

PALESTINE: FOR LAND AND LIFE

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# BULLDOZERS AND ENCLOSURES

THE PLIGHT OF THE BEDOUINS IN ISRAEL





## Location: Naqab Desert

*Israel has brought large swaths of the Naqab desert (Negev in Hebrew) under cultivation. Onions, peppers, asparagus, eggplants, zucchini, Negev tomatoes with a one-month shelf life, peanuts, melons, cantaloupe, and even cotton make the desert green. But Israel's efforts to further intensify agriculture in the desert face one obstacle – the semi-nomadic Arab Bedouins' on their ancestral lands.*

“We should transform the Bedouins into an urban proletariat—in industry, services, construction, and agriculture. 88 percent of the Israeli population are not farmers, let the Bedouins be like them. Indeed, this will be a radical move which means that the Bedouin would not live on his land with his herds, but would become an urban person who comes home in the afternoon and puts his slippers on. His children would be accustomed to a father who wears trousers, does not carry a *Shabaria* [the traditional Bedouin knife] and does not search for head lice in public. The children would go to school with their hair properly combed. This would be a revolution, but it may be fixed within two generations. Without coercion but with governmental direction...this phenomenon of the Bedouins will disappear.”

—Moshe Dayan, Minister of Agriculture 1963<sup>2</sup>



Rubble from the demolition carried out in January 2017 © The Oakland Institute

Driving through the Naqab desert (Negev in Hebrew) is stunning. While largely considered a semi-desert area, the Naqab's greenery is surprising. Water brought in using pipelines and conduits, brackish water, and tractors purchased with the assistance provided by the Jewish National Fund,<sup>3</sup> has allowed Israel to bring large swaths of the desert under cultivation. Irrigation and year-round sunlight has made even double-cropping possible. Onions, peppers, asparagus, eggplants, zucchini, Negev tomatoes with a one-month shelf life, peanuts, melons, cantaloupe, and other crops, green the desert. But Israel's efforts to further intensify agriculture in the Naqab face one key obstacle – the semi-nomadic Arab Bedouins on their ancestral lands.

In 1948, when the State of Israel was founded and the Naqab taken over, over 90,000 Bedouins<sup>4</sup> – out of 127,000 in the whole country<sup>5</sup> – held approximately two million *dunums* [200,000 hectares] of land under a clear and agreed-upon system of property rights.<sup>6</sup> “This refutes the notion that Naqab is no man's land ... the majority of the Bedouins were expelled after

Israel's take over of the Naqab, with only 10 percent left," says Amir Abo Kweder, a community organizer with Shatil,<sup>7</sup> who works with the Bedouins in unrecognized villages.<sup>8</sup> "The communities I work with are the lowest in Israel's social and economic rankings and do not have access to the state's basic municipal services and neither can they elect government representatives. Instead, they face home demolitions, despite being Israeli citizens."<sup>9</sup>

The Bedouin lived in the Naqab before the establishment of Israel. They did not register their lands under the Ottoman Empire and then under the British, fearing this would turn them into subjects of foreign rule, requiring them to pay taxes and serve in the Ottoman army.<sup>10</sup> A major problem they face today is that either their ownership is not appropriately documented or their lands are no longer eligible for private ownership. Land confiscated by the Israeli government became state land, making the Bedouin trespassers on their ancestral lands, instead of recognizing their ownership vested through their traditional ties with the land.

"In 1921, the British Mandate government issued an order calling for residents of the Naqab to register their land. The Bedouin, who were given a two-month extension, did not do so, and their land remained unregistered. According to the Land Ordinance (*Mawat*) of 1921, a Bedouin who cultivated revitalized and improved *Mawat* land<sup>11</sup> was given a certificate of ownership for that land, which was then recategorized as *Miri*. The courts of the new State of Israel, a country born 27 years later, ruled that any Bedouin who passed up the opportunity to register *Mawat* land in his name in 1921 and did not receive a certificate of ownership was no longer eligible to do so."

—Adalah Legal Center Newsletter, Volume 24, April 2006<sup>12</sup>

The declaration of 85 percent of the desert as state land in 1948 made the Bedouins illegal in their own land. Forcibly concentrated into the *Siyag* (Arabic for fence) – roughly 121,000 hectares between Beersheba, Arad, and Dimona) – the Bedouins were placed, like many other mostly Arab-populated areas in Israel, under military rule until 1966.

