

Land Use Planning in the Occupied Palestinian Territories

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Israeli Prime Minister Yitzhak Shamir's remark on 14 January 1990 that massive Soviet Jewish immigration would require a "big Israel" focused attention yet again on Israeli intentions in the occupied territories and revived the controversy surrounding settlements. But while settlement and land expropriations have always received some coverage in the Western press, the other ways in which Israel continues to extend its hold on the West Bank and Gaza go largely unnoticed. One of the most important of these is land use planning—taking control of the lands remaining in Palestinian hands to restrict development and as a prelude to further expropriations.

Land use planning, land expropriations, and settlements are three interlocking aspects of a single policy aimed at the Judaization of the territories occupied in 1967. But while land use planning has been an important instrument of this policy, especially since the Likud came to power, it has gained importance in recent years as the Israeli government progressively exhausts the "legal" means it has devised for expropriating land: already by 1986, over 50 percent of the land of the West Bank and 30 percent of that of Gaza were under its control.¹ Planning has received further impetus since the intifada, when mounting international pressures on Israel to reach a settlement with the Palestinians lend urgency to its efforts to inte-

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grate the territories into the Israeli national system, and as media attention is focused on the more dramatic aspects of the uprising. Thus, while there is some press coverage of house demolitions for “security” reasons, there is little mention of demolitions on “planning” grounds (which have more than doubled during 1988 and 1989); there is talk of expulsions, but not of the unilaterally-implemented urban planning schemes that so restrict Arab growth and development as to encourage “voluntary” emigration.

This paper aims at describing the policies, procedures, and practices of the Israeli planning authorities in the occupied Palestinian territories since 1967, and to assess their role and impact on the process of colonization and Judaization. While the military orders cited and examples given are especially taken from the West Bank, the policies and practices in Gaza are virtually the same.

Master Plans and Planning Law

Before examining planning instruments per se, some background on Israel’s strategic vision may be in order. The Israeli view of the future of the territories, even at the beginning of the occupation when the more “conciliatory” Labor was firmly in control, is clearly expressed in a 1970 government publication entitled *Judea and Samaria: Guidelines for Regional and Physical Planning*, which states: “in the course of the Six Day War, new territories to the north, center, and south of the former boundaries of the State of Israel were *liberated*. For the first time in twenty years, the West Bank of the Jordan has become a *natural entity*” (emphasis added). The *Guidelines* go on to list as a central planning objective “the development of the periphery of Samaria and Judea so that it may become integrated with the rest of the country.”²

In accordance with this overall vision, a series of “master” settlement plans for the West Bank and Gaza have been elaborated since 1967 spelling out the strategic goals of the occupation. The first such plan was that conceived by Yigal Allon in July 1967 and presented in its final version in 1970. The plan stipulated a chain of Jewish colonies along the Jordan River, the Rift Valley, and the “Judean” desert to assure Israel’s security. It also called for the colonization of the southern part of the Gaza Strip. The northern part of the Strip and the densely populated parts of the West Bank not colonized under the plan were to form part of a Jordanian-Palestinian state ruled from Amman. Although the Allon plan was never officially approved, it provided guidelines for the deployment of Jewish

settlements in the West Bank and Gaza until Labor was voted out of office in 1977.

With the new Likud government that came to power, all pretense of returning territory to the Arabs was dropped. In 1978, a year into the Likud's tenure in office, the World Zionist Organization (WZO) was called upon to draft a new master settlement plan. At about the same time, the Gush Emunim submitted to the government a detailed and comprehensive colonization plan whose main objective was to establish a north-south chain of Jewish settlements on the hills and along both sides of the watershed in the West Bank. The plan also incorporated a road network aimed at fragmenting the Palestinian population and isolating Palestinian towns and villages. Nothing ever came of this plan, but it is likely to have influenced the WZO plan, which was finalized in 1981. The WZO master plan (known as the Drobless Plan after its author, the head of the WZO's settlement division) stated that

there is to be not a shadow of doubt regarding our intention to remain in Judea and Samaria. A dense chain of settlements on the mountain ridge running southwards from Nablus to Hebron will serve as a reliable barrier on the eastern front. This buffer zone of settlements will also create security for settlers in the Jordan valley. Both areas between concentrations of the minority [Arab] population and the area around them must be settled to minimize the danger of the rise of another Arab state in the region.³

According to the plan, "about eighty rural and urban colonies housing some 120,000 Jews were to be established by 1985."⁴

The plan was updated by Drobless in 1983 as the "World Zionist Organization Development Plan for 1983-86." The declared objective of the revised plan, also known as the "Master Plan for 2010," was to "disperse maximally large Jewish populations in areas of high settlement priority, using small national inputs and in a relatively short period by using the settlement potential of the West Bank and to achieve the incorporation [of the West Bank] into the national [Israeli] system." According to the plan, about 6,000 housing units, 23 settlements, 20 strongpoints, 500 dunums of industrial zones, and 100-150 kilometers of paved roads were to be constructed each year of the plan at a total expenditure of about \$2.6 million.*⁵

