

The Alienation of a Homeland: How Palestine Became Israel*

by Stephen P. Halbrook

George Mason University / Virginia State Bar

Introduction

The crux of the Arab-Israeli conflict is the Palestinian question, and the crux of the Palestinian question is: who justly owns the land of Israel or Palestine? The parties involved in the Middle East struggle are cognizant of the centrality of the land question. Though he denies the right of all Arabs who were born in what is now Israel to return to their homeland, Polish emigrant and Israeli Prime Minister Menachem Begin defends the right of non-indigenous Jews to settle anywhere in Eretz Israel, including the occupied West Bank, which he calls liberated Judea and Samaria. While radical Arab Rejectionists depicted his peace negotiations as *de facto* repudiation of Palestinian liberation, the late Egyptian President Anwar Sadat, who like other Arab leaders has called on Arab Jews to return to their homeland, stated in his historic address to the Israeli Knesset on November 20, 1977:

We will not accept any talk about lasting and durable peace . . . while you are occupying Arab land with military force . . .

As for the Palestinian question, nobody denies that it's the essence of the problem as a whole . . .

There is no use not recognizing the Palestinian people and their own right in establishing their homeland, and their right of return.

The U. S. Department of State concedes that the Palestinians are by any definition a genuine national movement. Despite informal talks and contacts between U. S. and Palestine Liberation Organization officials, the U. S. refuses *de jure* recognition of the P.L.O. as the Palestinian spokesman because the P.L.O. does not recognize Israel's right to exist as

* This article was written before the Holocaust in Lebanon of Summer 1982. At the time of this writing, after weeks of indiscriminate massacres of many thousands of Lebanese and Palestinians by Israeli military forces, it is impossible to predict whether the Zionist occupation as far north as Beirut will result in a "North Bank" as militarized and permanently occupied as the West Bank. The invasion also has implications for the analysis included herein of the oppression of Oriental Jews by Arab states—the Jewish quarter in West Beirut has been subject to the same Israeli shelling and destruction as the dominant Moslem quarters of that part of Beirut.

an exclusively Jewish state and calls instead for a secular democracy in Palestine wherein Moslems, Jews, and Christians have equal rights. The United States particularly rejects P.L.O. representation at a peace conference prior to repudiation of the Palestinian National Covenant of July 1968, which provided in part:

The partitioning of Palestine in 1947 and the establishment of Israel are fundamentally null and void, whatever time has elapsed, because they were contrary to the wish of the people of Palestine and its natural right to its homeland, and contradict the principles embodied in the Charter of the United Nations, the first of which is the right of self-determination. (Article 19)

The Palestine Liberation Organization, which represents the forces of the Palestine revolution, is responsible for the movement of the Palestinian people in its struggle to restore its homeland, liberate it, return to it and exercise the right of self-determination in it. (Article 26)

In the United States the right of Israel to exist is taken for granted almost *a priori*, and the query of who justly owns the land has never really been seriously debated. When the United Nations declared Zionism to be a form of racism, the U.S. threatened to "take its marbles and go home," but excluded from the public forum in America was substantial dialogue over whether the U.N. declaration was actually well founded. For a variety of reasons, including ethnic preference, religious prejudice, the Zionist lobby, and the needs of U.S. imperialism, many Americans assume Israel's existence as a categorical imperative. Yet if a comprehensive Middle East settlement is ever to appear on the horizon, it will require assessment of the precise nature of Palestinian rights, and the opportunity must not slip by because of an ostrich-like refusal to face the historical facts regarding the manner in which Palestine became Israel.

If the state of Israel has a right to exist, it can only be because its citizens acquired the land in a just manner. In ideological struggle over the Middle East, standard non sequiturs are raised which obscure the ultimate issue of whether Jews, Palestinian Arabs, all of both, or some of both have the right to possession of Israel or occupied Palestine. (Of course, the terminology by which the land is described is itself determined by whether the Zionist entity is seen as legitimate or as contrary to international law and justice.)

These non sequiturs take various forms. Menachem Begin's adage during his Irgun terrorist days that "we fight, therefore we are," which is applied to justify subsequent Israeli conquests, assumes the *ad baculum* fallacy that might makes right; but certainly the same existential reasoning would demonstrate the legitimacy of the P.L.O.'s guerrilla infrastructure, including Yassir Arafat's al-Fatah, George Habash's Popular Front for the Liberation of Palestine, and other fedayeen organizations, especially insofar as their attacks on Israel are successful. When not basing Israel's right to

exist on its ability to wage victorious wars against Arabs, Begin vindicates Israeli expansion by Jehovah's gift in perpetuity of Eretz Israel to the Jewish settlers, and thereby designates seized Arab land as "liberated" rather than "occupied." Yet international law, which views all people equally, eschews claims to territory based on theological presumptions, and it is grotesque to rationalize conquest and genocide by appeals to a higher Being which allegedly designates a privileged group as a chosen or master race. As for the Jews' right to "return" to Israel because they populated the area two thousand years ago, this reasoning would vindicate much more strongly the right of Palestinian Arabs to return to their homeland of only thirty years ago.

Nor can Israel's right to the land be demonstrated by reference to the Balfour Declaration (1917), for Palestine belonged to its inhabitants, not to the British Foreign Minister. Freedom from British colonial rule was certainly more of a right of the Palestinians in 1917 than of the British citizens of America in 1776. Assuming the right of peoples to self-determination, Arab Palestine was not for the British to give to the Zionists. Finally, justice does not presuppose that if A oppresses B, then B may oppress C; thus, the genocidal policies against Jews by German Nazis would not justify Jewish Zionist punishment of Palestinian Arabs. Victims of the Holocaust have claims for compensation and territory against former supporters of Nazism, not against guiltless Palestinian peasants. The same principle repudiates the population-exchange theory which asserts that, because Arab states expelled Jews from their Arab homelands after the Zionists expelled Arab Palestinians from their homeland, everyone has "gotten even." Collective guilt of all Arabs cannot be based on acts by some Arab states; Zionists cannot justify their initial expulsion of Palestinians because Arab states (not Palestinian Arabs) later carried out repressive policies against Jews.