In an effort to sedentarize the Bedouin within the *Siyag*, the Vegetation Protection Law of 1950 – known among the villagers of the Naqab as the 'Black Goat Law,' – turned agriculture and grazing, the Bedouin's very means of self-subsistence, into a crime.<sup>13</sup>

## LIFE IN AN ENCLOSURE

"The Bedouins, who practice seasonal migration in search of lands fertile for grazing are losing their semi-nomadic way of life. For the Bedouins, there is no separation between them and their space. They live in tents and spend most of the day outside. So they are viewed as a high space consuming community. Israel wants to put them in one space – in the name of bringing better social services and security. But by changing their space, Israel is destroying their social fabric itself."

—Amir Abo Kweder, Shatil<sup>14</sup>



Abo Kweder with two young residents of Umm al-Hiran  
© The Oakland Institute

Since the 1960s, Israeli policy has been to concentrate the Bedouins into seven government-developed towns – in addition to 11 Bedouin villages that are recognized by Israel. Forcing nomadic Bedouins into sedentary lives with limited opportunities has resulted in endemic unemployment, an increased crime rate, and other related problems. According to the Negev Center for Regional Development at the Ben-Gurion University, the Bedouin towns built without an urban policy framework, business districts, or industrial zones, soon became the most deprived towns in Israel, severely lacking in services.<sup>15</sup>

For instance, the 18,000 residents of Tel as-Sabi (Tel Shiva), the first Bedouin township, make less than half the national average of 6,835 *shekels* [\$1,894].<sup>16</sup> Neighboring Tel Shiva is Omer, the upscale Jewish town of over 7,000 residents. Its infrastructure – which includes a hospital, university, community center, movie theater, golf course, as well as an industrial park which houses a variety of companies including hi-tech start-ups, and mansion-like homes – mocks the hardships faced by the residents of Tel as-Sabi (Tel Shiva) and Hura, another nearby government township of over 19,000 people, which too houses expelled Bedouins.

The Bedouin townships, located just a few miles from wealthy Jewish communities like Omer, are characterized by poverty, overcrowding, lack of adequate services, and the highest percentage of unemployment and crime in Israel. “This serves two main purposes – one to free the land from the Bedouins; and two, to take over the western fertile region where today the high percentage of Israeli agriculture industry is based.”<sup>17</sup>

“These ‘unrecognized villages,’ as they are commonly called, are literally off the official map – not even visible on most GPS navigation systems. Since they were built without official permission, any structures within them can be legally demolished. As a result, almost every house in every unrecognized village has been served with a demolition order, and hardly a day goes by without the destruction of at least one Bedouin home somewhere in the Negev.”

—The Bedouin Dilemma<sup>18</sup>

## THE DAY OF RAGE

On November 30, 2013, protests erupted in Hura, Gaza City, East Jerusalem, and around the world as part of a planned ‘Day of Rage.’<sup>20</sup> The focus of the rage and resistance was the Praver-Begin Bill – a piece of legislation that would legalize a plan to demolish approximately 35 ‘unrecognized’ Bedouin villages in the Naqab desert, displacing tens of thousands of Bedouins.<sup>21</sup>

Proponents of the law argued that it would resolve the long-standing conflict regarding land ownership in the region, and those being resettled would be compensated with money and land.<sup>22</sup> Critics – including the UN High Commissioner for Human Rights,<sup>23</sup> UN Committee on the Elimination of Racial Discrimination,<sup>24</sup> European Parliament,<sup>25</sup> and numerous civil society organizations<sup>26</sup> – argued that the law was discriminatory and violated numerous human rights. Navi Pillay, then-UN High Commissioner for Human Rights commented, “If this bill becomes law, it will accelerate the demolition of entire Bedouin communities, forcing them to give up their homes, denying them their rights to land ownership, and decimating their traditional cultural and social life in the name of development.”<sup>27</sup>

Shortly after the Day of Rage, the Praver Plan was rescinded. However, four years later, it appears to be making a comeback.