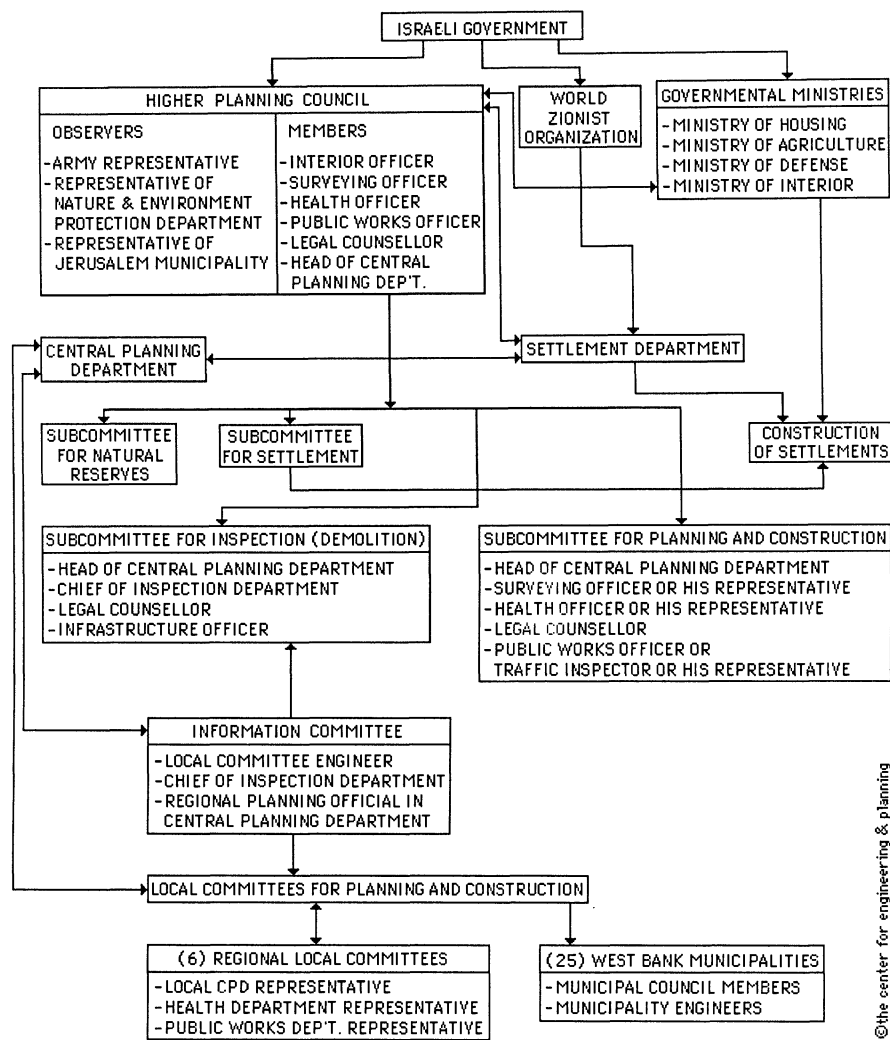
The master plans are mainly strategic and do not concern themselves with the means of attaining the goals they spell out. Such means include

*The Dayan-Weizman plan of 1978 and the Sharon plan of 1981 represent variations on the major plans described above. All constitute the general guidelines for land use planning carried out by the occupation authorities in the West Bank and Gaza Strip.

first and foremost military orders amending the planning laws in force in the West Bank and Gaza Strip on the eve of occupation. Under Jordanian law, planning in the West Bank followed widely accepted international practices whereby town plans were drawn up on the basis of up-to-date physical and demographic surveys making it possible to take into account the anticipated social and economic needs of the local population. The Jordanian planning law of 1966, in addition to defining the planning structure and the functional relationships between the local, district, and national planning levels, provided for the participation and input from non-official organizations (such as the engineers union) and from the local communities whose interests are directly or indirectly affected by the plans. It also stipulated that village councils could act as local planning committees with powers similar to those exercised by the municipal councils.

More than ten major military orders have been issued to amend and alter the existing planning laws and regulations with the objective of tightening Israeli control over Palestinian development.⁶ One of the most important results of these orders was the extreme centralization of the planning process and the widening of the planning powers of the occupation authorities. Military Order (M.O.) 393, issued in 1970, authorized the military commander to forbid, halt, or set conditions for construction. Under Military Order 418, issued in March 1971, all planning authority was vested in the Higher Planning Council, which was given extensive powers to suspend any plan or license anywhere within the West Bank, including the municipalities which in principle retained the authority to grant permits. While ultimate authority rests with the Higher Planning Council, it is its executive arm, the Central Planning Department, which is directly involved on a day-to-day basis in every aspect relating to planning, including the issuing of permits, carrying out demolitions, ruling on plans. The head of the department is a member of all four subcommittees created by M.O. 418 for settlement, demolitions, planning, and so on (see Figure 1).

