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Land Ownership in Palestine, 1880-1948

by Moshe Aumann

A great deal has been spoken and written over the years on the subject of land ownership in Israel—or, before 1948, Palestine. Arab propaganda, in particular, has been at pains to convince the world, with the aid of copious statistics, that the Arabs "own" Palestine, morally and legally, and that whatever Jewish land ownership there may be is negligible. From this conclusions have been drawn (or implied) with regard to the sovereign rights of the State of Israel and the problem of the Arab refugees.

The Arab case against Israel, in the matter of Jewish land purchases, rests mainly on two claims: (1) that the Palestinian Arab farmer was peacefully and contentedly working his land in the latter part of the 19th century and the early part of the 20th when along came the European Jewish immigrant, drove him off his land, disrupted the normal development of the country and created a vast class of landless, dispossessed Arabs; (2) that a small Jewish minority, owning an even smaller proportion of Palestinian lands (5 per cent as against the Arabs' 95 per cent), illegally made itself master of Palestine in 1948.

Our purpose in this pamphlet is to set the record straight by marshalling the facts and figures pertaining to this very complex subject, on the basis of the most reliable and authoritative information available, and to trace the history of modern Jewish resettlement purely from the point of view of the sale and purchase of land.

Pre-1948 Conditions in Palestine

A study of Palestine under Turkish rule reveals that already at the beginning of the 18th century, long before Jewish land purchases and large-scale Jewish immigration started, the position of the Palestinian fellah (peasant) had begun to deteriorate. The heavy burden of taxation, coming on top of chronic indebtedness to money-lenders, drove a growing number of farmers to place themselves under the protection of men of wealth or of the Moslem religious endowment fund (*Waqf*), with the result that they were eventually compelled to give up their title to the land, if not their actual residence upon and cultivation of it.

Until the passage of the Turkish Land Registry Law in 1858, there were no official deeds to attest to a man's legal title to a parcel of land; tradition alone had to suffice to establish such title—and usually it did. And yet, the position of Palestine's farmers was a precarious one, for there were constant blood-feuds between families, clans and entire villages, as well as periodic incursions by rapacious

Bedouin tribes, such as the notorious Ben Sakk'r, of whom H. B. Tristram (*The Land of Israel: A Journal of Travels in Palestine*, Society for Promoting Christian Knowledge, London, 1865) wrote that they "can muster 1,000 cavalry and always join their brethren when a raid or war is on the move. They have obtained their present possessions gradually and, in great measure, by driving out the fellahin (peasants), destroying their villages and reducing their rich corn-fields to pasturage." (p. 488.)

Tristram goes on to present a remarkable and highly revealing description of conditions in Palestine on both sides of the Jordan River in the middle of the 19th century—a description that belies the Arab claim of a tranquil, normally developing Palestinian rural economy allegedly disrupted by Jewish immigration and settlement.

A few years ago, the whole Ghor was in the hands of the fellahin, and much of it cultivated for corn. Now the whole of it is in the hands of the Bedouin, who eschew all agriculture, except in a few spots cultivated here and there by their slaves; and with the Bedouin come lawlessness and the uprooting of all Turkish authority. No government is now acknowledged on the east side; and unless the Porte acts with greater firmness and caution than is his wont . . . Palestine will be desolated and given up to the nomads.

The same thing is now going on over the plain of Sharon, where, both in the north and south, land is going out of cultivation, and whole villages rapidly disappearing from the face of the earth. Since the year 1838, no less than 20 villages have been thus erased from the map and the stationary population extirpated. Very rapidly the Bedouin are encroaching wherever horse can be ridden; and the Government is utterly powerless to resist them or to defend its subjects. (p. 490)

For descriptions of other parts of the country, we are indebted to the 1937 Report of the Palestine Royal Commission—though, for lack of space, we can quote but the briefest passages. In Chapter 9, para. 43 the Report quotes an eye-witness account of the condition of the Maritime Plain in 1913:

The road leading from Gaza to the north was only a summer track suitable for transport by camels and carts . . . no orange groves, orchards or vineyards were to be seen until one reached Yabna village. . . . Not in a single village in all this area was water used for irrigation. . . . Houses were all of mud. No windows were anywhere to be seen. . . . The ploughs used were of wood. . . . The yields were very poor. . . . The sanitary conditions in the village were horrible. Schools did not exist. . . . The rate of infant mortality was very high. . . .

