		yv/as	EG			1,372	1,689
147	Abu Amrah/Ghawali/Tarabin	أبوأمرة غوالي ترابين	Beersheba	5-12-48	2	866		yv/as	EG			5,747	7,190
148	Al Zraiye/Ghawali/Tarabin	الزريعي غوالي ترابين	Beersheba	5-12-48	2	4,793		yv/as	EG			16,085	39,800
149	Al Omour/Ghawali/Tarabin	العمور غوالي ترابين	Beersheba	5-12-48	2	745		yv/as	EG			4,416	6,183
150	Nabaat/Nabaat/Tarabin	النبتات ترابين	Beersheba	5-12-48	2	2,857		yv/as	EG			4,055	23,718
151	Wuhaidat Tarabin/Tarabin	وحدات الترابين	Beersheba	5-12-48	2	952		yv/as	EG			7,075	7,906
152	Abu Muaiq/Hasanat/Tarabin	أبومعيلق حسنات ترابين	Beersheba	5-12-48	2	991		yv/as	EG			4,575	8,227
153	Abu Ghailon/Jarawin/Tarabin	أبوغليون جراويون ترابين	Beersheba		1	1,980			EG			11,527	16,437
154	Abu Yehya/Jarawin/Tarabin	أبو يحيى جراويون ترابين	Beersheba		1	1,528			EG			6,337	12,687
155	Abu Suaiq/Jarawin/Tarabin	أبوصعيلق جراويون ترابين	Beersheba		1	1,032			EG			3,567	8,569
156	Qilai A	القلاعية	Beersheba					yv/as	EG	A		4,291	0
	Others											2,948	0

Table 3.9: Al Nakba Register, Continued													
AS No.	Name	Name in Arabic	Palestine District	De-population Date	Exodus Causes	Arab Population 1948	Village Land Area (donums)	Israeli Operation	Defenders	Massacres	Destruction Ref	Registered Refugees 2008	Total Refugees est 2008
	Tarabin total	مجموع الترابين	Beersheba			32,665	1,362,475					174,691	271,221
157	Mohamediyeeen/Azazema	المحمديين عزازمة	Beersheba		1	4,041			EG	M		5,289	33,550
158	Subhiyeen/Azazema	الصبيحيين عزازمة	Beersheba		1	3,243			EG			1,677	26,928
159	Subaihat/Azazema	الصبيحات عزازمة	Beersheba		1	460			EG			331	3,818
160	Zarabeh/Azazema	الزرّبة عزازمة	Beersheba		1	873			EG			1,317	7,247
161	Faraheen/Azazema	الفرّحين عزازمة	Beersheba		1	1,017			EG			2,485	8,447
162	Masoudiyeeen/Azazema	المسعوديين عزازمة	Beersheba		1	974			EG			8,403	8,087
163	Usaiyat/Azazema	العصيات عزازمة	Beersheba		1	1,392			EG			90	11,555
164	Sawakhneh/Azazema	السواخنة عزازمة	Beersheba		1	2,330			EG			3,360	19,343
165	Mureiat/Azazema	المريعات عزازمة	Beersheba		1	800			EG			226	6,639
166	Saraheen/Azazema	السراحين عزازمة	Beersheba		1	1,617			EG			561	13,430
	Others											6,544	0
	Azazema total	مجموع العزازمة	Beersheba			16,746	5,700,000					30,283	139,043
167	Al Huzaiyil/Hkuk/Tayaha	الهزيلي الحكوك تياها	Beersheba		1	0						3,892	0
168	Al Assad/Hkuk/Tayaha	الاسد الحكوك تياها	Beersheba		1	0						59	0
169	Abu Abdoun/Hkuk/Tayaha	أبو عبدون الحكوك تياها	Beersheba		1	0						1,934	0
170	Al Buraqiq/Hkuk/Tayaha	البريقي الحكوك تياها	Beersheba		1	976						5,741	8,104
171	Beli/Beli/Tayaha	بلي تياها	Beersheba		1	608						2,682	5,051
172	Abu Libbeh/Alamat/Tayaha	أبولية علامات تياها	Beersheba	20-10-48	2	1,451		yv	EG			3,785	12,045
173	Abu Jugaim/Alamat/Tayaha	أبو جقيم علامات تياها	Beersheba	20-10-48	2	684		yv	EG			2,973	5,676
174	Abu Shunnar/Alamat/Tayaha	أبو شنار علامات تياها	Beersheba	20-10-48	2	1,516		yv	EG			3,586	12,585
175	Shlalyeen/Shlalyeen/Tayaha	الشلايين تياها	Beersheba		1	1,295						5,983	10,753
176	Abu Rqayiq/Qdeirat/Tayaha	أبورقيق القديرات تياها	Beersheba		1	0						4,534	0
177	Al Sani/Qdeirat/Tayaha	الصانع القديرات تياها	Beersheba		1	0						8,395	0
178	Abu Kaff/Qdeirat/Tayaha	أبو كف القديرات تياها	Beersheba		1	1,324						2,579	10,997
179	Al Asam/Qdeirat/Tayaha	الاعسم القديرات تياها	Beersheba		1	2,197						421	18,242
180	Abu Rbai'a/Zullam/Tayaha	أبوربيعة الظلام تياها	Beersheba		1	0						717	0
181	Abu Juwayed/Zullam/Tayaha	أبو جويعد الظلام تياها	Beersheba		1	0						2,024	0
182	Abu Grainat/Zullam/Tayaha	أبورقينات الظلام تياها	Beersheba		1	0						712	0
183	Masamereh/Ramadeen/Tayaha	مسامرة الرماضين تياها	Beersheba	20-10-48	2	560		yv	EG			5,080	4,646
184	Sho'our/Ramadeen/Tayaha	الشعور الرماضين تياها	Beersheba	20-10-48	2	545		yv	EG			2,842	4,527
185	Beni Okbeh/Beni Okbeh/Tayaha	بني عقبة تياها	Beersheba		1	0				M		2,889	0
186	Atawneh/Ntoush/Tayaha	العطاونة نتوش تياها	Beersheba		1	1,727						6,684	14,339
187	Rawashdeh/Tayaha	الرواشدة تياها	Beersheba		1	454						2,218	3,767
188	Bdinat/Tayaha	البدينات تياها	Beersheba	20-10-48	2	649		yv	EG			4,798	5,389
189	Urour/Tayaha	العرور تياها	Beersheba		1	590						2,849	4,899
190	Galazin/Tayaha/Tayaha	القلازين تياها	Beersheba		1	334						1,172	2,770
191	Janabib/Zullam/Tayaha	الجنابيب الظلام تياها	Beersheba		1	316						7	2,624
192	Gatatweh/Tayaha	القطاطوة تياها	Beersheba		1	1,023						9,294	8,497
	Others											5,751	0
	Tayaha total	مجموع التياها	Beersheba			16,248	2,085,825					93,600	134,912
193	Abu Middain/Hanajreh	أبو مدين حناجرة	Beersheba	22-12-48	2	2,887		yv/Hill 86	EG			21,950	23,971
194	Al Dhawahreh/Hanajreh	الظواهر حناجرة	Beersheba	22-12-48	2	938		yv/Hill 86	EG			3,040	7,788
195	AL Smeeri/Hanajreh	السميري حناجرة	Beersheba	22-12-48	2	1,528		yv/Hill 86	EG			141	12,687
196	Nseirat/Hanajreh	النصيرات حناجرة	Beersheba	22-12-48	2	2,246		yv/Hill 86	EG			6,103	18,650
	Others											27	0
	Hanajreh total	مجموع الحناجرة	Beersheba			7,599	78,325					31,261	63,096
197	Abu Jaber/Jbarat	أبو جابر الجبارات	Beersheba	20-10-48	1	818		yv	EG			3,298	6,791
198	Abu Al Udous/Irteimat/Jbarat	أبو العدوس الرتيقات الجبارات	Beersheba	20-10-48	1	1,111		yv	EG			6,557	9,224
199	Al Fukara/Irteimat/Jbarat	الفقراء الرتيقات الجبارات	Beersheba	20-10-48	1	796		yv	EG			2,723	6,605
200	Thabet/Galazin /Jbarat	ثابت القلازين الجبارات	Beersheba	20-10-48	1	619		yv	EG			2,158	5,136
201	Bin Sabbah/Hasanat/Jbarat	بن صباح الحسنات جبارات	Beersheba	20-10-48	1	460		yv	EG			2,324	3,818
202	Bin Aijan/Amarin/Jbarat	بن عجلان العمارين جبارات	Beersheba	20-10-48	1	1,265		yv	EG			7,114	10,508
203	Wuhaidat Jabar/Jbarat	وحيدات الجبارات	Beersheba	20-10-48	1	576		yv	EG			1,116	4,781
204	Al Nuwairi/Saadneh/Jbarat	النويري السعدنة الجبارات	Beersheba	20-10-48	1	273		yv	EG			1,011	2,264
205	Abu Jraiban/Saadneh/Jbarat	أبو جريبان السعدنة الجبارات	Beersheba	20-10-48	1	419		yv	EG			1,034	3,480
206	Al Diqs/Al Diqs/Jbarat	الديقس الجبارات	Beersheba	20-10-48	1	1,233		yv	EG			5,406	10,237
207	Bin Rifee/Sawarkeh/Jbarat	بن رفيع السواركة الجبارات	Beersheba	20-10-48	1	985		yv	EG			4,635	8,176
208	Wulaydeh/Jbarat	الوليدة الجبارات	Beersheba	20-10-48	1	275		yv	EG			1,277	2,281
209	Abu Rawwaa/Jbarat	أبورواع الجبارات	Beersheba	20-10-48	1	230		yv	EG			0	1,909
	Others											3,504	0
	Jbarat total	مجموع الجبارات	Beersheba			9,058	379,175					42,157	75,208
210	Hamayteh/Saidiyeen	الحمايط السعديين	Beersheba	1-05-50	1	313						0	2,602
211	Rummamneh/Saidiyeen	الرمامنة السعديين	Beersheba	1-05-50	1	277						0	2,297
212	Mathakeer/Saidiyeen	الماذكير السعديين	Beersheba	1-05-50	1	380						56	3,159
213	Rawaytheh/Saidiyeen	الروايضة السعديين	Beersheba	1-05-50	1	342						5	2,838
	Others											12	0
	Saidiyeen total	مجموع السعديين	Beersheba			1,312	1,238,375					74	10,896
	Ehewat total	مجموع الاحيوات	Beersheba			1,200	1,728,935					0	9,964
	BEERSHEBA DISTRICT TOTAL					91,707	12,577,000	-	-			7	424,411
	Miscellaneous											595	0
	GRAND TOTAL		-	-	-	804,517	17,131,675	-	-			7	4,618,141

Table 3.10: Classification of Exodus Causes by Morris

Register Reference	Symbol by Morris	Explanation
1	E	Expulsion by Jewish forces.
2	M	Military assault by Jewish troops.
3	W	Haganah/IDF "whispering" campaigns(i.e. psychological warfare geared to obtaining Arab evacuation.
4	F	Fear of Jewish attack, or of being caught up in the fighting
5	C	Influence of fall of, or exodus from, neighbouring town.
6	A	Abandonment on Arab orders.

Table 3.11: Assignment of Reasons for Exodus per Each District

Register Reference	1		2		3		4		5		6		No data	Subtotal		Total
	a	b	a	b	a	b	a	b	a	b	a	b		a	b	
Acre	8	1	14	4									1	22	6	28
Al Ramleh	6		36	7			2		6		1		4	51	11	62
Baysan	1	1	4		1		2		16		1		5	25	6	31
Beer Sheba	1	52	1	29				4					1	2	86	88
Gaza	5	3	25	7			3		2				1	35	11	46
Haifa	6	5	25	6	1		3	1	3				9	38	21	59
Hebron	2	1	11	1					1					14	2	16
Jaffa		2	11	1	1		9		1				1	22	4	26
Jerusalem	1	1	29	4									4	30	9	39
Jinin	1		4						1					6	0	6
Nazareth			4						1					5	0	5
Safad	8	2	20	16	9		8		12	2			2	57	22	79
Tiberias		7	8				1		3	1	3		4	15	12	27
Tulkarm	2	6	3				3	2					2	8	10	18
Sub-Total	41	81	195	75	12	0	31	7	46	3	5	0	34	330	200	530
TOTAL	122		270		12		38		49		5		34	530		100%
Percentage	24.6%		54.4%		2.4%		7.7%		9.9%		1.0%		-			

Notes: a = from Morris designation, b = deducted from other sources.

this for the period between 29 November 1947, the date of the Partition Plan resolution no. 181, and 20 July 1949, the date of the last Armistice Agreement between Israel and an Arab country signed with Syria. First, a very large number of villages and several major towns have been depopulated immediately following the start of Plan Dalet in April 1948. By the date of declaring the state of Israel in the afternoon of 14 May 1948, 212 villages and 5 major towns, Haifa, Jaffa, Tiberias, Baysan and West Jerusalem, were depopulated. Thus, over half of the Palestinian refugees (55%) were expelled or forced to leave by the Zionist militia (the *Haganah*, *Irgun* and *Stern gangs*) while Palestinians were supposed to be under the protection of the British Mandate and before any Arab regular soldier entered Palestine to save the Palestinians.

At this time, the total strength of the Zionist militia was 65,000, many were well trained and led by veteran European officers of WWII. The Zionists also were able to manufacture ammunition and armoured vehicles and, as such, were not harmed by the arms embargo imposed by Britain. On the other hand, the Palestinians were defenseless, without a single command, wireless or armour. The Arab irregular volunteers who came to help were a motley, ineffective group which caused more damage than gave support. This contradicts Israel's claim that, in expelling Palestinians, it was acting in self defense and that the refugees' exodus was an accident of war, not an Israeli plan.

Second, the great majority of depopulated villages in this period were located in the area allocated to a Jewish state in the Partition Plan. The inhabitants of these villages would have been (non-Jewish) citizens of the new state. Ben Gurion wanted an Arab-free state. Hence ethnic cleansing took place to rid the new state of its Palestinian citizens.

Third, a mere 27 days after 15 May 1948, until the announcement of the First Truce on 11 June 1948, Israeli militias (now called IDF) occupied more land and expelled more refugees in spite of the intervention of Arab regular forces which entered Palestine on 15 May 1948. The Israelis were much better organized, and vastly outnumbered the regular Arab forces. Thus the notion that the few (Jews) were pitted against the many (Arabs), or little David against the giant Goliath, is simply a myth.

At the end of these 4 weeks, two thirds of the refugees (66%) were expelled and all the major Palestinian towns in the centre and the north were over-run, occupied and depopulated (except Nazareth: occupied but not depopulated). The victory of the immigrant army of the Israelis over the defenseless Palestinians was complete. All subsequent Israeli operations were intended to increase the occupied area and remove the remaining Palestinians.

Fourth, the 10-day period between the First and Second Truce witnessed the Israeli onslaught on

Galilee and on Lydda and Ramle in the centre. Most Israeli operations were preceded by a massacre or an atrocity to expedite the flight of the refugees. Over 70 massacres have been recorded.

Fifth, as Figure 3.1 shows, it is remarkable to note that, in the brief duration of the First or Second Truce, hardly any villagers left their homes. If the Israeli claim that the refugees left on Arab orders or on their own accord is true, the lull in the truce would have been an ideal opportunity for them to pack their belongings and leave. But they did not leave, neither at the First or Second Truce. Thus the Israeli claim is false.

The lull in the Second Truce was broken temporarily by Israeli "cleansing" operations to clear out pockets of remaining villages. The Truce came to an abrupt end with the Israeli attack on the south of the country in violation of the Truce. This resulted in the total depopulation of all villages in the Southern District. This single Figure (3.1) sums up the grim sequence of *al Nakba* and debunks many of the Israeli myths which have been circulated for many decades.

From oral testimonies collected by Bir Zeit University and others³²⁸, villagers, when attacked, sought refuge in a nearby village. When that was attacked too, both moved to a third safe place not far from the original village. Refugees ended in the last refuge or camp after a long journey through a circuitous route. They were always trying to return home.

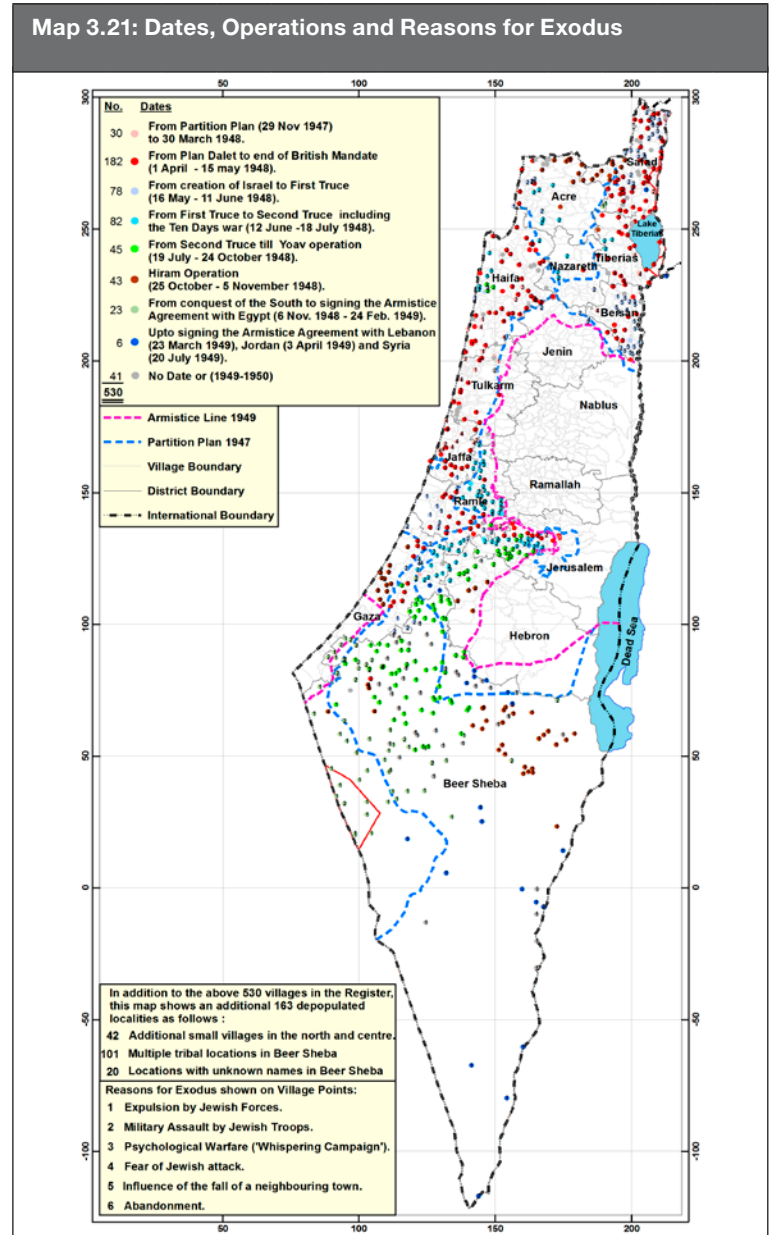
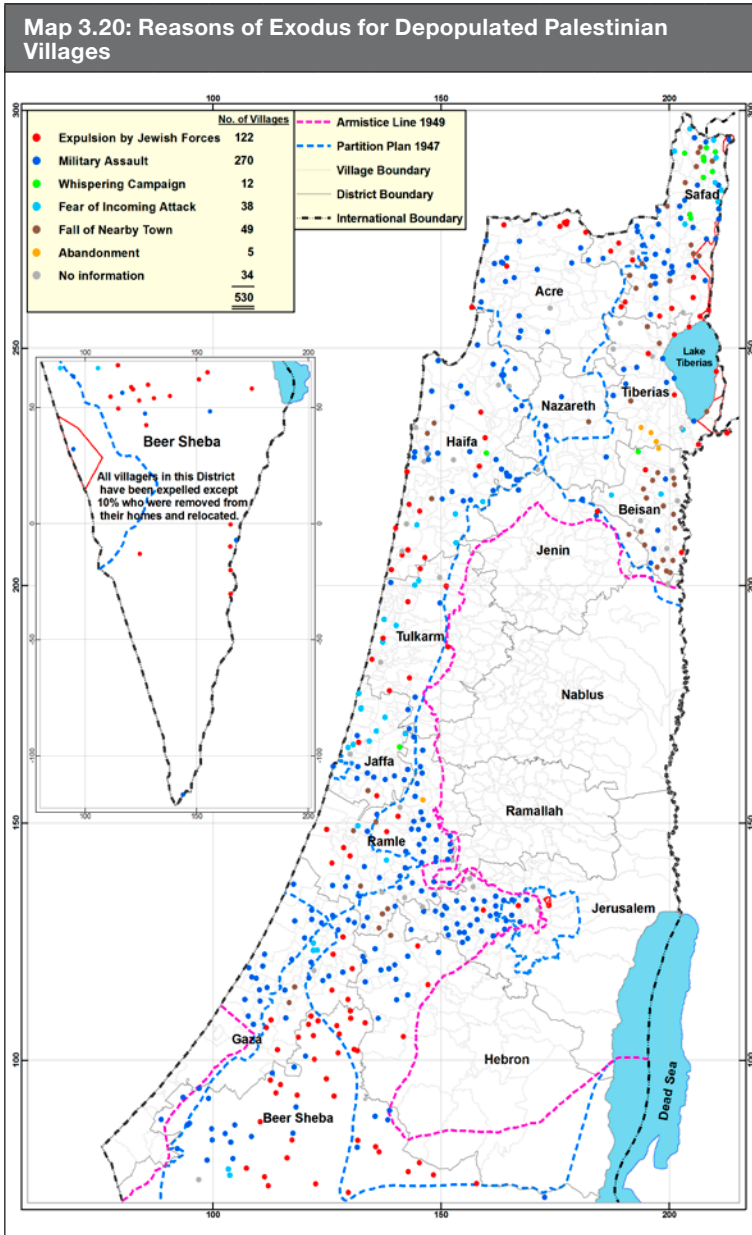
The reasons for the exodus are classified in categories following Benny Morris.³²⁹ See **Table 3.10**. It is clear that some categories are interrelated. Categories 1, 2, 4, 5 are directly caused by Israeli military action; category 3 is part of the Israeli psychological warfare and category 6 is abandonment by own choice or by Arab orders.

Table 3.11 shows the depopulation of villages by category and by district according to Morris's designation of 369 villages (Note a) and the designation based on other (mostly Arab) sources (Note b) for additional villages entered in the Register. It is clear that the largest number of villages, 270 out of 530, were depopulated by "military assault" and the lowest number, only 5, by own volition. Military action (categories 1, 2, 5) caused the depopulation of 89 percent of the villages. Fear or psychological warfare (categories 3, 4) caused the depopulation of another 10 percent, leaving only 1 percent leaving "voluntarily". **Map 3.20** shows the locations of the 530 villages and the reason for their exodus as per Table 3.11. **Map 3.21** gives more information to cover extra 163 villages and shows also the date of exodus and the Israeli operation concurrent with it.

The column about the Palestinian Arab population in 1948 is based on *Village Statistics* (1945) produced by the British Mandate government. The natural growth of the Muslim Palestinians was 3.8 percent per annum according to government statistics. Since most of the refugees were Muslims, and allowing for four years, from 1944 the date of the survey to the end of 1948, the population figures of *Village Statistics* were upgraded by 1.16 and shown as such in the Register. The Register shows only the depopulated villages and some

328 See the destroyed village series by the Birzeit Center for Research and Documentation of Palestinian Society (CRDPS). Also see, www.palestineremembered.com.

329 Morris, *supra* note 242, p.xiv.



of those depopulated and repopulated again. The population of the depopulated Palestinian towns has also been entered in the Register according to the upgraded *Village Statistics* but subtracting the estimated number of those who remained. This applies to Jaffa, Haifa, Acre, western Jerusalem, Ramleh, Lydda and Shafa Amr. No Palestinians were allowed to remain in Baysan, Safad, Tiberias, Beer Sheba, Isdud and al-Majdal. Nazareth was not depopulated.

The population of the Beer Sheba district needs special consideration. Since the 1931 Census, the number of all Bedouins in Palestine appeared static at 66,500, of which 57,265 lived in Beer Sheba.³³⁰ This figure was still quoted in 1950 in UN documents. This is erroneous. Aref's first survey of 1931³³¹ estimated the population at 47,632 with several reservations. He excluded al-Ehewat and the town of Beer Sheba and admitted undercounting. More importantly, he underestimated female population because of traditional lack of access. This correction is estimated to be 1.0825 to allow for equal number with males. Correction for undercounting is estimated at 1.05. Upgrading this figure to 1948 at natural growth of 3.5 percent per annum, the total population of Beer Sheba is estimated to be 96,910 in 1948. In 1946, Dajani³³² carried out a more rigorous survey than Aref and found that the population in 1946 to be 95,500.

Those who became refugees, including those from Beer Sheba town in 1948, are 91,704 as shown in the Register. In 1998, they numbered 563,181. The rest, 118,000 (1998), remained in Israel.

On this basis, the total number of refugees in 1948 is 804,517. This excludes the additional refugees from 662 hamlets or locations; some were living in or near 183 Jewish colonies, others were living in small hamlets not stated as primary villages by the British Mandate. By comparing this figure with UNRWA data, it is estimated that these additional refugees, pro rata, to be 130,000, making a total of **935,000 for 1948 refugees.**

The figure frequently quoted for the 1948 refugees is 726,800, often approximated to 750,000. This is erroneous. The quoted figure of 726,800 comes from the UN Conciliation Commission on Palestine (UNCCP).³³³ This figure suffers from two defects: (a) It is based on *Village Statistics* (1945) and needs to be updated four years to 1948; and, (b) it uses the low figure of 53,550 for the Beer Sheba district in 1931. When adjusted, the figure of 726,800 becomes 875,000 from main villages, leaving out secondary villages. It just falls short of Janet Abu-Lughod demographic analysis of population in Jewish-held areas.³³⁴ She estimated this population to vary between 890,000 and 904,200. When correcting this figure for Beer

Sheba, by adding 36,447, this range becomes 926,647 to 940,649, which is closer to our figure of 935,000.

For the Israeli view, Morris writes, "The Director General of the Israel Foreign Ministry, Eytan, in a private letter in late 1950 referred to the UNRWA registration [sic] in 1949 [UNRWA was not in existence then] of 726,000 as "meticulous" and thought that "the real number was close to 800,000". But officially, Israel stuck to the lower figure of 520,000-530,000. The reason was simple: "if people...became accustomed to the large figure and we are eventually obliged to accept the return of the refugees, we may find it difficult, when faced with hordes of claimants, to convince the world that not all of these formerly lived in Israeli territory...It would, in any event, seem desirable to minimize the numbers...than otherwise".³³⁵

The village land area column lists the total village land as given in the *Village Statistics* (1945) for the indicated villages. The land area includes Public land and Jewish land portion if small. This area is listed only once if two villages in the same village boundary list appear in the list. The total shows 17,131,675 donums, being a rough indication of the land area of the dispossessed refugees. (A more accurate figure is given in Section 2.9 Summary of Land Ownership).

330 McCarthy, *supra* note 107, p. 76.

331 al-Aref, *supra* note 229, p. 34.

332 S.W. Dajani, "The Enumeration of the Beer Sheba Bedouins in May 1946," 1 *Population Studies* 3 (1947).

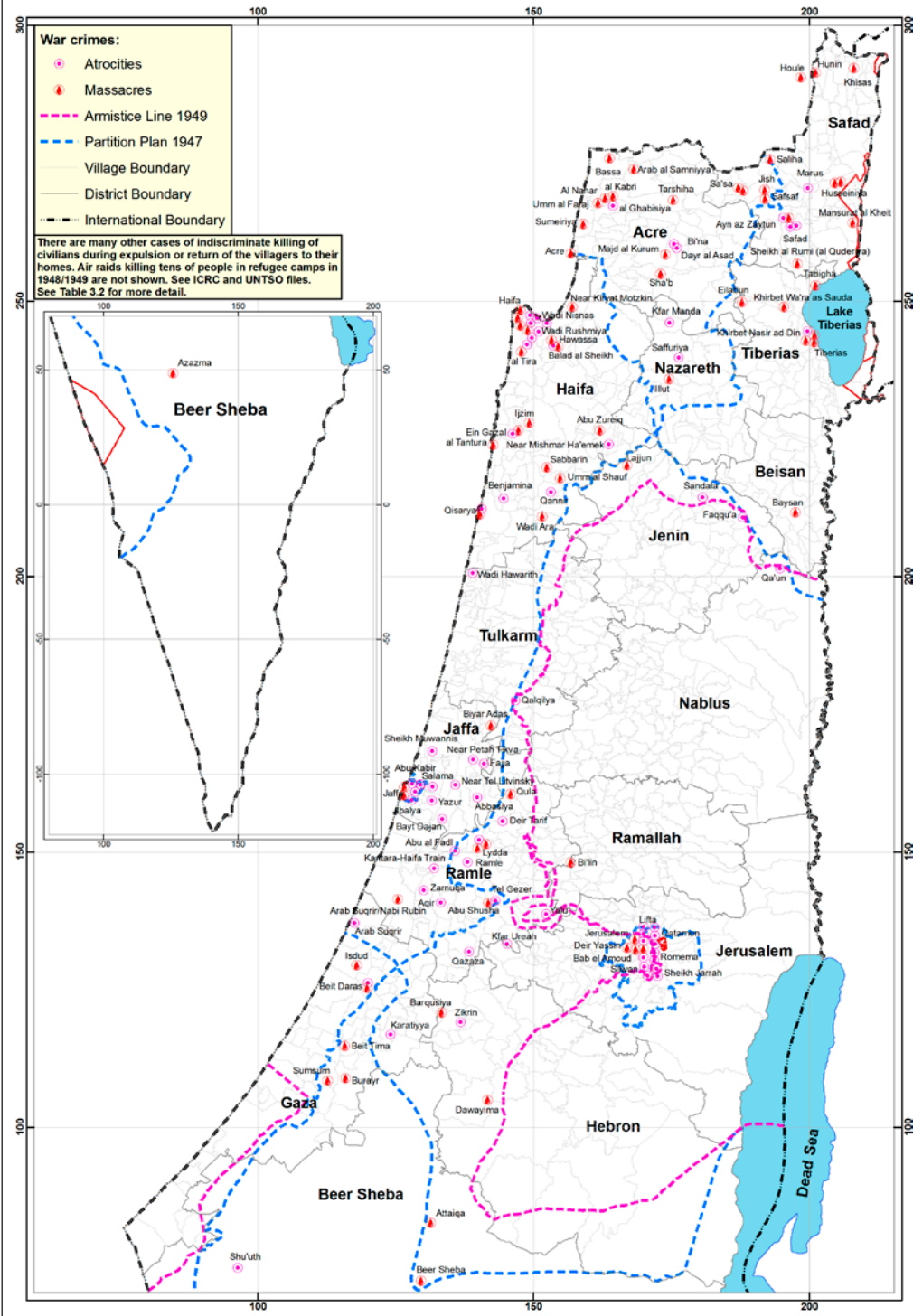
333 U.N. Doc. A/AC.25/Com.Tech/7/add.1) of 1 April 1949, entitled: "Appendix B: Non-Jewish (sic) population within the Boundaries held by IDF".

334 Janet L. Abu-Lughod, "The Demographic Transformation of

Palestine," *Transformation of Palestine*. Ibrahim Abu-Lughod (ed.) Evanston: Northwestern University Press, 1971, p. 160.

335 Morris, *supra* note 242, p. 297.

Map 3.22: The 1948 Massacres and Atrocities



It is clear from examining the history of 1948 that massacres were used as an instrument of ethnic cleansing. Almost every Israeli operation was initiated with a massacre to act as a lesson for the defenseless villagers. Either by such examples, informing the people by loudspeakers or through the “whispering campaign” of recruited ‘friendly’ Jews, they were told: leave or else.

The Galilee was hit the worst by massacres during Hiram operations. This continued for a year after its occupation in a sporadic manner by hunting and killing those hiding or returning refugees in an operation called *Magrefa* (Scoop).

The extent of the massacres and atrocities had been denied totally by the Israeli official narrative.³³⁶ It was later described in more detail by Yitzaki, Milstein, Pail, Erlich³³⁷ and by Morris in his extended version.³³⁸ Morris wrote in “Crimes of War”:

Over the years, the release of new documents and newspaper interviews with witnesses and participants has uncovered Israeli massacres of Arab civilians and prisoners of war in the subsequent [after 1948] wars of 1956, 1976, 1973 and 1982...The bloodiest and most atrocity-ridden of these wars was, without doubt, the 1948 war of independence.³³⁹

It is remarkable and indicative of cultural prejudice that most western scholars of the 1948 war on Palestine gave little or no attention in the 3 or 4 decades following Israel’s declaration to the numerous eye-witness accounts by Palestinian refugees who survived these massacres which were published from 1949 onwards, or to the UN Truce Observers reports describing some of them. They welcomed the revelations of the new Israeli historians which described *only* some of the survivors’ accounts.

The next column in the Nakba Register shows the level of destruction of villages which had been carried out systematically to prevent the return of the refugees. This information is based on the field research of 418 villages conducted in 1987-1990 and reported by Ghazi Falah.³⁴⁰ The reference number and number of destroyed villages as per the survey are shown in **Table 3.12**. Unlisted villages, mostly in Beer Sheba, have been totally destroyed. An indication of the destroyed villages in Table 3.12 is shown in Map 4.8.

Cactus fences are still visible today in most village sites, a reminder of destroyed life and property. Palestinian towns were not fully destroyed only all or parts of the old city; they were occupied by Jewish immigrants. Remaining Palestinians were not allowed to repair or improve their property. Destruction of villages and property was a systematic process undertaken by the Israeli army, nearby settlers, then by JNF and ILA. It lasted till 1967 when destruction policy shifted to the West Bank and Gaza. See Section 4.2. Previously-cited Table 3.2 includes several cases of destruction of villages and plunder of property.

The next two columns show the Israeli operations attacking the village and its defenders if any. The list of Israeli operations, their abbreviation, purpose and date has already been given in Table 3.1. The areas covered by each operation are shown in Maps 3.1 to 3.8.

The list of defenders include: ALA = Arab Liberation Army led by Fawzi al-Qawqji which consisted of various Arab volunteers; AL = the British-led Arab Legion, which later became the Jordanian Army; EG = Egyptian forces; SYR = Syrian forces; LEB = Lebanese forces. The entries in the two columns: the operations and the defenders are indicative only and far from complete. For fuller understanding, further con-

sideration may be given to the Israeli operations shown in Maps 3.1 to 3.8.

The column of massacres and atrocities indicates the villages in the Register in which they occurred. The actual number is greater. See Table 3.2. For location of some of the massacres and atrocities see **Map 3.22**. The massacre is defined here as “the organized killing of a group of civilians with intent”. The atrocity is less severe in scale although it carries the same meaning. Neither the Table 3.2 or Map 3.22 include casual killing of individuals, mass killing of civilians in air-raids, especially in October-November 1948 and killing of prisoners of war or civilians detained in labour camps.

336 Israeli official literature is void of specific mention of massacres. Ben Gurion’s *War Diary, 1947-49*, *supra* note 244, mentioned Dayr Yassin as a backdrop to later political events (p.270), but not on the date of massacre, 9 April (p. 254). The bigger Dawayma massacre was not mentioned in the Diary except 10 days later: “A rumour(?) that 70-80 people were slaughtered...”, p. 613. The question mark is in the original. The official record, *Palestine War, 1947-1949, the Official Israeli*

Story. [Arabic] Beirut: Institute for Palestine Studies, 2nd print, 1986, does not mention Dayr Yassin massacre except in the context of Arab reaction: “Arab propaganda exaggerated the slaughter of Dayr Yassin inhabitants by LEHI and IZL”, p. 218. Dawayma was not mentioned, nor any other massacre.
337 For citations to Yitzaki, Milstein, Pail, Erlich see, references in Table 3.2.
338 Morris, *supra* note 242.

339 Benny Morris, “Arab Israeli War”, *Crimes of War*. Roy Gutman and David Rief (ed.). London: W. W. Norton, 1999, p. 30.
340 Ghazi Falah, “The 1948 Israeli-Palestinian War and its aftermath: The Transformation and De-Signification of Palestine’s Cultured Landscape,” *86 Annals of the Association of American Geographers* 2 (June 1996).

Destruction Reference	Description	Number of Villages	%
1	Complete obliteration	81	19.4
2	Destruction, rubble identified	140	33.5
3	Demolition, standing walls	60	14.3
4	Most, not all, houses demolished, one house standing	74	17.7
5	Most demolished, up to 2 Jewish families live there	17	4.1
6	More than 2 Jewish families occupy Houses	35	8.4
7	Inaccessible	11	2.6

Source: Ghazi Falah, "The 1948 Israeli-Palestinian War and its aftermath: The Transformation and De-Signification of Palestine's Cultured Landscape", *Annals of the Association of American Geographers*, Vol.86, No.2, June 1996.

locality are larger than the total for the locality. This is due to the difference in the definition, and/or identification, of the refugees' origin as given by them in the early stages and as indicated in this Register.

The existence of a large number of unregistered refugees is not generally recognized. According to UNRWA registered refugees comprise only three-quarters of the total.³⁴¹ UNRWA officials also acknowledge the four sources of unregistered refugees listed above.³⁴²

The last two columns in the Register give the number of registered refugees and the total number of refugees for each listed village or town. The registered refugees list is upgraded from UNRWA records dated 9 April 1997, referring to the end of the previous month. The individual entry refers to the registered refugees from a particular listed village. But the subtotal for each district includes the total refugees from the listed villages plus the following secondary locations:

1. Villages whose land was taken over by Israel in 1948, while the village houses were left in the West Bank or Gaza.
2. Jewish villages or lands where refugees used to live and work.
3. Palestinian villages which remained in Israel, while some of their inhabitants became refugees.
4. Villages or sites which were satellites or extensions to listed villages.

Hence the sub-total per district is the sum of registered refugees in the listed and secondary villages. The total number of registered refugees according to UNRWA records is the shown total of 4,618,140 (2008).

The last column estimates the number of total refugees, i.e. the net expelled inhabitants of all villages in the Register as in 2008, sixty years after *al Nakba*. In a separate study, the variation of the natural increase of the refugees with time (50 years) and with location (5 areas of UNRWA operations) is taken into account. This is applied to the population as given by *Village Statistics* (1945), and the result is shown in the last column. The total number of refugees from the listed localities is estimated to be 6,679,978 in 2008. This means there are 2,061,837 unregistered refugees. By comparison of the last two columns, it is evident that the unregistered refugees come from the following categories:

1. Inhabitants of the cities, by far the largest.
2. Unlisted refugees who out of pride refused to register, at least in the initial period, e.g. in Beer Sheba District, where a large percentage of the population was not registered.
3. Refugees who were not eligible for registration for some technical reason.
4. Applicants after closing UNRWA records or those who have not updated their records.

It will be noted that in few cases in the Register, the number of the registered refugees in a particular

Chapter 4

The Aftermath: The Destruction of Palestine

4.1 Patterns of Ethnic Cleansing

Getting rid of the native inhabitants of Palestine has long been one of the tenets of Zionism.³⁴³ It was clearly spelled out by Yosef Weitz, the head of the Transfer Committee and the chief of land confiscation operations. As early as 1940, he proposed an ethnic cleansing plan: “The only solution is to transfer the Arabs from here to neighbouring countries. Not a single village or a single tribe must be left.”³⁴⁴ Plan Dalet was designed to “occupy...expel”³⁴⁵ the Palestinian people. It was David Ben-Gurion’s doctrine that the destruction of Palestine, its people, their cultural and physical landscape was the precondition for creating the state of Israel on its ruins. The systematic elimination of the Palestinians in 1948 took the following forms: military plans directed to conquer the land and settle Jewish immigrants; elimination of the refugees’ physical presence by expulsion, massacres and killing returnees; looting and plunder; destruction of villages; political campaign to justify denial of the refugees’ right to return; creation of a fictitious legal web to justify confiscation of Palestinians’ vast property and, meanwhile, importing Jewish immigrants to replace Palestinians. We shall examine here the main features of these actions.

As early as January 1948, four months before the Israeli war began, Zionist officials prepared plans for the settlement of 1.5 million new immigrants over and above the existing 600,000 Jews. During the Jewish military operations that followed the UN partition resolution of November 1947 and before the end of the British Mandate, more than half of the Palestinian refugees were expelled. The settlement agencies headed by the Jewish National Fund (JNF) directed the military attacks

to acquire coveted land, such as the villages of Indur, Qumiya, Ma’lul, Mujaidil and Buteimat in Galilee, which were destroyed primarily to grab their land.³⁴⁶

Almost every one of the thirty-odd Zionist/Israeli military operations was accompanied by one or two massacres of civilians. There were at least 77 reported massacres, two-thirds of which took place before any Arab regular soldier set foot in Palestine. See Table 3.2.