A second crucial result of the military orders was the removal of all local participation from the planning process. Military Order 418 formally eliminated the input of all "non-official [i.e., non-Israeli] institutions" at all levels and abolished both the district planning committees, whose powers were assumed by the Higher Planning Council composed solely of Israeli officials, and the village planning committees. These last were replaced by a single "Local Committee for Planning and Construction" composed of representatives from the Military Government (now



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FIGURE 1: Structure of the Israeli Planning Organization

Civil Administration). The Local Committee, the name notwithstanding, involved no local participation whatsoever.*

While local Arab councils were abolished and replaced by exclusively Israeli instruments, Jewish regional councils were established by Military Order 783 of March 1979. One of the results of this situation was the Jewish councils were given jurisdiction even in areas where the Palestinian population outnumbered the Jewish settlers nine to one. These councils were allowed to plan and construct settlements, roads, and infrastructure and to control land use in general.⁷ In effect, Jewish settlements did not have to go through any formal planning procedure (one of the provisions of M.O. 418 mentioned above was that the Higher Planning Council could exempt any person from the need to obtain a building permit, a provision that greatly facilitated the construction of Jewish settlements). The Israeli State Comptroller's report of 1984 determined that "according to the findings, the settlements in Judea and Samaria were established without due attention to the required planning procedures."⁸ It was in this connection that Meron Benvenisti noted that "the separate planning process, one for the Israeli settlements and the other for Palestinians, initiated in the late seventies continued under separate administrations, different standards, and with clear efforts [by the Israelis] to use physical planning as a tool in the scramble for control over space."⁹

Regional and Road Plans

Having altered existing planning law through military orders, the occupation authorities could proceed with their efforts to integrate the territories into the Israeli system. A year after the first WZO Master Plan was made public in 1981, a regional master plan for the Jerusalem area was

*The Local Committee, whose meetings are always attended by the head of the Central Planning Department, is composed of representatives from the surveying, infrastructure, legal affairs, health, education, and transportation departments of the Civil Administration. While the last three departments sometimes send Arabs as representatives, they are employees of the Civil Administration and in no way represent local interests. The Committee may also, if it so chooses, invite a Palestinian from the district in which the village under consideration is located in order to give testimony, but this is not usual procedure.

The only other Palestinians with any involvement, however tenuous, at any level of the planning process are the members of the Regional Local Committees, one for each of the six regions of the West Bank (Hebron, Nablus, Jenin, Bethlehem, Tulkarm, Ramallah), all of whom are Arab employees of the Civil Administration. Moreover, these committees have no power; their main function is to receive permit applications and other requests from local residents and to direct these to the Local Committee for Planning and Construction.

announced along with a number of local plans for towns and villages in the Jerusalem region.

The Jerusalem plan, called the Partial Regional Master Plan 1/82, was presented as an amendment to the Jerusalem District Regional Master Planning Scheme RJ/5 of 1942. It covered an area extending from Dura al-Qara in the north to Bayt Fajar in the south, and included the urban towns of Ramallah, al-Bireh, Bethlehem, Bayt Jala, and Bayt Sahur, in addition to forty-four Arab villages and seven refugee camps. The total land area covered by the plan was about 446,270 dunums (about 110,272 acres). Excluded from the plan were the 70,000 dunums (encompassing East Jerusalem and a number of villages that had previously enjoyed independent status) annexed to the Jerusalem municipality in 1967. The 1982 regional plan was based on a projected Palestinian population of 272,000 for the year 2002, which was even less than the 275,000 Palestinians actually residing within the affected area at the time the plan was presented in 1982. The plan divided the area into six major zones, as follows:

ZONE	AREA (DUNUMS)	PERCENT
Arab Development	58,940	13
Special Use and Future Planning*	76,600	17
Nature Reserve	28,820	7
Agricultural	263,570	59
Roads	<u>18,340</u>	<u>4</u>
TOTAL	446,270	100

* Although "special use" and "future planning" are two distinct zones ruled by different guidelines, the breakdowns in terms of surface are not available.