The area north of Jaffa . . . consisted of two distinctive parts. . . . The eastern part, in the direction of the hills, resembled in culture that of the Gaza-Jaffa area. . . . The western part, towards the sea, was almost a desert. . . . The villages in this area were few and thinly populated. Many ruins of villages were scattered over the area, as owing to the prevalence of malaria, many villages were deserted by their inhabitants.

The Huleh basin, below the Syrian border, is described as "including a number of Arab villages and a large papyrus swamp draining south into Lake Huleh . . . a triangular strip of land some

44 sq. miles in area. . . . This tract is irrigated in a very haphazard manner by a network of small, primitive canals. It is, owing to over-irrigation, now the most malarious tract in all Palestine. It might become one of the most fertile."

With regard to yet another region in Palestine—the Beisan (Beit Shean) area—we quote from the report of Mr. Lewis French, Director of Development appointed by the British Government in 1931:

We found it inhabited by fellahin who lived in mud hovels and suffered severely from the prevalent malaria. . . . Large areas of their lands were uncultivated and covered with weeds. There were no trees, no vegetables. The fellahin, if not themselves cattle thieves, were always ready to harbour these and other criminals. The individual plots of cultivation changed hands annually. There was little public security, and the fellahin's lot was an alternation of pillage and blackmail by their neighbours the Bedouin.

This, then, was the picture of Palestine in the closing decades of the 19th century and up to the First World War: a land that was overwhelmingly desert, with nomads continually encroaching on the settled areas and its farmers; a lack of elementary facilities and equipment; peasants wallowing in poverty, ignorance and disease, saddled with debts (interest rates at times were as high as 60 per cent) and threatened by warlike nomads or neighbouring clans. The result was a growing neglect of the soil and a flight from the villages, with a mounting concentration of lands in the hands of a small number of large landowners, frequently residing in such distant Arab capitals as Beirut and Damascus, Cairo and Kuwait. Here, in other words, was a social and economic order that had all the earmarks of a medieval feudal society.

Who Dispossessed the Palestinian Peasant?

The Palestinian peasant was indeed being dispossessed, but by his fellow-Arabs: the local sheikh and village elders, the Government tax-collector, the merchants and money-lenders; and, when he was a tenant-farmer (as was usually the case), by the absentee-owner. By the time the season's crop had been distributed among all these, little if anything remained for him and his family, and new debts generally had to be incurred to pay off the old. Then the Bedouin came along and took their "cut", or drove the hapless fellah off the land altogether.

This was the "normal" course of events in 19th century Palestine. It was disrupted by the advent of the Jewish pioneering enterprise, which sounded the death-knell of this medieval feudal system. In this way the Jews played an objective revolutionary role. Small wonder that it aroused the ire and active opposition of the Arab sheikhs, absentee landowners, money-lenders and Bedouin bandits.

Jewish Land Purchases

It is important to note that the first enduring Jewish agricultural settlement in modern Palestine was founded not by European refugees, but by a group of old-time families, leaving the overcrowded Jewish Quarter of the Old City of Jerusalem. (According to the Turkish census of 1875, by that time Jews already constituted a majority of the population of Jerusalem and by 1905 comprised two-thirds of its citizens. The *Encyclopaedia Britannica* of 1910 gives the population figure as 60,000, of whom 40,000 were Jews.)

In 1878 they founded the village of Petah Tikva in the Sharon Plain—a village that was to become known as the "Mother of Jewish Settlements" in Palestine. Four years later a group of pioneering immigrants from Russia settled in Rishon le-Zion. Other farming villages followed in rapid succession.