The pattern of expulsion was consistent throughout, regardless of the region, the date or the particular battalion which attacked a village. The argument about whether this was planned or accidental is moot. Most serious research and all oral testimonies given at different times by refugees from different regions in Palestine confirmed the same pattern.³⁴⁷

After a village is attacked and conquered, whether it resisted or surrendered, a curfew is imposed. Sometime later, probably the following morning, the villagers were gathered in the main square or a nearby field in two separate groups: the men from the age of 15 to 50 and the women, children and very old men. The village was surrounded from three directions leaving the fourth open for escape or expulsion. The gap left open was pointing towards Lebanon and Syria in Galilee region, towards the West Bank and Jordan in central Palestine and towards Gaza and Egypt in the south.

The women were stripped of their jewellery and valuables and ordered to walk towards the gap or open gate, without looking back. Shots were fired over their heads to encourage their flight. There have been cases of rape, enslavement and murder.³⁴⁸

The men were lined up for review by a hooded man. Very frequently, selected young men were taken in groups of four, ordered to dig their graves, then they were shot and thrown in the dug pit.

“The soldiers separated the men and the women, depositing them at different locations, around 50 yards from the killing pit... The soldiers divested their victims of whatever valuables they possessed.... [One witness] recalled vividly the picture of these people, most of whom were undressed to the waist, lying for hours in the sun and getting severely sunburnt. For, after undressing, they had to lie prostrate in a confined area and were not permitted to move. When the killing was finally ready to commence, the soldiers formed a gauntlet running between the staging ground for the killing and the killing site itself. Successive groups of 15 to 20 were forced to run to the killing site’s pit, to run the gauntlet, with the soldiers shouting at them and beating them with rifle butts as they passed by.”³⁴⁹

While women and children were walking about in the woods, fields, rocky hills or along the shoreline without food or shelter, the men were led to forced labour camps. They were tortured, shot and killed at the first sign of disobedience and made to work on the Israeli military effort, such as digging trenches, carrying ammunition and making war items such as camouflage nets. They were also used in carrying the looted material from Arab homes, burying their dead and removing the debris from demolished Arab houses.

The International Committee of the Red Cross (ICRC) visited 5 sites of the declared “POW” camps: Ijlil, Atlit, Sarafand (Ramle), Tel Litvinsky (Tel HaShomer) and in hospitals.³⁵⁰ On one visit in January 1949, ICRC found 6,360 prisoners of whom 5013 were Palestinians.³⁵¹ The Palestinians

343 For a more detailed discussion see, *supra* note 47.

344 Central Zionist Archives, Weitz Diary, A 246/7 entry for December 20, 1940, pp 1090-91. More explicit statements are found in the unedited manuscript of the Weitz Diary. Cited in 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.

345 See Section 3.1 and Khalidi, *supra* note 240, pp. 3-70; Palumbo, *supra* note 290; other authors, *supra* note 276.

346 See among others Benvenisti, *supra* note 232, pp. 102-209.

347 Abdul Jawad, Saleh, *Zionist Massacres: The Creation of the*

Palestinian Refugee Problem in the 1948 War, Heidelberg Conference, pp. 59 – 127 in: Benvenisti, E, Gans, Ch, Hanafi, S (ed) *Israel and the Palestinian Refugees*, Berlin, New York: Springer 2007. See also, Pappé, Ilan, *Ethnic Cleansing of Palestine*, Oxford: One World Publications, 2006;

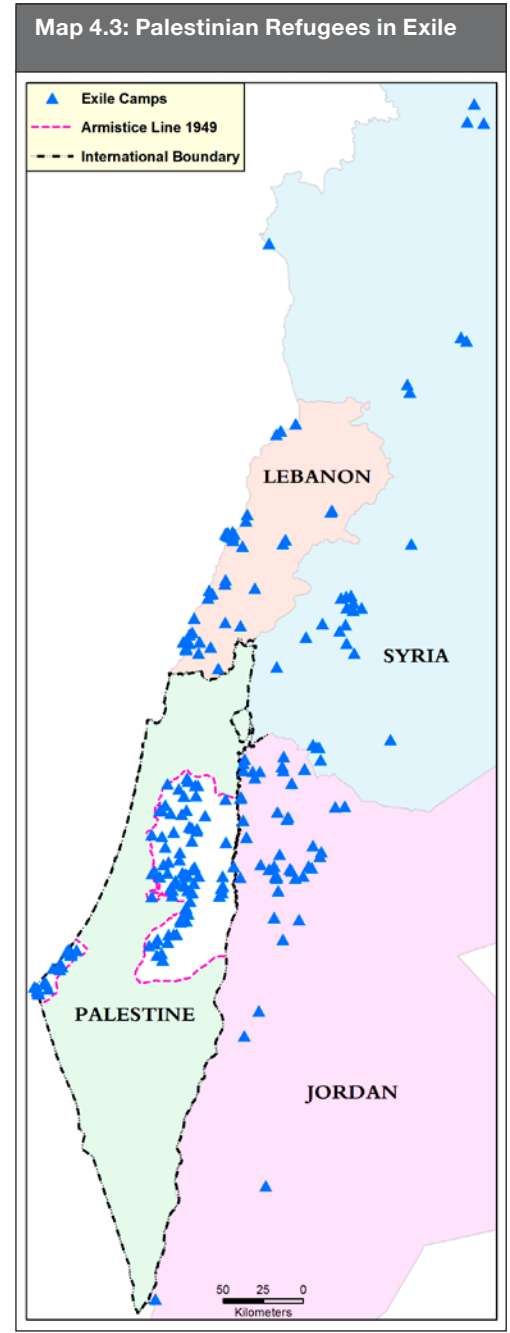
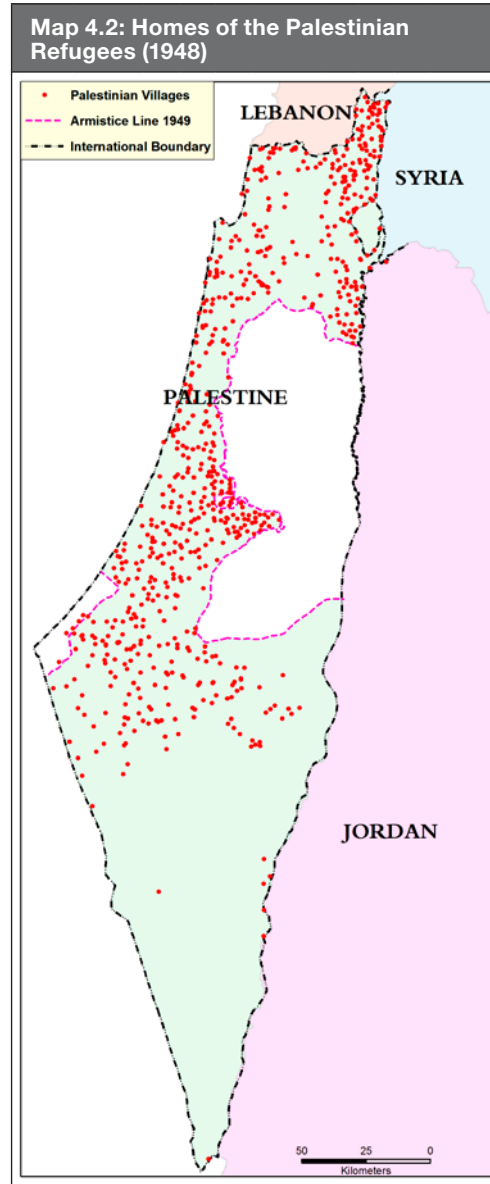
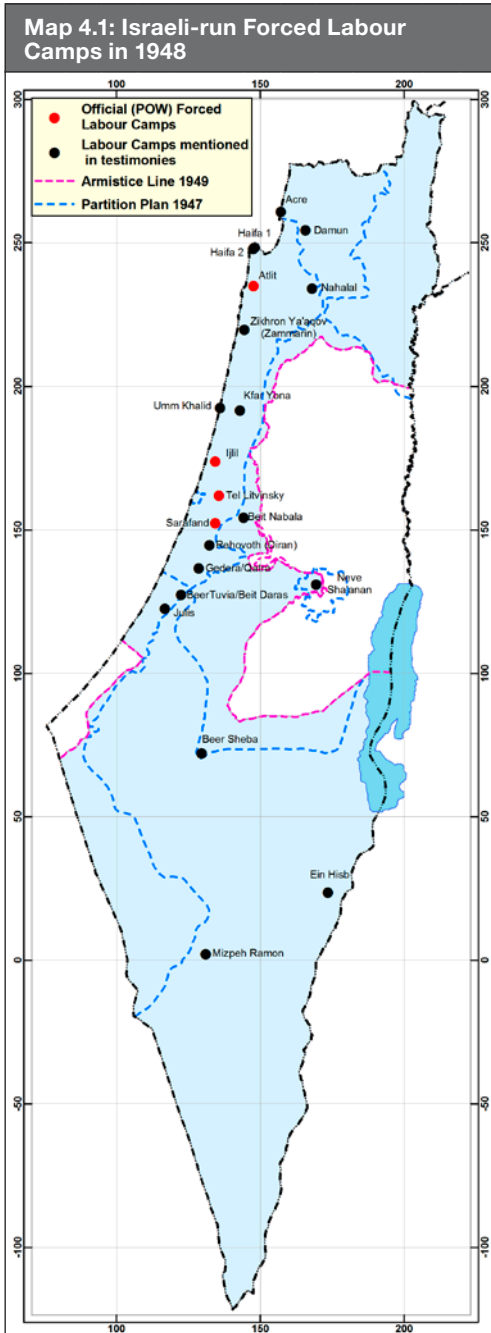
348 For example, Hudaib, Musa A.S, *Al Dawayima Village*, Amman: Dar al Jalil, 1985 [Arabic].

349 This was exactly the practice of the Nazi Unit 101, which was specialized in tracking and killing Jews during WWII. See, Goldhagen Daniel Jonah, *Hitler’s Willing Executioners: Ordinary Germans and the Holocaust*, London: Abacus, 1997 pp 226-229. Replace the words: soldiers, people by Israelis, Palestinians

respectively, you get the description of Tantoura massacre given by one of the survivors. Replace the words: soldiers, people by Germans and Jews you get the description of Nazi killing of Jews by Goldhagen. Original text of both cases is given in: Abu Sitta, Salman, *The Origins of Sharon’s Legacy*, Al Ahram Weekly, Issue 779, 26 January-1 February 2006, available at: <http://www.plands.org/articles/15.htm>

350 J. de Reynier, Chief Delegate, *Rapport General D’ Activite de la Delegation pour la Palestine*, Jan 1948-July 1949, Geneva: ICRC, dated July 6, 1949.

351 ICRC report, GS9/I/GC/, G3/82 by Dr. E. Moeri, ICRC delegate, Tel Aviv, dated February 6, 1949.



The UN, the successor to the League of Nations which created the Mandate to lead Palestine into statehood, felt responsible for the refugees' plight. In July 1948, the UN Disaster Relief Project (UNDRP) was created to provide relief to the refugees. It was found ineffective and was replaced on November 19, 1948 by the UN Relief for Palestinian Refugees (UNRPR) involving various relief agencies, notably ICRC (Red Cross) and AFSC (the Quakers) which operated from December 1948 to August 1949. The first to operate was ICRC which set up offices in Palestine from January 1948 in anticipation of the conflict. Next came AFSC which operated in the Gaza Strip and set up all refugee camps which are still in existence.

The massive displacement of the Palestinian people, although traumatic, followed traceable patterns. Graphically, the dispersion of the Palestinians in 1948 is shown by two maps. **Map 4.2** shows their original homes in Palestine in 1948. **Map 4.3** shows the exile of registered refugees in camps and other locations supervised by UNRWA. The unregistered refugees, mostly city people, have moved to Arab and foreign capitals. They had mobility, contacts, education and some residual wealth. They quickly adjusted and found positions in government, finance, trade and construction in nearby Arab capitals and abroad.

were mostly ordinary farmers from Galilee villages who were not combatants and therefore not POWs by international standards. ICRC reluctantly accepted this classification in order to be able to visit them and report their cases. However, testimonies by several survivors indicated that Palestinian civilians were detained and forced to work in 17 other camps and locations never visited by ICRC.³⁵² See **Map 4.1**. It is estimated that about 25,000 Palestinian civilians were rounded up, detained and put into forced labour camps for periods from 10 months to 2 years. They have received no appreciable compensation or publicity about their plight.

Those refugees who dared to return to their homes or fields were liable to be shot and killed on the spot as "infiltrators." If not seen, they may be blown up by booby-traps the Israelis had planted near their homes, wells, pumps, stores or any place they are likely to return to. Shooting of civilians was not restricted to wartime. After the fighting ceased, the UN truce observers reported many such cases³⁵³ well after hostilities ceased.

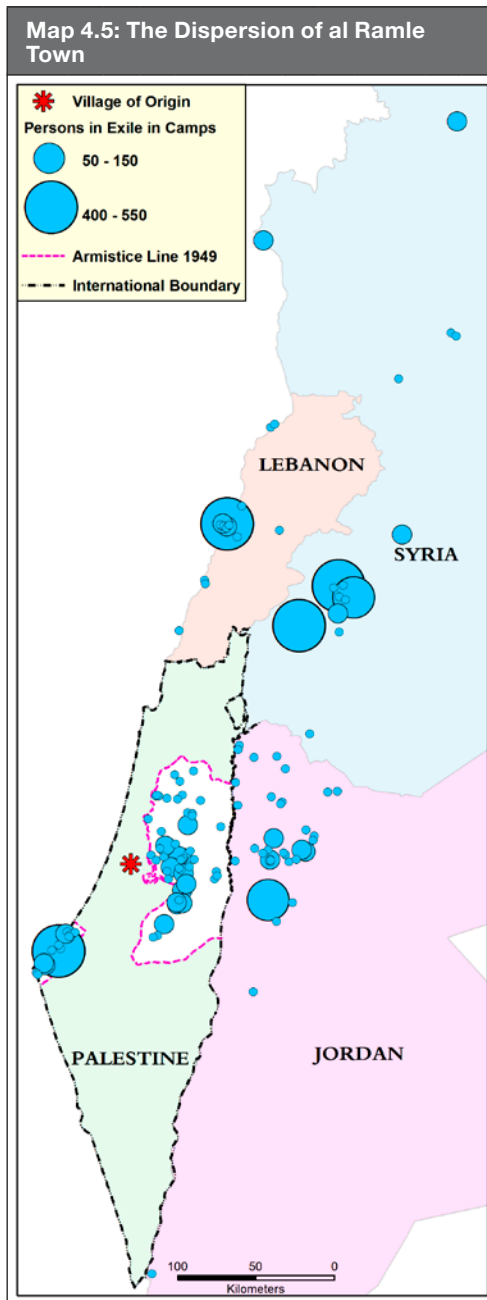
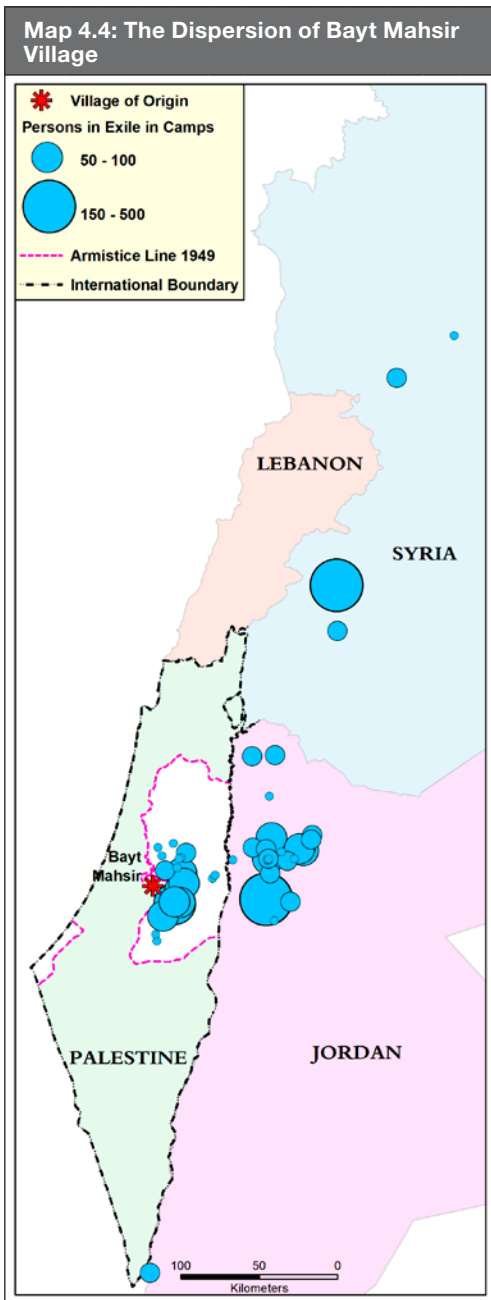
When the dimensions of the problem became known and with the failure of Lausanne negotiations, the UN established UNRWA in its resolution 302 of December 8, 1949 for a three year term, renewable.³⁵⁴ UNRWA³⁵⁵ is still in existence today due to Israel's refusal to allow the return of the refugees to their homes. UNRWA keeps records of every refugee: name of the family head, his village of origin, date of birth, same for all his family members, their kinship, sex and religion. **Figure 4.1** shows a typical refugee card (old version).

Figure 4.2 shows that 73 percent of the refugees are registered but of those, the majority, (56 percent), are rural and 17 percent are urban. Of the remaining unregistered refugees, 27 percent of the total, the majority (21 percent) are urban and only 6 percent of the refugees are unregistered rural refugees. This corresponds to the generally known division of Palestinian society: 62 percent are rural and 38 percent are urban. Thus, 27% of all refugees are not registered for various reasons.³⁵⁶

352 Details of these forced labour camps, hitherto unpublished, are found in: Abu Sitta, S. Rempel, T., *The ICRC and the Detention of Palestinian Civilians in the Israeli-Administered 'Labour Camps' during the 1948 War*, forthcoming publication.
353 U.N. Archives 13/3.3.1 Box 11, Atrocities; S. Abu Sitta, *Jewish*

Carnage Policy Aimed to Evacuate the Galilee Palestinians as Mentioned in the UN Truce Observers Reports in 1948, al Hayat (London), February 6, 2000, p. 10.
354 Takkenberg, Lex, *The Status of Palestinian Refugees in International Law*, Oxford: Clarendon Press, 1998, pp. 22-29.

355 UNRWA website: <http://www.un.org/unrwa>.
356 See an explanation in Abu Sitta, Salman, *The Register of Depopulated Localities in Palestine*, London: The Palestinian Return Centre, September 2000.



quantitative results. See **Map 4.6**. As expected, Galilee refugees were expelled towards Syria and Lebanon. If we ignore segments of any village population less than 15 percent of total village population and focus on the movement of the bulk (i.e. 85 percent), we get the results shown in the table in Map 4.6. We find that 150 villages had moved to Lebanon and 100 to Syria but only 6 to the West Bank and 8 to Jordan. For the central region, 207 villages moved to the West Bank (and remained there after 1967) and 256 to Jordan, some after 1967. Only 5 or 6 villages moved to other areas. For the southern region, most villages moved to Jordan or Gaza, 131 and 111 respectively, but surprisingly only 22 moved to the West Bank. For the eastern region, Tiberias and Baysan valley, most villages moved to Syria and Jordan; only some moved to Lebanon. The coastal region is somewhat problematic. Most moved by land to West Bank and Jordan, 90 and 163 respectively, but a considerable number, 53, moved to Gaza by land and sea. Haifa (special) region is even more problematic. It was accessible by sea directly or through Acre to Lebanon and inland to Lebanon, Syria, Jordan and West Bank. Haifa refugees found refuge in all five UNRWA regions except Gaza.

Of all these results, the most remarkable is that most villages moved *en masse* to only one or two of the five UNRWA fields, a lesser number to three, very few moved to more than three. This emphasizes the central fact in the structure of the Palestinian society, that is, the village is the building block of the society. Since each village consists of 4 or 5 *hamulas* (large or extended family), this means, as has been demonstrated again, that the family unit is still intact and remains the focus of belonging, even though it has been subjected to pressures of exile and voluntary separation for work or study.

The registered refugees as recorded by UNRWA originate from 1,523 localities³⁵⁷ which include cities, towns, primary villages (as per the British Mandate administrative division), secondary villages, hamlets and other localities. The registered places of exile extend to 602 camps, villages or towns. Out of these, 59 are recognized by UNRWA as “camps”. Reference is made frequently to the fact that one third of the refugees live in camps, because only the 59 “official” camps are taken into account. This is a convenient and practical division but in fact, from social point of view, many refugees live in pseudo-camps or neighbourhoods which grew and function like camps.

This has an important bearing on the dispersion of refugees as stated above. Based on registered refugees’ data only, the dispersion of a village like Bayt Mahsir, west of Jerusalem is examined. **Map 4.4** shows its dispersion in the West Bank and Jordan with few families in Syria. Note that dispersion in central Palestine is biased towards Jordan due to further exodus from the West Bank to Jordan as a result of Israel’s occupation of the West Bank in 1967.

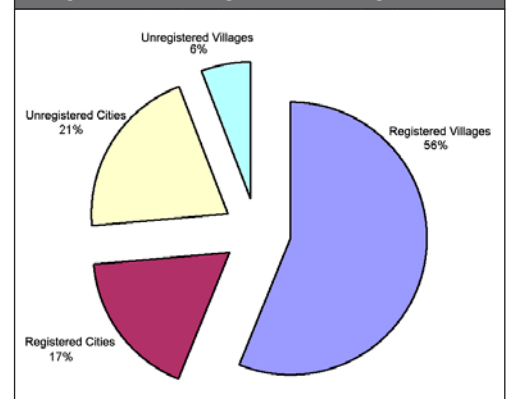
By contrast, Ramle town dispersion is much wider spread as shown in **Map 4.5**, not only due to its larger population, but also due to more mobility and better contacts of its population. Ramle population found refuge in all five UNRWA fields: Gaza, West Bank, Jordan, Lebanon and Syria, all the way north to Aleppo.

What general direction did refugees take when expelled or fled? A detailed study of direction of ethnic cleansing revealed predictable but

Fig 4.1: Typical UNRWA Refugee Card

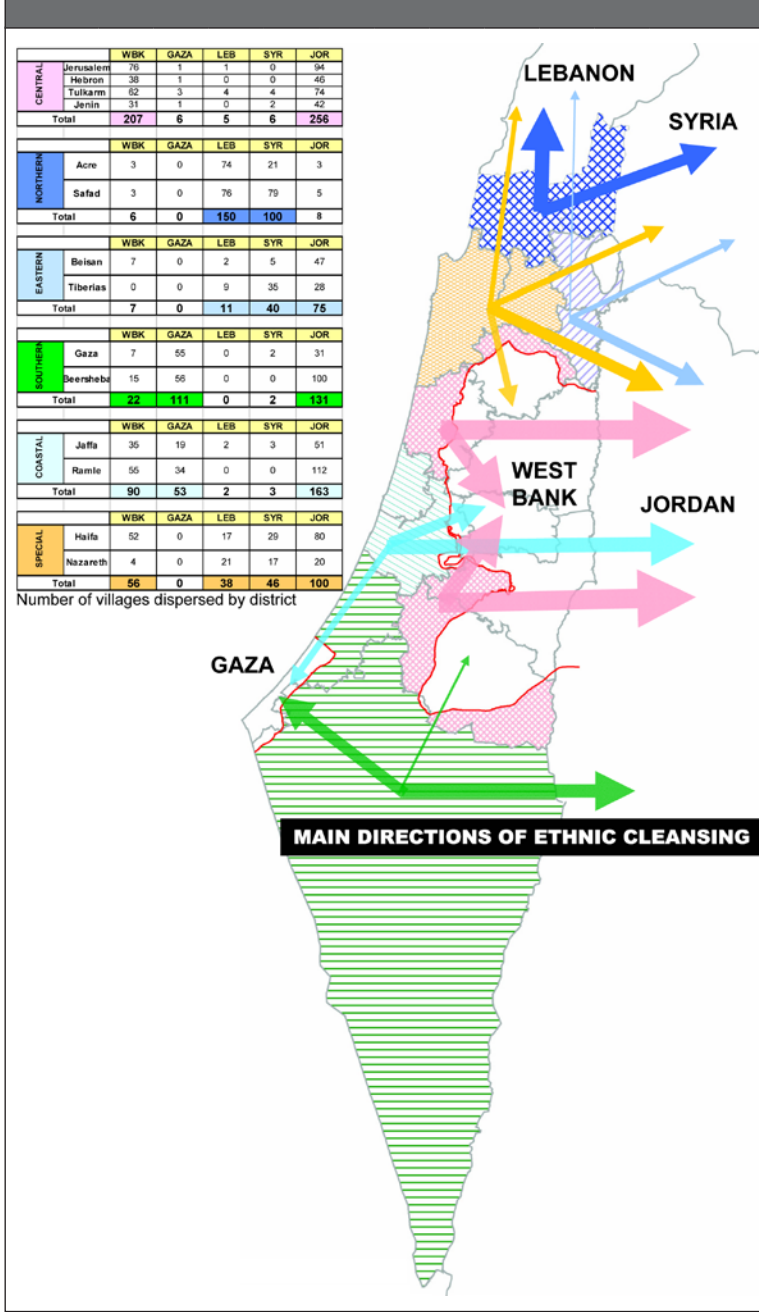
27	36	الرقم الرمزي	المصنف	مركز التوزيع	صالحة لغاية	I	
28	37	REGISTRATION NO.	AREA	DISTRIBUTION CENTRE	VALID UNTIL	H	
29	38	2710855E	KHAN YUNIS	KHAN YUNIS VILL I	JUN 83	G	
29	38	اسم رب العائلة والعائلة				الجنسية	F
30	39	HEAD OF FAMILY & FAMILY NAMES				NATION.	E
31	40	المكان الاصل	اطفال	حليب	الاشخاص	CRS	D
32	41	ORIGIN	BABIES	C S M	الرمز السابق	PERSONS	C
33	42	21905	0-1	2	EX-CODE	5	B
34	43	UNRWA REGISTRATION CARD				الاشخاص	A
35	44	SER. NO 2/ 1732				الاشخاص	

Fig 4.2: The Percentage of Rural, Urban, Registered, Unregistered Refugees



357 This number (1523) of locations differs from the figure in Section 3.3 *Al Nakba Register* (1192) in that the former includes several multiple locations of the same town, listing quarters and neighbourhoods.

Map 4.6: Patterns of Ethnic Cleansing



Map 4.7: The Global Distribution of Palestinians

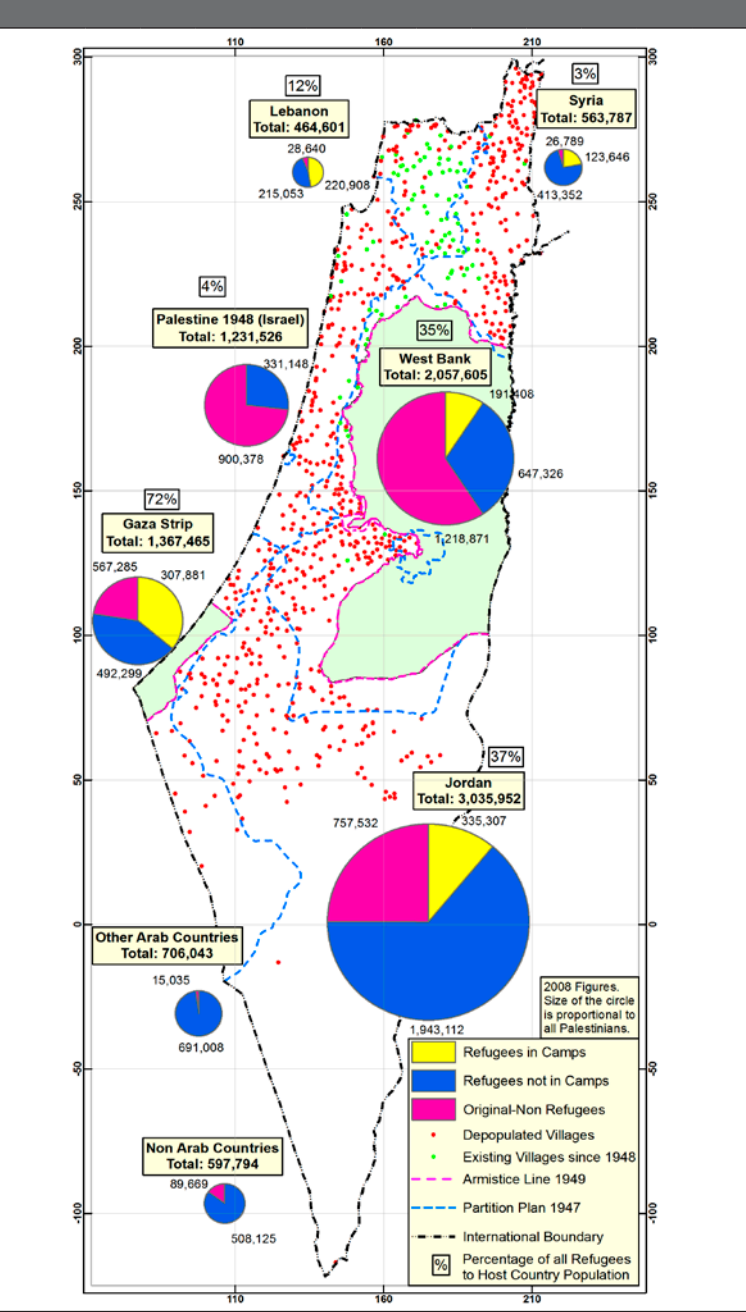


Table 4.1: Distribution of Registered Refugees according to Type of Residence

Field	Large Town	Small Town	Village	Outside a Camp	Camp (with some exceptions)	TOTAL
Gaza	86	100	234	386,664	278	432,451
Jordan	583,705	408,634	173,691	4,184	72,605	316,455
Lebanon	48,972	45,246	82,647			198,694
Syria	194,441	347	90,118	58	22	96,646
West Bank	1,243	204,603	219,562	299	596	154,418
TOTAL	828,447	658,930	566,252	391,205	73,501	1,198,664
%	22%	18%	15%		13%	32%

Source: UNRWA, Refugee Population, May 2000.

Table 4.2: Percentage of Registered Refugees in Exile by Dates of Birth

Period	West Bank	Gaza	Lebanon	Syria	Jordan	TOTAL
Before Mandate	Unknown	2.9%	1.6%	3.1%	2.6%	2.8%
Mandate	1920-1948	13.4%	10.3%	14.5%	12.5%	12.2%
Nasser	1948-1967	20.2%	16.2%	22.7%	20.4%	18.9%
Revolution	1967-1987	37.4%	34.8%	36.6%	37.8%	39.7%
Intifada I	1987-1993	14.8%	17.5%	12.4%	12.5%	13.1%
Oslo to Intifada II	1993-2000	11.4%	19.7%	10.7%	14.3%	13.6%
GRAND TOTAL		100.0%	100.0%	100.0%	100.0%	100.0%

Source: UNRWA, Refugee Population, May 2000.

- Notes:
- Born in Palestine 1948: Active memory 6%. Highest % in Lebanon. Lowest % in Gaza.
 - Born in Nasser era: Highest % in Lebanon (23%). Lowest % in Gaza (16%).
 - Born in Palestinian Revolution era: Highest % in Jordan (40%). Lowest % in Gaza (35%).
 - Born after Intifada I, during Oslo, Intifada II till today: By far highest % in Gaza (20%). Lowest in Lebanon (10%).

Table 4.1 shows the registered refugees by type of residence for the five UNRWA fields. While 32 percent live in “official” camps, there are further 13 percent who live in pseudo-camps or extension of camps, and another 15 percent live in villages, where refugees are frequently comparable in number to the host village. This gives a total of 60 percent living a camp life. Only 40 percent (18 percent in a small town, 22 percent in a large town) can be assumed to conform to the town’s social and physical structure.

Another aspect of interest is the percentage of registered refugees born in Palestine or exile during any one of the politically significant periods since the inception of the Mandate. Table 4.2 shows such percentages according to their area of exile and the political period in the last seventy years. Those born in Palestine with an active memory of the Mandate are about 6 percent (assumed half of the 12 percent born in Palestine 1948). Those nurtured in the nationalistic Nasser era are about 20 percent of the total, mostly in Lebanon. Those born in the high days of the Palestinian resistance movement (“Revolution”), who were the backbone of *fedayeen*, a major factor in shaping views and actions, are close to 40 percent. Those born during the first and second intifadas are about 28 percent. Their percentage to refugee population is by far highest in Gaza (about 20 percent).

Table 4.3: The Global Distribution of Palestinians in mid-2008

Place of Refuge	Population mid 2008	%	Original	All Refugees	Non Registered Refugees	Registered Refugees (RR)	RR in Camps	RR not in Camps	% of Refugees in Region to All Refugees	% of All Ref to Total Palestinian Population	% of Total Ref to Regional Palestinian Population	All Refugees Not in Camps
Palestine 1948 (Israel)	1,231,526	12.3%	900,378	331,148	331,148				5.0%	3.3%	26.9%	331,148
Gaza Strip	1,367,465	13.6%	307,881	1,059,584		1,059,584	492,299	567,285	15.9%	10.6%	77.5%	567,285
West Bank	2,057,605	20.5%	1,218,871	838,734	84,471	754,263	191,408	562,855	12.6%	8.4%	40.8%	647,326
Truncated Palestine (OPT)	3,425,070	34.2%	1,526,752	1,898,318	84,471	1,813,847	683,707	1,130,140	28.4%	18.9%	55.4%	1,214,611
Total Palestine	4,656,596	46.5%	2,427,130	2,229,466	415,619	1,813,847	683,707	1,130,140	33.4%	22.2%	47.9%	1,545,759
Jordan	3,035,952	30.3%	757,532	2,278,419	347,716	1,930,703	335,307	1,595,396	34.1%	22.7%	75.0%	1,943,112
Lebanon	464,601	4.6%	28,640	435,961	19,353	416,608	220,908	195,700	6.5%	4.3%	93.8%	215,053
Syria	563,787	5.6%	26,789	536,998	80,015	456,983	123,646	333,337	8.0%	5.4%	95.2%	413,352
Egypt	63,008	0.6%	10,740	52,268	52,268				0.8%	0.5%	83.0%	52,268
Border Countries	4,127,347	41.2%	823,700	3,303,647	499,353	2,804,294	679,861	2,124,433	49.5%	33.0%	80.0%	2,623,786
Saudi Arabia	354,879	3.5%	-	354,879	354,879				5.3%	3.5%	100.0%	354,879
Kuwait	48,688	0.5%	4,296	44,392	44,392				0.7%	0.4%	91.2%	44,392
Other Gulf	136,363	1.4%	-	136,363	136,363				2.0%	1.4%	100.0%	136,363
Iraq, Libya	95,944	1.0%	-	95,944	95,944				1.4%	1.0%	100.0%	95,944
Other Arab Countries	7,161	0.1%	-	7,161	7,161				0.1%	0.1%	100.0%	7,161
Total non Border Arab Countries	643,036	6.4%	4,296	638,740	638,740	0	0	0	9.6%	6.4%	99.3%	638,740
USA	262,952	2.6%	39,443	223,509	223,509				3.3%	2.2%	85.0%	223,509
Other Countries	334,842	3.3%	50,226	284,616	284,616				4.3%	2.8%	85.0%	284,616
Total non Arab Countries	597,794	6.0%	89,669	508,125	508,125	0	0	0	7.6%	5.1%	85.0%	508,125
GRAND TOTAL	10,024,773	100.0%	3,344,795	6,679,978	2,061,837	4,618,141	1,363,568	3,254,573	100.0%	66.6%	66.6%	5,316,410
Notes	1		2	3	4	5	6	7	8	9	10	11

Notes:

- Our estimate of all Palestinians (about 9,450,000 for 2005) is less than Palestinian CBS (PCBS) estimate of 10,091,985 by some 640,000. The difference comes from PCBS's higher estimate by 140,000 and 500,000 for Gaza and West Bank respectively. Our figure is based on net natural growth of 2.73%. The acceptable growth figures for previous years of 3.1% and 3.6% (now reduced) would yield 9,578,300 and 9,757,000 respectively, which is still lower than PCBS figure. The figure for Israel does NOT include Palestinians in Jerusalem (occupied 1967), estimated at 253,500. Total population = 'Original' and 'All Refugees' columns. All figures of non-Arab countries exclude early Palestinian immigrants who left Palestine to North and South America well before 1948.
- 'Original' population (who were not displaced) is upgraded from 1998 figures ("Atlas of Palestine 1948" published by Palestine Land Society, London, 2004, Table 3.16) at an average net natural growth of 2.73%

- This growth figure varies widely by region. The distribution of 'Original' figure in Arab countries, other than UNRWA five areas, includes unknown number of refugees. The total however is more reliable.
- All refugees = UN Registered Refugees (RR) plus non-RR. These figures exclude displaced Palestinians after 1967, estimated at 750,000 (2002). See "Atlas of Palestine 1948", Table 3.17.
- The non-RR figure is upgraded from 1998 figure which was obtained by subtracting all refugees displaced/expelled in 1948 from UN RR. The figure of 309,584 represents IDP in Israel (internal refugees). Earlier tables list the figure of refugees in Israel separately. These IDP are classified as other Palestinian refugees according to international law. Distribution of non-RR in Arab countries, other than UNRWA five areas, is tentative but the total is more reliable.
- Based on UNRWA figures.
- Based on UNRWA figures. However the definition of 'camp' is somewhat loose. Some camps turned into

- small villages and host villages turned into camps. Our estimate of pseudo-camp life far exceeds 33.0%, it is about 55% (see Table 4.1).
- The difference between all RR and RR in camps.
 - Percentage distribution of all refugees in regions. About 28% live in OPT, but 83% live in Palestine proper and border countries. Only 17% of refugees (and 12% of all Palestinians) live away from Palestine environs.
 - Percentage of all refugees in a region to all Palestinians. This shows that two thirds of Palestinians are refugees. If we add those displaced in 1967, three quarters of Palestinian do not live in their homes.
 - Percentage of all refugees in a region to the Palestinian population (including 'Originals') in that region. This shows that the refugees constitute over 77% in Gaza and Jordan of all Palestinians and about 100% in many other Arab countries. The refugees are 27% and 40% of all Palestinians in Israel and the West Bank respectively.
 - All refugees not in camps = non-Registered Refugees + Registered Refugees not in camps.

Table 4.4: Palestinian Refugees and Internally Displaced Palestinians (1950-2005)

Year	UNRWA Registered 1948 Refugees	Estimated Non-registered 1948 Refugees	Estimated 1967 Refugees	Estimated 1948 Internally Displaced persons (IDPs)	Estimated 1967 Internally Displaced Persons (IDPs)
1950	914,000	257,021	-	32,380	-
1955	905,986	305,260	-	40,254	-
1960	1,120,889	362,553	-	50,044	-
1965	1,280,823	430,599	-	62,215	-
1970	1,425,219	511,417	250,402	77,346	12,124
1975	1,632,707	607,403	297,400	96,157	14,205
1980	1,844,318	721,404	352,218	119,543	16,677
1985	2,093,545	856,802	419,512	148,616	19,612
1990	2,668,595	1,017,611	498,249	184,760	23,098
1995	3,172,641	1,208,603	591,763	229,694	27,239
2000	3,737,494	1,435,441	702,829	285,557	34,373
2003	4,082,300	1,591,500	779,237	325,400	38,266
2004	4,186,711	1,647,203	806,510	335,162	62,123
2005	4,394,946*	1,927,574*	834,737	345,217	57,669

Source: Badil, Survey of Palestinian Refugees and Internally Displaced Persons (2004-2005).

Notes: There is no single authoritative source for the global Palestinian refugee and IDP population. The figures above reflect estimates according to the best available sources and population growth projections. Figures are therefore indicative rather than conclusive. This table does not include some 400,000 Palestinians whose legal status is unclear. The figures indicated with (*) are from Palestine Land Society used in Table 4.3. The figure of 345,217 for IDP is slightly higher than the figure in Table 4.3.

After the 1948 Israeli conquest, the Palestinians have been dispersed in many directions. **Table 4.3** shows a conservative estimate of the Palestinians' global distribution, both refugees and original inhabitants in 2008. It is clear that, in spite of persistent ethnic cleansing, the loss of Palestinian land was not always accompanied by the total absence of its people. It is true that two thirds of the Palestinian people became refugees in 1948 (and more later), but 88 percent of all Palestinians are still in historic Palestine and in a ring around it in neighbouring Arab countries not exceeding 150 km in width. **Map 4.7** shows the global distribution of the Palestinians according to Table 4.3. It also shows refugees (in camps or not according to UNRWA classification) and original inhabitants of the area. It is clear that Jordan is the host of the largest percentage of refugees outside Palestine.