The "Arab development" zones essentially comprise the densely populated village cores beyond which no construction or development activity is permitted without the explicit approval of the Higher Planning Council. Field investigations and aerial photographs show that even parts of existing Palestinian communities fall outside the boundaries set by the authorities for the "Arab development" zone:¹⁰ thus, land designated for "future planning" or "agriculture" in particular frequently include built-up areas of medium to low density. Land in the "agricultural" zones may be used by the Palestinian owners, although any "non-agricultural" use is subject to the approval of the Higher Planning Council. All construction or development is immediately halted in the areas designated "future planning"—most often built-up areas near Jewish settle-

ments—although the guidelines specify that “in the future” the Higher Planning Council “may consider the possibility” of further Arab development. The most stringent controls apply to the “special use” and “nature reserve” zones, which in effect are permanently removed from Arab hands even though their title does not immediately change. According to Meron Benvenisti, the “special use” zones (which frequently lie next to Jewish settlements) “are designated implicitly for Jewish settlements,” while the declaration of nature reserve areas “is considered by the authorities an integral part of the land seizure program.”¹¹ It hardly bears mentioning that placing close to 90 percent of the lands remaining in Palestinian hands off-limits to Palestinian construction severely limits the potential for Palestinian population expansion and development. It is difficult to disagree with Benvenisti’s assessment that in the particular context of the occupied West Bank and Gaza Strip, land use classifications are dictated by political rather than physical planning considerations.¹²

Although the 1982 Jerusalem plan was the only regional plan made public, it is believed that a regional master plan for the northern part of the West Bank has also been prepared and that it is referred to by officials in the Central Planning Department as a guide for local town plans or building permit considerations. Supporting this assumption is the fact that the plans prepared in 1985 for towns in these areas follow very similar patterns to those used in the preparation of plans for towns and villages in the Jerusalem area.

An important component of Israel’s land use planning in the West Bank was the 1983 Partial Regional Road Plan No. 50, a road network based on east-west axes linking the existing and proposed Jewish settlements to one another and to the major metropolitan areas within Israel. The grid, clearly aimed at promoting Jewish settlement in all parts of the West Bank and at facilitating its complete integration with the Israeli system, bypassed the Palestinian communities, isolating and fragmenting them and restricting their potential for growth and development. The plan further allowed for the expropriation of large tracts of land not only for the roads themselves but to accommodate the unprecedentedly wide setbacks (from 100 to 150 meters on each side) stipulated in the plan as a means of checking Arab expansion.*¹³

*Although the road plan has not been put into effect as a whole, parts of it have been implemented at various intervals between 1983 and 1990 despite public Palestinian opposition and formal objections. Moreover, large areas of land—280,000 dunums thus far—have been expropriated in preparation for implementing the plan.

Local Plans

At the same time that the Partial Regional Master Plan for the Jerusalem district was published by the planning authorities, a number of local planning schemes (whose boundaries were in accordance with those indicated on the regional master plan) were prepared for towns and villages in the vicinity of Jerusalem. These became known as the "Shamshoni" plans after the Israeli architect S. Shamshoni, who was commissioned by the Central Planning Department to prepare plans for about 180 villages within the Jerusalem district. During the following two years, the Central Planning Department commissioned Shamshoni to prepare additional plans using the same guidelines for another 103 towns and villages in the northern part of the West Bank (Nablus, Jenin, and Tulkarm districts), presumably in keeping with the unpublished plan for the northern district mentioned above.

The local plans divided each town or village into the same zoning categories—"village development," "future planning," "agricultural," "nature reserve," and "special use"—as were adopted for the regional plan. And like the regional plan, the salient feature of these local plans was their total disregard for the facts on the ground. A representative example of the Shamshoni plans is that of El Azariya (Bethany, biblical Gethsemane), one of the first to be completed. A comparison between the actual land use for the town, situated east of Jerusalem on the main highway leading to Jericho, and that provided for under the plan is instructive.

The land area of El Azariya is approximately 10,500 dunums. The western part of the town was annexed and incorporated into the Israeli municipality of Jerusalem. In addition, the Jewish settlement of Ma'ale Adumim was established in 1977 on lands expropriated from El Azariya and neighboring localities with the stated objective of "preventing the eastward expansion of El Azariya and Abu Dis" and to create a "strongpoint" east of Jerusalem overlooking the "Judean" desert and the Jordan Valley.*¹⁴ The 1986 population of the part of town remaining in the West Bank was about 11,000.

*It is interesting to note that the master plan for Ma'ale Adumin, approved in 1980, included an area of about 37,000 dunums while the total combined area allocated by the Israeli planning authorities for El Azariya and Abu Dis did not exceed 1,500 dunums. In his 1988 Annual Report, the Israel State Comptroller observed that hundreds of housing units, public buildings, and industrial structures in Ma'ale Adumim were constructed without a license (Annual Report, no. 38, pp. 915-17, in Hebrew).