When considering Jewish land purchases and settlements, four factors should be borne in mind:

- (1) Most of the land purchases involved large tracts belonging to absentee owners. (Virtually all of the Jezreel Valley, for example, belonged in 1897 to only two persons: the eastern portion to the Turkish Sultan, and the western part to the richest banker in Syria, Sursuk "the Greek".)
- (2) Most of the land purchased had not been cultivated previously because it was swampy, rocky, sandy or, for some other reason, regarded as uncultivable. This is supported by the findings of the Peel Commission Report (p. 242): "The Arab charge that the Jews have obtained too large a proportion of good land cannot be maintained. Much of the land now carrying orange groves was sand dunes or swamp and uncultivated when it was purchased . . . there was at the time at least of the earlier sales little evidence that the owners possessed either the resources or training needed to develop the land." (1937)
- (3) While, for this reason, the early transactions did not involve unduly large sums of money, the price of land began to rise as Arab landowners took advantage of the growing demand for rural tracts. The resulting infusion of capital into the Palestinian economy had noticeable beneficial effects on the standard of living of all the inhabitants.
- (4) The Jewish pioneers introduced new farming methods which improved the soil and crop cultivation and were soon emulated by Arab farmers.

The following figures show land purchases by the three leading Jewish land-buying organizations and by individual Jews between 1880 and 1935.

JEWISH LAND PURCHASES, 1880-1935 (in dunams*)

Organization	Total land acquired	Government concessions	From private owners	Large tracts** Dunams	Percent (approx.)
PICA (Palestine Jewish Colonization Assoc.)	469,407	39,520	429,887	293,545	70
Palestine Land Development Co.	579,492	66,513***	512,979	455,169	90
Jewish National Fund****	836,396				
Until 1930			270,084	239,170	90
1931-1947			566,312		50
Individual Jews	432,100		432,100		50

* 4 dunams = 1 acre.

** The large tracts often belonged to absentee landlords.

*** Land situated in the sandy Beersheba and marshy Huleh districts.

**** ". . . created on December 25, 1901, to ensure that land would be purchased for the Jewish workers who were to be personally responsible for its cultivation.

"Since the J.N.F. was as concerned with conforming to socialist ideals as with intensive economic exploitation of land, its Charter was opposed to the use of lands purchased by it as private property. The J.N.F. retained the freehold of the lands, while the people working it are only life tenants. . . .

"The capital of the Jewish National Fund was essentially raised from small regular donations from millions of Jewish craftsmen, labourers, shop-owners and intellectuals in Central and Eastern Europe where the shadow of genocide was already apparent, who felt concerned about the return of Jews to Zion. . . .

"Contrary to colonialist enterprises, which were seeking an exorbitant profit from land extorted from the colonized peoples, Zionist settlement discouraged private capital as its enterprise was of a socialist nature based on the refusal to exploit the worker." (Kurt Niedermaler, *Colonisation without Colonialism*, Youth and Hechalutz Dept., Jewish Agency, Jerusalem, 1969).

From the above table it will be seen that the proportion of land purchased from large (usually absentee) owners ranged from about 50 to 90 per cent.

"The total area of land in Jewish possession at the end of June 1947," writes A. Granott in *The Land System in Palestine* (Eyre and Spottiswoode, London, 1952, p. 278), "amounted to 1,850,000 dunams, of this 181,100 dunams had been obtained through concessions from the Palestinian Government, and about 120,000 dunams had been acquired from Churches, from foreign companies, from the Government otherwise than by concessions, and so forth. It was estimated that 1,000,000 dunams and more, or 57

per cent, had been acquired from large Arab landowners, and if to this we add the lands acquired from the Government, Churches, and foreign companies, the percentage will amount to seventy-three. From the fellaheen there had been purchased about 500,000 dunams, or 27 per cent, of the total acquired. The result of Jewish land acquisitions, at least to a considerable part, was that properties which had been in the hands of large and medium owners were converted into holding of small peasants."