Today, there are more displaced Palestinians other than the 1948 registered refugees, who are still the largest, oldest, and most politically important refugees in the world today. **Table 4.4** gives estimates over the period 1950-2005 of the 1948 refugees and other displaced persons. These other refugees are about 1,900,000 and over 345,000 internally-displaced Palestinians (IDP), citizens in Israel.

4.2 Plunder & Destruction of Palestinian Property

As listed in Table 3.2 and in this section, massive plunder took place in hundreds of depopulated towns and villages in the immediate aftermath of military assaults, especially in cities such as Haifa, Jaffa, Lydda, Ramle, Tiberias and Jerusalem. There was an orgy of plunder and looting in which official bodies and individual Jews competed for the biggest prizes. At least, fifty thousand Arab homes were looted. The Custodian of Enemy Property lamented that he could not register more than 509 carpets in his inventory. The rest had been looted on the way. Ben Gurion was aware of this; he recorded in his War Diary, (February 10, 1948, robbing the Arabs; 1 May, complete looting of Wadi Nisnas, Haifa; 17 June, looting in Jerusalem; 15 July, the terrible question of looting and rape...etc.).³⁵⁸

The orgy of looting and plunder permeated all classes of the Jewish immigrant community in Palestine. The first group to rush to loot are the Jewish neighbours in cities and the Jewish colonies in rural areas. In the words of the Jewish writer, Moshe Simlansky, “The [Jewish] people were gripped by a frenzy of looting; individuals, groups, men, women and children. They descended like vultures on the spoils: doors, windows, clothes, tiles...”³⁵⁹

Of particular loss was the dismantling by looters of water pumps and pipes in “*bayaras*” – citrus groves, mostly by neighbouring Kibbutz.³⁶⁰ As a result, large areas of the famous Jaffa orange groves dried up and lost their produce, which was a valuable source for foreign currency. Also cattle died out of thirst, lack of food and neglect.

What could not be carried away was burnt. The burning of the crops started as early as May 1948, which was the harvest time. It was first applied to the wheat fields in the Negev.³⁶¹ Later, the crops were harvested to compensate for Israel’s shortage of food. Wells were poisoned or back-filled to discourage the return of the refugees. Economic war, in addition to the military war, was waged against the Palestinians by cutting off food and water to the returnees.³⁶²

The second group of looters were army officers who turned their tanks and trucks, after expelling unarmed Palestinian farmers and city dwellers, to the vacant houses, stores and workshops and started loading their contents. The biggest prize was Lydda and Ramla whose 70,000 inhabitants were expelled at gunpoint.³⁶³ The IDF loaded 1800 trucks from Lydda alone. “An officer took his 5th Battalion to Al-Ramla for looting” – (Ben Gurion War Diary, 15 July). Ben Gurion visited the two conquered towns and was shown the spoils. He noted in his Diary on 20th July, “I saw fabulous wealth, we must save it before it is too late”.

“Soldiers, who entered abandoned houses in the towns and villages they occupied, grabbed what they could. Some took the stuff for themselves, others ‘for the boys’ or for the Kibbutz. They stole household effects, cash, heavy equipment, trucks and whole flocks of cattle. [After the occupation of Jish], the soldiers robbed several houses and stole 605 pounds, jewellery and other valuables. When the people who were robbed insisted on being given receipts for their property, they were taken to a remote place and shot. [When bodies returned], the finger of one of the dead was cut off to remove a ring”. “Some of these files are still secret, but titles are telling: Plunder of Abandoned Arab Property; Looting; Robbery; Possession without Permit.”³⁶⁴

Two days after the capture of Beer Sheba, the army took several tractors, leaving others for distribution among the Kibbutz. The heavy and agricultural equipment were “sold”.

“[T]he Irgun practice of looting Arab homes and shops was soon explained away and later justified.... It was perhaps natural, though it was certainly detestable, that before long, the rest of the Jewish soldiers of the Haganah and the Palmach should join in the orgy of looting and wanton destruction”.³⁶⁵

When the appointed Custodian collected and confiscated the remainder after looting and plunder, the army was given the first choice to pick what they wanted, the rest was put up for sale. The army took workshop equipments, iron works, tin works, locksmith works and the like.³⁶⁶

The third group of looters was the higher echelon of Mapai party and senior officials. They competed in selecting the best Arab houses in West Jerusalem where many of them still live today.³⁶⁷ Some sold them recently for exorbitant prices.³⁶⁸ Other than Arab residences which were reserved for high officials or absorption of Jewish immigrants, there was a general decision to destroy Arab villages in order to prevent the return of the refugee home owners and to erase any trace of their life before.

The fourth group, and by far the largest beneficiary, was the Jewish Agency and the Jewish National Fund; they took over houses and lands of the Palestinians and lodged the newly imported Jewish immigrants in them without reference to the “provisional government of Israel” or it’s appointed Custodian.³⁶⁹

There followed a massive campaign of destruction, which lasted over fifteen years and in which 53 percent of the 418 surveyed villages were totally destroyed and 44.5 percent partially destroyed. The clear aim of this destruction was, again, to prevent the return of the refugees.³⁷⁰

First the destruction was undertaken by the army, not only through “battles” with the farmers but for

‘ideological’ reasons, or simply wanton destruction. Next came a plan drafted by the Jewish Agency and the Jewish National Fund, immediately after declaring the state of Israel in May, to destroy Arab villages. To start, a list of 40 villages and another of 14 were selected for demolition.³⁷¹ The idea to resettle new (Oriental) immigrants in selected villages assumed they can be comfortable in an Arab architecture. They were given axes, hoes and agricultural instructors and told to cultivate the Arab land. They were unhappy, uncomfortable in a place they knew its owner was expelled to a refugee camp a few kilometres away. They had a mortal fear that the Arab owner of the house would come at night to repossess his house. A companion of those new immigrants wrote the following about the first night in a depopulated Arab village:

I lay on my cot with a half-cocked rifle by my side and in my mind’s eye I saw the [Palestinian] people of this village who had fled in panic and who were surely not far from here, waiting for the first opportunity [to return] to their village, to their houses. Who would prevent them from doing that, especially once they found out that Jews had come to take possession of their property?³⁷²

The failure to resettle Jews in Arab villages accelerated the process of destroying them. The decision to destroy the villages was related to the international pressure to permit the return of the refugees. In May 1949, it was decided to get rid of all the heaps of rubble (of 41 destroyed villages) that remained as a sign of their previous site.³⁷³ In July 1949 the work was undertaken by the government’s Public Works and began with destroying villages along Jaffa-Jerusalem road, and in the southern coastal plain allocated for an ‘Arab State’ in the Partition Plan.³⁷⁴

The destruction took place with the implicit approval of Ben Gurion’s government, but not in writing. He was careful not to put the matter on record. The cabinet approved the destruction of the entire old city of Tiberias, except holy places, “to prevent the Arab residents from returning”.³⁷⁵

See **Photo 4.1**. Two hundred buildings in historical Jaffa old city, which had withstood the passage of time for hundreds of years, were destroyed by municipal engineers. See **Photo 4.2**. It was initially suggested to destroy the whole old city but some buildings where Jewish squatters resided were spared and found adequate.³⁷⁶

The destruction work proceeded through the 1950’s and 1960’s, uninterrupted by the fear of international sanctions. In October 1966, the Israel Land Administration (ILA), (see Section 4.4), started a “Levelling Villages” campaign to destroy all depopulated villages in Galilee.³⁷⁷ The campaign was accelerated after 1967 war, lest the refugees, now that whole Palestine was under Israeli occupation and Palestinians movement was possible, attempt to return to their homes.

358 Ben Gurion, War Diary supra note 244, entries for February 10, May 1, June 17 and July 15, 1948; See also Segev, supra note 275, pp. 68-74; Benvenisti, supra note 232, p. 165.

359 Segev, supra note 275, p. 70. See also p. 85, 98.

360 Segev supra note 275 p. 74, Benvenisti, Landscape supra note 232 p. 142.

361 Morris, supra note 293, p. 181.

362 Pappé, supra note 38, p. 95.

363 See a new revelation about Rabin’s role, supra note 273.

364 Amin Jarjouria, an Arab Member of the Knesset reported the case of Jish victims: Segev, supra note 275, pp. 69-72. Sayf ad-Din al-Zu’bi, another Arab Member of the Knesset reported the wide-spread loss of property of remaining Palestinians. See, Peretz, Don, Israel and the Palestine Arabs, Washington: The

Middle East Institute, 1958, p. 153.

365 Kimche, Jon, *Seven Fallen Pillars: The Middle East 1945-1952*, New York: Praeger, 1953, n. 32, p. 234.

366 All these cases were reported by Segev, supra note 275, p. 69, 72, 74.

367 Golda Meir lived for a long time in a Palestinian house. Houses of Bisharat, Jermanus and many others are known to be occupied by Israeli high officials. For an architectural, illustrated review of Palestinian houses in West Jerusalem, see Kroyanker, David, *Jerusalem Neighbourhoods: Talbiyah, Katamon and the Greek Colony*, Jerusalem: Keter Books, 2002.

368 The house of a Palestinian Christian family head, Elias Maghnm, which he built in 1930 was occupied by Prof. Dan Patenkin, the founder of the School of Economy at the Hebrew University of

Jerusalem. His widow offered it for sale at \$ 9 million according to an advertisement at the Marker (financial Haaretz) on 24 September 2009.

369 See Sections 4.3, 4.4.

370 See Ghazi Falah, supra note 340. Details in Table 3.12 herein.

371 Segev p. 84

372 Benvenisti, supra note 232 p. 215.

373 Ibid, p. 167.

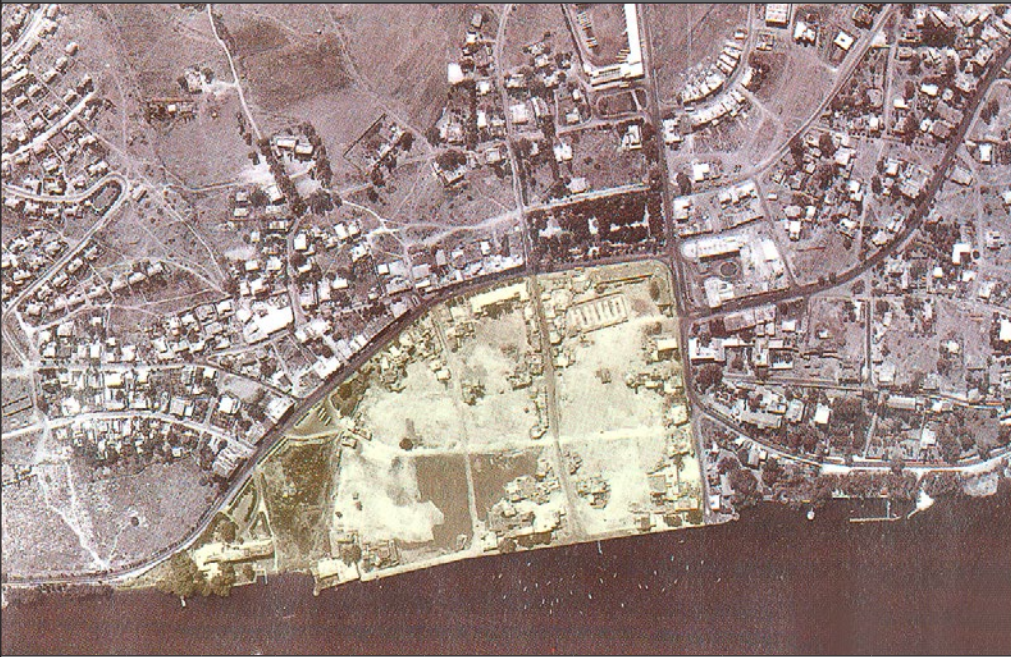
374 Ibid, p. 167.

375 Segev, supra note 232, p. 85

376 Haaretz, July 27, 1949, cited in Peretz, supra note 364, p. 163, n. 67.

377 Benvenisti, supra note 232, p. 168.

Photo 4.1: Destruction of Old City of Tiberias



Source: Kedar, B. Z., *The Changing Land between Jordan and the Sea*, Jerusalem: Ben Zvi Press, 1999, p.199.

Photo 4.2: Excavating Destroyed Jaffa Neighbourhood



Source: Kletter, Raz, *Just Past? The Making of Israeli Archaeology*, London: Equinox, 2006, Fig 7, p. 54.

The process of destruction had been refined to serve another aim, namely to create a fake “Israeli history”, by destroying Arab and Islamic monuments or archaeological remains. There was a strong Zionist motive to erase Arab/Islamic archaeological evidence and insert a ‘Jewdaized’ history. Arab/Ottoman monuments or sites built after 1,700 were not considered worthy of preservation.³⁷⁸ Some older monuments of the Mamluk period were falsely re-named “Crusader period”.³⁷⁹ The aim was to “preserve as few Arab remains as possible”.³⁸⁰ Many of the villages were over two thousand years old, and were built on layers of rich history. It was therefore decided to do an archaeological survey of each village before its destruction. Any signs of remains

which may help the story of Jewish or non-Arab presence in Palestine were preserved. All the rest were destroyed, except active churches and mosques. The latter, if inactive due to depopulated congregation, were neglected or transformed into restaurants or night clubs.

In the 1960’s, ILA and JNF were primarily responsible for the destruction of the Palestinian landscape. On July 1, 1964, Israel Archaeological Survey Society (IASS) was founded.³⁸¹ Its mandate was to examine all sites to be destroyed or excavated for new settlements and determine if destruction of existing structures can be undertaken and where. ILA and IASS cooperated very well. ILA would hand over to IASS a list of

villages to be destroyed. IASS would examine the site, take photographs, draw maps and give clear instructions for destruction.

Over 100 villages were surveyed. Sometimes destruction took place before survey was completed, as in al-Bassa, Suruh, Bayt Susin, Nabi Rubin (north), Sataf.³⁸² This practice continued after 1967 war, in full coordination with ILA and the occupation army. Villages of ‘Imwas, Yalu and Beit Nuba were destroyed in the summer of 1967 on the express orders of Yitzhak Rabin without survey. Ninety villages on the Golan Heights were destroyed, after order for survey was given to be completed “over the next two weeks”.³⁸³

The work of selective destruction to forge history was enthusiastically embraced by JNF and Kibbutz members close to destruction sites. The forgery took unusual dimensions, reminiscent of bygone ages when a king destroys the statues of his predecessor or claims his victories to be his own. For example, the Arab structures in the old city of Caesarea and the village of Kawkab al-Hawa were destroyed, while the Crusader ruins were restored. Al-Madhi guest house in Ijzim was claimed to be a Crusader’s castle.³⁸⁴ The Arab village, Ein Hawd, renamed Ein Hod, was converted to artists’ colony without reference to its Arab past. Palestinian old flour or water mills, *tahunas*, stone terraces and Sataf stone houses for example were incorporated in the new landscape implying that it was an Israeli history.³⁸⁵ Plunder of archaeological material, not destroyed or stolen, was practised by Moshe Dayan on a very large scale in a one-man campaign to create an Israeli history.³⁸⁶

Summary and map of these details are shown on **Map 4.8** and **Table 4.5**.

The landscape destruction caused a great deal of damage to the historical heritage of Palestine. Two-thousand-year-old villages/towns were destroyed by Israel. Eusebius Pamphili, Bishop of Caesarea, charted the name and location of towns in existence around 313 AD and earlier.³⁸⁷ Although his work was heavily weighted towards proving religious scripture, we can identify 139 Palestinian villages in existence since then by comparing their Roman and Arabic names in Palestine within the Armistice Line of 1949. Out of these, one hundred villages were depopulated and mostly destroyed by Israel in 1948.³⁸⁸ The remainder, 39, are still inhabited by Palestinians in Israel. Almost half of the 139 villages were mentioned by Eusebius and the rest by other Roman sources.

There are further 50 identified ancient Roman sites (*Khirbet*, i.e. old place, ruin) with names current in the first century AD and recognizable in Arabic till 1948. These sites have been largely erased and omitted from Israeli maps. **Map 4.9** shows the selected 100 villages and 50 ancient sites (*Khirbets*) in existence for 2,000 years and depopulated and/or erased only in 1948.

The Atlas shows 2260 ancient sites (*Khirbets*) of which 161 villages with the prefix of *Khirbet* were

378 Kletter, Raz, *Just Past?: The Making of Israeli Archaeology*, London: Equinox, 2006, p. 61.

379 Benvenisti, *Landscape*, *supra* note 232, pp. 270-305..

380 Kletter, *supra* note 378, p. 72.

381 Shai, Aron, *The Fate of Abandoned Arab Villages in Israel 1965-1969, History and Memory*, Volume 18, No. 2, Fall/Winter 2006, pp. 94-103.

382 Shai, *ibid*, p. 96.

383 Shai, *ibid*, pp. 96-101.

384 Moshe Ya’alon, the former Israeli chief of staff and a partner of Sari Nusseibeh in a political program lives in one of al Madhi family houses. The trees in his garden were planted by al Madhi before their expulsion.

385 See Benvenisti: *Landscape*, *supra* note 232, p. 169. There are

only few examples given by Benvenisti. There are hundreds more.

386 Kletter, *supra* note 378, pp. 150-162.

387 Eusebius, *supra* note 239, and caption of Map 4.9.

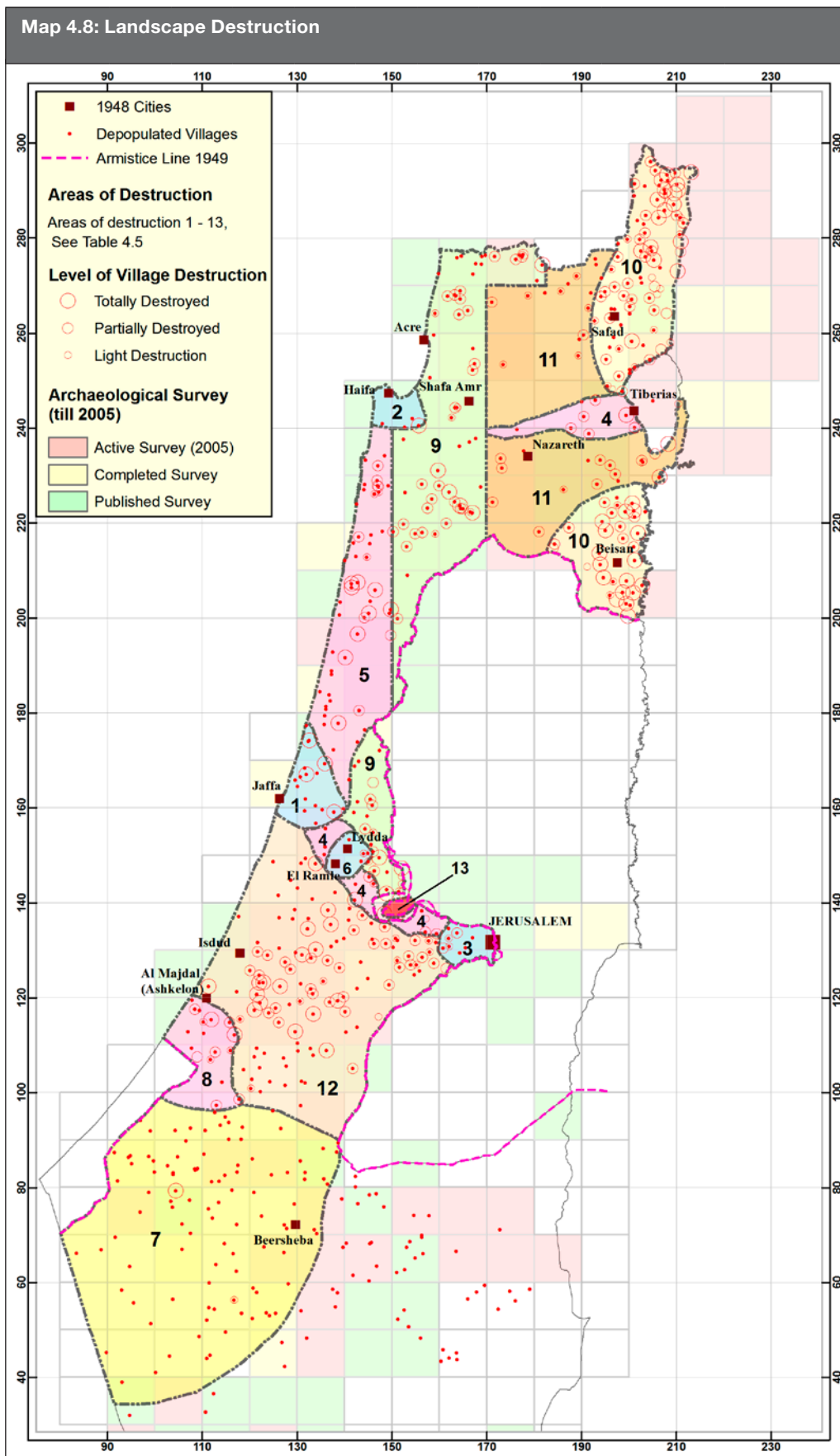
388 Most villages were destroyed. All or parts of the old quarters in towns and cities were also destroyed.

Table 4.5: Landscape Looting, Destruction and Re-Occupation

Area	Cities / Villages	Looting	Period	Destruction	Period	Replacement by Jewish Immigrants	Period	
1	Jaffa	Irgun, Hagana, Palmach went into an "orgy" of looting for 4 months. Remaining Arab notables asked for the return of their stolen property (£ 1.5 million). Irgun robbed Afghani and Ustinov arch. collections.	April-Aug 1948	More than 200 buildings destroyed by City Engineer	July 1949	Squatters placed in Arab quarters by Jewish Agency (JA).	July - Nov. 1948	
				Antiquities Dpt. fought against demolishing all old city.	Nov. 1949 - April 1950.			
	Manshiya destroyed	Mid 1970						
		Irgun, Hagana, Palmach and nearby Kibbutz looted villages for several months. Dayan robbed Tel Jerisha.	April-Aug 1948	In progress	upto 2007	Squatters placed in Arab quarters by Jewish Agency (JA).	Feb-May 1948	
	Yazur, Abbasia, Beit Dajan	Irgun, Hagana, Palmach and nearby Kibbutz looted villages for several months. Dayan robbed Yazur arch. sites	Various	In progress	started 1950's	Squatters placed in Arab quarters by Jewish Agency (JA).	October 1948 - June 1949	
2	Haifa	Nearly all movables looted. Jewish businessmen formed a committee to distribute Arab businesses among them.	April 1948 - Feb 1949	Some Arab quarters destroyed, eg. Faisal Street to Khamra (Paris) Square	July 1948	Squatters placed in Arab quarters by Jewish Agency (JA).	Summer 1948	
	Balad esh. Sheikh, al Tira	Looters descended upon villages from Haifa Jewish quarters	Summer 1948	Unknown		Squatters placed in Arab quarters by Jewish Agency (JA).	Summer 1948	
3	West Jerusalem	Wide spread looting of rich Arab homes by high level officials. Monasteries, Convents and Vatican Embassy collections robbed.	May 1948 - Early 1949	Unknown		Ninety percent of choice houses went to high Mapai officials.	Summer 1948	
	Lifta Ein Karem, El Maliha, Deir Yassin	Looting by soldiers and nearby Kibbutz.	Summer 1948	Various. Lifta is planned for destruction 2010.		Squatters placed by JA (except Lifta)	1948 -1949	
4	Jaffa - Jerusalem Corridor	Looting to the extent of peeling excellent stone from the walls of Arab homes in villages along the corridor.	1948	Destruction of all villages overlooking the highway and clearing rubble to hide the "embarrassing" evidence. By Public Works and ILA	1950's	Selected good houses for use by immigrants. (eg in Sataf).	1950's	
	Tiberias-Nazareth Corridor	Looting and vandalism by soldiers and nearby Kibbutz. Dr. Hart collection robbed.		Tiberias old city destruction started 24 Sept 1948. 642 out of 670 houses were destroyed. Three thousand year old stone with lion relief was destroyed. Destruction of all villages overlooking the road to Nazareth and clearing rubble to hide the evidence. By Public Works and ILA	1948	Jewish immigrants filling the void slowly.	1950-1960	
5	Coastal Highway	Looting and vandalism by soldiers and nearby Kibbutz. Tearing off windows, doors, tiles, pipes and irrigation equipment. Soldiers robbed Caesarea museum.	1948	Destruction of all villages overlooking highway and clearing rubble to hide the "embarrassing" evidence. By Public Works and ILA. Large destruction of 3 villages (Ijzim group) which resisted the attack, except good houses like al Madi's where former Chief of Staff Moshe Ya'alon lives.	1950's	Slow filling by Jewish immigrants.	1950's	
6	Lydda & Ramleh	Frenzy of looting. 1800 trucks loaded from Lydda houses. Army Battalion changed course to join looting. Valuables, jewellery stripped off expelled population.	July 1948	Lydda demolition started	Nov. 1949	JA requested immigrants' occupation of Arab houses in Ramleh	Approved 5 Nov 1948.	
				Old City of Lydda flattened	Mid - 1950	Ramleh settled ▶	Delay was to negotiate with King Abdulla. Lydda & Ramleh were in Arab Palestine state according to the Partition Plan.	14 Nov 1948 - March 1950.
				Ramleh	Various-dates	Lydda Settled ▶		15 December 1948 - March 1950.
7	Upper Beer Sheba District	All crops stolen or burnt.	Summer 1948	Wells, structures blown up (to prevent return of refugees).	1948 / 1949	Slow settlements. Military Kibbutzim established near Armistice Line.	From Spring 1949.	
						Beer Sheba town settlement started	Feb. 1949	
8	Bureir, Huj, nearby villages	Sporadic looting by soldiers and nearby Kibbutz.	Summer 1948	All houses blown up including mosques (to prevent return of refugees).	Early 1949	Slow settlements. Military Kibbutz established near Armistice Line. JNF expropriated the land.	1949	
9	Acre bay, West Marj ibn Amer (Esdraelon), North West Jaffa, adjacent to Armistice Line.	Sporadic looting by soldiers and nearby Kibbutz. Selbit arch. robbed. Galilee governor in Acre robbed arch. finds. Leijun (Megiddo) excavations by University of Chicago robbed.	Summer 1948.	Selected villages blown up (including al Zeeb). Destruction of Arab/Muslim monuments according to a plan recommended by Israel Archaeological Survey (see map).	1950's	JNF expropriated land. Slow settlement. Barrier of new Kibbutzim created at the Armistice Line to prevent return of refugees.	1950	
10	Galilee Panhandle, Beisan Valley	Looted during conquest by soldiers. Removal of building items, crops, cattle by Kibbutz.	1948	Total destruction	1950's	Slow settlement by expansion of existing Kibbutz.	1960's	
				Clearing rubble by ILA	1960's			
				Archaeological Survey to create favourable Jewish history and destroy Arab/Muslim sites (see map).	1950-1960			
11	Central Galilee	Looting by soldiers during expulsion. Sending men to forced labour camps.	Autumn 1948	Destruction of depopulated villages after approval by the Archaeological Survey to eliminate Arab/Muslim monuments. (see map)	1950-1960	Slow settlement in a largely Arab district.	1960-1970	
12	Gaza - Ramleh Districts	Looting by soldiers and nearby Kibbutz. Ashkelon column capitals, graves' marble stones robbed.	May - Nov. 1948.	Slow destruction (Julis remained intact till 1952). Sites are far from Armistice Line. Archaeological Survey took time to order demolition.	1950 - 1960	Very slow settlement except: Beer Sheba, Majdal, new Isdud. New "development" settlements built for Arab Jews.	1950's	
		Dayan robbed arch. finds in Isdud, Ashkelon and Yibneh	1950					
13	Imwas, Yalu, Beit Nuba	Looting by soldiers	June - July 1967	Destroyed by orders of Yitzhak Rabin	July 1967	Settlement part of West Bank colonization.	after 1967.	

Notes and Sources: This table is to be read in conjunction with Map 4.8. For sources and references see the text of Section 4.2.

4.3 Disposition of Palestinian Property



During its formative years, Israel was on the brink of bankruptcy. “The *abandoned* [Palestinian] property was one of the greatest contributions towards making Israel a viable state”.³⁸⁹ Cash contributions came from German reparations, US grants and Jewish donations. The *abandoned* Palestinian fields, orchards, vineyards, homes, shops, factories and businesses provided housing for many of the 684,000 Jewish immigrants who settled in the country from May 15, 1948 to December 31, 1951 and provided employment and economic sustenance for them.³⁹⁰ “The relative economic importance of Palestinian property [taken over by Israel] was largest from 1948 until 1953, during the period of greatest immigration and need”.³⁹¹

The plans to settle Jewish immigrants were prepared years ago, but were put into action after the Partition Plan resolution of November 1947 and before the massive expulsion of Palestinians.³⁹² With the rapid military conquest of Palestine from April 1948, various committees and laws were formulated to make use of the confiscated Palestinian property. It was necessary to import population to fill the void. Israel activated its program of sending Mossad agents to bring Jews in Arab countries to Israel, as European Jews preferred to immigrate to the US. These immigrants were persuaded by a mixture of rosy promises, incentives, and, for the reluctant ones, various acts of coercion, including throwing grenades at their houses.³⁹³

Of the 370 new Jewish settlements between 1948 and 1953, 350 were established on Palestinian property. In 1954 more than one third of Israel’s Jewish population (1,590,000 in total) lived on Palestinian property.³⁹⁴ The new immigrants settled in Palestinian urban areas, such as Jaffa, Haifa, Acre, Lydda, Ramle, Baysan and Majdal. In 1949, with the towns saturated with Jewish immigrants, new dozens of Palestinian villages were filled with additional batches of new immigrants.³⁹⁵

The Custodian of Enemy Property reported that he recorded in his register at one point “50,000 houses, 7,000 shops, 5,000 workshops, more than 1000 stores” in addition to the harvest which needed collecting, chicken, sheep and cattle which needed feeding.³⁹⁶ These figures are of course a gross underestimate³⁹⁷, but it indicates the volume of the Palestinian property in the hands of the Israelis after expulsion.

As indicated earlier, the famous citrus industry (Jaffa oranges) had a severe hit. The Arab property of 134,567 donums (54% of total citrus) had the potential to produce 8 million boxes worth £ 12 million (1947 prices).³⁹⁸ Its export was a boon to Israel’s foreign currency. As the pumps and equipment were looted by nearby Kibbutz and due to the absence of Arab owners and workers

inhabited till 1948. The rest had been inhabited at one time, or until 1948, as small hamlets. As the Atlas shows, these ancient sites are scattered mostly along the mountain ranges of Palestine. There are much fewer known sites along the coastal plain, not because it was uninhabited, but because the invading armies destroyed

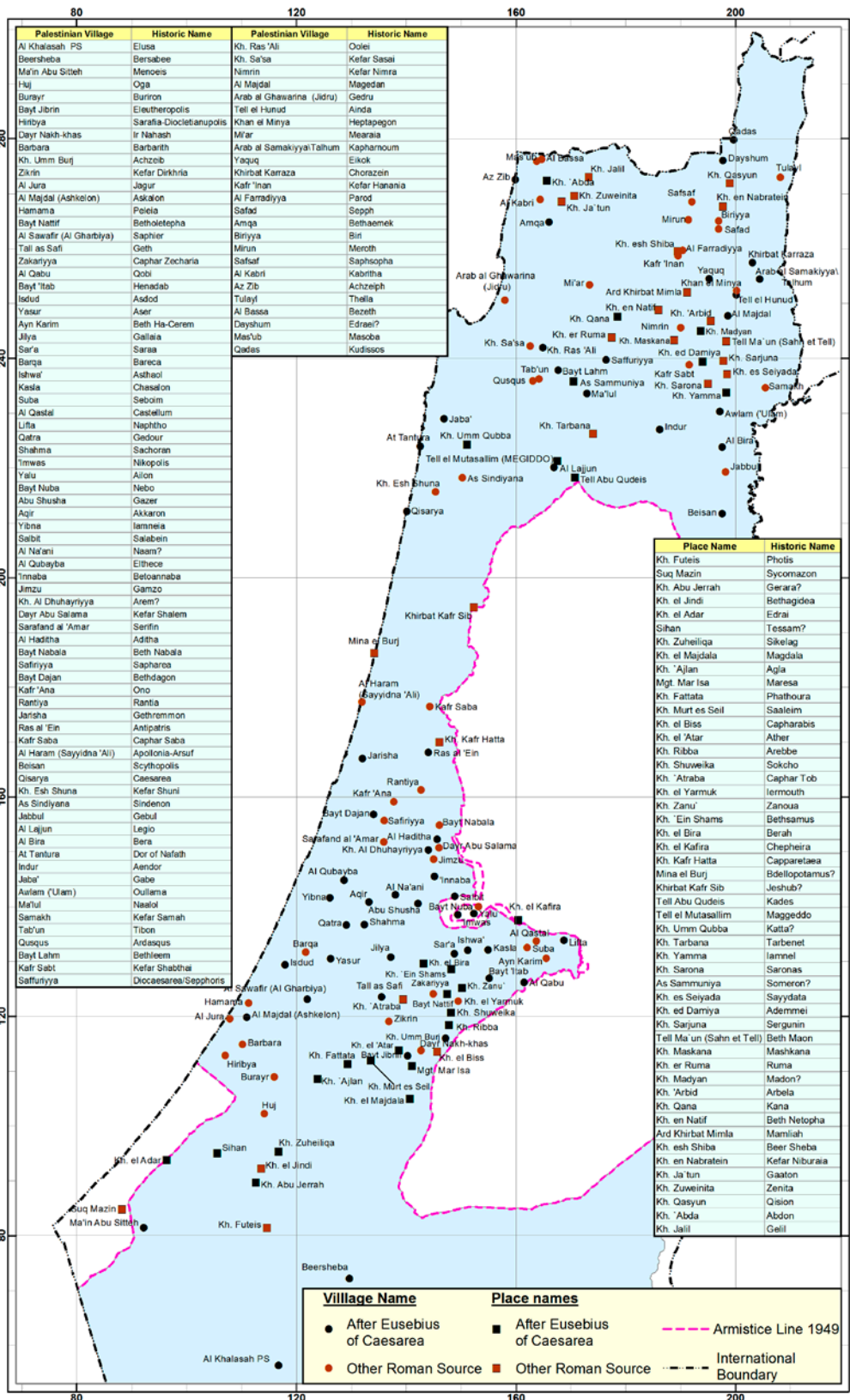
much of the landscape along the common route (*via maris*) from Cairo to Damascus. Similarly, Zionist settlement along the coastline under the British Mandate eliminated many of these names. Hence much less *Khirbets* are shown on the Mandate maps in this region as compared with PEF maps of 1871.

389 Don Peretz, *Israel and the Palestine Arabs*, Washington: Middle East Institute, 1958, p. 141, 143. Peretz is a Jewish writer who witnessed these events. He was a student at the Hebrew University before 1948, then a correspondent for NBC in 1948, with the Quakers relief in 1949 and with the Voice of America later. His book is based on his Ph.D thesis, Columbia University 1954. Most of the quotations herein are based on his book.
390 *Ibid* p. 141.
391 *Ibid* p. 143.

392 Benvenisti, *Landscape*, *supra* note 232, p. 119.
393 For details of terrorizing Arab Jews by Mossad see, Naeim Giladi, *31 The Link 2* (April-May 1998); and Marion Woolfson, *Prophets in Babylon: Jews in the Arab World*. London: Faber and Faber, 1980, pp. 186-190.
394 Peretz, *supra* note 389, p. 143.
395 Morris, 1987 Edition, *supra* note 242, p. 195.
396 Segev, *supra* note 275, p. 69, 71. See also *Ha-Arez*, June 15, 1951; 65,000 living units. Other figures on the number of living units

taken over by Jews are: *Ha-Boqer*, Novemebr 19, 1950: 77,070 apartments taken over by new immigrants; *Ha-Arez*, August 2, 1950: 7800 shops, offices, workshops and storehouses quoted in Peretz *supra* note 389, p. 143, n. 8.
397 Sayigh, Yousef, *The Israeli Economy*, Cairo: The Institute of Arab Studies, 1966 [Arabic].
398 Muslih, Ahmed (ed), *Shukri al Taji al Farouki Papers*, Amman: 1999, n.p., p. 16, 24, 110. Al Farouki was the leading Palestinian owner of citrus groves.

Map 4.9: Depopulated and Destroyed Historic Towns and Sites



Source of Historic Names: Freeman-Granville, GSP, Chapman III, R.L. and Taylor, J.E., *Palestine in the Fourth Century A.D. The Onomasticon by Eusebius of Caesarea*, Jerusalem: Carta, 2003, maps 1-8.
 Notes: Towns and sites in existence from about the first century AD until depopulated and destroyed in 1948 are shown. Not shown are 39 similar sites/towns which are still inhabited, although parts of or all old quarters were destroyed by Israel.

who maintained the citrus groves, only 34,000 d. were cultivated in 1953.³⁹⁹ The olive produce of Palestinian plantation which represented 99% of all olive plantations ranked Israel's third largest export in 1949, although not all cultivated were cared for and exported.

As to Palestinian land itself, the neighbouring Jewish settlements took over the land nearest to them without proper authority, even if the owners were still in the country. In Acre and Shafa Amr, many Palestinians were not permitted to cultivate their lands. Villages like Saffuriya were moved by

the army after the end of hostilities and their land was turned over to the Jews.⁴⁰⁰ Most villagers in Tur'an, Nazareth, Ma'lul, Andur, al-Mujaydil, Ilut, to quote a few, were declared "absent", although they were in the neighbourhood. Their property was "robbed without shame" and their land was taken over by the Custodian.⁴⁰¹ Many Palestinians were taken to labour camps, declared "absent" and their property was turned over to the Custodian.⁴⁰²

Jewish squatters on Palestinian property were not removed. Neither were released Hagana soldiers who took over Palestinian property. The biggest beneficiary of the plunder was the Jewish Agency which took over Arab houses and allocated them to Jewish immigrants. In one building, Arabic, German, Russian, Polish, Rumanian, Bulgarian, Spanish and French languages spoken by immigrants were heard while they were fighting for Arab apartments.

Nobody took the same care of the houses as the original owners. They started to deteriorate. The government found their repair too expensive (due to inflated costs and grafts) against an almost negligible rent. Yet it was decided from "patriotic" view that some houses must be kept (rather than returned to their owners).⁴⁰³

The seizure of all property by squatters, soldiers, the Jewish Agency and JNF, before the Custodian could reach it, was legalized retroactively. When the Custodian took office in mid-July 1948, he already found that Arab sections of Haifa and Jerusalem were already occupied. In Haifa, Palestinian businesses were distributed by a committee of Jewish businessmen and the government.

The Custodian was accused of favouritism by one member of the General Zionists Party by distributing 90% of the Palestinian property, especially the choicest buildings, to Mapai-controlled agencies, Histadrut's Solel Boneh and to clerks in his office at prices lower than 50% of the market value. Of 135,000 d. of Palestinian groves, only 66.5 d. were offered for public auction.⁴⁰⁴ Further, 3,000 d. of citrus groves were taken over and cultivated by individual Jews without knowledge of any authority. Furious debates took place in the Knesset about the distribution of war spoils.

In spite of confiscation of the larger part of their property, the remaining Palestinians, cultivating in 1953 only half a million donums, supplied 30% of the grain, 40% of the vegetables and 100% of olives and tobacco of Israel's production. Despite their large contribution to agriculture, Israel government refused to restore the untilled land to 30,000 internally displaced Palestinians, who were denied the right to return to their homes within the country.⁴⁰⁵

In the first three years after *al Nakba*, millions of donums of Palestinian land were under the authority of the Custodian but only two and a half million donums were cultivated. A step taken to legalize the *de facto* occupation of land by settlers was the purchase of this land by the Development Authority from the Custodian, without disturbing

399 Israel Government Yearbook, English edition, 5714 (1953-54) p. 142.
 400 Peretz, *supra* note 389, p. 153
 401 Peretz, *ibid* p. 153. The case of Tanus Ilyas al-Asker is typical of thousands of cases of remaining Palestinians. Although he was a legal resident of Haifa and had an Israeli identity card, he was declared 'absent' by the Custodian who took over this home and shop. The court ruled that he was declared absent "only

to deprive his elementary rights [of ownership]." It is not known whether he received his property back. There is also the case of Abed el Al of Umm el Faraj. He was declared an "infiltrator" and expelled because he refused a proposal from the military to exchange his rich land for an inferior parcel in another area. Nearby Kibbutz were waiting for the outcome to increase their holdings from his land. Peretz, p. 178.
 402 Peretz p. 154.