Actual land use of El Azariya, as determined by a very thorough field investigation conducted in 1986 and confirmed by aerial photographs, is as follows:

Built-up area annexed to Jerusalem	40 dunums
Built-up area remaining in West Bank	1,950 dunums
Agricultural and grazing lands	4,600 dunums
Area expropriated for Ma'ale Adumim	3,000 dunums
Area expropriated by Israel's NRA	<u>550 dunums</u>
TOTAL	10,500 dunums

The plan proposed for El Azariya by Shamshoni on behalf of the Central Planning Department defined four major land use zones plus the road zone for the planned expansion of the Jerusalem-Jericho highway passing within the boundaries of the plan, as follows:

Village development zone	650 dunums
Future planning zone	800 dunums
Agricultural zone	2,080 dunums
Special use zone	5,200 dunums
Road zone	<u>1,200 dunums</u>
TOTAL	9,930 dunums*

* The 570-dunum difference in calculation is due to the area annexed to Jerusalem (excluded in the Shamshoni plan) and to approximations in area calculation.

It will be noted that under the plan Arab construction is allowed on only 650 dunums of the 1,950 dunums that are *already* built up, while only 2,080 are allotted for agricultural purposes. Thus, the Palestinian-owned lands to which the Palestinians in principle have access represent less than half of those lands remaining after the outright expropriations for Ma'ale Adumim and after splitting off part of the village to the Israeli municipality of Jerusalem. It should be noted that the area designated "future planning" zone is adjacent to the area of town that is now part of the Jerusalem municipality, while the "special use" zone abuts on Ma'ale Adumim.

Needless to say—and as with the other Shamshoni plans—there were no surveys conducted prior to formulating the plan and no consultations with the elected village council or members of the community. The projected population on which the plan was based was less than half of the

population actually residing in the part of the town remaining in the West Bank at the time the plan was prepared, and no consideration was given to the characteristics or patterns of land ownership distribution. The zoning was not outlined on a photogrammetric map showing the morphology of the area that is customarily used in town planning. Rather, it was outlined on a rough photocopy of an aerial photograph. The area of the building zone was calculated arithmetically by simply dividing the assumed number of families over a selected density. It did not require great insight for Palestinians to conclude that the common objective of these "plans" was to limit the growth of Palestinian communities and severely restrict any future development in the areas of housing, education, health, industry, and agriculture.

Public Response

The regional and local land use planning schemes and the regional road master plan made public from 1982 to 1985 met with strong Palestinian public opposition that took many forms. Individuals whose property was affected submitted legal objections and appeals. Municipal and village councils as well as professional organizations (engineers, doctors, lawyers, and so on) called press conferences and held public meetings explaining the dangers of the proposed plans. In 1983, representatives of the various districts established the "Committee to Follow Up Objections against the Proposed Regional Road Master Plan." Letters were sent to representatives of various countries and to the UN, and numerous articles condemning the plans were published in local newspapers.

Due to the objections and protests, the Jerusalem District Regional Plan and the Shamshoni local town plans were shelved and did not acquire the legal status required even under the amended planning law.

As a result of the rejection of the plans, and in response to increasing pressures exerted by the Palestinian local councils demanding to exercise their right to formulate and prepare their own planning schemes, the Israeli occupation authorities allowed the village councils of Al-Ram, El Azariya, Bir Nabala, and several other localities to formulate and present alternative plans. These towns, all within the area of the Jerusalem Regional Master Plan, had been actively opposed to the Israeli plans and all had pressing needs for expansion and development as a result of significant population increases. After these villages set out to prepare alternative plans, other villages followed suit.

Thus, between 1985 and 1987 over fifty-five counterproposals of villages were drawn up on behalf of the Palestinian local councils by Palestinian planners* according to internationally accepted guidelines and criteria of town planning to reflect the true development requirements and future needs of the affected communities. But when these were presented to the Israeli planning authorities for discussion, it became clear that permission to draw up alternative plans had been given on the assumption that they would involve only minor modifications of the Israeli plans. In fact, the counterproposals presented were in total contrast to the Israeli plans both in terms of land use and zoning regulations and, more significantly, in terms of the areas allocated for future expansion and development. Not a single plan was approved, and all negotiations on this issue have halted with the outbreak of the intifada.

Although none of the Israeli land use plans have passed into law, they have in fact been put into effect by the Central Planning Department; building permits have been and continue to be granted (or, more frequently, denied) on the basis of its regulations and restrictions.

Building Permits and Demolitions

In the absence of legally enacted land use plans, the primary instrument for controlling Arab growth has been and continues to be the granting or withholding of building permits. Building permits are required for any construction, regardless of type or location, outside the boundaries of the twenty-five towns in the West Bank that have municipal councils.** Otherwise stated, all construction in the rural or semi-rural towns or villages of the West Bank where 70 percent of the population lives requires the approval of the Central Planning Department and the Higher Planning Council.