The League of Nations Mandate

When the League of Nations conferred the Mandate for Palestine upon Great Britain in 1922, it expressly stipulated that "The Administration of Palestine . . . shall encourage, in cooperation with the Jewish Agency . . . close settlement by Jews on the land, including State lands and waste lands not acquired for public purposes" (Article 6), and that it "shall introduce a land system appropriate to the needs of the country, having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land." (Article 11)

British policy, however, followed a different course, deferring to the extremist Arab opposition to the above-mentioned provision of the Mandate. Of some 750,000 dunams of cultivable State lands, 350,000, or nearly half, had been allotted by 1949 to Arabs and only 17,000 dunams to Jews. This was in clear violation of the terms of the Mandate. Nor, ironically enough, did it help the Arab peasants for whose benefit these transactions were ostensibly carried out. The glaring examples of this policy are the case of the Besian lands and that of the Huleh Concession.

Beisan Lands

Under the Ghor-Mudawwarra Agreement of 1921, some 225,000 dunams of potentially fertile wasteland in the Besian (Beit Shean) area were handed over to Arab farmers on terms severely condemned not only by Jews but also by such British experts as Lewis French and Sir John Hope-Simpson. More than half of the land was irrigable, and, according to the British experts, eight dunams of irrigated land per capita (or 50-60 dunams per family) were sufficient to enable a family to maintain itself on the land. Yet many farmers received far more than that: six families, of whom two lived in Syria, received a combined area of about 7,000 dunams; four families (some living in Egypt) received a combined area of 3,496 dunams; another received 3,450 and yet another, 1,350.

Thus the Ghor-Mudawwarra Agreement was instrumental in creating a new group of large landowners. Possessing huge tracts, most of which they were unable to till, these owners began to sell the surplus lands at speculative prices. In his 1930 Report, Sir

Hope-Simpson wrote of the Agreement that it had deprived the Government of "the control of a large area of fertile land eminently suited for development and for which there is ample water for irrigation," and that "the grant of the land has led to speculation on a considerable scale."

Huleh Area

For twenty years (from 1914 to 1934) the Huleh Concession—some 57,000 dunams of partly swamp-infested but potentially highly fertile land in north-eastern Palestine—was in Arab hands. The Arab concessionaires were to drain and develop the land so as to make additional tracts available for cultivation, under very attractive terms offered by the Government (first Turkish, then British). However, this was never done, and in 1934 the concession was sold to a Jewish concern, the Palestine Land Development Company, at a huge profit. The Government added several onerous conditions concerning the amount of land (from the drained and newly developed tracts) that had to be handed over—without reimbursement for drainage and irrigation costs—to Arab tenant-farmers in the area.

All told, hundreds of millions of dollars were paid by Jewish buyers to Arab landowners. Official records show that in 1933 £854,796 was paid by Jewish individuals and organizations for Arab land, mostly large estates; in 1934 the figure was £1,647,836 and in 1935, £1,699,488. Thus, in the course of only three years £4,202,180 (more than 20 million dollars at the prevailing rate of exchange) was paid out to Arab landowners (Palestine Royal Commission Report, 1937).

To understand the magnitude of the prices paid for these lands, we need only look at some comparative figures. In 1944, Jews paid between \$1,000 and \$1,100 per acre in Palestine, mostly for arid or semi-arid land; in the same year rich black soil in the state of Iowa was selling for about \$110 per acre (U.S. Department of Agriculture).

Effects on Arab Population

In those instances where as a result of such transactions Arab tenant-farmers were displaced (on one year's notice), compensation in cash or other land was paid, as required by the 1922 Protection of Cultivators Ordinance; the Jewish land-buying associations often paid more than the law required (Pollack and Boehm, *The Keren Kayemeth Le-Israel*). Of 688 such tenants between 1920 and 1930, 526 remained in agricultural occupations, some 400 of them finding other land (Palestine Royal Commission Report, 1937, Chapter 9, para. 61).