In late 2016, the Minister of Agriculture began advocating for an amended version of the Praver Plan,<sup>28</sup> known colloquially as Praver II given its nearly identical nature.<sup>29</sup> According to the Adalah Legal Center, “A basic assumption of the Praver II Plan is that the 80,000-90,000 Bedouin residents of the 36 unrecognized villages are illegal squatters who have no rights to the land ... [The plan] states that the Bedouin population should be concentrated in recognized areas through forced displacement and evacuation and the demolition of the unrecognized villages, in violation of the residents’ rights to property, dignity, equality, and due process.”<sup>30</sup>

The Center further notes that the bill “presents evacuation as the only option for the Bedouin residents of the unrecognized villages. It considered no other potential options that have been embraced and promoted by the Bedouin community itself, first and foremost granting recognition to the unrecognized villages and allowing their inhabitants to remain on their land, with respect for their land and property rights on an equal basis with Jewish Israeli citizens.”<sup>31</sup>



Rubble from the demolition of Umm al-Hiran overlooking the prepared fields © The Oakland Institute

This intent to remove Bedouins from their lands marked the three-part plan of the Albeck Committee headed by Plia Albeck of the State Attorney’s Office in 1976 which promoted “no recognition of Bedouin rights over the land, a willingness to offer land claimants compensation ‘beyond the letter of the law’ and conditioning the payment of compensation on the evacuation of the land and transfer to one of the recognized settlements.”<sup>19</sup>

Since the Albeck Commission, several laws and government initiatives, including numerous government committees in the 1990s, the 2008 Goldberg report, the 2011 Praver implementation plan, the January 2013 Begin proposal, and most recently the 2016 Praver Plan II, have all endeavored to implement the same.

### LIVING WITH A NAKBA: THE VILLAGE OF UMM AL-HIRAN

According to a 2013 UN report, Bedouin communities – having already experienced multiple displacements – remain particularly vulnerable to displacement and dispossession.<sup>32</sup> These communities face food insecurity and lack access to basic services including access to the electrical grid, roads, or water systems, with more than 90 percent living with less water than one-quarter of the minimum standards set by the World Health Organization (WHO). They also face an even larger threat – the routine demolitions of their shelters and property by Israeli forces.<sup>33</sup>

The villagers of Umm al-Hiran in Wadi Atir are one such community.

In 1956, the now-villagers of Umm al-Hiran were moved by an Israeli military order to Wadi Atir, after their request to return to their original lands in Khirbet Zubaleh, from where they were displaced in 1948, was rejected. In the new area, they built houses, wells, and farmed the land. The government

never made the village legal by leasing the land to the villagers or by providing municipal services such as running water, sewage, or electricity. Today, the village of Umm al-Hiran<sup>34</sup> – a collection of shacks, portable latrines, water tanks, and flat-roofed houses powered with generators and solar panels – is home to some 1,000 people. It is one of the 36 unrecognized Bedouin villages located in the Naqab desert.

“A few kilometers from Umm al-Hiran, in the middle of a Jewish National Fund forest, about 30 religious families have been living in a makeshift gated community waiting patiently for the government to expel the Bedouin families from their homes.”

—Neve Gordon, Ben-Gurion University of the Negev<sup>38</sup>

For the last two years, the residents of Umm al-Hiran have lived in fear. In May 2015, after 13 years of litigation, the Israeli Supreme Court decided that the state is legally authorized to demolish the village and forcibly displace its residents. While denying the state’s argument that the residents are illegal trespassers, the Supreme Court concluded that the state had allowed the Bedouin citizens to use the state land, but was within its rights to retake the land, even after 60 years of continuous land use and residence. The Israeli government plans to build Hiran, a modern city of 2,500 households for “national-religious Jews”<sup>35</sup> and expand the Yatir Forest<sup>36</sup> on the ruins of 150 homes.<sup>37</sup> The villagers are to be moved three miles away to the township of Hura.

In the pre-dawn hours of January 18, 2017, Salim al-Qia’an, like the other villagers of Umm al-Hiran, woke up to face hundreds of Israeli police officers and the Green Patrol of the Israel Land Authority who were there to implement the home demolition orders.