The process of obtaining building permits under Israeli rule is complicated and frustrating. Regulations stipulate that no application for a building permit will be considered until the applicant proves his ownership of the land on which the building is planned. This provision deprives a large number of people of the right to a building permit,

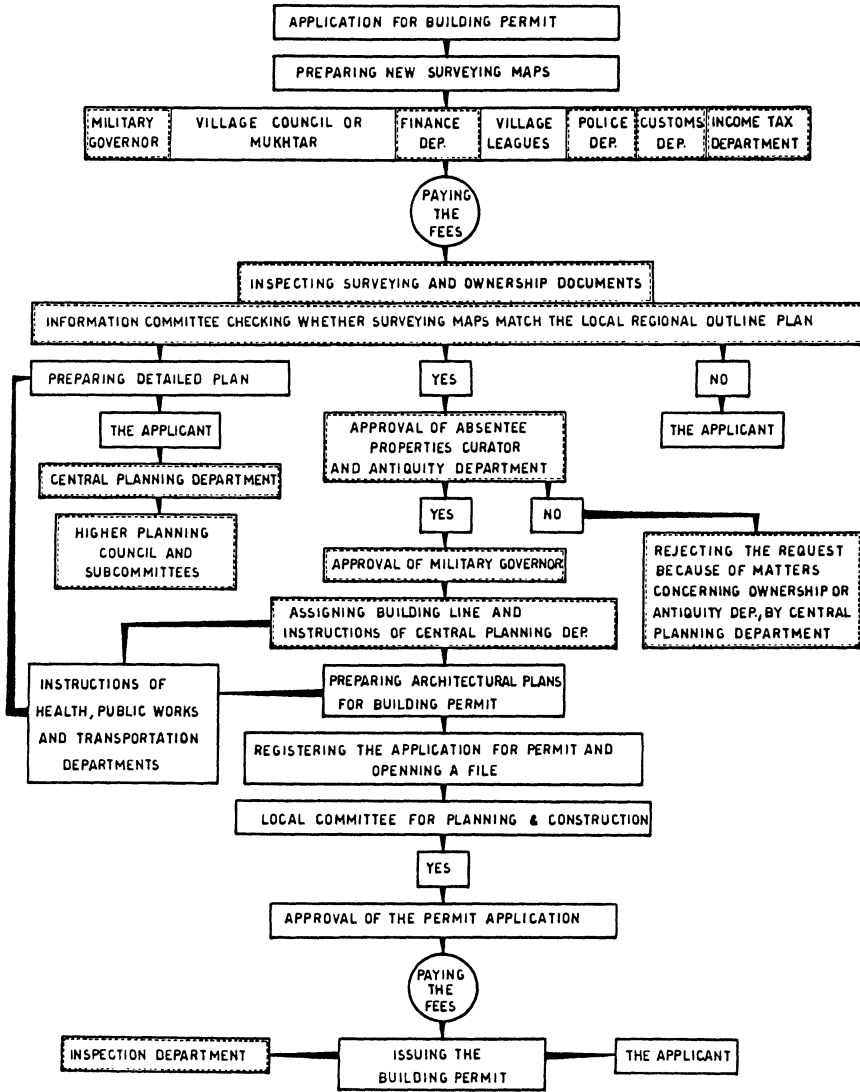
*Although a few villages—notably those associated with the Israeli-sponsored Village League—commissioned under pressure from the occupation authorities Israeli planners to draw up their plans, none of these was ever presented.

**While municipal councils can grant permits and are to act as local planning councils, their licensing authority is in fact limited by Military Order 418, which gives the Higher Planning Council the power to suspend any of the plans or licenses they grant.

especially in the rural areas where a significant portion of land was registered under collective village, tribe, or family ownership or in the name of the village mukhtar as a means of avoiding property taxes during the Ottoman and British rule. If land ownership is shared by an "absentee" (a euphemism for a person who left, was expelled, or in any case was absent during the 1967 hostilities and who has not been permitted to return, a situation that affects several hundred thousand people), the process becomes even more complicated as the Custodian of Absentee (unattended) Property becomes involved.

In addition to the proof of ownership requirement, no building permit is issued without a detailed plan approved by the Higher Planning Council. This procedural change introduced by the Israelis (previously plans had to be approved by the district planning committee, composed of local citizens) complicates matters since permit applicants have virtually no access to the Higher Planning Council, which moreover is hardly eager to expedite the processing of building permits in Arab towns and villages: long-planned meetings to consider a given application are frequently postponed with considerable delays in rescheduling.