Investigations initiated in 1931 by Mr. Lewis French disposed of the charge that a large class of landless or dispossessed Arab farmers was created as a result of Jewish land purchases. According to the British Government report (Memoranda prepared by the Government of Palestine, London 1937, Colonia No. 133, p. 37), the total number of applications for registration as landless Arabs was 3,271. Of these, 2,607 were rejected on the ground that they did not come within the category of landless Arabs. Valid claims were recognized in the case of 664 heads of families, of whom 347 accepted the offer of resettlement by the Government. The remainder refused either because they had found satisfactory employment elsewhere or because they were not accustomed to irrigated cultivation or the climate of the new areas (Peel Report, Chapter 9, para. 60).

Purchases of land by Jews in the hill country had always been very small and, according to the investigations by Mr. French, of 71 applications by Arabs claiming to be landless, 68 were turned down.

Arab Population Changes Due to Jewish Settlement

Another Arab claim disproved by the facts is that Zionist "colonialism" led to the disruption and ruin of the Arab Palestinian society and economy.

Statistics published in the Palestine Royal Commission Report (p. 279) indicate a remarkable phenomenon: Palestine, traditionally a country of Arab emigration, became after World War I a country of Arab immigration. In addition to recorded figures for 1920-36, the Report devotes a special section to illegal Arab immigration. While there are no precise totals on the extent of Arab immigration between the two World Wars, estimates vary between 60,000 and 100,000. The principal cause of the change of direction was Jewish development, which created new and attractive work opportunities and, in general, a standard of living previously unknown in the Middle East.

Another major factor in the rapid growth of the Arab population was, of course, the rate of natural increase, among the highest in the world. This was accentuated by the steady reduction of the previously high infant mortality rate as a result of the improved health and sanitary conditions introduced by the Jews.

Altogether, the non-Jewish element in Palestine's population (not including Bedouin) expanded between 1922 and 1929 alone by more than 75 per cent. The Royal Commission Report makes these interesting observations:

The shortage of land is, we consider, due less to the amount of land acquired by Jews than to the increase in the Arab population, (p. 242)

We are also of the opinion that up till now the Arab cultivator has benefited, on the whole, both from the work of the British administration and from the presence of Jews in the country. Wages have gone up; the standard of living has improved; work on roads and buildings has been plentiful. In the Maritime Plains some Arabs have adopted improved methods of cultivation. (p. 241)

Jewish development served as an incentive not only to Arab entry into Palestine from Lebanon, Egypt, Syria and other neighbouring countries, but also to Arab population movements within the country—to cities and areas where there was a large Jewish concentration. Some idea of this phenomenon may be gained from the following official figures:

Changes in towns: The Arab population in predominantly Arab towns rose only slightly (if at all) between the two World Wars: in Hebron—from 16,650 in 1922 to 22,800 in 1943; Nablus—from 15,931 to 23,300; Jenin—from 2,737 to 3,900; Bethlehem—from 6,658 to 8,800. Gaza's population actually decreased from 17,426 in 1922 to 17,045 in 1931.

On the other hand, in the three major Jewish cities the Arab population shot up during this period, far beyond the rate of natural increase: Jerusalem—from 28,571 in 1922 to 56,400 (97 per cent); Jaffa—from 27,437 to 62,600 (134 per cent); Haifa—from 18,404 to 58,200 (216 per cent).

Changes in rural areas: The population of the predominantly Arab Beersheba district dropped between 1922 and 1939 from 71,000 to 49,000 (the rate of natural increase should have resulted in a rise to 89,000). In the Bethlehem district the figure increased from 24,613 to about 26,000 (after falling to 23,725 in 1929). In the Hebron area it went up from 51,345 to 59,000 (the natural increase rate dictated a rise to 72,000).

In contrast to these declines or comparatively slight increases in exclusively Arab-inhabited areas, in the Nazareth, Beit Shean, Tiberias and Acre districts—where large-scale Jewish settlement and rural development was underway—the figure rose from 89,600 in 1922 to some 151,000 in 1938 (by about 4.5 per cent per annum, compared with a natural increase rate of 2.5-3 per cent).

In the largely Jewish Haifa area the number of Arab peasants increased by 8 per cent a year during the same period. In the Jaffa and Ramla districts (heavily Jewish populated), the Arab rural population grew from 42,300 to some 126,000—an annual increase of 12 per cent, or more than four times as much as can be attributed to natural increase (L. Shimony, *The Arabs of Palestine*, Tel-Aviv, 1947, pp. 422-23).