403 Peretz p. 163.
 404 Peretz p. 176. Also, Haaretz March 29, April 12, 1957, cited by Peretz p. 177.
 405 It maintains this position to this day. It is worth recalling that Israel's admission to the UN in May 1949 was unique in that it was conditional upon the return of refugees (Resolution 194) and withdrawal to the lines of the Partition Plan (Resolution 181).

its actual occupiers in any way.⁴⁰⁶ At the end of 1952, the Custodian claimed to hold under his direct authority one and a half million donums, but 12,324,000 donums of Palestinian property were still unaccounted for.⁴⁰⁷ It became apparent there was a need to create a pseudo-legal framework to justify the confiscation.

4.4 Political & Fictitious Legal Formulation to Seize Palestinian Property

Soon after the state of Israel was declared on May 14, 1948 and following the position taken by the UN mediator Count Folke Bernadotte who demanded the return of the refugees, the Provisional Government of Israel stated publicly that it would not allow any refugee to return before a peace treaty was signed, on the pretext that these refugees would be a “security threat.” Even after the fighting stopped, Israel refused to re-admit the refugees. The problem remained for Israel how to keep away the refugees and how to use their confiscated property.

On July 15, 1948, a mere two days after the expulsion of 70,000 inhabitants of Lydda and Ramle and looting of their property, the Minister of Finance was appointed as the head of the so-called “Custodian of Abandoned (read: Refugee) Property. The Ministry of Agriculture was allowed to “lease” refugee land to new settlers in Kibbutzim. On August 20, 1948, the Ministerial Committee decided to expropriate their property. On the basis of a JNF previously prepared plan, 120,000 donums were immediately confiscated in order to settle new settlers.

The legal formulation at this stage was under intense consideration. With more occupied land by the week, the situation on the ground was changing rapidly. The fear of international pressure to force the return of the refugees was considered real. All this required a careful legal treatment of confiscation which could be justified.

The first law passed by the Knesset was the “Abandoned Property Ordinance” of June 21, 1948, and was made retroactively valid on May 16, 1948, just two days after declaring the state of Israel.⁴⁰⁸

Three days later, a second law defined the “Abandoned Area” to mean any conquered area or place, whether by force, surrender or flight of inhabitants. This included areas which were not ‘abandoned’ or deserted, even areas where inhabitants remained. The law allows Israel to seize everything on the land, buildings and their contents, crops, cattle, supplies and all else. The Minister of Finance was authorized to confiscate any of these assets at will.

A third law put the confiscated land into use. The “Emergency Regulations for the Cultivation of Fallow Land and the Use of Unexploited Water Resources” of October 11, 1948 allowed the Minister of Agriculture, retroactively to the expulsion date of a village, to allocate its land to Jewish settlers for their use. Moreover, the law allowed the Minister to determine if any land was uncultivated (because the owner-farmer had been expelled) and therefore his land was defined as a “wasteland”, to be used for 35 months by the settlers, later extended to five years.

All this formulation culminated in the Emergency Regulations (Absentees’ Property) of December 2, 1948. As Fischbach noted⁴⁰⁹,

These regulations shifted the legal definition of what constituted abandoned land from the land itself to its owners: instead of declaring land to be “abandoned”, owners were now declared “absentees” whose property could be seized by the state.

The Absentees’ Property Law

Under American pressure, Israel agreed to comply with resolution 181 (Partition Plan) and resolution 194 (return of the refugees) in order to be admitted to the UN. Two days after its admittance, Israel reneged on its obligations. Israel thus caused the failure of the Lausanne negotiations, supervised by the UN Conciliation Commission for Palestine (UNCCP) to facilitate the return of the refugees. Israel found itself free to formulate a comprehensive law for the seizure of Palestinian property and the Absentees’ Property Law of March 14, 1950 was promulgated.⁴¹⁰ It is the most fundamental settler’s law created for the seizure of Palestinian land. The definition of “Absentees” was designed to include all Palestinians who were expelled or fled to escape the terror of massacres. In this situation, Israel created the condition termed as “Absentee”. The term referred to the owner of the property to be seized, not to the property itself.

This term is so convoluted that it not only describes the Palestinian refugees who were expelled to Arab areas but those who remained in the area occupied by Israel. They were given the oxymoron term of “Present Absentees”.⁴¹¹

The Absentees may be a company, a society, a charity or any grouping. Absentees include non-Palestinian Arabs or non-Arabs if not Jews. Absentees could be Britons or Canadians who were property owners residing in Palestine, but these cases were treated differently and compensation was paid for them, if they were not of Arab extraction. Jews from Arab countries who owned property in Palestine (technically Absentees) recovered their property when they immigrated to Israel.⁴¹²

The law required any one in possession of Absentee property to notify the Israeli authorities. The law prohibited a Palestinian refugee outside Israel to sell or hand over his property to someone remaining in Israel. But it validated the actions which the authorities deemed to have dealt with absentee property in “good faith”. This unexpected leniency allowed collaborators to acquire/purchase/hold power of attorney for the property of refugees’ land and pass it on to the Custodian in a legally approved manner.⁴¹³

The law appointed a Custodianship Council for Absentees property, presided by the Custodian of Absentees’ Property. He has control over 93% of Israel’s area, wrenched from Palestinian hands in the Israeli conquest of 1948/49.

Although the Absentees Law did not care to verify the legal ownership of the seized land and immovable property on it, it covered this eventuality by creating new laws to make sure any land on which Palestinians lived, used or controlled in Palestine, such as communal lands, hills, seasonally cultivated land or grazing land, may be seized by Israel. What was important was the seizure of the property, not the identity of its owner, who is separated from it.

Confiscation under any Name

The Emergency Regulations (Cultivations of Waste [Uncultivated] Lands, Extension of Validity) Ordinance of 1949 empowered the Minister of Agriculture to seize ‘uncultivated’ land if he “is not satisfied that the owner of the land has begun or is about to begin or will continue to cultivate the land”. The law does not allow for the case when the expelled owner was not allowed to return to cultivate his land. It leaves to the Minister’s discretion to decide if a land is a “waste” land, regardless of the reason.

If the owner is in Israel, he may be prevented from cultivating his land by declaring it a “closed area.” Art. 125 of the Defence (Emergency) Regulations of 1945, created by the British Mandate and extended by Israel to this day, primarily applied against its Arab citizens, empowers the Military Governor to declare specified areas “closed areas”. This was very effective in preventing farmers who remained in Israel from returning to their fields. They are, however, offered the option to renounce their property and receive “compensation” riddled with fees, charges and costs.

If that fails, there is another device, namely to declare the land in question a “Security Zone”. The Emergency Regulations (Security Zones) Extension of Validity No. 2 of 1949 empowered the Minister of Defence to declare all or part of a strip of land extending 10 km north, and 25 km south, of the 31st parallel, along the whole frontier, a “Security Zone”. Under these regulations, nearly half of Galilee, the Little Triangle, and whole Southern Palestine, in which there are many Arab villages,

406 Peretz, *supra* note 389, p. 181.

407 This adds up to only 13,824,000 d. Actual Palestinian property is 18,825,938 donum. See Section 2.9.

408 Fischbach, Michael, R., *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict*, New York: Columbia University Press, 2003, p. 19.

409 Fischbach, *supra* note 408, p. 21.

410 Jiriys, Sabri, *Palestine Year book of International Law (PYIL)*, Al Shaybani Society of International Law Ltd, 1985, Vol. II, pp. 18-36. (Definition of Absentee). The Absentees’ Property Law of 5710/1950 (4 Laws of Israel) states in Article 1 (b) that “absentee” means: a person who, at any time during the period between 29th November, 1947 and the day on which a declaration is published, under section 9 (d) of the Law and Administration

Ordinance, 1948, that the state of emergency declared by the Provisional Council of State on the 19th May, 1948 has ceased to exist, was a legal owner of any property situated in the area of Israel or enjoyed or held it, whether by himself or through another, and who, at any time during the said period-

(i) Was a national or citizen of the Lebanon, Egypt, Syria, Saudi Arabia, Trans-Jordan, Iraq or the Yemen, or
(ii) Was in one of these countries or in any part of Palestine outside the area of Israel, or
(iii) Was a Palestinian citizen and left his ordinary place of residence in Palestine
(a) for a place outside Palestine before the 1st September, 1948; or
(b) for a place in Palestine held at the time by forces which

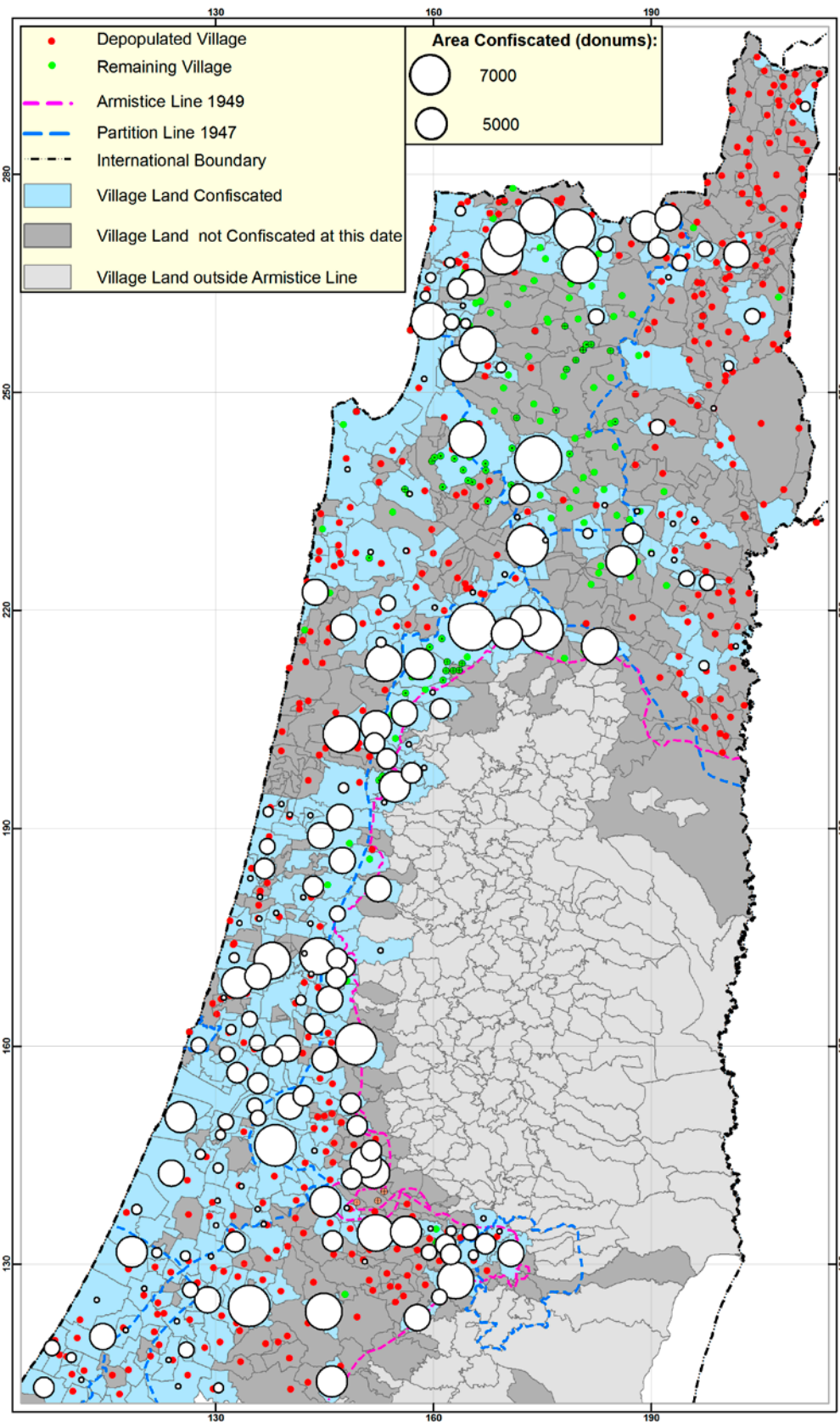
sought to prevent the establishment of the State of Israel or which fought against it after its establishment.

411 Don Peretz, *Israel and the Palestine Arabs*, Washington: Middle East Institute, 1958, p. 152. As Don Peretz pointed out: Every Arab in Palestine who had left his town or village after November 29, 1947 was liable to be classified as an absentee under the [Absentees’ Property] regulations. All Arabs who held property in the New City of Acre, regardless of the fact that they may never have travelled farther than the few meters to the Old City, were classified as absentees. Any individual who may have gone to Beirut and Bethlehem for a one-day visit, during the latter days of the Mandate, was automatically an absentee.

412 Fischbach, *supra* note 408, pp. 24-25.

413 Fischbach, *supra* note 408, p. 26

Map 4.10: Confiscated Land in 1953/1954



Note: For sources, see Table 4.6

Table 4.6: Land Confiscated by Israel in 1953/1954

S No.	District Name	No. of mentioned Towns/Villages	No. of confiscated Built Up Areas	Area Confiscated (Donums)
1	Safad	32	23	44,216.15
2	Acre	28	11	150,028.14
3	Haifa	32	21	61,431.60
4	Tiberias	19	11	8,622.30
5	Nazareth	11	3	89,906.88
6	Beisan	9	0	9,789.97
7	Jenin	7	0	101,723.06
8	Tulkarm	41	0	141,020.00
9	Nablus	0	0	-
10	Jaffa	28	0	75,119.88
11	Ramleh	56	0	150,585.80
12	Ramallah	0	0	-
13	Jerusalem	18	0	104,474.10
14	Gaza	47	0	57,607.58
15	Hebron	4	0	50,693.45
16	Beer Sheba	0	0	291,152.80
	Total confiscated	332	69	1,336,371.70

Source: Updated Adalah compilation of data at: [http://www.adalah.org/features/land/Letter_re_Absentee_Property_English\[1\].doc](http://www.adalah.org/features/land/Letter_re_Absentee_Property_English[1].doc)
See also an earlier version of data in: Jiryis, Sabri, *The Arabs in Israel*, New York: Monthly Review Press, 1976, Table 5, pp. 292 – 296.

To seal the various acts of land seizure under these laws, it was decreed that all acts of land seizure before the promulgation of these laws are valid even if they took place before, or contrary to, these laws. The Land Acquisition (Validation of Acts and Compensation) Law of March 10, 1953 was enacted to bestow legality on all previous seizure of the land.

The powers conferred on the Israeli authorities by this Law were very extensive, and enabled them to ratify any act of illegal expropriation of any property, for the Law stipulates that, if the Minister of Finance issues a certificate signed by himself, in which he declares that a property is one to which three stipulated conditions apply, such a certificate, by the mere fact of its being signed by the Minister of Finance, even if its contents are not true, is enough to alienate the ownership of any land and transfer it to the Development Authority.

Confiscation Orders Issued

During the first few years (1953/1954) after the Law was passed, the Minister of Finance in fact issued hundreds of certificates that were published in the Israeli Official Gazette, for the confiscation of 1,336,371 donums of the land of 332 Arab villages.⁴¹⁶ See **Table 4.6** and **Map 4.10** for summary of land confiscation in this period. The land was evidently regarded as absentees' property. This area included land that was the property of villages whose inhabitants remained in Israel. These confiscation orders by no means represent the extent of the eventual expropriation of Palestinian land.

may be declared a "Security Zone".⁴¹⁴ Security Zone means that anyone who does not habitually live there is forbidden to enter without a permit. Those who live there may be expelled and must leave within 14 days.

Still there were more tools for land seizure. The Emergency Land Requisition (Regulation) Law of 1949 was designed to secure the *evacuation*

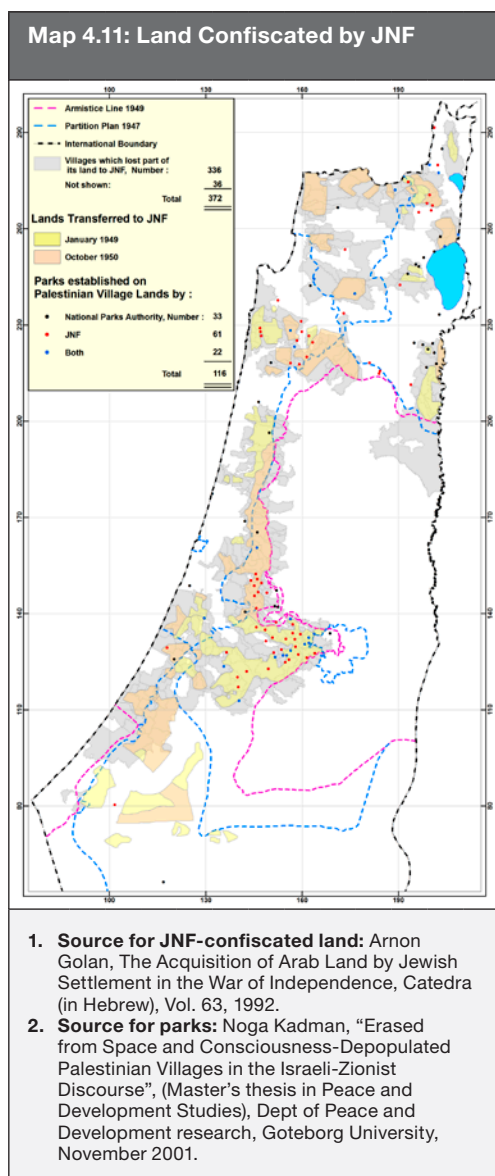
of houses, buildings and premises to provide accommodation for the new Jewish immigrants. According to Article 3 of the Law, the "competent authorities can issue a "housing order" to seize any property if needed "for the defence of the state, public security, the maintenance of essential supplies or essential public services, the absorption of immigrants or the rehabilitation of ex-soldiers or war invalids".⁴¹⁵

414 Jiryis, *The Palestine Yearbook of International Law (PYIL)* supra note 410, p. 23. See also Bisharat, George E., *Land, Law and Legitimacy in Israel and the Occupied Territories*, The American University Law Review, Vol. 43, pp.467-591, 1994. A detailed legal examination of Palestinian property seizure up to 1973

is given by: Boling, Gail J., "Absentees Property" *Laws and Israel's Confiscation of Palestinian Property: A Violation of UN General Assembly Resolution 194 and International Law*, The Palestine Yearbook of International Law, The Hague: Kluwer Law International, Vol. XI, 2000/2001, pp. 73-130.

415 Jiryis, *Ibid*, p. 25.

416 Details were compiled by Adalah: www.adalah.org/eng/pressreleases/pr.php?file=09_06_22.



Religious property was not immune from confiscation. The property of the Islamic trust overseeing religious buildings, farmland and property bequeathed for charitable purposes, *wakf*, was confiscated by the Custodian of the Absentees Property, probably on the assumption that 'God is absent', as local people quipped. *Wakf* property amounts to one tenth of the land in Palestine. The Custodian, however, returned most land belonging to the Christian churches. In contrast, Israel divided Islamic *wakf* into two categories:

(i) "religious" *wakf*, e.g. mosques, cemeteries, and (ii) "secular" *wakf*, e.g. shops, houses, fields. The Custodian "sold" the secular *wakf* to the Development Authority and the Jewish National Fund (JNF).⁴¹⁷

A New Diversion

So far the seizure of Palestinian land did not imply revoking or annulling the title deed of the original owner, forced to be "Absent". New legal devices were invented to create a barrier between the land owner and his land seized by Israel. Significant among them were the Absentees' Property Law and the Development Authority (Transfer of Property) Law, adopted in March and July 1950 respectively. As stated before,

Table 4.7: List of Refugees' Land 'sold' to JNF in January 1949 and October 1950 (The 1st and 2nd million) and their Usage

Region	Donums
Jerusalem corridor	2,000
Northern Negev desert	250,000
Coastal Plain	150,000
Sharon Plain	150,000
Sub TOTAL	552,000
Total Incl. Hula Basin and near Baysan	1,101,942
Location of JNF "First Million" donums	
Usage	Donums
Completing construction of new settlements	500,000
Expanding existing settlements	500,000
Afforestation	160,000
Various agricultural purposes	100,000
Settlement housing	16,200
Urban housing	2,000
Total	1,278,200
JNF-Usage of the "Second Million" donums	
Grand Total	2,380,142

Source: Granott Agrarian Reform, pp. 107-111

the former authorized the appointment of a Custodian of Absentees Property under whose control the abandoned properties were placed and who was broadly empowered to administer them. Effectively he was given the rights of an owner and was made liable to the absentees for the value (subsequently fixed by another statute to the 1948 value) of their properties, but not for the return of the latter.

To avoid the accusation of "confiscation of the abandoned property", Israel resorted to a "sort of legal fiction". Under the Development Authority Law, it set up an "independent body, separate, as it were, from the government with its own administration", to which the Custodian of Absentee Property transferred the properties. The same law empowered the Development Authority to do virtually anything with them, including selling them. The latter however was restricted: (1) any sale required the consent of the government; and (2) sale of land could be effected only to (a) the state, (b) the JNF, (c) local authorities, if it was urban land and only if it had first been offered to and declined by the JNF, and (d) a proposed "institution for settling landless Arabs". Such an institution was never established, and most of the abandoned lands were in due course 'sold' to the state and the JNF.⁴¹⁸

With the Development Authority established in July 1950 and under an agreement made in 1953, the Custodian transferred immovable property under his control to the Development Authority. This Authority was intended as a shield between the legal owners (the Absentees), and indeed the whole of the Palestinian community, and the Jewish settlers on this land, with the advantage that the settlers' newly acquired title was "immunized from legal claims".⁴¹⁹

Land Confiscated by JNF

Following the passage of UN Resolution 194 of December 11, 1948, which endorsed the refugees' right of return, Ben Gurion entered into a fictitious sale agreement with JNF for the latter to "buy" refugees' land. The objective was to keep this land under an international (Jewish) organization, not under Israel government, to avoid international pressure to force the return of the refugees to their land.⁴²⁰

On January 27, 1949, the two sides finally concluded a major deal by which the JNF would 'purchase' 1 million donums of refugee land.⁴²¹ American Jews were crucial in providing funds with which the JNF could 'purchase' land. Between 1910 and mid-1948, American Jews donated, through United Jewish Appeal, a total of \$85,760,732, which is several times normal Palestine's GDP. British, Canadian and South African Jews contributed a further \$9 million.⁴²²

Execution of the deal with the state and the JNF's usage of the land took some time. Between signing the deal on January 27, 1949 until March 31, 1954, the state had 'legally' transferred only 35.9 percent of the land, or 396,149 donums. For its part, the JNF had put to use only 770,271 donums of the land it 'bought' by the end of 1952.⁴²³

A second sale was finalized on October 4, 1950 involving the transfer of an additional 1,271,734 donums by the Custodian of Absentee Property on behalf of the Development Authority to the JNF, 99.8 percent of which (1,271,480 donums) was rural land. Granott later placed the amount at 1,278,200 donums. Although the transaction is made to look like a *bona fide* sale, it seems the purchase amount was never paid by JNF.⁴²⁴

Table 4.7 shows details of both fictitious sales. **Map 4.11** shows the approximate location of the Palestinian land transferred to JNF through the fictitious sale agreement concluded in 1949 and 1950 with the Israeli government. The map also shows the approximate location of the transferred land and the location of about 100 JNF parks planted over it. The land of 372 depopulated Palestinian villages (5,687,342 donums) has been wholly or partially taken over by JNF. The number of the registered refugees from these villages is 2,191,556 refugees (2005) in exile, or 54% of UN-registered refugees.

The Dispute between JNF and the State

In the first ten years of Palestine occupation (1950-1960), a legal quarrel ensued between the Jewish National Fund (JNF) and new Israeli government. JNF had been purchasing land in the Mandate period in the name of "the Jewish People." Israel's government seized the Palestinian land and intended to acquire title to it in the name of the 'state' in recognition of "the triumph of the *Haganah* and the flight of the Arabs".⁴²⁵ The JNF maintained that such land should be turned over to "the Jewish people", not the state, since the latter, given the

417 Cook, Jonathan, "Disappearing Palestine: Israel's Experiments in Human Despair", London, Zed Books, 2008, footnote 60, p. 255-256. See also Dumper, Michael, *Islam and Israel: Muslim Religious Endowment and the Jewish State*, Washington DC: The Institute of Palestine Studies, 1994, p. 36.

418 Lehn, Walter and Davis, Uri, *The Jewish National Fund*, London and New York: Kegan Paul International, 1988, p. 131.

419 Abu Hussein, Hussein and McKay, Fiona, *Access Denied: Palestinian Land Rights in Israel*, London: Zed Books, 2003, p.72.

420 For full details of this "sale" of refugees' land see the report:

<http://www.plands.org/JNF%20Report1.pdf>.

421 However JNF's report to the 23rd congress of the WZO in 1951 stated the amount at 1,109,769 donums: 1,085,607 (rural) and 24,162 (urban).

422 An unlikely source of vital funding was provided by American banks. The Bank of America National Trust and Saving Association of San Francisco gave JNF a loan of \$15 million. The Bank of America provided the loan on June 9, 1949. It is unusual for a bank to extend a loan to a British entity (JNF) to establish settlements in a foreign country (Israel) on a land that neither JNF nor Israel legally own.

423 This triggered the confiscation order by the Minister of Finance of lands listed in Table 4.6 and Map 4.10 herein.

424 Evidence of this is quoted by Fischbach, *supra* note 408 p. 65: Granott, *Agrarian Reform*, pp. 108, 111; Lehn and Davis, *Jewish National Fund*, *supra* note 418, p. 132; FO 371/82257, Tel Aviv to Foreign Office, November 14, 1950; *Yediot Aharonot*, August 31, 1999 in: David Blougrund, *The Jewish National Fund*, Policy Study No. 49, Washington and Jerusalem: Institute for Advanced Strategic and Political Studies, 2001, p. 7.

425 Lehn and Davis, *supra* note 424, p. 108.

Table 4.8: Palestinian and Jewish Land Held by ILA

S No.	Holder of Land Area	Area (sq km)-Ref. 1	Area (sq km)-Ref. 2	Area (sq km)-Ref 3
1.1	Privately held by Jews	801		
1.2	Total privately held (Arabs and Jews)	1,668	1,480	
2.1	JNF acquired – January 1949			1,102
2.2	JNF acquired - October 1950			1,272
2.3	Total JNF after 1948			2,633
2.4	Total JNF		3,570	
3	Development Authority (DA)	uncertain		
4	Total State Land & DA	18,754	15,205	
5	Total under ILA	18,754	18,775	19,281
6	Total Area of Israel	20,422	20,255	
7	Year	1949	1962	2000

Notes:Ref 1: Abu Hussein, Hussein, *Access Denied: Palestinian Land Rights in Israel*, London: Zed Books, 2003, p. 135.Ref 2: Lehn, Walter and Davis, Uri, *The Jewish National Fund*, Kegan Paul International, London and New York, 1988, p. 114.

Ref 3: ILA report 2000, quoted by Abu Hussein (Ref. 1), p. 150.

prevailing shaky political and demographic conditions at the time, cannot give adequate guarantee of lasting Jewish ownership.

The dispute was settled on July 25, 1960, by formulating the following laws:

Basic Law: Israel-Lands, Israel-Lands Law and Israel-Lands Administration Law. 'Israel' means Israel government, not the Jewish people. The JNF rules, of restricting transactions to Jews only, have been adopted by the state. Palestinian lands, whether acquired by JNF or seized by the state, would be administered by a single authority, Israel Land Administration (ILA), for the benefit of both parties under the old JNF rules of exclusive use by world Jewry. Thus, ILA administers 93% of Israel's area, which is predominantly Palestinian property. These lands are leased to Jewish tenants. None of these tenants has a title to the leased land. The original lease term was 49 years, renewable.

Table 4.8 shows various estimates of lands under ILA control, which various from 18,754,000 to 19,508,000 donums, (the latter figure is posted on the official ILA website), which shows a steady increase of confiscated land. The total land held by JNF after land 'sale' is 3,124,000 donums but it is shown to be 3,570,000 donums (Ref: 2 in Table 4.8) and is frequently quoted as 13% of Israel's area, or 2,633,000 d. This shows additional 446,000 or 491,000 donums acquired by JNF by unexplained means, which could be another 'sale' of Palestinian land. Other than 750,000 donums purchased by JNF during the Mandate, the rest of the land held by JNF is Palestinian.

The Basic Law: Israel Lands of July 19, 1960 overrules all other laws. Its aim is to legalize the seizure of Palestinian land, to prevent its possible sale at any time in the future and to prohibit its

use by any non-Jewish entity. The Israel Land Law, which followed six days later, allowed the transfer of lands to the Development Authority or to other parties in exceptional circumstance, which were rarely invoked. On the same day, the Land Administration Law of 1960 was passed. Its purpose was to administer all seized land on the same principles as JNF rules.

The Israel Land Council was formed to administer the land under Israel's control. The council has 22 members, 10 of them from JNF. This Council supervises the function of ILA. Such was the culmination of a 10-year dispute between JNF and the state. The agreement between the two was legalized in the "Covenant" signed on November 28, 1961, between JNF (Keren Kayemeth Leisrael) and the State of Israel with the sanction of the World Zionist Organization.

The final result of these legal devices is that the seized refugee land is made available to any Jew around the world, even if he is not an Israeli citizen and not available for a Palestinian even if he is an Israeli citizen.

Confiscation of Beer Sheba Land

On another front, Palestinian land seizure continued unabated. In one swoop, Israel confiscated 12,500 sq. km in Beer Sheba district with the exception of isolated tracts of land, on the pretext that these lands were uninhabited, uncultivated and were therefore *mewat* land according to the 1858 Ottoman Land Code. The 1969 Land Rights Settlement Ordinance defined all land in Beer Sheba district, in addition to other areas elsewhere, to be "state land". Thus, under this single Ordinance, more than 61% of Israel's area was seized by the state.⁴²⁶

The occasion of signing the Peace Treaty between Egypt and Israel in 1979 was another pretext to seize land in Beer Sheba district. The pretext was to relocate airbases, which were established in occupied Sinai, inside Beer Sheba District. The Negev Land Acquisition (Peace Treaty with Egypt) Law was passed by the Knesset in 1980 to fulfill this purpose.

The Israeli claim that the land of Beer Sheba district is *mewat* or *terra nullius*, a land owned by no one, is historically, factually and legally false. Beer Sheba land was cultivated and privately-owned for several centuries. The Ottoman Tax Register of 1596 listed localities in the district, their population, their produce and tax they paid.⁴²⁷ About the end of the Ottoman period, a committee from the Ottoman Ministry of Interior, which had jurisdiction over Jerusalem district including Gaza and Beer Sheba, delineated private land property within an area of 5,000 sq. km.⁴²⁸ The Shari'a Court of Jerusalem, just before WWI, issued powers of attorney to individuals to buy, sell and settle disputes about land property in Beer Sheba.

The British Mandate recognized private ownership in the district.⁴²⁹ In fact, the British Mandate asserted Arab ownership and denied Jewish claimed ownership, according to Land Transfer Regulations Ordinance of 1940.⁴³⁰ The official Mandate map of State Land does not classify lands in Beer Sheba district as State Land.⁴³¹ Moreover, the Mandate government encouraged cultivation and provided fodder and equipment to help farmers in years of drought.⁴³² The official Survey of Palestine in its concluding report did not assume that Beer Sheba land is *mewat*.⁴³³

Israel's claim that this land is *mewat*, uninhabited, according to article 103 in the Ottoman Land Code of 1858 is refuted by serious research.⁴³⁴ It is ironic to observe that had Israel not committed its ethnic cleansing in 1948, Beer Sheba population would be today around three quarters of a million people, rendering the Israeli argument of uninhabited land meaningless. Now, only 20% still live there, which is still a sizeable number.

Confiscation of West Bank Land

The Israeli occupation of the West Bank and Gaza in 1967 accelerated the confiscation of Palestinian land, not only within the 1949 Armistice Line, but also in the 1967 occupied land. The same convoluted process of land seizure through legal formulation has been used, this time through Military Orders.⁴³⁵ The West Bank settlements including those in Jerusalem are a clear manifestation of land confiscation.⁴³⁶ This confiscation is the subject of numerous political statements and media reports, but none of these succeeded in stopping these illegal settlements.

426 Off the Map: Land and Housing Rights in Israel's Unrecognized Bedouin Villages, HRW report, Vol. 20, No. 5 (E), March 2008.

427 Huteroth W.D. and Abdul Fattah, Kamal, *supra* note 108. See also Table 1 in: http://www.plands.org/store/writing/BS_report_2009.pdf.

428 Turkish Archives IMMS, 122/5229 dated 4 May 1891.

429 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.

430 See district commissioner's report: "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", *Political Diaries of the Arab World – Palestine and Jordan, 1945-1946*, Vol. 8, Archive Editions, Reading, UK, 2001, p. 228.

431 See Map 2.11 (State Domain).

432 *Supra* note 226.

433 The report states: "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*", Survey of Palestine, Vol. I, Chapter VIII, paras 77, 82, pp. 256-257.

434 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). See also: *The Denied Inheritance: Palestinian Land Ownership in Beer Sheba*, at this link: http://www.plands.org/store/writing/BS_report_2009.pdf.

435 Raja Shehadeh, *The Occupiers' Law: Israel and the West Bank*, Washington: The Institute of Palestine Studies, 1985.

436 See <http://ochaonline.un.org/>; <http://www.arij.org/>; <http://www.btselem.org/English/index.asp>

The International Court of Justice, the highest court in the world, in its Advisory Opinion of July 9, 2004 decided that the West Bank, including Jerusalem, is an occupied territory and that the [Apartheid] Wall must be dismantled and the owners of confiscated land compensated.⁴³⁷ The UN General Assembly endorsed the Advisory Opinion and the Secretary General set up an office to measure and evaluate damages due to the construction of the Wall. But no tangible results were observed.

Unchecked, neither by international law, nor by pressure from USA and European governments, Israel went further than simply continuing its steady confiscation of Palestinian land in the West Bank. An Israeli court issued a judgment that the Absentees' Law is applicable in the West Bank as it is in Israel of 1948. The Israeli court's decision "implies Israeli law applies to several Palestinian villages east of the 1967 borders [meaning: the 1949 Armistice Line], as well as applying to Israelis living in the disputed (*sic*) territory... [which] means that Israel could confiscate land belonging to Palestinians who used to reside in the area [West Bank] and are now refugees, in accordance with the Absentees' Property Law."⁴³⁸

Israel went further; it openly and publicly confiscated land on Dead Sea shoreline. On June 28, 2009, the Land Registry Office at Ma'ale Adumim settlement in the West Bank published 12 public notices for the registration of 139,000 donums along the northern and western shores of the Dead Sea, within the West Bank, in the name of the Custodian of State Land of Israel. It opened the door for "objections" within 45 days. In practice, this opportunity to object is irrelevant as Israel considers this land to be "abandoned" as well as all 'common' land in the West Bank under the Mandate and the Jordanian rule.⁴³⁹

In June 2009, the old idea of land swap between JNF and ILA for the "state land" surfaced again. The principal idea is to swap land owned by JNF in the central district with the refugees' land in Galilee and Beer Sheba classified as 'state land'.⁴⁴⁰ The reason for this is the increased need for urban expansion in the central sector and diminishing interest in agricultural land which belongs to refugees.⁴⁴¹ With this swap/sale, JNF would earn a big monetary return which it will use in the Jewdaization of Galilee and Beer Sheba. Bringing in new Jewish settlers to these areas requires confiscating more Palestinian land in Galilee and continuing to deny Palestinian ownership rights of land in Beer Sheba. It is clear therefore that not only the 1950's confiscation of refugees' land was a major loss to Palestinians, but that swap between two confiscating parties in Israel is a further loss to the Palestinian citizens of Israel.

Wholesale Sale of the Refugees' Land

Now, a law allowing the wholesale of confiscated Palestinian land in Israel has passed its third reading at the Knesset.⁴⁴² The law allows the 'pri-

No.	Item	Description	Amount £ Million (1948)
1	Individual Material Assets	Rural Land Estimate based on various methods, including taxation, for 1945. Amount varies between £329-£436 million. The lower value is upgraded to 1948 and a rough estimate for Beer Sheba at £25 million is added	398.600 (min)
		Urban Probertry Adjusted by Hadawi from UN unrealistic values.	130.259
		Private Wealth Fifty percent of estimated value assuming that 50% was taken by the refugees.	66.8
		Agricultural Capital Includes cattle, Value adjusted of structures.	45.000 (min)
		Commercial Capital	45.9
		Financial Assets Net after Arab Bank paid out deposits and Israel returned £1.0 million.	12.5
		Industrial Capital	11.4
		Restaurants and Hotels	10.5
		Vehicles and Equipment	0.95
			SUB TOTAL 1
2	Public Material Assets	Transport (Roads, Ports, Airports, Railways) Assumed 50% of total, although Arabs where 2/3 majority and have paid for these longer than Jews.	12.100 (min)
		Quarries and Mines	NA
		Fisheries and Coasts	NA
		Water and Oil	NA
		Religious Places and Waqf	NA
		Public Services/Infrastructure.	NA
		SUB TOTAL 2 (excl. NA)	12.1
		SUB TOTAL 1 + 2 (excl. NA)	743.2
3	Individual Non Material Assets	Personal security	NA
		Family Dispersion	NA
		Killed, Wounded, Imprisoned and Deported	NA
		Torture and Ill-Treatment	NA
		Suffering in Diaspora	NA
		SUB TOTAL 3 (gross underestimate)	5,750 (min)
4	Public Non Material Assets	Loss of Records and Documents	NA
		Loss of Nationality and Identity	NA
		Terrorism, Oppression and Discrimination	NA
		Massacres	NA
		Transfer of Population	NA
		Denial of Living at home	NA
		Note: War Crimes, Crimes against Humanity Crimes against Peace are not listed, should follow UN established practice.	
TOTAL 1 – 4 (excl. NA)	748,950		
5	Human Capital	Loss of Human Capital i.e. loss of profit, unemployment, financial burden on relatives and neighbouring states, assumed as % of GDP for 1944, adjusted to 1949.	439,100
6	Grand Total	Grand Total (1948) £ million	1,188,050
		In US dollars, 1998 prices, \$ million	562,048
Sources:			
1. Hadawi and Kubursi, <i>Palestinian Rights & Losses in 1948: A Comprehensive Study</i> . London: Al Saqi Books, 1988.			
2. Sayigh, Yusuf, <i>The Israeli Economy</i> . Cairo: The Institute Arab Studies, 1966 [Arabic].			

vatization' of "state land"; in other words, selling refugees' land to private Jewish entities.⁴⁴³

The confiscation and sale of Palestinian property to Jews is not limited to agricultural land of de-

populated villages. Sales of individual refugees' homes in cities were announced, while the owners are in exile, unable to return and repossess their houses.⁴⁴⁴ Selling 1948 war spoils goes beyond the legal formulation and state decisions. There

437 The Court concluded that the areas occupied by Israel in 1967 were occupied territories under international law, para 78. The Court ruled that the Hague Regulations of 1907, as well as the 4th Geneva Convention, apply to the occupied territories. Contrary to Israel's longstanding position, the Court responded that human rights conventions apply both in peace time and armed conflict. These human rights instruments are: the International Covenant on Civil and Political Rights (CCPR), the International Covenant on Economic, Social and Cultural Rights (CESCR) and the Convention on the Rights of the Child (CRC). (From Commentary on the ICJ Advisory Opinion by Susan M. Akram and John Quigley). See the full text of the Advisory Opinion: Legal Consequences of the Construction of a Wall in the Occupied

Palestinian Territory, 2004 ICJ Rep (9 July 2004), available at: <http://www.icj-cij.org/idoctr/impw/impwframe.htm>.

438 Haaretz, August 2, 2009, "Judge: Israeli Law applies in disputed West Bank Territory".

439 For more details, see www.arij.org/editor/case_studies/view.php?recordID=2006. This will of course pre-empt any chance for Palestinians to recover sovereignty of a Palestine state over area C in the Oslo agreement. It also eliminates Palestinian rights in the exploitation of Dead Sea shores and minerals.

440 Jerusalem Post, June 24, 2009, *Court puts JNF-ILA land-swap deal on hold*. The deal is about transfer of 70,000 donums under the name of JNF in the centre to the state which leads to "transfer of full and permanent ownership of the 290,000

homes to people who currently lease them".

441 Werczberger, Elia and Borukbov, Elyaha, *The Israel Land Authority: Relic or Necessity?*, Land Use Policy 16 (1999), 129-138, p. 133.

442 Akiva Eldar, *Land Reform and Mofaz Law*, Haaretz, August 3, 2009.

443 Labour MK Option Pines-Paz, commented, "This is a continuation of the political thuggery of the [Netanyahu] government and the coalition". He was not defending the refugees' rights. He was referring to "the cynical use of power" to gain supporters.

444 Take the case of Abdul Latif Kanafani, whose family house in 15 Al Burj Street, Haifa was put on sale. See Aljazeera.net, June 22, 2009, "Palestinian plots up for grabs". At least 282 homes have been sold in the past 2.5 years, Adalah, a Palestinian legal centre, stated. In May 2009, a one acre block in Jaffa was sold to a Jewish group.