“We approached them [police forces] when they arrived and tried to prevent the demolition of our homes. We stood in front of our homes – with women and children. Following this travesty, the community is very agitated. One month ago we were at the US embassy presenting our case to them. But no action was taken. We are now living in despair. We are terrorized and scared. Every day, my wife and children ask if the soldiers will return to continue our evacuation. But I have no answer.”

—Salim al-Qia’an, member of the local Bedouin community in Umm al-Hiran<sup>39</sup>

The pre-dawn operation ended with two fatalities – 47-year-old village resident and math teacher, Yaqoub Abu al-Qia’an, and 34-year-old 1st Sgt Erez Levi. The Israeli authorities initially asserted that Abu al-Qia’an, a father of 12, was shot and killed as he tried to deliberately ram his car into police, killing Erez Levi. An internal investigation, however, revealed that Abu al-Qia’an was fired upon before his vehicle struck and killed police officer Levi.<sup>40</sup> A police aerial video of the incident shows Abu al-Qia’an attempting to leave his home before the demolition crew began work when the police opened fire on the car. Shot twice by the police – in the torso and the knee – Abu al-Qia’an lost control of the car.<sup>41</sup>

Abu al-Qia’an reportedly had his computer, clothes, and his pupils’ books in the back of the car when he died. According to Abu al-Qia’an’s nephew, he was trying to leave with his belongings as he did not want to stay and see the destruction. “It would have broken his heart.”<sup>42</sup>

Abu al-Qia’an’s house was one of 12 destroyed in the demolition raid on Umm al-Hiran. In March 2017, Agriculture Minister Uri Ariel apologized — the first such gesture from an

Israeli official — for the grievous mistakes that were made.<sup>43</sup> Around 70 homes still remain in the village. These houses are slated to be demolished in the near future.<sup>44</sup>

“In the follow up to this incident, with homes destroyed, people generously donated mobile homes to those who now have no place to live. But this too was stopped by the government. So we erected tents. But with the demolition orders, people have pulled even these down.

Yaqoub’s body was held by the police for two weeks. A week after he was buried, his father passed away. When they came to give demolition orders on the mobile homes as well, we had nothing left other than pray to punish those behind it.”<sup>45</sup>

When the research team arrived at Umm al-Hiran, one month after the fatal demolition, nearly 50 people were sleeping in shacks and not able to take showers.<sup>47</sup> “There is no food. We only have a very muddy portable bathroom, which is difficult to use in the night. We are living in miserable conditions. Its not just demolition, but displacement with no alternative left to us. The right to roof is maintained by Israel but not for the Bedouins. What is the impact on children, women, and the elderly?”

We are concerned about the children. Israeli acts are fueling racism and hardness in children. Imagine how our children – a seven-year-old – feel on seeing their father killed. Instead of encouraging tolerance, the state of Israel is fueling separation. Women are in terror, as is my wife. The government only wants to demolish homes and is offering less than what I have. I have a shack and I ask for the same – a shack.”<sup>48</sup>

In Tel Aviv, Israeli administrators speak with disdain about the lack of loyalty of the Bedouin Israeli Arabs and suggest that the Bedouin compare their status and well-being with Arabs in the neighboring countries. “But I do not pay my taxes to the neighboring countries, neither do I go to the same universities as my Jewish counterparts in Israeli held areas. The level of education of Palestinian refugees outside Palestine is much better than the Bedouins who live in Israel, an OECD country,” counters Amir.

“We as the Bedouin are stubborn. [The] desert is cruel. We are patient and perseverant. So we will overcome this struggle. It is in our blood. Our communities will prosper. Israel once thought it will get rid of the Arabs. Today instead of 100,000 we are 240,000 Bedouins more politically conscious and more educated. We cannot be suppressed forever. We are determined.”

—Amir Abo Kweder, Shatil<sup>46</sup>

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Cover photo: Planted forest overlooking the demolition of Umm al-Hiran © The Oakland Institute

## FOR MORE INFORMATION

The Oakland Institute | PO Box 18978 | Oakland, CA 94619 USA  
[www.oaklandinstitute.org](http://www.oaklandinstitute.org) | [info@oaklandinstitute.org](mailto:info@oaklandinstitute.org)

## ENDNOTES

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