One reason for the Arab gravitation toward Jewish-inhabited areas, and from neighbouring countries to Palestine, was the incom-

parably higher wage scales paid there, as may be seen from the following table.

DAILY WAGE SCALES, 1943
(in mils)

	<i>Unskilled labour</i>	<i>Skilled labour</i>
Palestine	220-250	350-600
Egypt	30-50	70-200
Syria	80-100	150-300
Iraq	50	70-200

Source: A. Khoushy, *Brit Poali Eretz-Israel*, 1943, p. 25.

The capital received by Arab landowners for their surplus holdings was used for improved and intensive cultivation or invested in other enterprises. Turning again to the Report of the Palestine Royal Commission (p. 93), we find the following conclusions: "The large import of Jewish capital into Palestine has had a general fructifying effect on the economic life of the whole country. . . . The expansion of Arab industry and citriculture has been largely financed by the capital thus obtained. . . . Jewish example has done much to improve Arab cultivation. . . . The increase in Arab population is most marked in areas affected by Jewish development."

During World War II, the Arab population influx mounted apace, as is attested by the *UNRWA Review*, Information Paper No. 6 (September 1962):

A considerable movement of people is known to have occurred, particularly during the Second World War, years when new opportunities of employment opened up in the towns and on military works in Palestine. These wartime prospects and, generally, the higher rate of industrialization in Palestine attracted many new immigrants from the neighbouring countries, and many of them entered Palestine without their presence being officially recorded.

Land Ownership in 1948

The claim is often made that in 1948 a Jewish minority owning only 5 per cent of the land of Palestine made itself master of the Arab majority, which owned 95 per cent of the land.

In May 1948 the State of Israel was established in only part of the area allotted by the original League of Nations Mandate. 8.6 per cent of the land was owned by Jews and 3.3 per cent by Israeli Arabs, while 16.9 per cent had been abandoned by Arab owners who imprudently heeded the call from neighbouring countries to "get out of the way" while the invading Arab armies made short shrift of Israel. The rest of the land—over 70 per cent—had been vested in

the Mandatory Power, and accordingly reverted to the State of Israel as its legal heir. (Government of Palestine, *Survey of Palestine, 1946*, British Government Printer, p. 257.)

The greater part of this 70 per cent consisted of the Negev, some 3,144,250 acres all told, or close to 50 per cent of the 6,580,000 acres in all of Mandatory Palestine. Known as Crown or State Lands, this was mostly uninhabited arid or semi-arid territory, inherited originally by the Mandatory Government from Turkey. In 1948 it passed to the Government of Israel.

These lands had not been owned by Arab farmers—neither under the British Mandate nor under the preceding regime. Thus it is obvious that the contention that 95 per cent of the land—whether of Mandatory Palestine or of the State of Israel—had belonged to Arabs has absolutely no foundation in fact.

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There is perhaps no better way of concluding and summing up this study than to quote from an article entitled *Is Israel a Thorn or a Flower in the Near East?* by Abdul Razak Kader, the Algerian political writer, now living in exile in Paris (*Jerusalem Post*, Aug. 1, 1969):

"The Nationalists of the states neighbouring on Israel, whether they are in the government or in business, whether Palestinian, Syrian or Lebanese, or town dwellers of tribal origin, all know that at the beginning of the century and during the British Mandate the marshy plains and stone hills were sold to the Zionists by their fathers or uncles for gold, the very gold which is often the origin of their own political or commercial careers. The nomadic or semi-nomadic peasants who inhabited the frontier regions know full well what the green plains, the afforested hills and the flowering fields of today's Israel were like before.

"The Palestinians who are today refugees in the neighbouring countries and who were adults at the time of their flight know all this, and no anti-Zionist propaganda—pan-Arab or pan-Moslem—can make them forget that their present nationalist exploiters are the worthy sons of their feudal exploiters of yesterday and that the thorns of their life are of Arab, not Jewish, origin."