Table 4.10: Changing Areas of Israel

S. No.	Description	Area (Donums)	Accumulative Area
1	Jewish land under the Mandate 1920-1948.	1,429,062	1,429,062
2	Occupied by Military Force (1948/49)	18,197,526	19,626,588
3	Ceded by King Abdullah under threat (1949)	371,342	19,997,930
4	Acquired in Gaza Strip by Secret Negotiations with Egypt (1950)	192,626	20,190,556
5	Occupied by Incursions into Syrians DMZ after 1950	64,444	20,255,000
6	First Declared Israel's Area	20,255,000	20,255,000
7	DMZ in Jerusalem - occupied 1967	3,120	20,258,120
8	Annexed Jerusalem villages excl. DMZ - 1967	68,720	20,326,840
9	New Declared Israel's Area	20,325,000	20,326,840
10	Latrun No Man's Land (NML) occupied after 1967	48,480	20,326,840
11	Wadi Arabah Land "Exchange" - 1994 Peace Treaty	17,390	20,392,710
12	Salt Pans created from Dried Dead Sea	76,838	20,469,548
13	Dried Land from Dead Sea: Diversion of River Jordan	52,277	20,521,825
14	New Declared Israel's Area	20,517,000	20,517,000

Notes: For area in S. No. 6, See source: State of Israel, Government Book 5712 (1951/1952), p. 315. Land Area: 77% of Palestine (26,323) [= 20,269 sq. km]. Subtracting Hula, net area = 20,255 sq. km.
 For area in S.No. 9, See source: Israel's Statistical Abstracts, CBS No. 40 (1989): Reported area = 21,946 sq. km. Subtracting Golan (1,176), net=20,325. Subtracting annexed Jerusalem (68.7 measured), net=20,256 sq. km.
 For area in S.No. 14, See source: Israel Statistical Abstracts, CBS No. 50, 1999 (after Israel-Jordan Peace Treaty of 1994 and after resulting boundary changes in Southern Wadi Arabah, note 2, p.1-8). Israel's published area varies within a limited range: for

example, 20,560,000 d (2003) source: Israel Statistical Abstracts, CBS No. 54, 2003 ; 20,489,000 d (2006). Source: Israel Statistical Abstracts, CBS No. 57, 2006. All other areas are GIS - measured. The following are excluded from the above table:
 1. Area acquired around West Jerusalem Nov 48 to March 49, including Jaffa-Jerusalem Railway line and Walaja and Bayt Safafa land (See Map 3.14).
 2. Annexation of Golan (1,154,000 d).
 3. Area acquired from Lebanon-not settled. The UN blue line is not accepted by all parties.
 4. Area backfilled in the Mediterranean Sea.
 5. Illegal Settlement in the West Bank. There is ample data on the internet, particularly OCHA.

is a strong Israeli public drive to acquire Arab property and expel Palestinian citizens in Israel.⁴⁴⁵ The whole Israeli community is imbued with a strong racist ideology which propels extremist leaders to seats of power.

The total sum of the value and losses of Palestinian property seized by Israel in 1948 has been estimated by Hadawi and Kubursi. See **Table 4.9**. The value is upgraded herein to 1998, i.e. to the fiftieth anniversary of *al Nakba*. This table is not intended to solicit compensation for their patrimony as Palestinians assert that their homeland is not for sale. The purpose of this table is to show the magnitude of losses.

4.5 Changing the Landscape

The part of Palestine that came under Israeli rule in 1948 was subject to many visible changes: in the extent of the occupied area, the terrain, water resources and in the landscape of cultural, religious and archaeological sites.

Changes in Area

Israel never declared its borders for the simple reason that it has none. Most of the land under its control was occupied by military force. Israel has no constitution which normally defines a country's borders. Its Basic Laws are stated to apply in "Israel". Its territory may be defined by the status of the occupied territory it holds on a given date and its legality. There are however certain parameters which may assist in estimating Israel's constantly changed area:

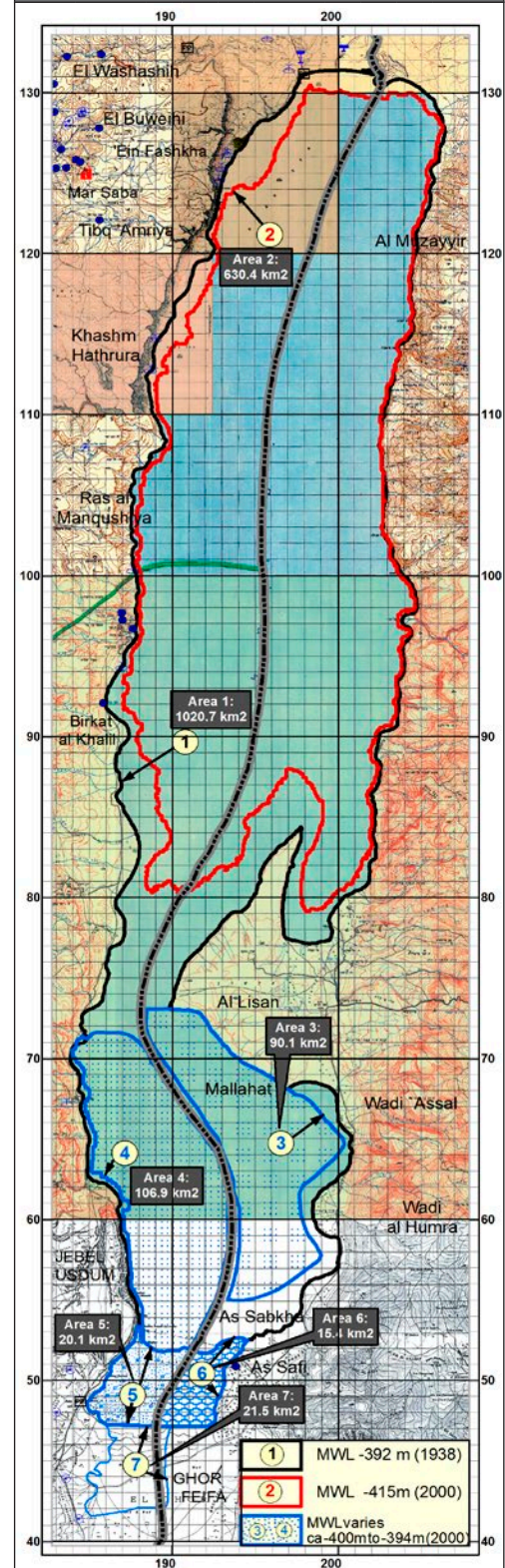
1. The part of Palestine that was occupied by Israel in 1948/1949 and bounded by the

Armistice Line of 1949, defining a *de facto* separation line, until recognized according to international law.

2. The Israeli encroachment on No Man's Land (Latrun Salient) and modification of the Armistice line in Jerusalem area. See Section 3.2 and Maps 3.12 – 3.14.
3. The Israeli encroachment on Gaza Strip, shrinking its size by 200 sq. km to the present area according to the temporary *Modus Vivendi* agreement of 1950. See Section 3.2 and Map 3.9.
4. The Israeli occupation of DMZ on the Syrian border in 1949-1951. See Section 3.2 and Map 3.16.
5. The Israeli encroachment on several sections on the Lebanese border. See Section 1.3 and Map 1.7.
6. The Israeli occupation of DMZ on the Egyptian border (256.36 sq. km).
7. The Israeli gain and Palestinian loss in land exchange according to the Israel-Jordan Peace Treaty of 1994. See Section 1.3 and Map 1.11.
8. Drying up of Lake Hula.
9. Drying up of the Dead Sea due to diverting water from River Jordan.
10. Annexation of East Jerusalem and its villages in 1967.
11. Landfill on the Mediterranean coast.

The declared areas of Israel at different years due to various parameters with noted exclusions are given in **Table 4.10**. Caution must be exercised in referring to published areas of Israel as they are likely to be different. Figures of areas given by UN, CIA and various departments of Israel's Central Bureau of Statistics (CBS) are different. Many of the parameters above have been dealt with in the indicated sections and in Table 4.10. The destruction of the landscape and destruction

Map 4.12: Changing Landscape (Dead Sea): Dead Sea before and after Diversion of River Jordan



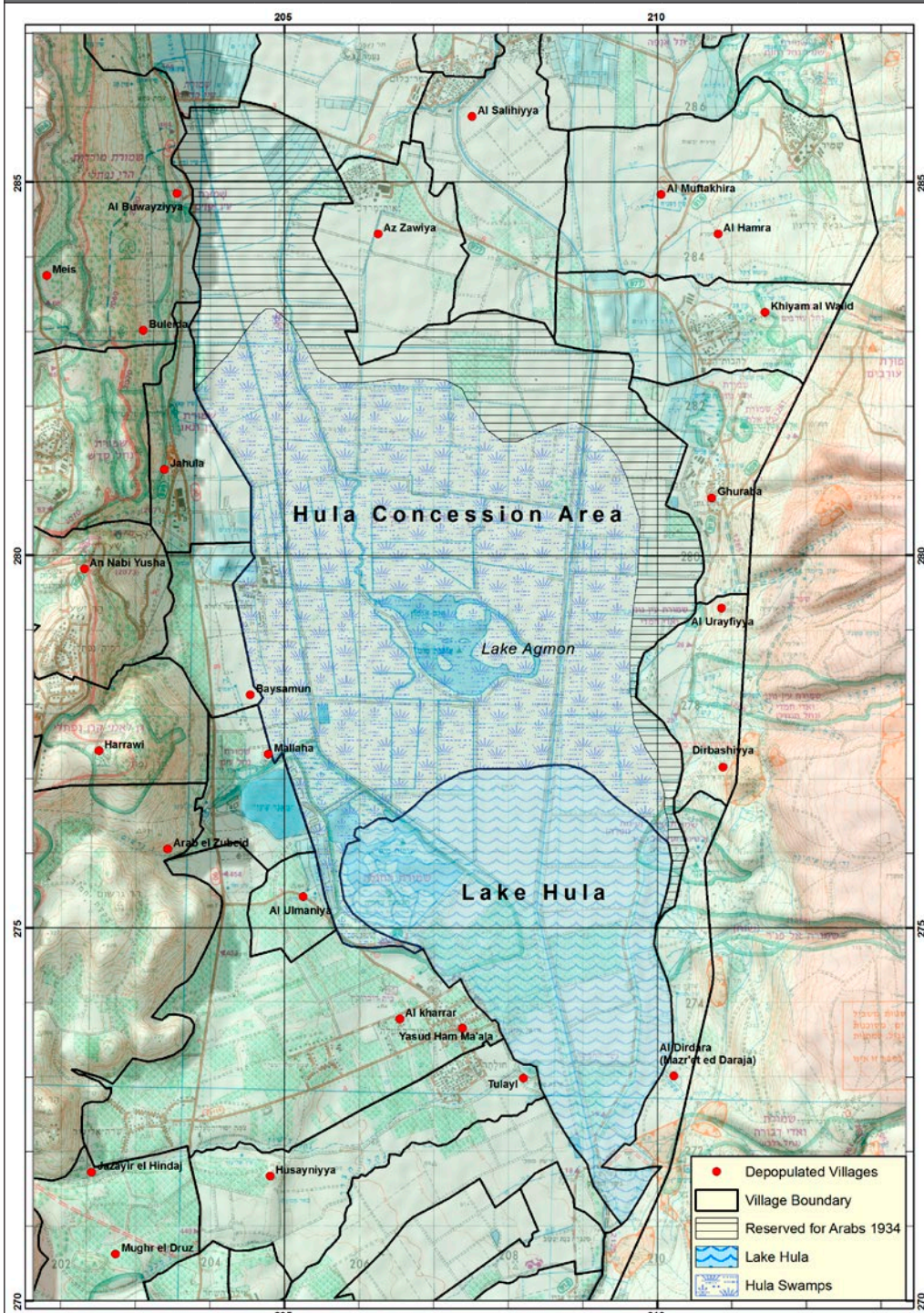
Notes: For over a thousand years, the Dead Sea water level and its area fluctuated slightly according to rainfall. During the Mandate, its water surface area was 1020.7 sq. km (Area 1 in the map) + southern extension, 35.50 sq. km (Areas 5, 6) making a total 1056.2 sq. km. After diversion of River Jordan, surface area shrank to 630.4 sq. km and the mean water level dropped from -392 m to -415 m. Two isolated salt pans were created (Areas 3, 4), separated by a causeway. Areas 5, 6 were shown in Mandate maps as "soft mud impassable". Area 7 was shown as "mud/salt pans". Now all these areas are salt pans.

or re-labelled archaeological and religious sites have been covered in Section 4.2.

Two large water masses require special treatment due to the extent and gravity of change, and the strong impact it has on Israel's acquisition and

445 The notorious Avigdor Lieberman, the foreign minister and Ariel Atias, the housing minister, voiced extreme racist statements to this effect. See, for example, Jonathan cook, Loyalty Oath to keep Arabs Out, June 8, 2009, www.jkcook.net/Articles2/0396.htm.

Map 4.13: Changing Landscape (Lake Hula): Lake Hula before and after Draining



Notes: The line map shows Lake Hula and the surrounding depopulated villages which existed during the Mandate and the area reserved for Palestinian farmers under the Concession Agreement while the rest (swamps) were to be drained. The background colour map shows the present situation (2000) where the lake and swamps were dried and reduced to a small lake (Agmon) and a big pond at Mallaaha. This drainage caused great instability to the ecosystem which is not healed till today. Source for "reserved area" for Palestinian farms is: Tyler, W.P.N., *State Lands and Rural Development in Mandatory Palestine 1920-1948*, Brighton: Sussex Academic Press, 2001, map 3.1, p. 83.

an extended description. **Map 4.13** shows Lake Hula and the depopulated Palestinian villages and their lands around it during the Mandate in addition to its present condition. The environmental story of Lake Hula started before WWI. In June 1914 the concession of "drainage and reclamation of the Hula marshes" was granted by the Ottoman authorities to two Lebanese merchants, one of whom was Selim Salam. Hula valley (56,940 d.) consisted of: (1) Lake Hula (16,919 d.), (2) Marshes (21,452.811 d.), (3) Land (18,568.21 d.) as determined by the British Mandate in metric donums in 1934.⁴⁴⁶ The purpose was to increase the cultivable land area by reducing the area of the marshes and the danger of malaria spread. In 1914, the Ghawarina people lived in 19 villages in Hula valley. Zubeid Arabs lived in the higher dry land.

Selim Salam formed the Syro-Ottoman Agricultural Company in 1915. After the British conquest of Palestine, the British military authorities recognized the concession in 1918. In 1920, when the British Mandate set up its civil administration of Palestine, its first High Commissioner, the pro-Zionist Herbert Samuel, questioned the validity of the concession under strong pressure from the Zionists who demanded transfer of the concession to them. They also tried, at the Versailles Peace Conference of 1919, to extend Palestine boundaries north to include all water resources up to Litani.

After much wrangling, the Salam concession was finally confirmed in May 1923. The Zionists sent a constant stream of complaints and harassment. Salam, with his sons, spent 6 years on the site to supervise drainage operations. He also spent 5 years in London to engage British consulting engineers and to raise the necessary finance. According to his daughter⁴⁴⁷, the family had to sell their land, property and women's jewellery to meet their obligations. Meanwhile, the British Mandate, pressured by the Zionists, raised doubts about the ability of the concessionaires to produce tangible progress, in spite of the granted extension of time.

In 1926, the Zionists entered into negotiations with Salam to take over the concession. Their engineer, Cyril Henriques, estimated that the project would cost £738,895 to purchase the concession and carry out the work of reclaiming 40,000 donums, i.e. £18.50 per donum.⁴⁴⁸ The Zionists found this cost "prohibitive". Salam, strapped for cash, was impatient. The Zionists waited for a better opportunity to buy. In May 1927, Salam offered to surrender the concession to Palestine government for £45,000, which responded that the project has "no market value". Salam demanded that the government pay him £30,000, the revenues it collected from his concession on his behalf. His demand was turned down, but he was paid £3,585 in March 1930 as a final settlement of his claim.

Finally, on November 20, 1933, the Palestine Land Development Corporation (PLDC), affiliated with the Jewish Agency and JNF, signed an agreement with the Syro-Ottoman Agricultural Company (Selim Salam and Partners) to purchase the concession rights and liabilities. The British government encouraged the Zionists all along to

use of water resources. These are the Dead Sea and Lake Hula. Lake Tiberias, now used as the main reservoir, suffered considerable change, particularly in its salinity, which was channelled to lower River Jordan, rendering it useless for the West Bank. But Lake Tiberias surface area changed only within narrow limits because of its deep basin. The major implications of Israel's acquisition of water resources are discussed at length in Section 4.8 Water and Agriculture.

The Dead Sea

The Dead Sea suffered an unprecedented drop in water level in its history. Scientific evidence of

water levels in the last 2000 years showed variations which are correlated with rainfall. Since the late 1960's, when Israel diverted the waters of River Jordan, the water level dropped dramatically. See **Map 4.12**. The dried land was added to Israel's area but the environmental negative effects are immense. There are plans to 'remedy' this situation by connecting Dead Sea and Red Sea (Gulf of Aqaba). But this may create even bigger disasters than drying Lake Hula.

Lake Hula

The long history of Lake Hula drainage and the immense impact of its ecological disaster warrants

446 Tyler *supra* note 197, p. 82.

447 *The Story of Hula Concession, supra* note 198.

448 Tyler, *supra* note 197, p.90.

buy the concession but refrained from buying it for the public interest. By this time, Jews bought several plots of land north and south of Hula and built settlements. Hula concession was considered an extension of the settlement scheme. In addition to six settlements before acquiring the concession, the Zionists succeeded in planting 18 new settlements in Hula environs in the decade 1937-1947.

The British High Commissioner, Sir Arthur Wauchope, approved Salam's sale to the (Jewish) Palestine Land Development Corporation (PLDC) subject to six conditions.⁴⁴⁹ The PLDC accepted these conditions with reservation. The government granted formal approval for the transfer on September 29, 1934 and the concession area was handed over to PLDC on November 29, 1934 at an agreed consideration of £ 191,794 for Salam's concessionary rights.

However, not all went well with the drainage scheme. Having paid Salam, the Zionists found difficulty in raising the funds for drainage, now estimated by a British consulting firm at £933,000, of which £222,600 to be paid by the government. Although the government agreed, the Zionists demanded new amendments to the concession agreement and asked the government to increase its contribution to £1.0 million. The break of the Arab Rebellion (1936-1939) and the Second World War delayed final agreement with the government till 1947. At this point the government was in no mood to concede more rights, such as dropping the right of the Arab cultivators to the stipulated 15,774 d., especially that the whole of Palestine was put in the UN's lap for partition. In 1948-49, the whole Hula Valley was captured by the Israelis and its Palestinian inhabitants were expelled. Much larger land was acquired by the force of arms.

Normally, there are three conditions to terminate the concession: (1) at maturity date, (2) at its termination by the Palestine government for default or other reasons which may be contested, and (3) on the dissolution of the authority which legally sanctioned the concession. The latter was the case on May 15, 1948 when the British Mandate was terminated. The concession area should therefore revert to the people of Palestine. With the Israeli invasion and conquest of the whole region, the terminated concession was replaced by military occupation lasting till today. It is still a subject of possible resolution between Syria and Palestine on the one hand and Israel on the other about the legality of Israel's occupation of this region.

Syrian forces entered Palestine on May 15, 1948 from two locations, south of Lake Hula and south of Lake Tiberias. After signing the Armistice Agreement between Syria and Israel on 20 July 1949, Syria kept some areas in Palestine under its control. See Map 3.16. The Israelis were determined to occupy the remaining part of

Palestine and parts of the Golan Heights for its water resources. Moshe Dayan admitted that he provoked 80% of the incidents on the armistice line in order to drive the Syrians away.⁴⁵⁰ In March and April 1951, the Israeli initiated a series of clashes through provocative tractor advances in Syrian-held territory followed by armed incursions and aerial bombardments. Israel also expelled the inhabitants of Kirad al Baqqara and Kirad al Ghannama. In 1951, it started Hula drainage works in the demilitarized zone and diverting water to Israel's coastal areas and the south. The Security Council of May 18, 1951 ordered Israel to stop all drainage works and US President Dwight D. Eisenhower cut off aid to Israel.

One month later Israel resumed drainage but not through Arab lands within DMZ. This however affected the salinity of Jordan River to an extent that it was impossible to irrigate the valley land. Jordan lodged a complaint with the Security Council about these violations to no avail.

Israel went further. It tried to divert River Jordan at Jisr Banat Yacoub just south of Hula through the National Water Carrier. Syria protested and the UN halted the work. Eventually Israel diverted these waters at Lake Tiberias' north west corner, which was completed in 1964. The National Water Carrier (NWC) is 112 km long comprised of a series of canals, tunnels and pipelines, which carries 320 mcm of Jordan water down to near Rafah in the south. The Arab states threatened to divert northern sources of River Jordan to bypass this scheme. However Israel bombed the site of the suggested diversion.⁴⁵¹ This situation was sealed when Israel waged the 1967 war and occupied Golan Heights, Gaza Strip and the West bank, and Sinai (till Egypt signed Treaty with Israel in 1979.)

Drying Lake Hula turned out to be the largest man-made ecological disaster in Palestine.⁴⁵² The nature-made socio-ecological system is destroyed. "This man-made project marked the termination of one of the oldest documented lakes and surrounding wetlands in history, with a rich and diverse aquatic biota... Agricultural development of the reclaimed land was unsuccessful, and soils were affected by continuous underground fires. 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 Tiberias Kinneret."⁴⁵³ Attempts were made towards the Restoration of Hula natural conditions, by re-flooding the lake, but full rehabilitation of the lake is not possible. It is now substituted by creating a new body of water and a tiny lake.

This is not the only case of environment loss of stability. "For decades, Israel has systematically destroyed its natural resources in almost every region".⁴⁵⁴ Rivers turned into sewage channels, the Dead Sea became an industrial pool, the desert

Table 4.11: Number of Remaining Villages in Israel (1998)

S. No.	DistrictName	StatusCode				Total
		4	5	6	7	
1	Safad	2	3			5
2	Acre	2	32	1	7	42
3	Haifa	2	10	14	8	34
4	Tiberias	2	2			4
5	Nazareth		22	6	1	29
6	Beisan		2			2
7	Jenin		5	10	4	19
8	Tulkarm		9	5		14
9	Nablus					0
10	Jaffa	1				1
11	Ramle	2				2
12	Ramallah					0
13	Jerusalem	1	2	2		5
14	Gaza					0
15	Hebron				3	3
16	Beer Sheba			15	36	51
	TOTAL	12	87	53	59	211

Note: Status Code: 4 repopulated, 5 existing since 1948, 6 new recognized, 7 new unrecognized. Number of villages with status 6, 7 is changing – more recognized villages and more new villages.

in the southern region is mined for phosphate in "the heart of an impressive wilderness area"⁴⁵⁵ and "the damage to fauna and flora" is widespread.⁴⁵⁶ The Zionist rush to build a new landscape and destroy the past led to an irreversible ecological disaster and maimed the face of the physical landscape, thus erasing the heritage of Palestine, accumulated over thousands of years.

4.6 Population Distribution

The Remaining Towns and Villages

In spite of the overwhelming catastrophe which befell Palestinian society, a number of Palestinian villages managed to remain *in situ*. Towns were depopulated but remnants of its population managed to stay or return. Towns, unlike most villages, were not totally destroyed, only all or parts of the old city. Some of those who stayed could remain in their homes. Others, especially those who returned after a day or two, were allowed to stay elsewhere in town, but not always in their homes. If they did, they had to pay rent. Unless they were confirmed otherwise, their property was confiscated as they were considered "Present Absentees". All property of the "absentees" had been confiscated by the state of Israel as described earlier. (See Section 4.4).

The reasons why some villagers could or did remain while the majority was expelled are complex. The simplest one is that these villagers refused to budge even when they saw massacres committed followed by endless harassment. Another reason

449 Tyler, *supra* note 197, p. 102. The conditions are:

1. The reservation of 15,772 metric dunams for Arab cultivators within the concession area.
2. Approval for the transfer in no way committed government to carry out sanitary measures, anti-malarial or other works in the region outside the concession.
3. Should government subsequently decide to assist with the sanitation work outside the concession, the PLDC as concessionaires would be asked to share the costs.
4. The PLDC would bear the entire cost of reclamation work inside the concession, including the drainage and irrigation work on the 15,772 dunams reserved for the fellahin, and

was not entitled to recover any part of these costs from the Arab cultivators or government.

5. The new concessionaires would be liable for all sums owed to government by Salam's company.
6. The present concession would be amended to give effect to these requirements.

450 See *supra* note 322.

451 See for example: Elmusa, Sharif, *Water Conflict: Economics, Politics, Law and the Palestinian – Israeli Water Resources*, Washington: Institute for Palestine Studies, 1997; and Lowi, Miriam, *Water and Powers The Politics of a Scarce Resource in the Jordan River Basin*, Cambridge: Cambridge University, Press, 1993.

452 Anton, Glenna, *Blind Modernism and Zionist Waterscape: The Huleh Drainage Project*, Jerusalem Quarterly 35, Autumn 2008, pp. 76-92.

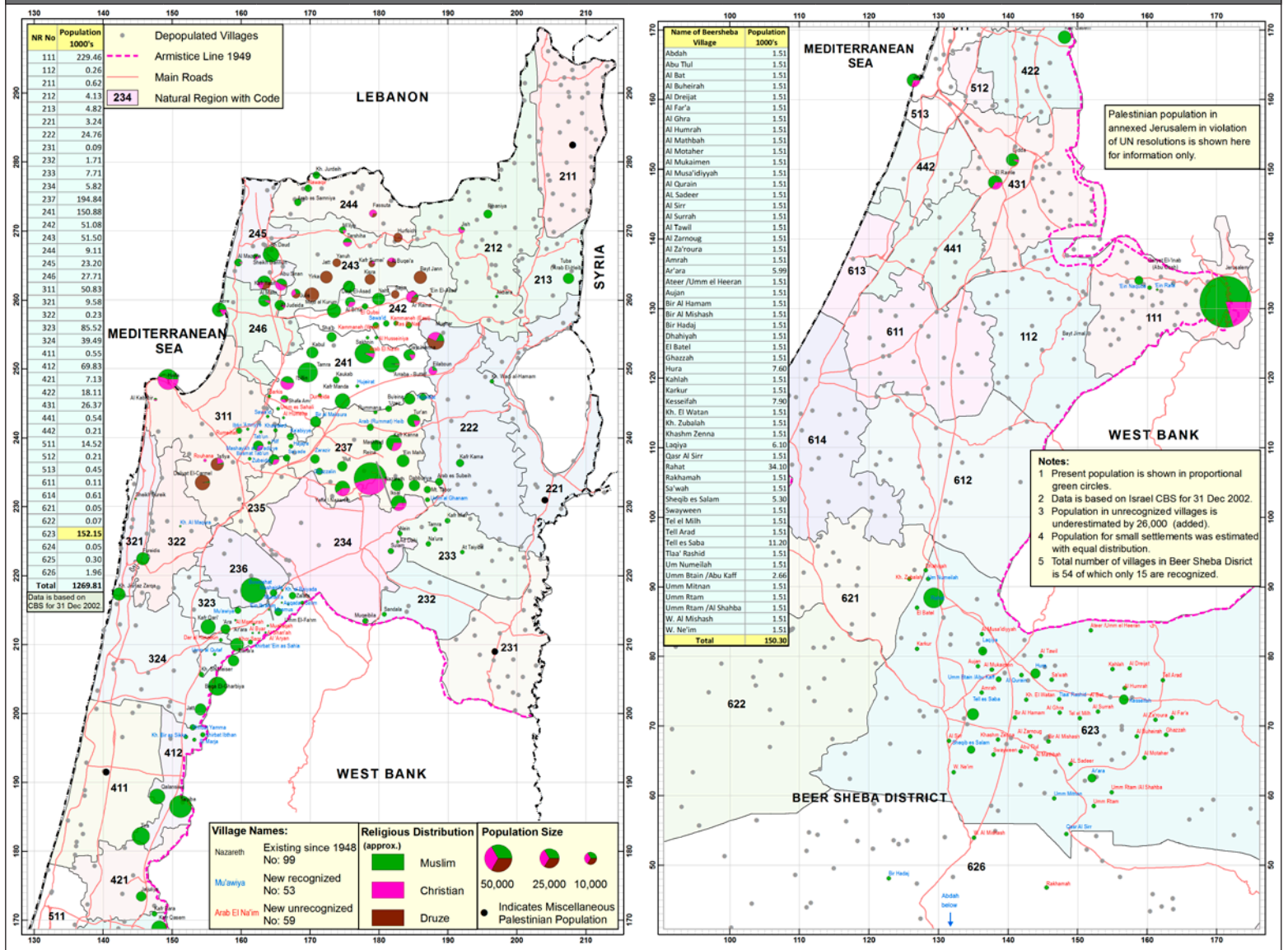
453 Inbar, Moshe A *Geomorphologic and Environmental Evaluation of the Hula Drainage Project*, Australian Geographical Studies Volume 40, Issue 2, pp. 155-166.

454 Rinat, Zafir, *Time for Reckoning*, Haaretz, Feb 19, 2006.

455 Rinat, *ibid*.

456 For a general study of the damage to environment, see: Tal, Alon, *Pollution in a Promised Land: An Environmental History of Israel*, Berkeley, Los Angeles, London: University of California Press, 2002.

Map 4.14: (a,b) The Remaining Palestinian Towns and Villages



is that some villagers held a peace agreement with nearby Jewish settlements and thought this would protect them. This assumption proved not to be always a guarantee against expulsion, as several villages which had done so, were also expelled.⁴⁵⁷ This depended sometimes on how effective the intervention of their Jewish neighbours was with the invading army officers, mainly newcomers from Europe, who were not interested in these old relations. Another important reason was Israel's policy of splitting Palestinian society by discriminating on religious grounds, favouring some and persecuting others.⁴⁵⁸

At the end of 1948, 87 villages remained. In addition, 12 villages and towns were depopulated and then repopulated by their old and new population. The Israeli-occupied towns include two which were Palestinian and remained so: Nazareth and Shafa 'Amr, and three, which had a large Palestinian majority and after the 1948 expulsion, have a small Palestinian minority: Acre, Haifa, Jaffa. Two towns had been absolutely Arab, now have a small Palestinian minority: Lydda and Ramleh. The western sector of Jerusalem

was depopulated completely while the eastern sector remained Arab under Jordan's rule until 1967. (Other all-Arab 6 towns have been totally depopulated). The remaining 99 villages and towns (for simplicity, the word 'village' will be used for both), should be compared to 1304 localities in all Palestine in 1948, which included only 185 Jewish colonies. It should also be compared with 773 Palestinian localities which fell under Israel. In all, of the 773 villages that were occupied by Israel, 99 remained and 674 (87 percent) were depopulated.

Remnants of the population in some depopulated villages, who managed to avoid expulsion beyond Israel's borders, drifted aimlessly within the country but could not return to their homes. Hillel Cohen⁴⁵⁹ listed 61 such villages in the six districts of the Galilee only from various Israeli sources. Of these 61 villages, eight each had over 500 persons remaining, 15 had 100-500 persons remaining and the largest number, 38, had less than 100 persons remaining. Israel housed them in different locations but none was allowed to return to their original homes.

The number of Palestinian villages grew by an additional 112 villages in the period (1948-1998) due to natural increase, but only 53 villages have been recognized by Israel. The additional 59 villages are not recognized; that is, they have no roads, electricity and receive no municipal, education or health services, although they pay taxes.⁴⁶⁰ Table 4.11 gives the number and classification of 211 old and new existing Palestinian villages in Israel today, by district. Map 4.14 shows the location, population size and religious distribution of the remaining Palestinian villages. These villages were under military rule (1948-1966), which prevented their mobility and consolidated their concentration in their villages of 1948. Much of their land was confiscated but their villages grew in number in the vicinity. No new Palestinian town is allowed to develop in Israel.

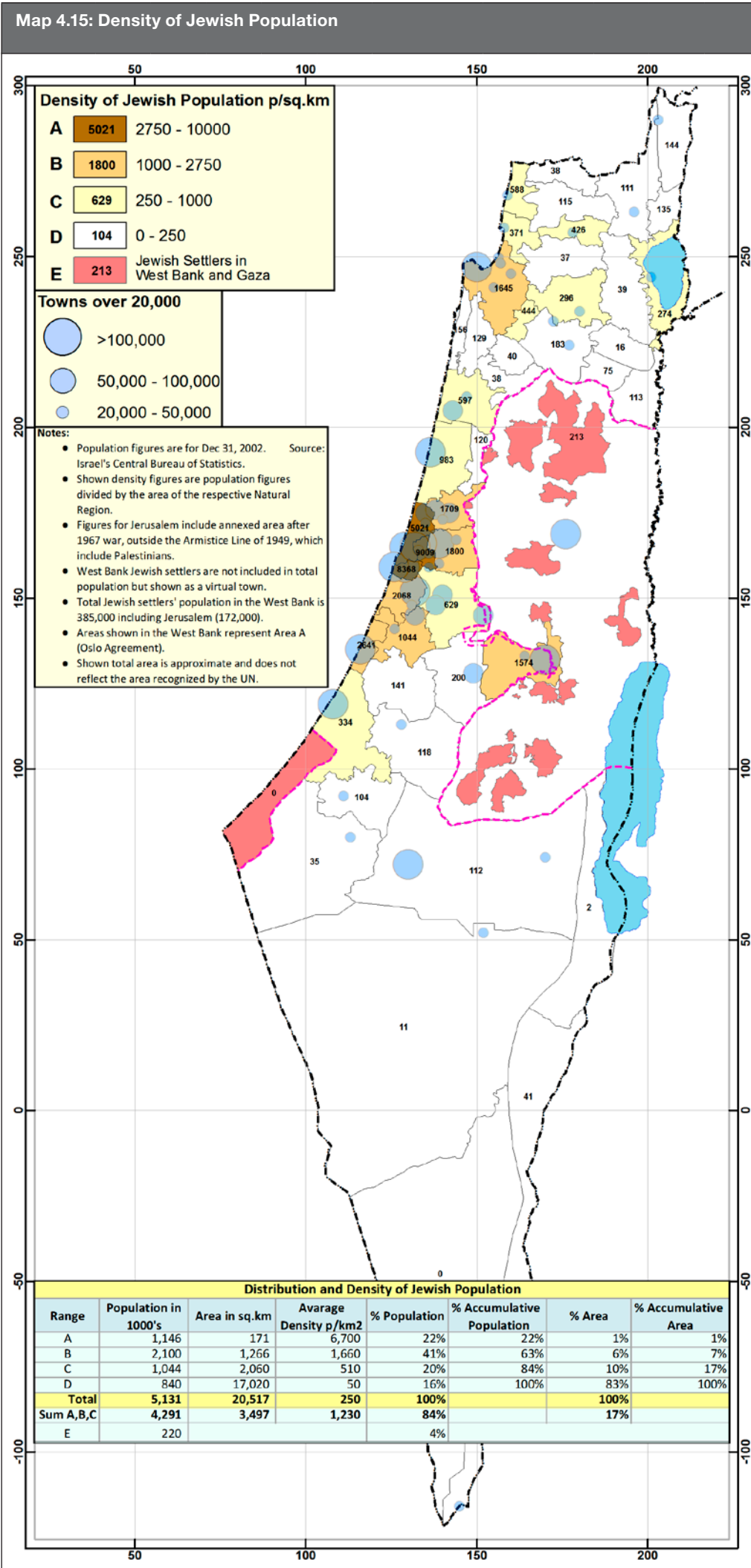
Although the number of Palestinians in Israel today is known (1,232,000 in mid 2008, including annexed eastern Jerusalem), their number in 1948 is uncertain but can be defined within a narrow range. Figures usually quoted range between 150,000 and 180,000, the lowest estimates are usually Israeli.⁴⁶¹

457 Example of villages expelled in spite of peace agreement mentioned by Morris, *supra* note 242, Huj, p. 259, 356; Khalisa, p. 251; Qeitiya, p. 512.
 458 Benny Morris, *supra* note 242, p. 24, 51, 418.
 459 Hillel Cohen, *The Present Absentees: The Palestinian Refugees in Israel Since 1948*. [Arabic] Beirut: Institute of Palestine Studies, 2003, pp. 208-219.
 460 There is a considerable body of literature about the plight of these villages. For confiscation of their property and military rule applied on them (1948-1966) see, George E. Bisharat, "Land, Law and Legitimacy in Israel and the Occupied Territories," 43

The American University Law Review (1994), pp. 467-591; Sabri Jiryis, *The Arabs in Israel*. New York: Monthly Review Press, 1976; Nadim Rouhana, *Palestinian Citizens in an Ethnic Jewish State*. New Haven: Yale University Press, 1997. For Human Rights violations see websites: Center for Economic and Social Rights (www.cecsr.org), ADALAH (www.adalah.org), Arab Association for Human Rights (www.arabhra.org). For unrecognized villages, see Association of Forty (www.assoc40.org). For those in al Naqab, see publication by The Regional Council of the Unrecognized Villages in the Negev (www.arabhra.org/rcuv/index.htm). Also see publications by Arab Center for Applied

Social Research- MADA (www.mada-research.org).
 461 There is no solid proof for these figures. The estimated population of the remaining villages and towns is based on the original data of *Village Statistics* (1945). If the depopulated towns (Acre, Haifa, Jaffa, Lydda, Ramleh and Jerusalem) are also included, the total figure will be 113,870 (1944), or 124,096 (1948). Estimating the remaining town population at 20,500 (as per UNCCP), and adding Cohen's incomplete estimate from Israeli files of other scattered population: 16,000 from Galilee villages and 17,500 from Beer Sheba, the total will be 178,000 Palestinians remaining in Israel. This is an increase today (2008) of about 6-7 times.

Map 4.15: Density of Jewish Population



The number of internal refugees who were allowed to return to their villages and towns but not to their homes and property is larger than the number of internally displaced Palestinians. Both are "Present Absentees" and their land and property were confiscated.⁴⁶² Cohen estimates IDPs to be 23,000⁴⁶³ in 1950-1952, based on Israeli and Red Cross (ICRC) records. This is an underestimate. These refugees come from 61 Galilee villages, 'Triangle' villages ceded by Jordan in 1949⁴⁶⁴, Kirad Baqqara and Ghannama on the Syrian border, villages west of Jerusalem (Bayt Naqquba, Suba and Zakaria) and other villages and towns (al-Majdal, Safriya, Sarafand al-Amar). By rough estimate of possible limits from *Village Statistics* (1945) the figure is closer to 35,000. According to an ICRC letter dated November 15, 1949, there were 12,000 Bedouins in Beer Sheba who needed their services, but ICRC could not provide them. Adding this number, the total estimate of IDPs is 47,000, or 26 percent of all Palestinians who remained. Their number is estimated to be about 330,000 (mid-2008). See Table 4.3.

The land owned by those Palestinians who remained is also difficult to estimate. There are several categories to consider: (a) The population of villages and towns which remained *in situ* (Table 4.11) – 99 towns and villages or 90 towns and villages excluding non-capital villages; (b) Present Absentees whose land was confiscated although they remained; and, (c) IDPs, internal refugees, a sub-group of (b).

It is assumed here, for simplicity, that only population in group (a) represents, in terms of ownership, the land of the remaining Palestinians. From *Village Statistics* 1945, the total land area of 90 towns and villages is 1,684,500 donums. Subtracting 101,224 donums Jewish land within this figure, the net Palestinian ownership is 1,583,276 donums, excluding Beer Sheba. According to *Village Statistics*, the total area of dissected and remaining villages (status 4, 5) with lands on either sides of the Armistice Line – 8 villages and Jerusalem – is 214,641 donums. Of this, the net area annexed to Israel is 190,079 donums measured by GIS. The Jewish land in this area is 7,180 donums, to be subtracted, assuming it all lies inside the Armistice Line. The Palestinian land of dissected and remaining villages⁴⁶⁵ is 182,899 donums. This gives a total of 1,766,175 donums, being the estimate of the land of the Palestinians who remained in group (a), excluding the land of the scattered population from diverse villages and excluding Beer Sheba district (12,577,000 d.). Much of this land was confiscated. The Palestinians in Israel who make 20 percent of the population hold about 2 percent of the land in Israel, while 93 percent of the land in Israel is Palestinian.

The case of Beer Sheba district is worse. The remaining population was 17,500, organized in 19 clans, 7 of which remained on their land and 12 (63 percent) clans were displaced (IDPs) to another location in Israel.⁴⁶⁶ Ninety percent of those who remained are from Tayaha tribe whose land is 620,000 donums (see Beer Sheba Section 2.7 and section 4.4). Other land owned by those remaining and not displaced increase this figure to 900,000

462 For example, refugees from Haifa were allowed to return to Haifa but not to their homes which were confiscated. Refugees from Iqrit and Bir'im were not allowed to return to their homes or villages. They are internally displaced. Both are "Present Absentees".