Figure 2 shows the procedure for obtaining a building permit. The boxes with broken lines indicate steps that have been added to the standard procedure for obtaining building permits by the occupation authorities. For example, the "information committee" (on which a representative of the Central Planning Department sits), which is to check whether the surveying maps match the local regional plan, can arbitrarily reject a permit or do so on the basis of insufficient setbacks from proposed roads (some of which are not even known to the public) or for violating zoning requirements under land use plans that have not even acquired legal status. Thus, as an example, the construction on the Jerusalem Teachers Cooperative housing project in Bir Nabala, for which a permit had been granted by the Central Planning Department, was ordered halted because the proposed site location conflicted with the proposed regional road plan; the permit was then cancelled by the Higher Planning Council and all appeals to the Council and the High Court of Justice to allow the teachers to complete their project have been in vain. In another example, the village council of Dayr el Ghusun, in the Tulkarm district, applied in 1986 for a permit to build a village community center to house its offices, a clinic, a kindergarten, and a cooperative society. Despite the fact that all the requirements were met, the permit was denied on the grounds that the land on which the center was planned fell outside the village "building zone." The alleged boundary of this zone



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FIGURE 2: Typical Procedure for Obtaining a Building Permit

was arbitrarily marked in red around part of the village built-up area by the head of the Central Planning Department in such a way as to just exclude the land on which the project was planned. All attempts by the village council to obtain the permit have so far been in vain, and the case in principle is still pending.

During the last two months of 1986 and most of 1987, no building permits were issued at all, as the Central Planning department was closed to the public due to a major scandal involving bribery and other irregularities within the department.¹⁵ In 1988, 994 of the building permit applications filed during 1988 were processed, out of which only 221 were approved.

A corollary to the granting of Palestinian building permits is the demolition of Palestinian houses, which falls within the province of the Subcommittee for Inspection. The Inspection Subcommittee is responsible for locating buildings that have been constructed without a valid permit or before a long-awaited permit was obtained, which can then be ordered demolished as illegal by the Central Planning Committee (whose head is a member of the Subcommittee).

The Higher Planning Council and the Central Planning Department, then, maintain tight control over the complementary activities of granting permits and destroying buildings (on planning grounds; security demolitions are ordered by the military). The 1986 report of the Israeli State Comptroller observed that the planning authorities prefer to retain a "free hand" in granting building licenses. In commenting on the report, Meron Benvenisti remarked that the authorities seem determined to use planning as an instrument of punishment and reward for political and security purposes.¹⁶

The acuity of Benvenisti's observation became especially clear during the intifada. In the first part of 1988, the military head of the Civil Administration in the West Bank declared the approval as a sign of "good will" of about 500 of the thousands of building permit applications that had been languishing awaiting processing for years, often from the late 1970s or early 1980s. He promised more permits if the intifada subsided. Meanwhile, the planning authorities stepped up their house demolition operations, especially in towns and villages where the intifada activities had been particularly intense: in a number of cases (Silet El Harthieh, Beita, El Esawiya) houses were demolished on "planning grounds" immediately following punitive demolitions in the same localities for alleged intifada activities (houses destroyed for security reasons are dynamited, while those destroyed for "planning" reasons are bulldozed). In other

instances, the military simply appeared to take advantage of the climate of the intifada. In Jiftlik, for example, where the authorities had long wished to take possession of the rich agricultural land for which the villagers' title was unclear, they simply expelled the local population en masse, blew up their houses, and seized the land. Thus, the total number of houses demolished by the planning authorities in the West Bank and Gaza on the grounds that they were built without permits was at least 255 in 1988, 331 for 1989, and 42 during the first two months of 1990 (excluding those demolished on security-related grounds, or 221 for 1988 and 368 for the first three quarters of 1989). This represents an increase of about 250-300 percent compared to the three years prior to the intifada.

Recent Developments

As already mentioned, the changing political climate wrought by the intifada has given new impetus to Israeli efforts to tighten their hold on the occupied territories in anticipation of international pressures to relinquish land in exchange for peace. At the same time, the intifada has afforded the Israelis new opportunities to press through the kinds of land use plans they were unable to pass in the face of organized Palestinian public opposition during 1982-85—not only is the population preoccupied with the day-to-day struggle, but the charitable organizations and other institutions that normally would have mobilized territory-wide support for the towns and mounted publicity campaigns in their behalf have been shut down. The support network has in essence been interrupted. It was thus that the occupation authorities have taken advantage during 1989 of the prevailing conditions to accelerate their efforts to implement a significant portion of the planned road network, with emphasis on those segments bypassing Palestinian towns and villages through which the movement of Jewish settlers had been generally hazardous.

On 2 February 1989, the Higher Planning Council approved plans for eleven villages, although no announcement was made until May 1989. At that time, three of the plans—for Nahalin, in the Bethlehem district, and Hizma and Shibtin, both in the Ramallah district—were formally deposited.* A fourth plan, for Kufayr in the Jenin district followed shortly thereafter. Since November 1989, seven more plans have been deposited

*Depositing a plan means announcing in the local newspapers that the plan has been completed and approved by the HPC and that it can be seen and examined at the Central Planning Department by anyone whose property may be affected. The time allowed for objecting is two months from the date of its announcement in the newspaper. If no objections are submitted, or

for the towns of Talfit, Arranah, Araqa, Kufr Qud, Arbuna, and Raba, all in the Jenin district, and for Talluza in the Nablus district. The plans, prepared by the Central Planning Department, as usual without any input from the local inhabitants, are aimed mainly at fixing a tight line around the built-up areas beyond which no building or other development would be allowed.¹⁷ In the cases where plans had already been drawn up by Shamshoni in the early 1980s (for example, Hizma and Talluza), the areas of the development zones provided in the 1989 plans have actually been reduced compared to the earlier plans despite the increase in their populations.