463 Cohen, *supra* note 459, p. 24.

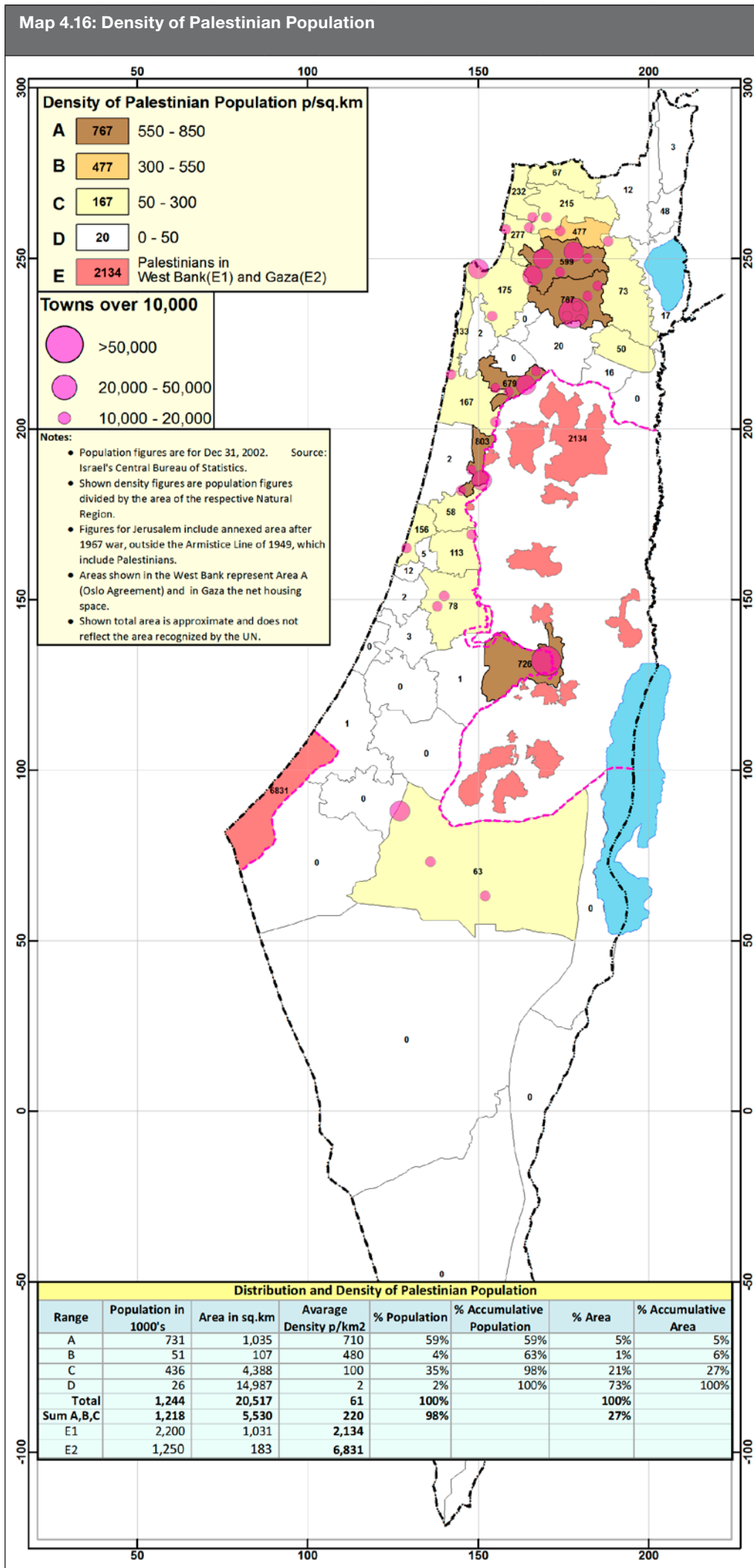
464 Letter from ICRC International to ICRC office in Jerusalem.

November 15, 1949 (file G59/I/G.C./E). ICRC refused Israel's request to provide services to 12,000 displaced bedouins in Beer Sheba, because they were out of ICRC's area of operation, i.e. in the area east of Beer Sheba where they were expelled and relocated by Israel.

465 They are Barta'a, Umm el Fahm, Muqebila, Baqa al Gharbiya,

Jatt, Kafr Bara, Kafr Qasim, Taiyba and Jerusalem.

466 Salman Abu-Sitta, *The Forgotten Arabs: The Bedouins of Beer Sheba*, [Arabic] *al-Hayat* (London), 2 parts: September 27, 1995, p. 8; and, September, 28, 1995, p. 18; and, Abu-Sitta, Salman, *The Forgotten Half of Palestine: Beer Sheba District*, Beirut: *Journal of Palestine Studies*, Winter 2008, number 73, pp. 37-50.



donums. Israel confined all remaining population to a 'reserve', called *siyag*, a 'siege area' east of Beer Sheba, within an area of 900,000 donums, that is 7 percent of Beer Sheba district. Even in this limited area, only 240,000 donums are at present cultivated by the remaining population, some of it on lease basis, of which 180,000 donums are held by residents of unrecognized villages.⁴⁶⁷ Most of the 3,500,000 donums owned and cultivated by Palestinians pre 1948 has been confiscated by Israel and called 'state land'.

"In Israeli law, a community of 200,000 needs 1,153,143 donums".⁴⁶⁸ Assuming that Palestinians in this district would grow to 320,000 by year 2020, they would then need 1,845,000 donums, or about 8 times what they hold now. The Israeli policy is working in the opposite direction: more land confiscation, more house demolition, killing cattle, spraying crops with toxics and planting Jewish settlements in their midst with much larger land allocation for much less settler population.⁴⁶⁹ Confiscating the remaining Palestinians' land, arresting their development and suffocating their expansion have been a consistent Israeli policy.⁴⁷⁰

We now turn to a comparison of the density of the present Palestinian and Jewish population distribution. Israel is divided into 46 natural regions. The density of Jewish population in these regions in addition to settlers in the West Bank, is shown in **Map 4.15**, grouped in several categories: A, B, C, D. It is clear that the bulk of the Jewish population still resides in Jewish areas as they were during the Mandate, along a coastal strip. Sixty-three percent of Jews live in 7% of Israel's area (A+B=1,437 sq. km) or 84% in only 17% (A+B+C). The latter area is only 3,500 sq. km; where 4,300,000 Jews live. While the overall average density is 250 persons/sq. km, the density in area A is 27 times this figure, or 6,700 persons/sq. km in Tel Aviv metropolis. This population is highly urbanized and lives in a small number of large cities.

The sparsely populated land area (D) is almost totally the property of the Palestinian refugees, in addition to their property in towns and villages with heavy Jewish concentration on the coastal plain. That is where the remaining Palestinians live mostly. **Map 4.16** shows the density of the Palestinian population divided in 4 categories, A, B, C, D, (which are not the same as in Map 4.15). Palestinians are widely distributed but are located mainly in Galilee, the central "Triangle" and Beer Sheba district. All these areas are far from the coastal plain and are adjacent to the borders and the Armistice Line.

The question then arises: What did the Israeli Jews do with the conquered Palestinian land? Neither the old nor the planned use of the occupied territory of Palestine changed much. The emphasis remains on the urban areas where the bulk of the Jewish population, the industry and commerce are located. The urban space is kept under 20% of Israel's area. In fact it is less than 17%. The total built-up area, exclusive of open space, is about 5.3% of Israel's area (1,174 sq. km)⁴⁷¹, more than half is residential.

467 *The Unrecognized Villages in the Negev*, Submission to the UN Committee on Economic, Social and Cultural Rights, 5-23 May 2003, by Arab Association of Human Rights, Nazareth and Regional Council for the Unrecognized Villages in Beer Sheba, p. 9.

468 *Ibid*, p. 9.

469 See *supra* note 434.

470 Oren Yiftachel and Avinoam Meir (ed.), *Ethnic Frontiers in Israel: Landscapes of Development and Inequality in Israel*. Boulder: Westview Press, 1998; Oren Yiftachel, *The Evolution of Ethnic*

Relations in a Mixed Region: Arabs and Jews in the Galilee, Israel. Occasional Paper No. 30. Perth: Indian Ocean Centre for Peace Studies, 1993.

471 Israel CBS, No. 57, 2006 Table 1.2.

Table 4.12: Present Land Use in Israel

Land Use	Km ²	% of Total	Km ²	% of Total	% Per group
	1994		2020		
Population Centers	1,150	5%	1,800	8%	12%
Spaces in Centers	640	3%	710	3%	
Military	5,860	27%	5,860	27%	88%
Open, Protected	5,090	24%	5,090	24%	
Vacant	8,760	41%	8,040	37%	
Total	21,500	100%	21,500	100%	100%

Source: Adam Mazor, *Israel Plan 2020*, Haifa: The Technion, 1997, Vol.2, P.188, Table 12.1 (excerpts).
Notes: Total includes Golan (1,154 km²), Net Israel area 20,346 Km², as per source.
Population Centers: include built-up areas, roads and railways within.
Spaces: include army installations, bases and factories.
Military: includes camps, training, maneuverings and firing ranges.
Open protected areas: includes nature reserves, parks, panoramic scenes, forests, woods.
Vacant: includes uninhabited areas, mining, quarries, roads, railways and agriculture.
 Cultivated area is 4,200 Km² (1997) including irrigated land 2,000 Km² (1979), reduced to 1,115 Km² (2000).

The rural area, which is largely a Palestinian land, is utilized for agriculture and industrial pursuits of the bankrupt Kibbutz, for “reserved” spaces and for military uses. The military uses are by far the largest. See **Table 4.12** Land Use. It is in this area, in addition to other locations on the coastal plain, that Israel built or developed its airports, military bases and depots of WMD. The contribution of agriculture is dwindling (see Section 4.7). Thus, Israel’s land use may be roughly summarized in two regions: (1) urban and economic: 10-20% of Israel’s area, (2) military reserve and miscellaneous use, the remainder. **Map 4.17** shows the present land use in Israel in accordance with Table 4.12 and from the same source. It once again shows that the confiscated refugees’ land is still sparsely populated. Its use for military has created conflict and instability in the area for several decades.

4.7 Water & Agriculture

The largely rural Palestinian land conquered by Israel in 1948, plus the Jewish agricultural land before 1948, constitute the main utilization of water resources, which is one of the main factors of conquest, war and conflict.

A Century of Water Use in Historic Palestine⁴⁷²

By Mark Zeitoun

Introduction

Israel made the desert bloom. All mantras hide as much as they suggest, and this one is not exceptional. Jewish colonial (and later Israeli) industrial farms have been irrigating parts of the Negev desert for decades, particularly upon completion of the Israeli National Water Carrier in 1964. The implication of the ‘desert bloom’ mantra is that the Palestinian inhabitants of the land either chose not to or could not make it ‘productive’ themselves – thus complementing the ‘land without a people’ myth. In fact, Palestinians had extensively developed agriculture before 1948, and the link with the land was both intimate and life-sustaining. In any case, growing peppers and potatoes in the desert is unnecessary and poor agricultural practice. It is also illegal, when the water used is taken from neighbouring states against their will.

This section looks behind the mantras in an attempt to establish the facts of water development and the water conflict in historic Palestine. The record speaks more of mismanagement, unsustainable pumping rates, and ever-increasing Israeli control of the water resources. The conflict is resolvable, however, according to the water-sharing principles of international water law, or under the management of a single political entity.

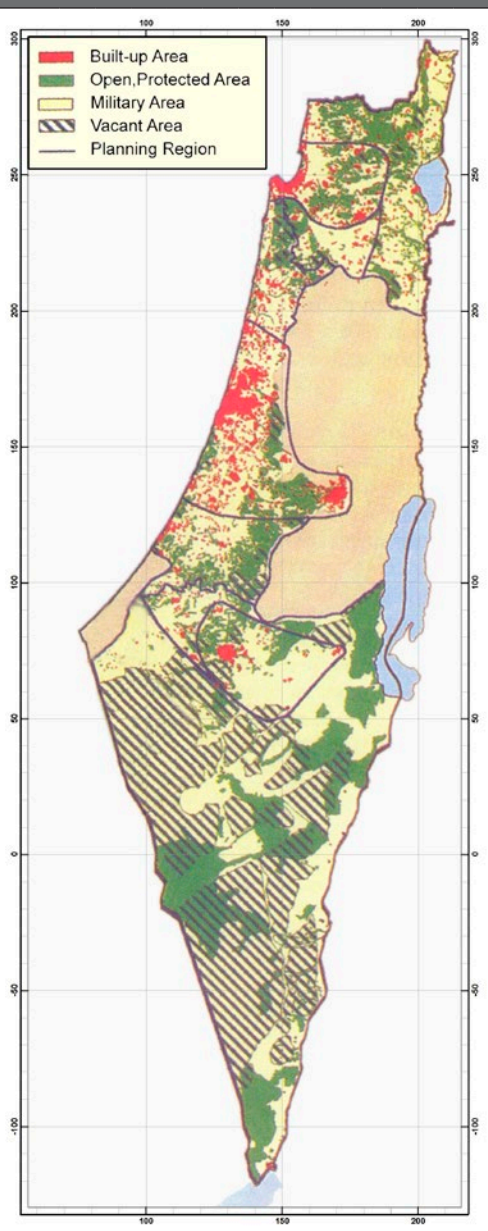
The Resource

Map 4.18 shows the *surface water* and *groundwater* resources available to inhabitants of historic Palestine. The main surface water resource is the Jordan River System. The Upper Jordan River is formed by the confluence of three smaller tributaries – the Hasbani (rising in Lebanon), the Baniyas (rising in the occupied Syrian Golan Heights) and the Dan river (rising in Palestine 1948). This upper portion of the river flows into the Lake of Tiberias (*aka* the Sea of Galilee or Lake Kinneret), at roughly 200m below sea level. Until 1964, the Lower Jordan River flowed out of the Lake of Tiberias, where it is joined by the Yarmouk River to end eventually in the Dead Sea – the lowest body of water on the planet, at roughly 415 m below sea level.

The primary source of water has always been the groundwater that exists in underground aquifers – large reservoirs of water found beneath the ground’s surface. This water can run naturally to the surface at the foothills of mountains in the form of springs, thus providing easily accessible freshwater for irrigation. The spring of Ein al Sultan in Jericho, for example, has been a life source and supply for agriculture for over two thousand years. Groundwater is also accessed through wells. According to the Armistice Line of 1949, there are four transboundary aquifers – the Western Aquifer, the Eastern Aquifer, the Northeastern Aquifer, and the Coastal Aquifer. See **Map 4.19**.

The entire system is part of the hydrological cycle, and is nourished by rainfall. Next to no rain falls in the Negev desert, only about 50mm per year in Rafah, and about 600mm per year or more around Jerusalem, Jenin and Nazareth. At the rate at which water is currently extracted for domestic and agricultural use, even a single winter that is dryer than average means the rivers and aquifers

Map 4.17: Present Land Use of Palestine 1948



Source: Adam Mazor, *Israel Plan 2020*, Haifa: The Technion, 1997, Vol. 1, Land use map No. 16, Built-up and Open Areas.

are not replenished at a sustainable rate. With each drought, in other words, there is less water available for human use.

Acquisition and Maintenance of Control over Water Resources

Ottoman Period

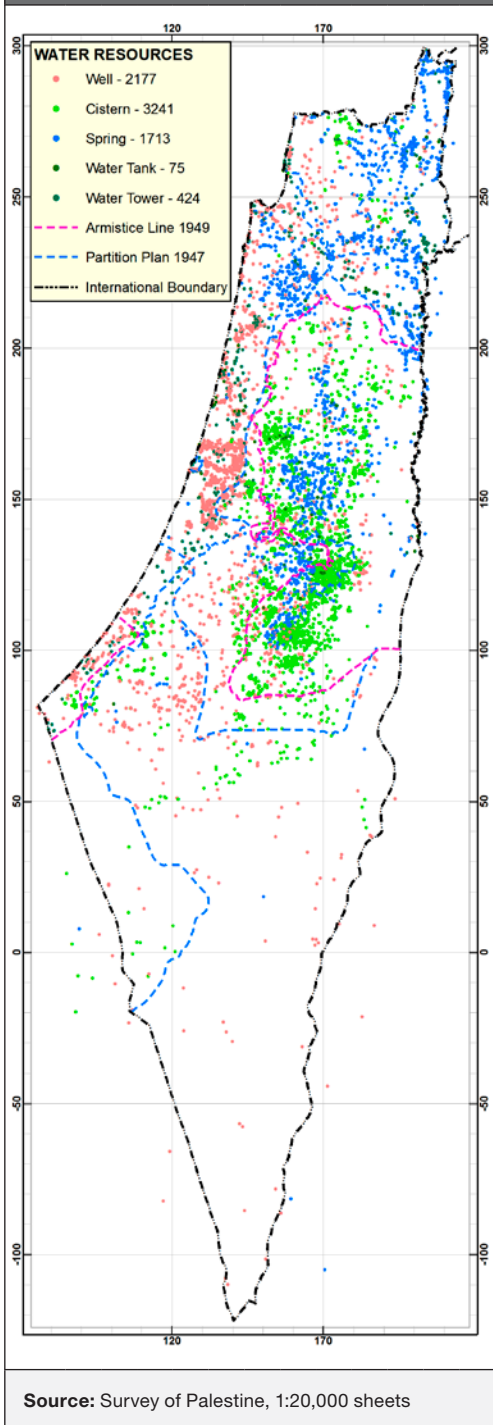
Under Ottoman administration, water resources were considered very much as belonging to the land from which they originated. While large irrigation schemes in Syria were developed along the flat banks of the Tigris and Euphrates rivers, arable land along the Jordan River valley was too high for extensive development prior to the development of electric-motor water pumps. Irrigated farming in Palestine originated naturally in the areas of the largest springs – for instance around Beisan, Wadi Fara’, and Jericho. The bulk of farming in Mandate Palestine remained rainfed (not irrigated) farming, however, with sporadic water well development towards the later days of the period.⁴⁷³ The Ottoman authorities handed a concession to the Jaffa Electric Company (later Palestine Electric Corporation) for

472 Based partly on Power and Water in the Middle East: The Hidden Politics of the Palestinian-Israeli Water Conflict (Zeitoun 2008), and *The ‘Prior Use’ Argument: Establishing Benchmarks and*

Implications of Historic Water Use (NSU 2008). Special thanks are due to Clemens Messerschmid.
 473 *The ‘Prior Use’ Argument: Establishing Benchmarks and Implica-*

tions of Historic Water Use, 1920 - 1948. Unpublished. Ramallah, West Bank, Negotiation Support Unit, Negotiation Affairs Department, Palestine Liberation Organisation, NSU (2008).

Map 4.18: Water Resources in Palestine: Wells and Springs (1920-1943)



Map 4.19: Water Resources of Palestine: Surface Water (Jordan River System) and Groundwater (4 Transboundary Aquifers)



development of hydro-electricity on the al Auja spring⁴⁷⁴, which led eventually to the 'Rutenberg Concession' (See Section 1.3 (c) The Border with Jordan). A further concession was made for use of the Jordan and Yarmouk rivers, to Greek citizen Euripides Mavrommatis.⁴⁷⁵ Zionist leaders became interested in water resources during this period, with Theodor Herzl suggesting for instance that the British construct a canal from the Nile River to the Sinai Desert, and stating that "the real founders of the new-old country were the hydraulic engineers".⁴⁷⁶

Pre 1948 Zionist Aspirations (Water and borders)

The World Zionist Organisation also linked water resources and needs to political borders in its argu-

ments and advocacy to colonial France and Britain (See Map 1.5 and the Borders of Palestine, Section 1.3). In 1919, Chairman of the Zionist Commission, Chaim Weizmann, made his views explicit to British Prime Minister David Lloyd George: "The whole economic future of Palestine is dependent on its water supply for irrigation and electric power, and the water supply must be from the slopes of Mount Hermon [Jebel esh Sheikh], from the headwaters of the Jordan and the Litani River ... [We] consider it essential that the northern frontier of Palestine should include the Litani, for a distance of about 25 miles above the bend, and the western and southern slopes of Mount Hermon".⁴⁷⁷

Though these particular territorial aspirations were debated and ultimately denied by the colonial

authorities acting on behalf of the land owners, the interest of Zionism in the land manifested itself upon the water resources in other ways. Agriculture was "viewed as a means for 'redemption' of the land from the 'desolate' state they perceived it to be in, as a means to make the desert bloom, as a source of spiritual renewal for Jewish immigrants and as a means to help them strike roots in Palestine".⁴⁷⁸ The latter motive was also politically pragmatic. To increase the 'absorption capacity' of Palestine was one of the reasons given by British authorities to limit Jewish immigration. Converting previously 'unproductive' land into large-scale irrigation schemes in essence increased the amount of food available – and, by the racially-based reasoning guiding advocacy efforts – the amount of Jewish immigrants the land could sustain. Multiple

474 Palestine Agreements 1924 - 1937. Agreements signed by the British Mandate Authorities, UK National Archives Dominions Office Record DO 118/69/1, DO (1927); Draft Agreement 13th October 1927 Between Field Marshall the Right Honourable Herbert Charles Onslow and the Jaffa Electric Company Limited, UK National Archives Commonwealth Office record CO 733/134/6, CO (1947).
475 Case concerning the Re-Adaptation of the Mavrommatis Concessions - Opinion of the Attorney General and Mr. Fachiri, UK National Archives Commonwealth Office record

CO 733/131/1-3, CO (1927).
476 Trottier, J. Hydro-politics in the West Bank and Gaza Strip, Jerusalem: PASSIA, 1999, p.41.)
477 Frederiksen, H D, The World Water Crisis: Ramifications of Politics Trumping Basic Responsibilities of the International Community, Water Resources Development 19(4), 2003, pp 593-615. See also: Peace Conference (British Delegation) - Eastern Mission (Turkey), Files 76-91, Correspondence between British Foreign Office and World Zionist Organization regarding control of the Litani and Yarmouk Rivers, UK Foreign Office record

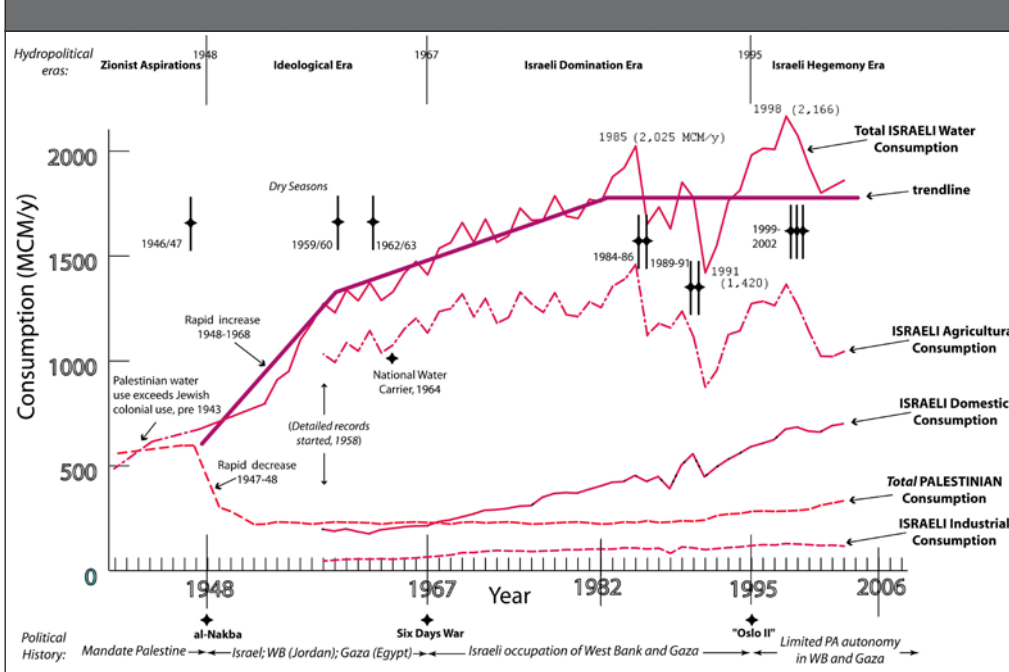
FO 608/274. Though the land around the Litani River (but not Jebel esh Sheikh (Mount Hermon)) was eventually occupied by Israel from 1978 - 2000, and the river was used locally by Israeli forces, there is no evidence that the Litani was diverted for Israeli use. See discussion in Amery (2000), Amery and Wolf (2000) and Medzini (2001). The mountainous topography renders such a project economically infeasible.
478 El Musa, S. Land-Water Nexus in the Israeli-Palestinian Conflict. Journal of Palestine Studies 25(3), (1996) p. 276.

Table 4.13: Distribution of Recorded Water Use over two User Groups based on Records from 1920- 1943

Volume	Springs		Wells		Not Specified		Overall *	
	Palestinian	Jewish	Palestinian	Jewish	Palestinian	Jewish	Palestinian	Jewish
[MCM/y]	313	133	224	440	24	35	561	607
%	70	30	34	66	41	59	48	52

Source: NSU (2008), based on many sources, including Pālestina (1927) and Ruppin (1916).

Note: (*) = Following estimated distribution of 'unspecified' flows, based on known land use and farming records of the period.

Figure 4.3: Palestinian and Israeli Freshwater Consumption Rates, 1940-2005

Source: 1940-1958: Bench Mark Report, Zeitoun (2008); from 1958: Mainly Israel Water Commission (2002). Freshwater production figures do not include production from wastewater re-use or desalination. See also, Mark Zeitoun, *Power and Water in the Middle East*, London, New York: I. B. Tauris, 2008, p.134.

large-scale irrigation schemes were established as nation-making and state-building efforts appear to have combined prior to 1948, including water taken from residents of Gaza to irrigate the Negev.⁴⁷⁹ The most ambitious plans developed were the 1943 Lowdermilk Plan, which was designed to 'accommodate' "four million Jewish refugees"⁴⁸⁰, and the 1948 Hays Plan.⁴⁸¹

The Hays Plan is credited with first proposing the "Palestine Water Carrier" – a project rejected outright by co-riparians, Syria and Jordan, for its aspirations to divert part of the Upper Jordan River and pump it out of the basin and into the Negev desert. The plan was to be implemented in 1964 as the Israel National Water Carrier (NWC), under radically altered political circumstances. By 1943, the distribution had shifted to roughly 50 – 50, as shown in Table 4.13, and Figure 4.3.

1948 – 1967 (Battles and Plans)

The period from the *Nakba* of 1948 to the *Naksa*

of 1967 is one of the most tumultuous in the history of the Palestinian–Israeli water conflict, and indeed of water conflicts globally. The period is characterised by rapid development of the sector in Israel, minimal development on the Palestinian side, and clashing Arab and Israeli strategies to secure shares of the Jordan River system.

As Figure 4.3 shows, the disruption and displacement resulting from the *Nakba* led to an immediate drop in Palestinian water consumption. Water extraction rates in the West Bank and Gaza increased only minimally under Jordanian rule in the West Bank and Egyptian rule in Gaza – and most of the increase may be attributed more to the development of cheap pumps than to any efforts at systematic development. In stark contrast, the newly formed state of Israel embarked upon a full-fledged 'hydraulic mission'⁴⁸² during which Zionist "ideology dictated water development. No plan for a new agricultural settlement was ever abandoned only because the cost of supplying

water was too high"⁴⁸³ Israeli water professionals focused their development efforts on the accessible groundwater resources rather than the surface water of the Jordan River System, the opposite bank of which was Syria and Jordan. Figure 4.3 shows a doubling of total water consumption from roughly 600 MCM/y in 1948 to roughly 1,600 MCM/y in 1967. By far the largest and fastest-growing water consuming sector was that of agriculture.

Upon the realisation by Israeli hydrologists that the state was already pumping near to the sustainable limit of the resource (particularly of the Coastal Aquifer), development of the surface water in the Jordan River System took on a more immediate priority.⁴⁸⁴ Israeli attempts to divert the Upper Jordan River by building the intake for the National Water Carrier at Jisr Banat Yacoub (the preferred location in terms of altitude) began in 1955. The diversion attempts were resisted with tank volleys and diplomatic flurries at the UN from Syria. Though its motion at the UN Security Council to stop the diversion was supported by a Russian veto, the work was halted only when the US threatened Israel with sanctions.⁴⁸⁵

Syrian and Jordanian water plans of the same period were driven by national as well as very practical hydraulic concerns: to respond to the needs of over 700,000 Palestinian refugees (particularly those that fled to Jordan). The plans included the 1953 Baker–Harza Plan⁴⁸⁶; the well-known 1953 'Unified Development Plan'⁴⁸⁷, UNRWA's 1954 agricultural study⁴⁸⁸, and the 1954 'Arab Plan'.⁴⁸⁹ Jordan also established the West Bank Water Department in 1965 to manage water resources there. The tensions building over the waters eventually led to the mediation efforts of US envoy Eric Johnston, culminating in the 1955 'Johnston Plan' suggested allocations based on irrigated agricultural needs.⁴⁹⁰ For its allocative approach of equal *per capita* water needs, Johnston's efforts were appreciated by most of the individuals concerned, and the plan is still held with some regard today.⁴⁹¹ The plan was eventually conditionally accepted by the Israeli side, and rejected by the Arab League on the grounds that it would imply recognition of Israel.

Israel eventually managed to complete the National Water Carrier, with the intake located at a much less exposed (but considerably lower and more energy-demanding) point on the northwest shore of the Lake of Tiberias. The development was regarded as outright theft of water by its Arab neighbours. Syrian attempts to divert Hasbani flows away from the Upper Jordan River that same year were thwarted by the Israeli Air Force. The Palestine Liberation Organisation's (PLO) first attack was directed against the NWC on 1 January 1965.⁴⁹² Ensuing skirmishes persisted until 1966, despite US promises of arms for Israel in exchange for cessation of the attacks.⁴⁹³

479 *Water for Jewish Settlements in Southern Palestine*. Miscellaneous Correspondence from the Commonwealth Office, including PALCOR Bulletin of 11 June 1947, UK National Archives Commonwealth Office record CO 733/479/5, CO (1947).

480 Wolf, A. T. *Hydrostrategic Territory in the Jordan Basin: Water, War, and Arab-Israeli Peace Negotiations*. Water in the Middle East: A Geography of Peace. A. Wolf and H. Amery. Austin, USA, University of Texas Press, (2000).

481 Hays, J. B., *T.V.A on the Jordan - Proposals for Irrigation and Hydro-Electric Development in Palestine*. Washington, DC, USA, A Report Prepared Under the Auspices of the Commission on Palestine Surveys, Public Affairs Press, assisted by A.E. Barrekette, with an introduction by Walter C. Lowdermilk, (1948).

482 Allan, J.A., *The Middle East Water Question: Hydropolitics and the Global Economy*, London, UK: I.B. Tauris (2001).

483 Galnoor, I., *Water Policymaking in Israel*. Policy Analysis 4(3): 345, (1978).

484 *The Parliamentary Committee of Inquiry on the Israeli Water*

Sector. headed by MK David Magen, Jerusalem, Israeli Knesset, PCIWS (2002): 41.

485 Medzini, A., *The River Jordan: Frontiers and Water*. London, UK, School of Oriental and African Studies (2001): 66

486 *Yarmouk-Jordan Valley Project Appraisal Report*, prepared by Michael Baker Jr., Inc., Rochester Pennsylvania and Harza Engineering Company, Chicago, Illinois, USA. Jordan, Cooperative Department, Water Resources Development, Ministry of Finance, Government of the Hashemite Kingdom of Jordan, Baker-Harza (1953).

487 Main, C. T., Inc., *The Unified Development of the Water Resources of the Jordan Valley Region*, prepared at the request of the United Nations under direction of the Tennessee Valley Authority by Chas. T. Main, Inc. Boston, Massachusetts, USA (a.k.a. "The Main Plan" or "The Unified Development Plan"), (1953).

488 *Jordan Valley Agriculture Economic Survey*, prepared by UNRWA Economic Staff, 1954. Vienna, Austria, UNRWA (1954).

489 *The Arab's Plan for Development of Water Resources in the Jordan Valley, March 1954*, Arab Plan (1954).

490 Johnston, E., *Johnston Allocation of Jordan River Waters 9/30/55 ('The Johnston Plan')*. U.S. National Archives and Records Administration, College Park Maryland. NND927340, declassified 9/30/04, (1955).

491 Attili S and D Phillips, *The Jordan River Basin: 1. Clarification of the Allocations in the Johnston Plan*. Water International (2007), 31(5): 16 – 38.

492 JVL, *Modern Israel and the Diaspora*. Retrieved 15 December 2006, (2006).

493 US Embassy, *Report on Meeting to address response to Israeli Security and Water Security Concerns*. Tel Aviv, Israel, US Embassy in Israel telegram to US Department of State, Washington, 26 February 1965 (published by the Jewish Virtual Library as *The United States Hears Israeli Concerns on Security and Water Rights*), (1965).

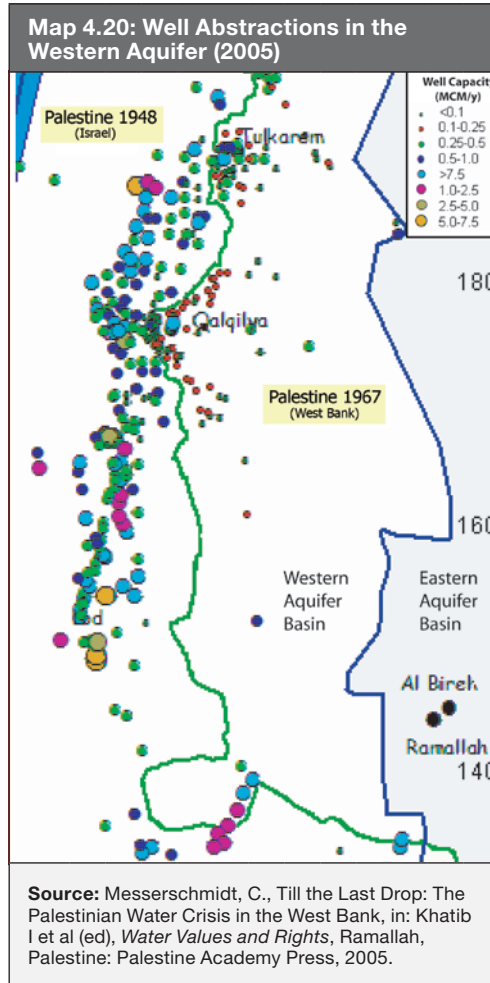
1967 – 1995 (Dominance)

There is considerable debate about the role of water as a motive for the 1967 war. Sharif el Musa points out, for instance, that “the fact that Israel has benefited enormously from the water it seized in 1967 does not necessarily make the “water imperative” in this instance plausible. The outcome of the June 1967 war was by no means as certain at the time as it appears in retrospect, just as the fact that Israel benefited tremendously from cheap Palestinian labour does not suggest that it would have fought a war for it”.⁴⁹⁴ Other sources suggest that water and territory were prime motives for the war. Bullock & Darwish⁴⁹⁵ cite Ariel Sharon: “People generally regard 5 June 1967 as the day the Six-Day War began. This is the official date. But in reality the Six-Day War started two and a half years earlier, on the day Israel decided to act against the diversion (initiated by upstream Arab states) of the Jordan”.

In any case, the capture of land gave Israel in 1967 full control of the entire territory on both shores of the Upper Jordan River, the headwaters of the Banias River, the west shore of the Lower Jordan River and all four transboundary aquifer basins. The effects on future water development and use were radical, as “[t]he outcome of the Six-Day war changed both the hydrostrategic relationship of Israel and her neighbours, and the power balance between them. ... This change in Israeli hydrostrategic situation and its evident military superiority effectively prevented the Arab side from challenging Israel’s water plans or use”.⁴⁹⁶

The effects were felt immediately, with some of the very first Israeli military orders imposed on the Palestinian population pertaining to well-drilling restrictions.⁴⁹⁷ The Civil Administration of the Israel Defence Forces took over operation of the Jordanian-founded and Palestinian-staffed West Bank Water Department. Meanwhile, Israeli water consumption climbed steadily during the first half of this ‘domination era’ (Fig. 4.3), as Israel continued to find sources to supply the thirst of the agricultural sector, and its growing population (particularly with the waves of Russian immigrants). Israel also found itself responsible to meet the water needs of the Palestinians whose land it occupied, and began minimal efforts to develop the water sector of the West Bank and Gaza. The bulk of efforts in the occupied land was devoted to the Israeli settlement population, however. In many cases, deals were struck with the Palestinian village heads to connect them to the water lines being built for settlements. At the cost of providing water for the Palestinians, the pipeline was thus secured against sabotage while consent for the settlement was gained.⁴⁹⁸

As **Map 4.20** shows, Israel had after nearly thirty years of occupation of the West Bank and Gaza established a far superior pumping capacity. The sense of injustice grew with the awareness that the West Bank Water Department (WBWD) served the needs of the Israeli Civil Administration more than



Source: Messerschmidt, C., Till the Last Drop: The Palestinian Water Crisis in the West Bank, in: Khatib I et al (ed), *Water Values and Rights*, Ramallah, Palestine: Palestine Academy Press, 2005.

those of the Palestinian West Bank inhabitants, with settlers paying less for their water from the very same pipelines. As Minister of Agriculture until 1981, Sharon implemented a policy destined to weaken Palestinian technical competence within the WBWD, by not hiring Palestinian hydrogeologists⁴⁹⁹ and dismantling the Palestinian well-drilling department.⁵⁰⁰

The impact of the restrictions on Palestinian water development was (and remains) felt most by the farmers who must rely on irregular rains, or on villagers with no piped water supply. Water thus became an occupation-related issue, in much the same way that the fate of refugees and the status of Jerusalem became unresolved “issues”. By the time of the Madrid and then Oslo negotiations, the results of de- or under-development of the water sector in the West Bank and Gaza and the strong efforts at development on the Israeli side could hardly be more unbalanced. Israeli laws, regulations or military jeeps ensured complete control over all of the transboundary resources apart from the free-flowing and uncontrollable springs in parts of the West Bank.

1995 onwards (Asymmetric Allocation in the West Bank and Gaza Strip)

The asymmetric allocation and terms of cooperation over transboundary waters that exist until this day were cemented in Article 40 and Schedule 10 of the 1995 Oslo II Agreement. From being pri-

Transboundary Water Source	Allocation or Consumption (MCM/y)	
	Israel	Palestine
Surface Water		
Jordan River System 1	660	0
Wadi al Far'a 2	6	6–12
Wadi Gaza 3	25	0
sub-total	691	9
Groundwater		
Eastern Aquifer Basin 4	40	68
North Eastern Aq. Basin 4	103	42
Western Aquifer Basin 4	340	16 - 22
Coastal Aquifer Basin 5	429	135
sub-total	912	267
Total	1,603	276

Notes:

- SUSMAQ 2001b: Table 5.1). This includes all sources from the Upper Jordan River, but not the return flows from groundwater into the Lower Jordan River. Estimates of the amount abstracted by Israel from the Lake of Tiberias through the NWC vary from 345 (HSI 2004: 288) to 400 (Markel 2004a) to 460 MCM/y (Jridi 2002: 24) to 500 MCM/y (UNEP 2003: 11). The maximum pumping capacity of the NWC is elsewhere cited as 1.5 MCM/day, or 550 MCM/y (Cohen 2004a). Local use of Tiberias water is estimated at 70 MCM/y (SUSMAQ 2001b: Table 5.1).
- Wadi al Far'a is technically not a transboundary resource as it lies completely within the political borders of the West Bank (Map 4.19). An estimated 6 MCM/y is captured by Israeli sources inside the closed military zone through the 'Tirzah Reservoirs', which are observable from Highway 90 in the Jordan River Valley (NSU 2005c: 21).
- (SUSMAQ 2001b: 150). Estimated average annual flow. This flow in particular is highly variable, ranging from 0-100 MCM/y, depending on climatic conditions.
- Official allocation figures from the Oslo II Interim Agreement, Article 40 (Oslo II 1995).
- Allocations from the Coastal Aquifer were not specified by Oslo II. The figure of 429 MCM/y is actual Israeli abstraction in 2002/2003 (HSI 2004: VII); the Palestinian figure of 135 is actual consumption, estimated at 80 MCM/y over the estimated sustainable yield of the Gazan portion of the Coastal Aquifer (Almasri 2008).

MCM/y = million cubic metres per year.
The figures do not include endogenous sources of freshwater in Israel or Palestine (i.e. the eastward flowing springs arising from the Eastern Aquifer Basin, or the Negev aquifer), nor does it consider the 'new water' sources such as desalination and wastewater re-use.

marily in Palestinian hands prior to the *Nakba*, the state of Israel in 2009 controls roughly 90% of the transboundary water resources, as shown in **Table 4.14**. The terms of Article 40 of the 1995 Oslo II Agreement consented to by the Palestinian Authority has reinforced this very asymmetrical distribution.

The asymmetry in water control and use between Palestinians and Israelis is evident in many other ways. The average Israeli uses four times as much water as the average Palestinian (roughly 320 vs. 70 litres per person daily.⁵⁰¹ In some places such as the southern West Bank (e.g. around al Tuwaini village), the average Israeli settler uses up to ten times as much as the average Palestinian upon whose land the settlement is built – yet pays less

494 El Musa, S. *Water Conflict - Economics, Politics, Law and Palestinian-Israeli Water Resources*. Washington DC, USA, Institute for Palestine Studies, (1997): 218.
495 Bullock, J. and A. Darwish *Water Wars: Coming Conflicts in the Middle East*. London, St Dedmundsbury Press, (1993).
496 Feitelson, E., *The Ebb and Flow of Arab-Israeli water conflicts: are past confrontations likely to resurface?* Water Policy 2000(2): 343-363, (2000): 350
497 These include, but are not limited to Military Orders 92 (1967); 158 (1967); 457 (1974); and 498 (1974). The control exerted by Israel over water resources in the occupied Palestinian territories through legal means has been explored in great depth

by several authors. Suggested readings on the subject are el Musa (1997: Ch. 4); Messerschmidt, C. Till the Last Drop... The Palestinian Water Crisis in the West Bank, Hydrogeology and Hydrogeopolitics of a Regional Conflict. In: Khatib, I., K. Assaf, D. Clayes and A. Haj Daoud, *Water Values and Rights*. Ramallah, Palestine: Palestine Academy Press (2005); and COHRE *Ruling Palestine: A History of the Legally Sanctioned Jewish-Israeli Seizure of Land and Housing in Palestine*. Geneva, The Centre on Housing Rights and Evictions + BADIL Resource Center for Palestinian Residency & Refugee Rights, (2005). The resultant legal environment was one of "legal dualism", with one system of law for Israeli settlers and one for Palestinians (Eyal Benvenisti,

in el Musa (1997: 263)).
498 Zeitoun, M., *Power and Water: The Hidden Politics of the Palestinian-Israeli Conflict*. London, I.B. Tauris, (2008).
499 el Musa, S. *Water Conflict - Economics, Politics, Law and Palestinian-Israeli Water Resources*. Washington DC, USA, Institute for Palestine Studies, (1997): 272
500 Nassereddin, T., *On the History of Cooperation through the JWC*. Ramallah, West Bank, 5 September 2005, (2005, personal communication).
501 COHRE, *Policies of denial: Lack of access to water in the West Bank*. Geneva, The Centre on Housing Rights and Evictions, (2008b).

than one tenth the cost (US\$0.85 (3.5 NIS) per m³ (or less) for piped water supplied by Israel to the settlement vs. US\$8.50 (35 NIS) per m³ (or more) for water delivered by tanker truck to Palestinians.⁵⁰² Furthermore, while the agricultural sector in both societies consumes 50 to 70% of all water, this sector is of marginal economic significance in Israel (1.5 – 2% of GDP)⁵⁰³, but crucial to the Palestinian economy (20 – 30% of GDP).

From Dominance to Hegemony (Oslo and After)

The Oslo II Agreement formally recognised Palestinian water rights in the West Bank – though these were never quantified (not to mention implemented), and did not extend to Gaza. Oslo II also spawned two institutions: the Palestinian Water Authority and the Joint Water Committee. The creation of a formally equal Palestinian counterpart in effect temporarily shifted the form of Israel's control over the resources from one of domination to one of hegemony.

The first significant Palestinian attempts at 'national' development of the water sector started with the Palestinian Water Authority (PWA) in 1995. The nascent institution inherited a triple burden: the responsibility to meet the water needs of over three million Palestinian citizens starting from a highly asymmetric allocation; the development of a severely under-developed water sector; and very constrained operating conditions due to occupation-related movement restrictions. The PWA nonetheless attempted to embark upon its own 'hydraulic mission', in a bid to emulate the rapid development of the Israeli sector after 1948. The PWA immediately took a very strongly centralised and top-down approach to management, putting it at odds with the traditional management structures set up by communities themselves (as in Jericho)⁵⁰⁴ or with the strong and effective municipal water engineering departments (particularly those of Gaza City, Nablus, Ramallah and Hebron).

PWA reports claim that its accomplishments from the nearly USD one billion it has invested between 1996 and 2002 include: the founding and development of the PWA as an institution; a 30 per cent increase in total water production; a 5–20 per cent reduction of losses in networks; and a general increase in water-network coverage.⁵⁰⁵ The PWA may further point to the public acclaim it has received for what many outsiders regard as exemplary cooperation amongst former enemies, through the Joint Water Committee.⁵⁰⁶

Actual accomplishments in the Palestinian water sector are somewhat less rosy than their portrayal, however. Though total water production might

have increased between 1996 and 2002 (and there is debate about this), average *per capita* consumption during the same period has dropped⁵⁰⁷; over 200,000 people in over 100 communities remain unconnected to networks⁵⁰⁸; and the quality of water continues to decrease, particularly in Gaza. The crisis of water quality in Gaza, in fact, is clear and present – with nitrate, chloride and saline levels two to three times higher than WHO drinking water guidelines in 90% of the wells.⁵⁰⁹

The failure to convert the interim Oslo agreement into a permanent resolution of the conflict has ensured the Palestinians and the PWA will endure the triple burden for some time yet to come. Palestinian water professionals attempting to implement good water resource management practice over a geography still very much controlled by Israel have been routinely frustrated by the skewed licensing procedure of the Joint Water Committee. After years of frustrated efforts and projects blocked by its coercive *modus operandi* (what Selby⁵¹⁰ (2003) refers to as "domination dressed up as cooperation"), the JWC is becoming increasingly discredited.⁵¹¹

Meanwhile, development in the Israeli water sector has shifted somewhat. Freshwater consumption has levelled-off (Figure 4.3), while new demand is met through increasing re-use of treated wastewater. The second-largest desalination plant in the world was built in 2005 in Ashqelon, setting-off plans to build several more up to a design capacity of 500 MCM/y by 2012.⁵¹² An environmentally and financially costly option, desalination plants at least permit (in theory) an opening on resolution of the conflict by mitigating the competing demands over freshwater resources.

The Future

There is little doubt that the welfare of Palestinians will continue in the future to be linked with water availability. The farming tradition will retain its importance in Palestinian life, while efforts to properly manage the resource take on an increasing urgency due to growing populations and the expected effects of climate change. Under the current governance arrangements in the West Bank and Gaza, the professionals of the Palestinian water sector will likely continue to shoulder the burdens of a highly inequitable distribution of freshwater flows and restrictive development context, while retaining responsibility for providing for the needs of its citizens.

The official Palestinian proposal for resolution of the water conflict is a re-distribution of all trans-boundary flows according to the 'equitable and reasonable use' principle of International Water

Law.⁵¹³ The logic of the proposed resolution is compelling, for drawing on the opportunities afforded by increased desalination to reduce tensions over freshwater. The proposed resolution further relies, however, on the establishment of a *truly independent Palestinian state throughout the West Bank and Gaza*. The official Israeli position is against re-distribution, furthermore, ensuring that logic and conflict resolution take a back seat to asymmetry of power. As predicted, the most recent set of failed negotiations (the 2008 'Annapolis' round and subsequent efforts to revive the same) saw little to no compromise or progress on resolution of the conflict. The mode of control has in the meantime begun to shift back to dominance.

Many of the problems currently faced in the water sector would in any case not disappear even with resolution of the water conflict according to international law. Looking back on Figure 4.21, one is struck by the variety of water resources in this tiny land, and of the number of artificial political borders that cross them. The water resources are common to all of the land's inhabitants, connected underground in a complex manner that will likely thwart attempts to manage them jointly or independently. As the need for water is also common amongst all residents of Palestine 1948, the most logical basis for resolution of the conflict and management of the resource is from within a supra-national water authority, or – preferably – single political entity where discrimination has been eliminated.

Agriculture

With the establishment of Israel on 78% of Palestine soil, agriculture, the mainstay of the Palestinian people, underwent dramatic changes, not always beneficial.

During the British Mandate, the cultivated area in Palestine was 5,910,205 donums of which 93% (5,484,750 d.) was Palestinian and the rest (425,455 d. Jewish.⁵¹⁴ By measurement of Map 2.2, the total cultivable land in Palestine is about 13,700,000 donums of which 87% is high cultivation. The portion of this area which fell under Israel is 60% or 8,000,000 d.

Almost all of the Jewish land came under Israel. With the expulsion of the Palestinians, mostly farmers, Israel was not able to absorb their cultivated land. In *al Nakba* year, Israel cultivated only 1,600,000 d. of which 955,000 d. were field crops.⁵¹⁵ This total has increased by absorbing Palestinian land to a max. of 4,300,000 d. in 1977 and remained constant till 1995, when it started to drop again to 2,850,000 d. (2006).⁵¹⁶

502 Oxfam, *Forgotten Villages: Struggling to survive under closure in the West Bank*. Oxfam Briefing Paper No. 28. Oxford, UK, Oxfam International, (2003).

503 Shual, H., A Proposal for an Equitable Reallocation of the Shared Resources Between Israelis and Palestinians and Other Riparians on the Jordan River Basin. Presentation given by Mac McKee on behalf of Hillel Shual to the Palestine Academy for Science and Technology Water, Values and Rights Conference 2-4 May 2005, Ramallah, West Bank, (2005).

504 Trotter, J., *Hydropolitics in the West Bank and Gaza Strip*. Jerusalem, PASSIA - Palestinian Academic Society for the Study of International Affairs, (1999).

505 *Water Projects Status and Donations in the Northern and Southern Governorates*. Ramallah, West Bank, Palestinian Water Authority, December 2003, PWA (2003).

506 *Development of Utilisation and Status of Water Resources in Israel (Annual Hydrological Report) 2003*. (Hebrew), Jerusalem, Hydrological Service of Israel, HSI (2004); *Joint Declaration for Keeping the Water Infrastructure out of the Cycle of Violence*. Dated 31 January 2001, Erez Crossing, Gaza, (Message from the Joint Water Committee communicated by the Israeli Prime Minister's Media Advisor, Israel Ministry of Foreign Affairs Cabinet Secretariat); Testimony to the Committee on Interna-

tional Relations of the US Congress House of Representatives on 05 May 2004, *Water Scarcity in the Middle East - Regional Cooperation as a Mechanism Towards Peace*. Washington, DC, USA, Shamir, U. (2004).

507 Attili, S. and D. Phillips, *Israel and Palestine: Legal and Policy Aspects of the Current and Future Joint Management of the Shared Water Resources*, Ramallah, West Bank, Negotiations Support Unit, Negotiations Affairs Department, Palestine Liberation Organisation, (2004).

508 B'tselem, *Not Even a Drop: The Water Crisis in Palestinian Villages Without a Water Network - Information Sheet*. Jerusalem, B'tselem - The Israeli Information Center for Human Rights in the Occupied Territories, (2001).

509 Madhoun, F., *Health Effects due to Poor Wastewater Treatments in the Gaza Strip*. *Water for Life in the Middle East: 2nd Israeli-Palestinian International Conference*, Antalya, Turkey, 20-12 October 2004, Israel/Palestine Center for Research and Information, al Farra, A. (2005); *Drinking Water Quality: Evaluation of Chloride and Nitrate Concentration of Well Supplies in the Gaza Governorates (1990-2002) - Palestine*. *Water for Life in the Middle East: 2nd Israeli-Palestinian International Conference*, Antalya, Turkey, 20-12 October 2004, Israel/Palestine Center for Research and Information, (2005).

510 Selby, J., *Dressing up Domination as 'Co-operation': The Case of Israeli-Palestinian Water Relations*. *Review of International Studies* 29(1): 121-138, (2003).

511 *An Audit of Operations and Projects in the Water Sector in Palestine: The Strategic Refocusing of Water Sector Infrastructure in Palestine*. Ramallah, Report prepared for the PWA by Audit Environmental, funded by the Norwegian Representative Office in Palestine, 18 November 2008, AE (2008); *West Bank and Gaza: Assessment of Restrictions on Palestinian Water Sector Development Sector Note April 2009*. Middle East and North Africa Region - Sustainable Development. Report No. 47657-GZ Washington, The International Bank for Reconstruction and Development, World Bank (2009)..

512 Sanders, R., *Water desalting and the Middle East peace process*. *Technology in Society* 31(2009): 94 – 99, (2009).

513 *Convention on the Law of the Non-navigational Uses of International Watercourses*, United Nations International Law Commission, UN ILC (1997).

514 SOP *supra* note 3, Vol. I Table 4, p. 323.

515 Israel CBS, *Statistical Abstracts No 59*, 2008, Table 19.1.

516 *Ibid.*

In 1970/71, the Jewish cultivated land was 3,387,000 d. inclusive of expropriated refugees' land, while the cultivated area by the remaining Palestinians was 773,000 d.⁵¹⁷ The latter was the source of much output for Israel's economy (see Peretz, Section 4.3. Arabs producing most produce), in spite of Israel's denial of equal water rights of Palestinian with Jews. In the above figures of cultivated lands, 37.9% of Jewish cultivated land and only 6.9% of Palestinian land were irrigated.⁵¹⁸

With increased cultivation, the field crop area within the total rose from 955,000 (1948) to about 2,500,000 d. within the first 10 years after *al Nakba* and remained between 2.0 and 2.5 million in the period 1960-2000, then it dropped to 1,400,000 d. (2006).⁵¹⁹ This dramatic change was accompanied by the increase in the irrigated area and a change in the type of cultivation. Crop cultivation has dropped to half its highest value in 1976.

Citrus plantation, the pride of Palestine by the name of Jaffa oranges, has also changed. In pre-1948 Palestine, Citrus plantation area was 293,000 d. (266,000 d. net due to uprooting in WWII) of which 54% was Arab. In 1948/49, many of the pipes, pumps and irrigation equipment were looted by the nearby Kibbutz. After the Israelis conquered the Jaffa environs in 1948, "the overwhelming majority of the 150,000 donums of [Arab] citrus trees remained unattended.... Roughly one-fifth of the abandoned citrus groves in the whole country were still being cultivated."⁵²⁰ While Israelis were able to cultivate only 125,000 d. thereafter, they increased this amount in 25 years to a max of 425,000 d. (1975) and now it is only 161,000 d. (2004), of which only 52,000 d. are oranges.⁵²¹ The Israelis earmarked large tracts of the groves for housing construction. Citrus groves, which produced 950,000 tons in 1975, deteriorated to the extent that only 340,000 tons were produced in 1997 and 250,000 tons in the drought year of 1991.⁵²²

This drop in citrus plantation was compensated by a modest increase in flowers cultivation (52,000 d. in 1999), Aquaculture (33,000 in 1999), miscellaneous items (820,000 d.) and by a tenfold increase in vegetables to about 720,000 d. (2006) from only 70,000 d. in 1948.

The cultivated field crops area in the 3 main regional councils of Beer Sheba district in Israel amounts to 193,500 d.⁵²³ (This is to be compared with 2,000,000 to 3,500,000 d., depending on rainfall, cultivated by Palestinians before 1948.) The area reserved now for agriculture in Beer Sheba district, whose area is 13,171,000 d., is only 1,211,000 d. (2002) or 9.2%.⁵²⁴ But the cultivated area is only 279,400 d. (2%) of which 208,600 d. are field crops.⁵²⁵ This includes cultivation by the remaining Palestinians in the district. The claim that Israel made the desert bloom is far from being substantiated. In fact the cultivated area has diminished.

The Jews who earn livelihood from agriculture are shrinking in number as well. All workers in agriculture are 72,500 of which only 8,600 are Kibbutz

members.⁵²⁶ There are other activities related to agriculture such as forests, animal husbandry and light industries. The skilled Jewish workers in this field are 26,000 (2007), which is 1% of the total labour force of 2,682,000.⁵²⁷ This small number may be attributed to higher production efficiency. However, foreign labour was imported and out of some 350,000 non-Jewish foreigners in Israel, 27,500 foreign workers are engaged in agriculture.⁵²⁸ It was inconceivable according to Zionist doctrine to employ non-Jewish labour working the land before 1967. Ironically, out of the classified "foreign" agricultural workers, there are 3,600 Palestinian workers who are probably working on their own land as hired workers. (The figure was much larger before the erection of the Apartheid Wall.)

As Zeitoun shows (Fig. 4.3), the amount of water used for irrigation is very high. This consumption is over 80% of total consumption, or 1,400 mcm/year. It dropped in drought years, 1984-1986 and 1989-1991, to about 1,000 mcm/year, or 56% of total consumption. This water is used to irrigate 46% (1999), up to 54% (1984) of total cultivated land. The irrigated land varies from 1,500,000 d. to 1,100,000 d. (8-5% of Israel's area). By contrast, industrial consumption is almost constant at less than 100 mcm/year. Domestic consumption is of course proportional to population; it has increased considerably to about 600 mcm/year after the influx of Russian immigrants. As noted earlier, the Jewish Israeli consumption is much higher than the Palestinian consumption and much of the water consumed by Israel is diverted from Palestinian and Arab sources.

So much water is therefore used to irrigate a small area. The contribution of agriculture from any land, whether irrigated or not, or from any agricultural product, is only 1.8% of Israel's GDP.⁵²⁹ The vast confiscated Palestinian land is used, as indicated earlier, for military war machine, also as a strategic reserve and a barrier against the return of refugees to their homes.

Thus, Israel's confiscation of land and water brought to itself meagre economic return, but it also brought war and conflict to the whole region by denying the right of rightful owners to repossess their property and resources.

4.8 The Return Plan

The Balfour Declaration of November 2, 1917 was the opening of the longest war against a people, 92 years so far. In the words of the noted Israeli historian, Avi Shlaim, "the Balfour Declaration was one of the worst mistakes in British foreign policy in the first half of the 20th century. It involved monumental injustice to the Palestine Arabs and sowed the seeds of never-ending conflict in the Middle East".⁵³⁰

This mistake turned into the largest, planned and continuous ethnic cleansing in recent history,

which took place in 1948/1949, as the preceding pages illustrate. Since 1948, this continuous ethnic cleansing took a variety of forms but the principle remained the same thereafter: confiscating the property of and displacing the inhabitants in Galilee, Negev and the West Bank, particularly Jerusalem, and killing masses of civilians in refugee camps.

In spite of their military might, the Israelis did not win the long term battle. In spite of their military weakness, the Palestinians did not lose everything. They are still in and around Palestine. They multiplied 7 times, to about 11 million people, while Israelis increased 10 times, by natural increase but mostly by immigration, to about half the number of Palestinians. It should be clear by now, if any proof was needed, that the gun is not a lasting replacement of justice.

The creeping expropriation of the West Bank and confining its population into isolated areas, not to mention the siege and destruction of Gaza, underline the obvious conclusion: this situation cannot go on. The price to pay for restoring peace gets higher by the day. If there is one component of this long conflict which sums it up, it is the expulsion of Palestinians from their homes and the denial of their right to return home. With the implementation of the Right of Return, all other issues become redundant or marginal.

As this Atlas deals with facts about the land and people of Palestine, it is perhaps appropriate to employ these facts to propose a solution. Fabricating myths will not help; in the long run, they will invariably be exposed, as many already did. Zionists needed to fabricate myths because they do not have legitimate tools. Serious historical research based on released Israeli files⁵³¹ showed that these claims are myths at the core. This revelation about the Israeli claims, which received widespread attention in the West, was no revelation for the Palestinian refugees. Their oral history since 1948 described graphically the dimensions of the ethnic cleansing, which echo almost every paragraph of the revealed Israeli files. That it took 50 years for the West to reach this conclusion is a testimony to the power of "orientalism" and the Zionist public relations. It is therefore possible to state that the central component of peace that is yet to come is reversing ethnic cleansing and implementing the right of every human being to return to his home.

The legitimacy of the Right of Return is entrenched in international law. It is affirmed by the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights, other similar regional covenants and the International Convention on the Elimination of all Forms of Racial Discrimination. UN Resolution 194, passed one day after UDHR, calling for the return of the Palestinian Refugees, was affirmed by the international community over 100 times, more than any other resolution in the UN history. Law experts and jurists have already elucidated this

517 Jiryis, Sabri, *The Arabs in Israel*, New York: Monthly Review Press, 1976, Table 16.

518 *Ibid.*

519 Israel CBS, Statistical Abstracts No 59, 2008, Table 19.1.

520 Meron Benvenisti, *Sacred Landscape*, *supra* note 232, pp. 164-65.

521 CBS *supra* note 478, Tables 19.1, 19.2.

522 Beaumont, Peter, *Water for Peace in the Middle East: The Sacrifice of Irrigated Agriculture in Israel*, *the Arab World Geographer*

Vol. 3, No. 2, 2000, pp. 97-112, p. 105.

523 Israel CBS, *supra* note 478, Table 19.4.

524 Israel CBS, *supra* note 478, Table 1.2, 2002 data.

525 Israel CBS, *supra* note 478, Table 19.3, 2004 data. It is to be noted that CBS figures for various chapters do not always match.

526 Israel CBS No. 50, 1999 Table 13.1.

527 Israel CBS No. 59, 2008, Table 12.19.

528 Israel CBS No. 59, 2008, Table 12.34.

529 Central Intelligence Agency, *The World Fact Book*, 2000

530 Shlaim, Avi, *Lion of Jordan: The Life of King Hussein in War and Peace*, London: Allen Lane (Penguin Books), 2007, p.8.

531 The Israeli narrative still propagates these myths but it is increasingly shown to be false by a growing body of scholarship. See, for example, Pappé, Ilan, *The Making of the Arab-Israeli Conflict, 1947-1951*, I.B.Tauris, London and New York, 1992 and Pappé, Ilan, *The Ethnic Cleansing of Palestine*, Oxford: One World, 2006.

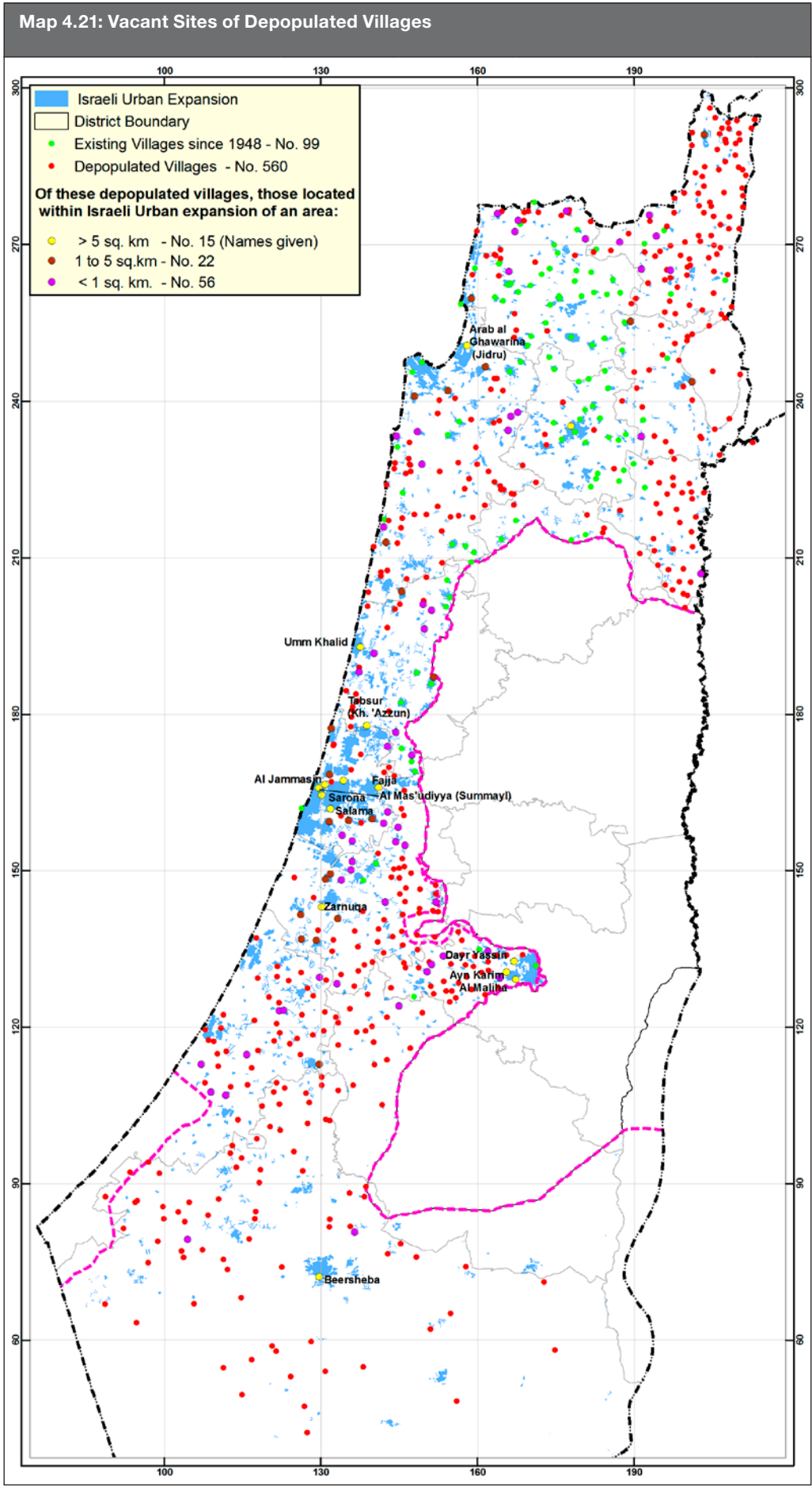


Table 4.15: Phases of Rural Repatriation

Phase No	Phase Description	Number
1	Syria+Lebanon: Registered Villagers	499,403
2	Gaza: Registered Villagers	686,670
3	West Bank: Registered Villagers	378,037
4	Jordan: Registered Villagers	1,134,116
5	Cities: G2 All+UnRegistered Villagers	540,898
6	Cities: G1 Registered	653,245
7	Cities: G1 UnRegistered	907,804
Total		4,800,173

Notes: Seven phases are proposed, all around 0.5 million each, except two. Preference is given to registered village refugees, followed by smaller cities. Coastal cities are last. Data for 1998. For G1, G2, See Table 4.16.

1. The Land

As this Atlas shows, Palestine is a well-documented country. During the Mandate, the Jewish and Arab Palestinian land ownership is well-established. The United Nations Conciliation Commission for Palestine (UNCCP) holds 453,000 records of Palestinian property owners. Although these records are far from complete, they provide a useful source of information. As stated in Section 2.9, The Arab Palestinian ownership in Palestine is best defined by subtracting, from the area of Palestine, the land acquired by Jewish immigrants which was recorded reliably by the Mandate authorities, and which excludes fraud and illegal land transfer claimed over and above government figures. The rest is Palestinian land.

As shown in Section 4.4, Israel confiscated all Palestinian land and property. A question arises: what is the use of this land today? How readily available is it to receive its returning owners?

After the expulsion of Palestinians, Israel rushed to demolish villages and build colonies on their land as detailed in Section 4.2. A study of 560 depopulated villages has shown that only 93 village sites were built-over by new Israeli urban expansion. See **Map 4.21**. Of these only 15 lie in major urban areas; namely: expanded Jaffa-Tel Aviv (7), West Jerusalem (3), Haifa (1), and the coastal strip (2) and two (including Arab Nazareth) elsewhere. This is in addition to expanding originally Palestinian cities, where the old quarters were fully or partially destroyed. The above mentioned 15 villages were absorbed in new urban expansion areas greater than 5 sq. km each. For smaller expansion areas (1-5 sq. km), 22 village sites were absorbed. But the majority, 56 villages, were located within or near small colonies of less than 1 sq. km in area. Thus the majority of colonies were built away from depopulated villages. The rest are removed from the Israeli built up areas. Therefore, reconstruction of the depopulated villages on their original sites will not represent a problem in terms of physical space, if the Israeli built-up areas were to remain *in situ* and not destroyed as the Palestinian built-up areas were in 1948.

question beyond doubts, reasonable or otherwise, raised by pro-Israel legal advocates.⁵³²

A legitimate question may be raised: What are the geographical and human imperatives needed to implement the Right of Return and in what

legal context? This requires the examination of 3 components:

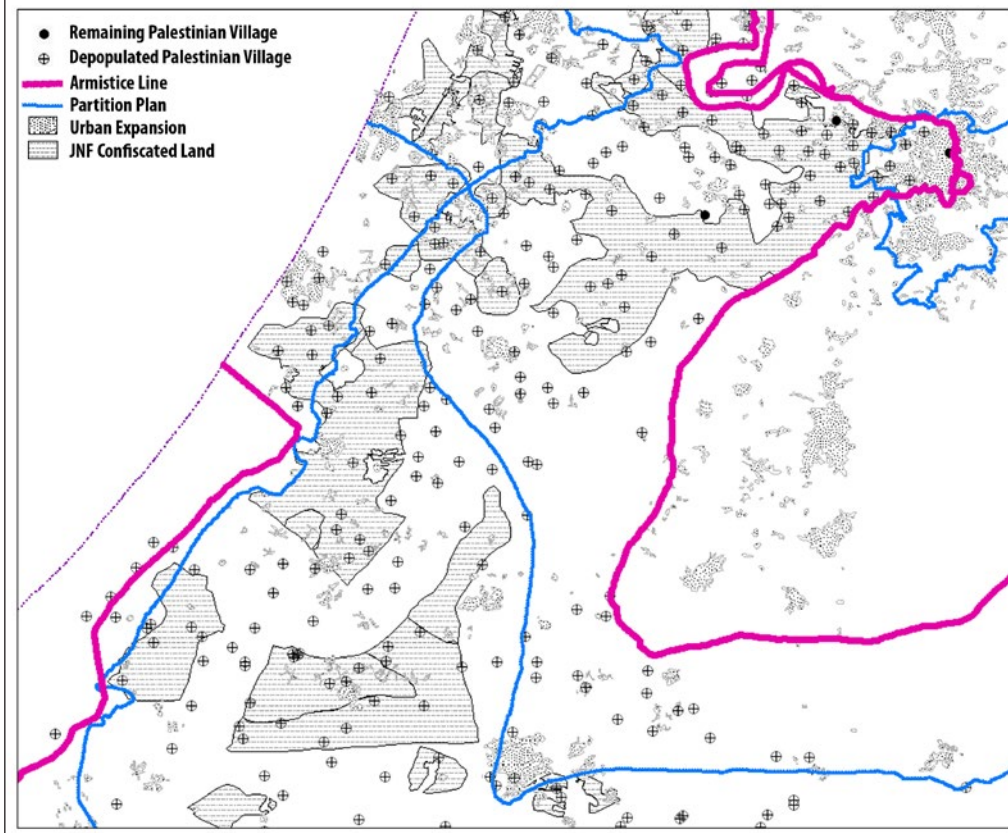
1. The land of Palestine.
2. The people of Palestine.
3. The law of the land.

532 See for example: Boling, Gail, *The Right of Return*, Badil Issue No. 8, Jan 2001, www.badil.org; John Quigley, *Displaced Palestinians and a Right of Return*, Harvard International Law Journal, Vol. 39, No. 1 (Winter 1998) 171; John Quigley, *Mass Displacement and the Individual Right of Return*, British Yearbook of International Law, Vol. 68 (1997) 65; W.T. Mallison

and S. Mallison, *The Right to Return*, 9 Journal of Palestine Studies 125 (1980); W.T. Mallison & S. Mallison, *An International Law Analysis of the major United Nations Resolutions Concerning the Palestine question* U.N. Doc. ST/SG/SER.F/4, U.N Sales # E.79.1.19 (1979); W. T. Mallison & S. Mallison, *The Palestine Problem in International Law and world order* 174-188

(1986); Kathleen Lawand, *The Right of Return of Palestinians in International Law*, International Journal of Refugee Law, Vol. 8, No. 4 (October 1996) 532. See also analysis of Paragraph 11 of the General Assembly Resolution of 11 December 1948, Working Paper Prepared by the U.N. Secretariat, U.N. Doc. A/AC.25/W.45, 15 May 1950.

Map 4.22: Land Use of the Southern Region



To explain further, we select a region which has been subject to considerable changes since 1948. The region is bounded by the Jaffa-Tel Aviv-Jerusalem highway in the north and Gaza Strip in the south. **Map 4.22** shows this region and the depopulated Palestinian villages with their land boundaries. All these villages, except two, were ethnically cleansed and expelled southward to Gaza Strip and eastward to the West Bank and Jordan. The Israelis started to expand urban development radiating from Tel Aviv and West Jerusalem to accommodate new immigrants. The JNF confiscated much of the Palestinian land and allocated it to Kibbutz colonies whose total population is 1-2% of Jewish population in Israel. Map 4.22 also shows that most sites of depopulated villages are still vacant, contrary to Israeli claims.

Who then uses most Palestinian land? Israel's war machine is located there, in addition to the coastal strip. The area holds military bases, factories, training grounds, missile bases, WMD, and other military sites contained in the so-called Closed Zones (both are shown). The density of these sites is unparalleled in any other country. Otherwise, as Table 4.12 has shown⁵³³, the refugees' land is still sparsely populated leading to the conclusion that refugees can return to their homes without much obstruction.

2. The People

Of about 11 million Palestinians, two-thirds are refugees since 1948, and, if we include those displaced in 1967, three quarters are not living in their homes. From the records of the registered refugees with UNRWA, we are able to locate the camps of exile for each village. Two examples are already given in Maps 4.4 and 4.5.

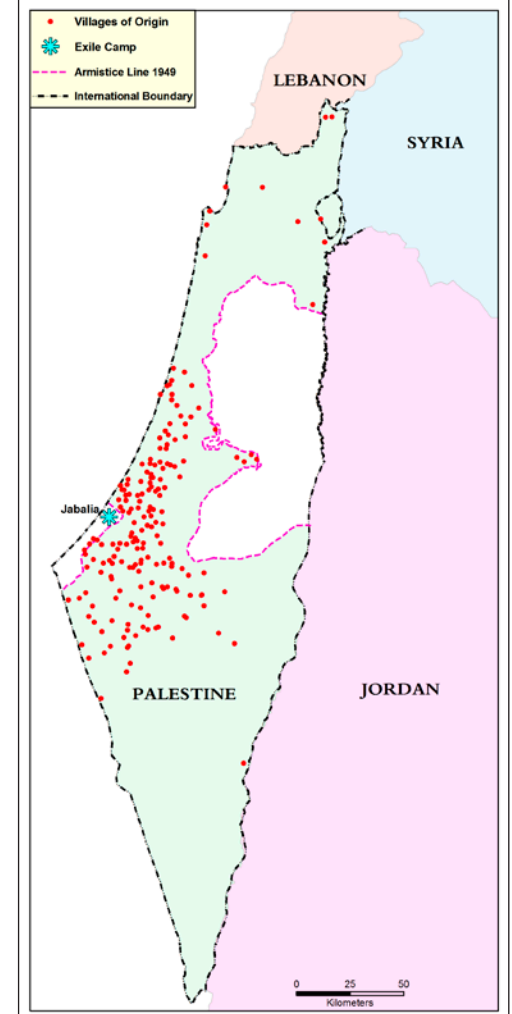
More importantly, it is possible to reconstruct their return from exile camps to their villages of origin. Take the case of Jabaliya Camp, the largest in Gaza Strip, which was pulverised by F16s and Israeli tanks, killing many women and children in the December 2008 – January 2009 Israeli assault. The original villages of those people who took refuge in Jabaliya Camp, Their hamulas (extended families), even their individual names are known.⁵³⁴ See **Map 4.23**. As we have no problem in identifying the home-exile locations, we can plan the refugees' return in 7 phases, each phase about half a million, or about the expelled population of one average district. See **Table 4.15**.

What would the returning refugees find in their home district? We classified the present occupants into 5 categories:

1. Palestinians who managed to remain at home.
2. Ashkenazis who conquered the country in 1948.
3. Jews from Arab countries who were brought in the 1950's to fill the void after the expulsion of Palestinians.
4. Russians who immigrated *en masse* for about 5 years, starting from 1989, after the demise of the Soviet Union.
5. Assorted European and American Jews who came intermittently, particularly after the 1967 occupation of the West Bank, Gaza and the Golan.

This classification is not accurate but it shows major trends in filling the places from which Palestinians were evacuated. The classification was extracted from data based on the immigration year⁵³⁵ and on the geographical distribution and placement of new immigrants. This study

Map 4.23: Villages of Origin for Jabaliya Camp



covered over a thousand now-Israeli towns and villages. But less than 50 of them have a sizeable population. The rest are colonies: Kibbutzim and Moshavim, each with a population of 50-500 people.

At the same time, we examined the Palestinian population of 675 ethnically cleansed towns and villages. We traced their home villages and their exile camps using the records of UNRWA.⁵³⁶ Accordingly, it was possible to estimate the existing and returning population.

Taking the northern district, where a sizeable percentage of population is still Palestinian, **Map 4.24** shows both the present population and the returning Palestinians. There does not seem to be a problem of over lapping or crowding. About 800,000 refugees can return to live in their homes with their kith and kin, who already comprise half of the existing population. The trip is only a bus ride away.

We can repeat the same exercise in the Southern District, which is actually much less of a problem. **Map 4.25** shows the existing population classified as in the Northern District. With the exception of 3 originally Palestinian towns, now inhabited and expanded by Jews, and some other small "development" towns, all the rural Jews in this area (73,000) hardly fill one refugee camp in Gaza. The existing population and the returning refugees are almost the same number, 800,000

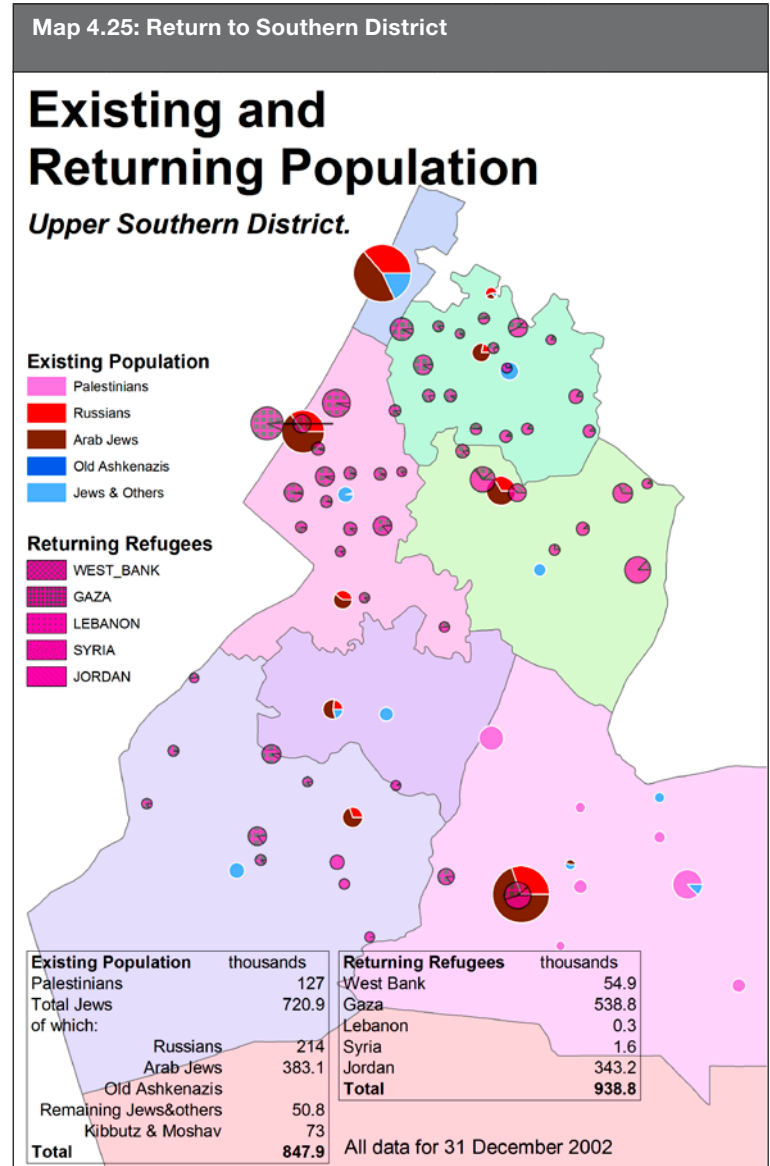
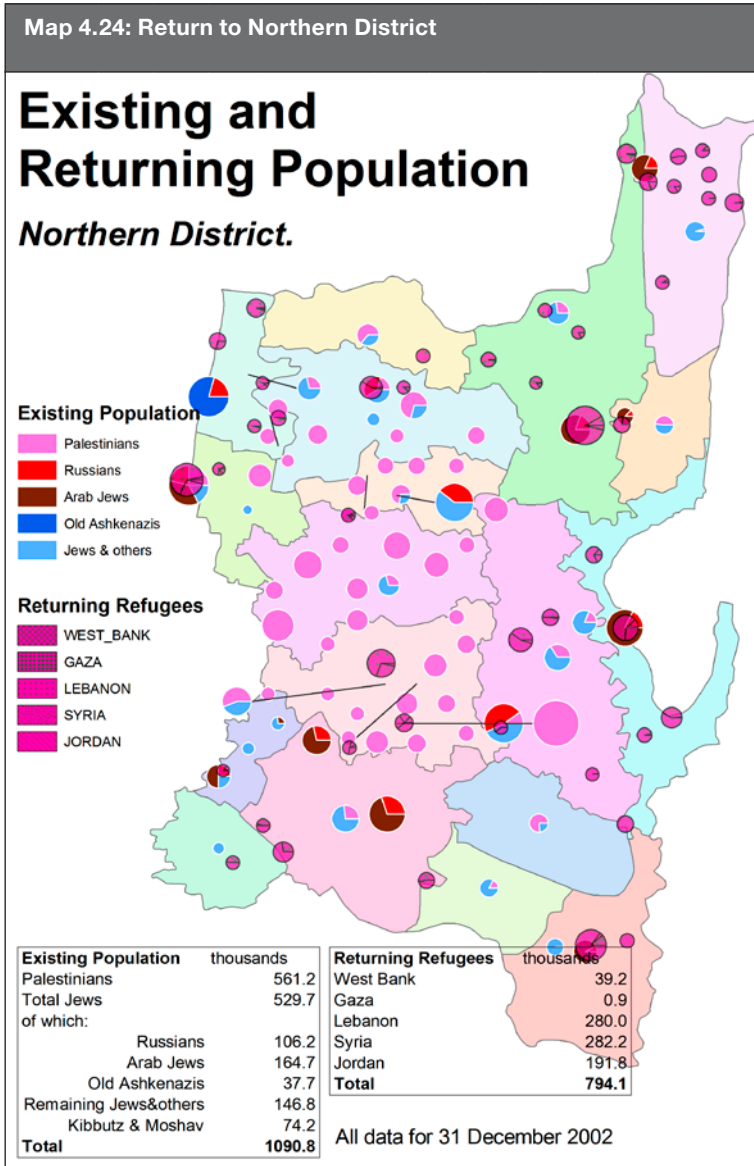
533 Two hundred and fifty Israeli and foreign experts met over several months to examine Israel's future by 2020. The result was 18 volumes of analysis. See, Adam Mazor, *Israel Plan 2020*, Haifa: The Technion, 1997. Translated into Arabic by the Centre for Arab Unity Studies, Beirut, 2004. Table 4.12 is adapted from

Vol.2, p. 188, Table 12.1.