It should be noted that no Palestinian plans existed for any of these eleven towns, and it is believed that the absence of Arab counterproposals is one major reason for selecting these localities over others. Another factor may be that all the affected towns either have no local councils or have a council that has been suspended, leaving them without any viable administrative body capable of mounting an effective campaign against the plans. Indeed, eight of the plans (for Arranah, Araqa, Kufr Qud, Arbuna, Raba, Hizma, Shibtin, and Talluza) have already received final approval and become law, while the remaining three (Nahalin, Kufayr, and Talfit) have not yet been passed as a result of active objection by town residents with proper technical and legal support. There seems little doubt that more plans will be deposited.

Although, with or without regional or local plans the Israeli authorities maintain full control over any building and development in the occupied territories through the issuance of permits, passage of these plans will nonetheless strengthen Israel's hand by providing a *legal* barrier against Palestinian expansion and development.

Conclusion

Since December 1987, the Palestinians of the West Bank and Gaza have been mounting the most effective challenge to Israeli rule in twenty-two years of occupation. Their struggle—which is first and foremost a struggle against dispossession, a struggle for the *land*—has been accompanied by important diplomatic moves on the part of their leadership, the PLO, which has recognized Israel and openly, unambiguously called for a two-state solution to the Arab-Israeli conflict. Yet even as these comple-

if the Higher Planning Council determines that the objections do not warrant reconsideration, the plan goes into effect at the end of the two-month period and automatically becomes law.

mentary events—the intifada and the PLO diplomatic initiative—have galvanized an important segment of world opinion for an independent Palestinian state in the West Bank and Gaza, Israel is tightening its grip on the land. Even as increasing attention is focused on Israeli human rights violations—the killings, the beatings, the mass arrests—the more insidious but less apparently dramatic work of the occupation proceeds not only unhindered but at a faster pace: roads are being built every day in the occupied territories, new facts are being created, more and more Palestinian land is being taken out of Palestinian control.

Just as settlements constitute a “serious obstacle to peace,” so too do Israel’s innocuous-sounding planning schemes and the physical facts they create. The obstruction of the implementation of these plans is a matter of most urgent concern if the option of a peaceful settlement of this land-based conflict is to remain viable and available.



1. Meron Benvenisti, et al. *The West Bank Handbook: A Political Lexicon* (Jerusalem: Jerusalem Post, 1986).
2. E. Efrat. *Judea and Samaria: Guidelines for Regional and Physical Planning* (Jerusalem: Planning Dep't., Israeli Ministry of Interior, 1970), p. 1.
3. Meron Benvenisti and Shlomo Khayat. *The West Bank and Gaza Atlas* (Jerusalem: WBDP/Jerusalem Post, 1988), p. 64.
4. Benvenisti and Khayat, p. 64.
5. Benvenisti, *West Bank Handbook*, p. 62.
6. Benvenisti, *West Bank Handbook*, p. 167.
7. Benvenisti, *West Bank Handbook*, p. 130.
8. Benvenisti, *West Bank Handbook*, p. 168.
9. Meron Benvenisti. *West Bank Database Project (WBDP) 1987 Report* (Jerusalem: Jerusalem Post, 1987), p. 35.
10. The Center for Engineering and Planning/Ramallah has been commissioned by over fifty West Bank municipal and village councils since 1985 to prepare town planning schemes. The work involved the preparation of detailed surveying maps based on aerial photographs, and elaborate field studies covering the demographic, land, social and economic situation for each town or village. The plans outline the future development requirements in the areas of housing, infrastructure, agriculture, industry, commerce, education, health and other services.
11. Benvenisti and Khayat, pp. 57, 60.
12. Benvenisti, *West Bank Handbook*, p. 140.
13. For a detailed discussion of Road Plan No. 50, see Aziz Shehadeh, et al. *Israeli Proposed Road Plan for the West Bank: A Question for the International Court of Justice* (Ramallah: Law in the Service of Man, 1984).
14. E. Efrat. *Towns and Urbanization in Israel* [Hebrew] (Tel Aviv: Achiasof Publishing House, Tel Aviv University, 1988), pp. 228-29.
15. Benvenisti, *WBDP 1987 Report*, p. 36.
16. Benvenisti, *WBDP 1987 Report*, p. 36.
17. *Christian Science Monitor*, 5 July 1989, p. 1.