534 See generally, www.unrwa.org. UNRWA Registry gives detailed information about every refugee.

535 See Annual Statistical Abstracts, Central Bureau of Statistics, Israel.

536 Registered refugees represent only 75% of all refugees. Others did not register in 1949-50 because registration was based on need for food and shelter which they did not require as they had their own resources.



each. If Gaza refugees return, they can literally walk to their homes within an hour.

The repatriation to cities needs a different treatment. While most villages were destroyed, destruction of cities was variable. The old city in Tiberias was totally destroyed. Sections of the old quarters in Haifa, Jaffa, Lydda and Ramle were also destroyed. The question arises: Can the mutilated cities receive their former inhabitants?

Table 4.16 shows the repatriation plan for the cities. It will be noted that 6 cities (Group 1) were mixed with Arab majority, now with Arab minority, 6 cities (Group 2) were completely ethnically cleansed of Arabs and 2 cities (Group 3) remained Arab. The expelled population from cities generally have good education, social contacts and business connections. They have not registered as refugees with UNRWA in 1950 as they did not need food assistance or were too proud to receive it. Their return will be easier to accommodate than the absorption of Jewish immigrants in the past 6 decades. Jewish population in urban localities increased ten times from 1948 to 2005, within the depopulated cities under consideration. Proper use of space, high rise buildings and efficient municipal services made the absorption of such large numbers of Jewish immigrants possible. Returning Palestinian home owners in these cities are less than one third of the present Jewish occupants and would therefore be similarly accommodated.

Map 4.26 shows suggestions for the repatriation of Palestinians in 10 cities. This map shows three situations: (1) the built-up area during the Mandate,

Table 4.16: Phasing of Cities Repatriation

Group	S. No.	City	Registered Refugees 1998	Total Refugees 1998	To Repatriate	Palestinians in Israel
Group 1	1	Jerusalem West	104,053.00	427,988.00	427,988.00	
Group 1	2	Jaffa	174,855.00	472,368.00	454,368.00	18,000.00
Group 1	3	Haifa	190,615.00	447,364.00	424,664.00	22,700.00
Group 1	4	Lydda	99,118.00	119,392.00	103,992.00	15,400.00
Group 1	5	Ramle	72,581.00	107,994.00	96,594.00	11,400.00
Group 1	6	Acre	33,271.00	87,692.00	74,692.00	13,000.00
Group 2	7	Safad	45,242.00	67,888.00	67,888.00	
Group 2	8	Tiberias	19,863.00	37,826.00	37,826.00	
Group 2	9	Baysan	28,656.00	36,900.00	36,900.00	
Group 2	10	Beersheba	35,076.00	39,679.00	36,179.00	3,500.00
Group 2	11	Al Majdal (Ashqelon)	50,626.00	70,595.00	70,595.00	
Group 2	12	Isdud	24,682.00	32,911.00	32,911.00	
Group 3	13	Nazareth	9,154.00			62,600.00
Group 3	14	Shafa Amr	4,181.00			26,800.00
Sums		Group 1	674,493.00	1,662,797.00	1,582,297.00	80,500.00
Sums		Group 2	204,145.00	285,800.00	282,300.00	3,500.00
Sums		Group 1+2+3	891,973.00	1,948,597.00	1,864,597.00	173,400.00
Sums		Group 1-Jerusalem	570,440.00	1,234,810.00	1,154,310.00	80,500.00

Notes: Of the 14 Palestinian cities occupied by Israel, 2 remained Arab, 6 (G2) were almost totally Arab, now totally Jewish populated, 6 (G1) were mixed with Arab majority, now still mixed but with Jewish majority. Return to G2 is feasible. Return to G1 is possible, except Jaffa and Jerusalem which need a special plan. Data for 1998.

(2) the town planning limit during the Mandate, (3) the Israeli built-up area and (4) the Palestinian built-up area, virtually increased seven times to show the possible limits of accommodating the returning Palestinians. The latter area is outlined such that it does not conflict with the existing built-up area. Without going into much detail, there

does not seem to be a problem of expansion to absorb the returning original owners/inhabitants of the cities.

The housing of the returning refugees is also not a problem. We made a study and found that rebuilding their destroyed homes, less than one

Map 4.26: Cities Repatriation

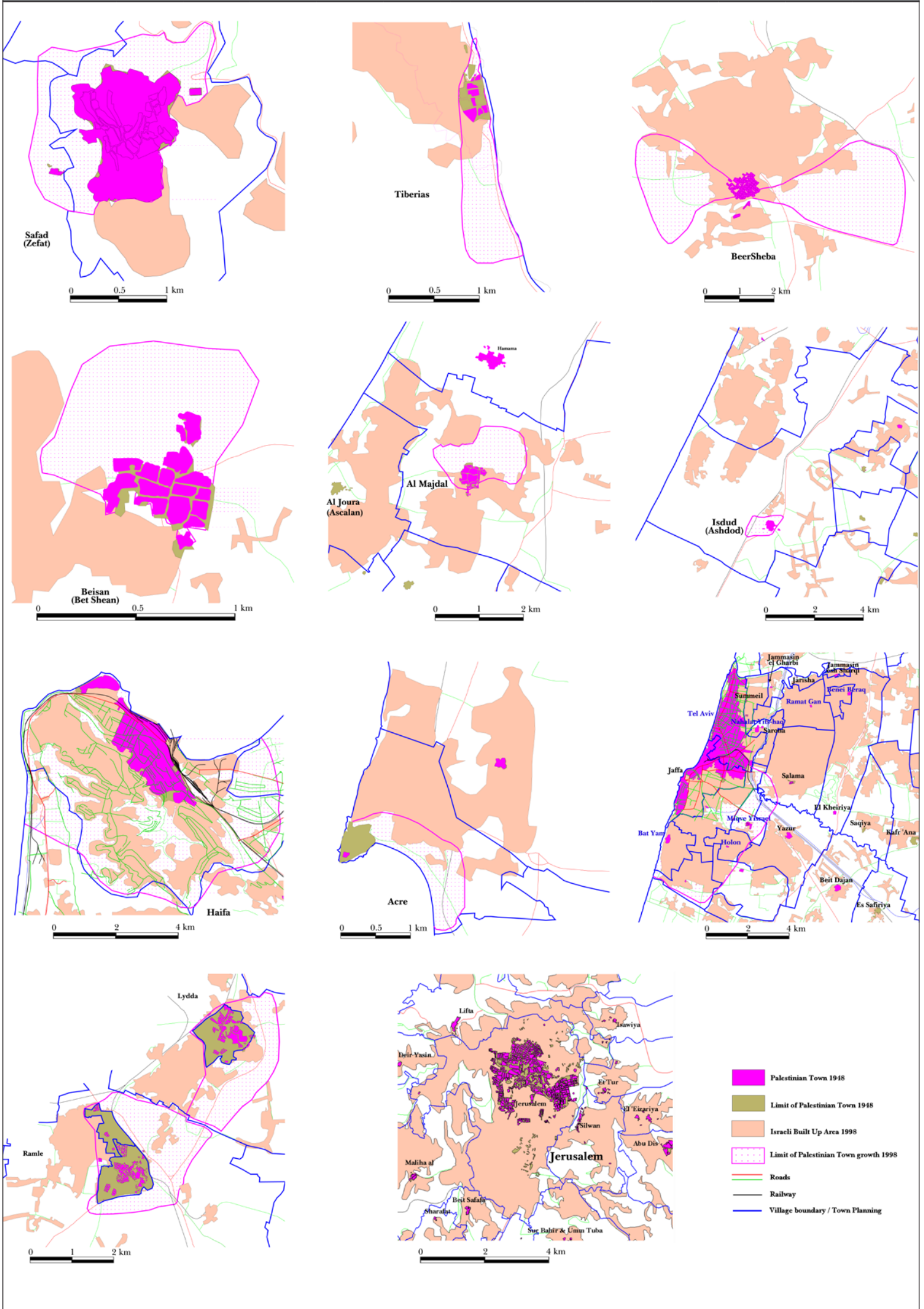
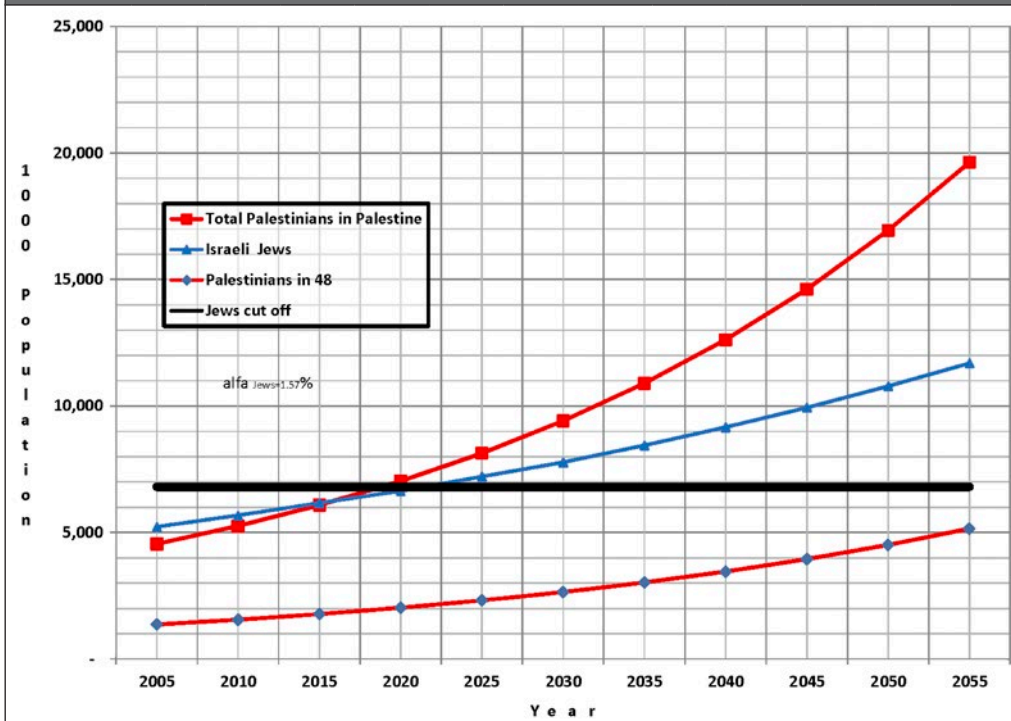


Fig 4.4: Population Projection



million housing units, can be done entirely by Palestinian hands.⁵³⁷ Similar or larger projects have been completed in the Gulf where Palestinian engineers played an important role.

So far, it has been assumed that the expelled and remaining Palestinian population and also all the Jewish immigrants, who came to replace them since 1948, will remain in situ. It is a matter of conjecture to forecast how many Jews would wish to remain in a democratic non-exclusive country. Similarly it is not certain how many Palestinians would wish to remain where they are. But Jews must have the choice and the Palestinians must retain their inalienable Right of Return.

It has already been shown that the Palestinian population is well documented. The Jewish population of Israel, their origin, date of immigration and numbers, are well documented by Israel's Central Bureau of Statistics (CBS).⁵³⁸ According to Ian Lustic⁵³⁹, who analyzed CBS data from 1998-2005, CBS figures show an average of approximately 13,000 annual emigrants, leaving the country. The average for the 4 years after the outbreak of the *Al-Aqsa* Intifada showed an increase of nearly 40% to 18,400 emigrants per year. According to Lustic, "A similar 40% increase in the number of Israeli immigrants gaining permanent residency or citizenship in the US, Canada, and UK was registered between the 5 years prior to the outbreak of the *Al-Aqsa* Intifada and the 5 subsequent years. That is a jump from 25,276 in the years 1996-2000 to 35,372 in the years 2001-2005". A report attributed to the CIA⁵⁴⁰ estimates that in the next 15 years, 2 million Israelis, including 0.5 million who currently hold US green cards or passports will move to the United States, and 1.6 million Israelis would return to Russia and Eastern

Europe. It is of interest to note that at any one moment about three quarters of the Israelis are outside the country.⁵⁴¹

These of course are estimates which may not materialize, but the important point is that every Jew in Israel has or had a passport, citizenship and, likely, a home outside Israel, while the majority of Palestinians do not have that option and do not wish to have it. Also, the Jewish population in Israel is fluctuating, variable and not always predictable. On the other hand, Palestinian population is defined, stable and steadily growing.

The racist policy in Israel calls the presence and growth of Palestinians in their land "a demographic bomb".⁵⁴² The nature of Zionist ideology is such that it is in collision course with human rights. Short of a massive campaign to eliminate the Palestinians, it is a futile objective to expect the Palestinians to disappear. **Fig. 4.4** shows the Palestinian citizens of Israel and the Jews in Israel with a natural growth of 1.57% until the year 2055. The top line shows total Palestinians living in Palestine, in any of its three regions: Israel, West Bank and Gaza. The Palestinians in exile (not shown) outside the borders of Palestine are the same number approximately. Anywhere between 2015 and 2017, Palestinians in all of Palestine will be equal to Israeli Jews, if not already there if a strict definition of a "Jew" is applied. In the year 2050, the Palestinians in Palestine will be around 17 million. The Israeli Jews will be 11 million in that year if the present trend continues without interruption. But this is not the point.

The number of Jews in the world is almost constant at 13 million because of mixed marriages and assimilation. Israeli planning policy always

aims to keep around 5 million Jews in the US and Western Europe – their presence there is much more beneficial to Israel.⁵⁴³ That means a maximum of 8 million Jews are potential residents or immigrants to Israel, shown by thick horizontal black line. Therefore, the Palestinians will undoubtedly be the majority in some year and/or in a certain region of Palestine. That is the reason for the new Israeli demand that Israel is recognized by Palestinians as a "Jewish state". This is contrary to the Israeli declaration of independence itself which relies for its legitimacy on the UN Partition Plan resolution (181). This resolution never envisaged a purely ethnic or religious state, nor could it ever do that. The slogan "Jewish state" is therefore meant to deny the right of refugees to return to their homes and to provide a license for Israel to expel its own Palestinian citizens when desired.⁵⁴⁴

3. The Law

For Palestine there is no shortage of legal foundation⁵⁴⁵ for establishing a democratic free government, starting from the Universal Declaration of Human Rights up to the Right of Self Determination. Mention should be made of UN Resolution 181 partitioning Palestine, not because it is a desirable option. It's inconceivable that 54% of Palestine with more than 475 Palestinian villages would come suddenly under the sovereignty of recent Jewish immigrants. But this resolution has many useful and necessary provisions to protect the political, civil, religious and educational rights of each group, whether Palestinian or Jewish, in a state in which the sovereignty is held by the majority. This should be a good basis from which an expanded formula can be developed. It is worth noting that the famous UN Resolution 194, which has been affirmed by the international community about 135 times in the last 60 years, has 3 main elements: First, it calls for the refugees to return; second, it provides them with relief until that happens; third, and most importantly, it provides a mechanism for their repatriation and rehabilitation. This mechanism is the UN Conciliation Commission for Palestine (UNCCP).

In the Lausanne negotiations, 1949-1950, Israel managed to obstruct the refugees' return and rendered UNCCP idle.⁵⁴⁶ Only the provision of relief, which is now under UNRWA, is still in operation. But UNCCP is still legally valid and has its offices in the UN. Its annual routine report is an indication of Israel's contempt for international law and UN resolutions. The report says every year: "we are unable to facilitate the return of the refugees this year."

The legal framework for repatriation is available and could be applied, as it was in dozens of similar cases such as Kosovo, Bosnia, Abkhazia, Uruguay, Uganda, South Africa, Iraq and Afghanistan.⁵⁴⁷ There are already many examples of positive international action in Kosovo,

537 Abu Sitta, Salman, *From Refugees to Citizens at Home*, London: Palestine Return Centre, 2001.

538 See Section 2 Population in Israel CBS 57 (2006).

539 Ian S. Lustick, "Abandoning the Iron Wall: Israel and the Middle East Muck", *Middle East Policy*, Vol. XV, No.3, Fall 2008.

540 Franklin Lamb, *Fearing One-State Solution*, *Dissident Voices*, 19 February 2009.

541 Israel CBS No. 57 (2006) Table 4.1

542 Netanyahu expressed this view in Herzliya conference in December 2004. The extremist Avigdor Lieberman publicly advocates the expulsion of Palestinian citizens of Israel. The debate about this issue is common in many sectors of the Israeli

society without fear of censorship or condemnation.

543 Adam Mazor, *Israel Plan 2020*, Haifa: Technion, Israel, 1997, Vol. 6, *Projections of World Jewry*.

544 Cook, Jonathan, *Disappearing Palestine: Israel's Experiments in Human Despair*, London: Zed Books, 2008. See also various press releases: www.adalah.org.

545 For examination of the legal background, see: W.T. Mallison and S.V. Mallison, *The Palestine Problem in International Law and World Order*, Longman, Essex, England, 1986; John Quigley, *Palestine and Israel: A Challenge to Justice*, Durham University Press, Durham, 1990; Susan Akram, *The Palestinian Right of Return in the Context of the One and Two State Solution*,

forthcoming publication.

546 In May 1949, Israel signed Lausanne Protocol affirming its compliance with the Partition Resolution (181) and the return of the refugees' resolution (194). That was under pressure from the US, or else its UN membership in the UN will not be supported. Two days after Israel's admission to the UN, Israel reneged on its compliance with the two resolutions. See, Pappé, Ilan, *The Making of the Arab-Israeli Conflict, 1947-1951*, I.B.Tauris, London and New York, 1992.

547 See such cases in: www.badil.org/Solutions/restituition.htm.

Fig 4.5: Restoring Landscape

Property to be recovered (Other than land)			
➤ Government Records : lands, health, education, agriculture, finance.			
➤ Private Records and Libraries: societies, parties, individuals.			
➤ Contents of looted houses in 12 cities and over 500 villages.			
➤ Public Buildings		427	No.
➤ Civil Buildings		1770	No.
➤ Airfields		31	No.
➤ Camps		37	No.
➤ Transport:	Railway Lines	643	km
	Railway Stations	41	No.
	Roads	25,000	km
	Ports	3	No.
➤ Religious Sites:	Jerusalem	223	No.
	Palestine 1948	1922	No.
➤ Water:	Wells, springs, other	3649	No.
	+Three quarters(1500 mcm) of Israel's water consumption are stolen from Arab waters.		
Sites to be restored:			
➤ Destroyed, damaged, neglected or converted religious sites(about 300-500 sites).			
➤ Destroyed, looted, forged or expropriated archaeological artifacts.			
Environment to be healed:			
➤ Lake Hula – environmental disaster of fauna and flora.			
➤ Lake Tiberias – high nutrients and elevation drop.			
➤ River Jordan – changing course.			
➤ Dead Sea – shrinking size from 1050 km ² to 630 km ² .			
➤ Depletion and salinity of coastal aquifer.			
➤ Polluted rivers: Al Auja (Yarkon), Al Muqatta' (Kishon), Rubin.			
➤ Polluted beaches.			
➤ Polluted air in coastal cities.			
➤ Toxic dumps in e.g. Khiriyah, Asluj, Modiin, West Bank and Golan.			

Bosnia and East Timor. Not only was force used when necessary, measures were also taken to remove or reduce the obstacles preventing return. In the former Yugoslavia, the Committee on the Elimination of All Forms of Racial Discrimination has recommended changes in domestic laws and regulations concerning naturalization, acquisition of citizenship, determination of refugee status and tenure to bring them in line with international law. When local authorities refused to reform or repeal discriminatory laws, the international community has, in Kosovo, unilaterally repealed laws that negatively impact the rights of the refugees.⁵⁴⁸

Assuming that certain western powers would cease to obstruct enforcement of international law, the following action may be taken:

The Security Council should act to implement Resolution 194, first passed in December 1948 and reaffirmed annually ever since, by all possible means at its disposal. The resolution should have been implemented at "the earliest practicable date", which had been suspended, due to Israel's intransigence, from the original date of July 1949, the date of the last Armistice Agreement, till today.

The resolution entitles the refugees to return to their original homes, not to any other location even within Palestine, and in addition, to compensation for material and psychological damages and losses, including loss of revenue, in accordance with international law and legal precedents. Table 4.9 has already given an overall estimate of the known value of Palestinian assets and damages. Compensation is due for all these items except for land property which must be repossessed. War Crimes shall be dealt with by the International Criminal Court, created by the Statute of Rome of July 1998. Failing a Security Council resolution, due to US veto, it is possible to convene the General Assembly under "United for Peace" formula, which has the same weight. After the implementation of the Right of Return, compensation procedure may be established as a separate but a subsequent step. Compensation cannot be a substitute for return. Homeland is not for sale.

The mandate for UNCCP should be bolstered to deal with the present situation. UNCCP should be able to implement the Right of Return under the pain of sanctions (similar to the Iraq case), should set up a compensation agency (there are many applicable precedents), should take up the role of protecting the returnees physically and legally during the whole process of rehabilitation. This protection has not been spelled out clearly, as it should. The protection afforded by the UNHCR should be added to the UNCCP mandate *after return*. UNHCR has excluded the Palestinian refugees from its protection by virtue of clause 1D, due to the unique status of the Palestinian people. In a serious legal study, UNHCR mandate is shown to add protection to the refugees at certain situations.⁵⁴⁹

As indicated earlier, the civil, religious and political rights of the returnees have already been clearly delineated in chapters (2) and (3)⁵⁵⁰ of Resolution 181 (II) of November 29, 1947. This should be incorporated in the UNCCP mandate to safeguard the returnees' rights and prevent them from being victims of any kind of discrimination and apartheid practices. With the return of the refugees, they must recover their nationality. According to international law⁵⁵¹, the people and territory go together. The sovereignty over the territory means the continuity or the restoration of its people's citizenship.

UNRWA has a lot of work to do. With its 30,000 staff and its tremendous experience of providing uninterrupted service to the refugees, through 5 wars and innumerable raids and attacks, it has a unique standing. UNRWA should be expected to take care of all operations of rehabilitation. It should turn itself into a sort of UNDP, not only to build the infrastructure but also to create economy-building projects. Its mandate will last for 10 years from the first date of return, then tails off for another 10 years.

548 For more discussion on international action, see Terry Rempel, "Principles, Obstacles and Mechanisms for Durable solution for Palestinian Refugees", Palestinian Return Migration, Shaml Seminar, June 2001, prepared by Badil Resource Centre, Bethlehem, Palestine. See also Marcus Cox, "The Right to Return Home: International Invention and Ethnic Cleansing in Bosnia & Herzegovina," 47 International & Comparative Law Quarterly, 610 and 614 (July 1998). Also see, Catherine Phuong, "At the Heart of the Return of the Return Process: Solving the Property Issues in Bosnia and Herzegovina," Forced Migration Review 7 (April 2000). See, for example, Concluding Observations on Croatia, CERD/C/304/Add.55, 10 February 1999; CERD, Concluding Observations on Bosnia and Herzegovina, A/48/18, 15 September 1993. Regulation No. 10. 1999/10 on the repeal of discriminatory legislation affecting housing and rights in

property. UN Mission in Kosovo, 13 October 1999. For application of repatriation see: *Returning Home: Housing and Property Restitution Rights of Refugees and Displaced Persons*. Leckie Scott (ed.). New York: Transnational Publishers Inc., 2003; Paul Prettitore, *The Right to Housing and Property Restitution in Bosnia and Herzegovina: A Case Study*, Working Paper No. 1. Bethlehem: BADIL Resource Center for Palestinian Residency & Refugee Rights (April 2003); Madeline Garlick, *The UN Peace Plan for Cyprus: Property, Displacement and Proposed Solutions*, Geneva Seminar, Badil, Ramallah, 2003; Monty J. Roodt, *Land Restitution in South Africa*, Geneva Seminar, Badil, Ramallah, 2003, p. 67.

549 For a detailed study showing that the exclusion of Palestinian from UNHCR Covenant (Clause ID) does in fact heighten their protection, see Susan Akram and Terry Rempel. "Recom-

mendations for Durable Solutions for Palestinian Refugees: A Challenge to the Oslo Framework", Palestine Year book of International Law, to be published.

550 Chapter 2 of Resolution 181, entitled "Religious and Minority Rights", guarantees the freedom of worship and prohibits discrimination on grounds of race, religion, language or sex. It ensures equal protection of the law and respects family law and personal status. It ensures adequate primary and secondary education in the citizen's language and cultural traditions. It prohibits expropriation of land and property except for public purposes and after full compensation. Chapter 3 stipulates that the citizens of the state, regardless of their race, creed or sex, have the right to vote in the elections to the Constituent Assembly.

551 See *supra* note 495, Quigley, "Mass Displacement", p. 108.

When the rights are restored and racism is abolished, there is of course a lot of work to do on the landscape. Sixty years of wars, occupation, war crimes, destruction and suffering cannot be wiped out easily. The first task is to clean up Palestine. We have to restore Palestine, which is now concreted, polluted and ravaged, to normal life. See **Fig. 4.5**. Private and public property of Palestinians should be recovered. Religious, archaeological and cultural sites should be restored.⁵⁵² Concrete jungle must be cleared up and landscape restored. Also, land, air and water, which have been greatly polluted by the Zionist mad rush to build and destroy, must be cleaned up.⁵⁵³ In Palestine we must provide a clean environment and a liveable county for millions of people.

Can this be done? Considering the success of the international operations of rescue and rehabilitation after the Second World War and considering the enormity of the Palestinian refugees' plight, it is imperative that the international community takes a firm stand. This should be made practically possible because the Palestinian question has by far the most comprehensive legal groundwork and uniform international consensus. It has been the major occupation of the UN since its inception half a century ago. The UN can now act, with or without the long-denied support of western powers, to implement international law and bring permanent peace to the Middle East.

To be sure, the implementation of this Return Plan shall encounter many difficulties, but most are readily solvable. The rewards however far outweigh any cost and sacrifices likely to be made. Indeed the return would discharge the old debt of 62 years of war, strife and suffering and bring an era of permanent peace. The return is definitely cheaper than the cost of military and economic aid to Israel and the cost of war damage. The inalienable right to return home is akin to the right to live, work, get education, speak and worship freely. The question therefore is not a matter of compromise or political bargaining.

4. Practical Considerations

On the practical side, it can be shown that there is enough Palestinian labour to complete the refugees' rehabilitation process. The construction activity will act as a major generator for the economy at least for the first 10 years. Not only can it be funded by reparations, compensation, donations and investments, but the absorption of new labour would greatly increase GDP for the new Palestine.⁵⁵⁴ When peace prevails, the labour for building the future becomes available. Israel has an ambitious plan for the 21st Century.

Its master plan for the year 2020, may be earlier, envisages a GDP of \$220 billion, more than double the present. To do that, Israel needs a workforce of 3,200,000, of which only a tiny minority are employed in agriculture (2% or 70,000), almost the same number as of today. Its growth is envisaged in areas other than agriculture, such as industry and infrastructure. The booming high-tech industry in Israel is part of the globalization process. Almost half of Israel high-tech companies are registered in the US. They could be anywhere, in an industrial park in Haifa or on an aircraft carrier. Globalized high-tech is non-territorial. It does not contradict in any way with the return of the refugees.

It is clear that the ambitious Israeli master plan of 2020 needs the cooperation of its neighbours. All the various scenarios in the plan point out that Israel is bursting and it needs proper channels to release its force. War generals may be tempted to do so by military force. This will be disastrous for all concerned. The other alternative would be a true and just peace. Replaying another Oslo will also be a disaster. A cornerstone of this peace is the return of the refugees.

When the refugees return, they can revive the agriculture and make use of wasted resources of land and water, which is theirs in the first place. They will augment (or replace only) 60,000 agricultural labour in Israel, mostly foreign anyway. The refugees can generate 1,000,000 workers at the present level of participation, which could be doubled to match Israel's participation. This will be essential for further development of the infrastructure, trade, hospitality and services which account for 61% of the GDP producing labour for the new Palestine.⁵⁵⁵

Having reviewed legal, geographic, agricultural, demographic and economic aspects of the refugees return, we cannot find a logical or practical reason for the denial of the Right of Return.

It is clear that the only remaining obstacle to permanent peace is Israel's racist policies which are practised since 1948. The learned professionals of Israel came up with ethnic cleansing and apartheid policies as the only way to ensure their own view of Israel's future.⁵⁵⁶ This is a recipe which leads to more loss of life and destruction in the region.

The qualifications for a just peace is that Israel must shed its racist policies⁵⁵⁷, must respect and adhere to international law, particularly Human Rights law. The return of the refugees to their homes becomes then a natural corollary. Israel must then dismantle its weapons of mass destruc-

tion as both unnecessary and dangerous. The funds now poured into destructive weapons and military hardware (highest percentage of GDP in the world) could be put into development projects. The US and Europe must cease, in dealing with the Middle East, to base their policies on lobby groups and political expediency. Europe must cease to pay for its guilt in the Second World War by Palestinian lives and blood.

The outlined plan may look like a pipedream at the present. But over 92 years, all forced actions, even though they succeeded in materializing, did not strike root and created a vast scene of blood and destruction. They did not gain acceptance, resignation or a state of tranquillity and never will. Law, history, geography and human spirit are against it. The return of the refugees may be a long way ahead, but it is the only way to reach a lasting peace.

4.9 Epilogue: Palestine/ Israel Transformation

Transformation of Palestine into Israel in the last half century or so is unique in history. The systematic destruction of human and physical Palestinian landscape was carried out in order to build Israel on its ruins.

History is replete with acts of destruction and expulsion of people from their homelands. The Mongols destroyed Baghdad, the Huns and Vandals destroyed Roman cities. Dresden, Wuppertal, Nagasaki, Hiroshima and many other cities have been destroyed in World War II. In all wars, millions have suffered death and destruction which left permanent scars in their lives. But all these events, whether preplanned or spontaneous, occurred in the heat of the battle and ceased after it.

The British and French colonized many parts of the Third World, exploited its resources, used its people as cheap labour and relegated its culture to a lower order. But in no case did they displace the majority of the population and took over their homes, lands and property. For sure, there have been numerous cases of displacing local people, burning villages and confiscating property but not on such a planned scale as to eliminate most traces of the people of the land.

Colonizers disregarded the culture of the colonized and discouraged promoting it through education and transmittal by elders. The landscape with its historical connotations and place names remained intact, save for changing names of some cities and

552 Many of the religious and archaeological sites were destroyed, desecrated, looted or claimed to be Jewish. See Kletter, Raz, *Just Past?: The Making of Israeli Archaeology*, London: Equinox, 2006; Abu El-Haj, Nadia, *Facts on the Ground: Archaeological Practice and Territorial Self-Fashioning in Israeli Society*, Chicago: The University of Chicago, 2001.

553 A comprehensive survey of heavy pollution in Israel is given by: Tal, Alon, *Pollution in a Promised Land: an Environmental History of Israel*, Berkeley: University of California Press, 2002.

554 It is argued persuasively that the dynamic Palestinian labour, badly needed for strong economy, can be integrated in the region with significant economic rewards. For example, GDP of West Bank could be increased by 150% when the rate of employment and labour participation reach the Israeli levels. Full utilization of labour requires of course economic and political freedom which can only be achieved in the atmosphere of just peace. See (Fadle Naqib), "The Palestinian Economy and Prospects for Regional Cooperation", UNCTAD/GDS/SEU/2, June, 1998.

555 Israel's occupation fragmented the Palestinian labour force in the West Bank and Gaza and made it subordinate to the Israeli economy, thus arresting its potential. The bantustan-

ization of the Palestinian labour in the Occupied Palestinian Territories, especially the West Bank, is described by: Farsakh, Laila, *Palestinian Labour Migration to Israel: Labour, Land and Occupation*, London and New York: Routledge- Taylor & Francis Group, 2005. A similar disintegration of Gaza Strip is given by: Roy, Sarah, *Gaza Strip: The Political Economy of De-Development*, Washington, DC: The Institute of Palestine Studies, 1995. This disintegration of the economic life in OPT together with the well-known destitution of the refugees outside Palestine can only be terminated to the benefit of all by the fair employment of this labour in the new Palestine. Thus return will not only implement a right but it will also end a state of siege and economic strangulation.

556 In January 2001, a large-scale conference was held in Herzliya on "The Balance of National Strength and Security in Israel", attended by 300 leading figures in the local defense establishment and academic world. Their findings were presented to Moshe Katzav, President of Israel, The Participants outlined the Palestinian "threat" of high birth rate increase (4.6 children per Arab woman vs. 2.6 per Jewish woman). Their recommendations are straight out of a Nazi book: Cut-down in social benefits to Palestinian families as they produce little and consume more,

transfer of Arabs out and transfer of Jews into Arab areas (Galilee, Jezreel, Negev), population exchange by annexing settlements to Israel and Palestinian areas in Israel to the new state of Palestine, disenfranchising Palestinians by stripping them of Israeli citizenship (and voting) and granting them only residency rights, increasing Jewish vote by allowing Israelis abroad to vote. (It is but one step further to grant all Jews in the world Israeli citizenship). See Yair Sheleg, "A Very moving Scenario", Ha'aretz 25 March 2001. The subject came again, this time raised by fanatic settlers, who advocated inflicting "another Nakba" on the Palestinians. "Saturated by hatred, not hindered, by moral inhibition, unmindful of the suffering" of the Palestinians, they propose an outright "ethnic cleansing". See Danny Rabinowitz, "Talk of expulsion more ominous than eve", Ha'aretz, 29 May 2001. The Herzliya is held annually with the same message.

557 The abolishing of Zionism racist doctrine is in accordance with resolution previously adopted by the UN General Assembly A/RES/3379 (XXX) of 10 November 1975 "Elimination of all forms of racial discrimination". Political pressure of Israel's supporters annulled this resolution but public opinion in most countries agrees with it.

streets to honour the victors. But there has never been a massive, total and deliberate obliteration of history embodied in place names and written records and replacement of those names and their associated history by a sanitized version of an official and approved narrative.

Many of these exceptional events of colonial history had in fact occurred in Palestine. They differed from other events in history, not only in that they were not rare but also that they were not dictated by impulses or exigencies of war. The events in Palestine were part of a *process*. This process was initiated in 1917 and carried out in full force from 1948 till today. This length of time carried with it a sense of deliberation and determination regardless of consequences. None of this could have taken place for so long without the active use of enormous political and financial clout fed by the support, acquiescence or silence of Western powers.

The destruction of the human, physical and cultural Palestinian landscape has been described by hundred of works and more so in this Atlas. An illuminating summary of this destruction is given with refreshing honesty by an Israeli writer.⁵⁵⁸ The most important element of this process was to get rid of the population. Whatever justification was used to explain it, is irrelevant. The relevant and indisputable fact is that all these people who were expelled/fled/left were not allowed to return. This included, not only those who found themselves beyond the Israeli lines, but also those who remained in the country and were unfortunate enough to be a mere 1 km away from their normal home (e.g. Ein Hawd).

Could this unique and systematic destruction of the Palestinian society be reversed? Could the negative aspects of Israel's physical development be remedied? Yes, it can. Firstly the obliteration of Palestine history and lost memory (place names, records. etc) can be reversed and re-recorded. Palestine's recent history is a study of foreign colonization. The bright side is that Palestine became the target of most detailed mapping and documentation – probably more than any other country in the Middle East. There does not seem to be a problem in reviving this aspect of Palestine history. This Atlas, recording about 50,000 names, is a step in this direction. Secondly, the reconstruction of the Palestinian landscape is quite feasible from physical point of view. Solution for these two difficult cases can be found in solutions already successfully applied in Kosovo, Bosnia, Cyprus, South Africa and other places of conflict.

In the age of advanced technology it is quite feasible to compare the rich and meticulously-recorded history of Palestine with the existing electronic Israeli record of every Palestinian house and acre of land, who owned it and to which Jewish body it is leased. From this, both cultural and physical restoration of Palestine could take place. What remains is the wisdom, enforced by political will, to implement it.

The perpetuation of the 1948 practices of this *process*, by occupying more land and expelling or oppressing more Palestinians cannot lead to permanent stability. For it is known that wars,

conflicts, colonialism, racism, occupation and the like have a finite life. Their intense energy is frequently spent quickly. They are temporary in nature, however long they appear to last. Steady and lasting progress can only be built on solid foundations of justice. In the words of the same Israeli writer previously quoted,

Just as the South African rulers understood, at a certain point, that there was no choice but to dismantle their regime, so the Israeli establishment has to understand that it is not capable of imposing its hegemonic conceptions on 3.5 million Palestinians in the West Bank and Gaza and 1.2 million Palestinians who are citizens of Israel [and 5 million refugees in exile at Palestine borders.] What we have to do is to try to reach a situation of personal and collective equality within the framework of one overall regime throughout the country...So I think the time has come to declare that the Zionist revolution is over. Maybe it should even be done officially, along with setting a date for the repeal of the Law of Return. We should start to think differently, talk differently.⁵⁵⁹

When all destructive actions, arresting normal and just human development, come to an end, it is possible to re-transform Palestine back to its normal historical course enriched by the added benefit of gained experience.

First, the historical continuity of names, not only as recorded on paper but as spoken and remembered by people of the land, can be restored in their entirety. Second, the people who made this history, lived it and remembered its landmarks, can populate the place again, village by village and a historical site after another. No familiarization or adjustment will be necessary except for the normal experience of an expatriate returning home after long absence. Third, the reconstruction of villages on the same hilltops in the same old stones will be an assuring sign of continuity. Its historical meaning and intrinsic value of restoration will not be diminished if, in this modern age, these rebuilt houses have now satellite dishes and mobile telephones. The terrain, the places, the rivers, the land: its owners and ownership are all meticulously recorded and can be restored to an improved version of its recent past.

Thus the restoration of Palestinian landscape and society is truly feasible. The meaning of the full restoration of Palestine for the future of humanity is immeasurable. It shows that justice wins in the end, that justice lasts and that justice is worth waiting for. In the small domain of Palestine, this achievement would be a partial but satisfactory compensation for the long tragedy of al *Nakba* and other ills of misguided human behavior.

558 Benvenisti, *supra* note 232. 559 Meron Benvenisti, *Ha'aretz*, 8 August 2003.

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