In short, neither military force, God, a distant past, Lord Balfour, Hitler, nor Arab state acts may, by equal standards of international law, be called upon to demonstrate the rightfulness and legality of taking the land of Palestine from Moslem and Christian Arabs and giving it to Zionists from Europe and elsewhere. If the Zionist settlers (which excludes indigenous Palestinian Jews, whose claim to their land is beyond question) have a rightful claim to the territory, it can only be because they acquired it from the Palestinian Arabs in a just manner. If it can be shown empirically that at the time Israel was founded the overwhelming majority of Palestine's inhabitants were Arabs and that most of the country's land was held by Arabs, then the Zionists' claim to legitimacy must be based on their acquisition of the land through equitable and voluntary methods based on the consent of the indigenous inhabitants. But if Palestine was in essence stolen from its people, not only does Israel's existence become negotiable, but a secular democracy becomes imperative.

How Palestine Became Israel

While the historical accuracy of her claim that the Palestinian people are of Canaanite origin may never be resolved, E. A. Finn's turn of the century depiction of Palestine's traditional inhabitants provides insight into their attachment to the land. The Ottomans who ruled Palestine for four hundred years found the indigenous population to consist of the following:

First, the *Bedaween*, "Arabs of the Arabs," who live in tents and roam the deserts.

Second, the *Fellahheen*, "Ploughmen," or agricultural peasantry, who live in villages, and are freehold owners of the soil which they cultivate.

Third, the *Belladeen*, "Townsfolk," who live, and who have lived from generation to generation, in cities, generally in their own freehold houses.¹

While not politically united in the sense of European nationalism, the Palestinians, particularly the peasantry, were held together by a common language, religion, custom, and hatred for Turkish rule. "Though they have with each other no national cohesion, the Fellah clans cleave to the land with the tenacity of aboriginal inhabitants. . . . They cling to the hills and the plains where their fathers lived and died."²

While the peasants perceived their right to their land to be based on long-standing possession and cultivation, the Ottoman code regarded the ultimate landowner to be the Sultan, whose agents would terminate tenure for nonpayment of taxes or rent. Fellaheen were severely exploited by tax farmers, who, backed by troops, doubled as moneylenders at rates of 60% interest, and not surprisingly the State was regarded as an organized band of robbers.³

The Land Registration Law of 1858, ostensibly passed to determine title to land, was actually

a means of identifying properties for the purpose of taxation and of disclosing the existence of persons subject to military conscription. For these reasons only a small proportion of transactions was recorded, and these chiefly concerned elderly persons, females, foreigners and those sufficiently influential to be able to avoid military service. As an index of owners, the registers therefore became hopelessly incomplete. . . . In order to avoid taxation, a person owning some hundreds of dunums had them recorded as an area of, say, ten or twenty dunums.⁴

Peasants who registered their land at all often did so in the names of deceased or fictitious persons or of members of the effendi (gentry) or of urban merchants. Title thereby existed in the names of upper class Moslems, Christians, and Jews in Jerusalem, Beirut, and Damascus. Members of the urban elite filed whole villages in their own names, and tenure passed into the hands of those who were often landlord, tax collector, and usurer all in

one. The bribing of officials and the blackmailing of peasants also played a role in the recording of ever more land in the names of absentee landlords.⁵

The concentration of title to land was aided by the land tenure system provided in Ottoman law, which recognized the following: 1) *Mulk*, comparable to the fee simple in English law and existing only among a few members of the ruling elite; 2) *Miri*, the most common form of tenure, consisting in absolute ownership by the State and lease to private individuals subject to payment of the land tax; 3) *Waqf*, really consisting in *miri* except that, upon expiration of the founder's line, it passed to charitable purposes; 4) *Metruke*, common land used for roads, grazing, etc.; and 5) *Mewat*, dead or waste land claimed by the State but often used by Bedouin or Fellaheen. It should be noted that *miri* could not be mortgaged, so a bankrupt debtor was forced to transfer his rights to the usurer, who would allow the peasant to remain on the land in exchange for two-thirds of the crops.

In the latter part of the nineteenth century, while title to land traditionally held by Arab peasants was being transferred to Arab and Turkish landlords, another force emerged which was to have the most significant influence on the distribution of land, namely, the Zionist movement which began to support immigration of Jews to Palestine. While reliable statistics do not exist, it has been estimated that Palestine in the second half of the nineteenth century consisted of a population of more or less a half million, of which some 80% were Muslims, 10% Christians, and 5 to 7% Jews. In 1882 Jews owned 22,500 dunums of land out of the 26,323,000 dunums which were to make up Mandate Palestine, i.e., .09% of the land. By 1900 there were 50,000 Jews in Palestine, mostly in Jerusalem and Jaffa, although twenty-two settlements existed by then, and Jews owned 218,000 dunums, or .8% of the land.⁶

The increase in Jewish ownership was largely prompted by the founding of the Palestine Jewish Colonization Association (PICA) by Baron Edmond de Rothschild, the "Father of the *Yishuv*" (the Jewish settlement in Palestine) who for decades was to be the largest Jewish landowner in Palestine and Transjordan. Rothschild "bought land from the feudal Effendis, sometimes by bribing the Ottoman administration, and drove the fellahin off the land."⁷ Some of the same fellaheen were hired to work the land they once cultivated as their own.

A different approach was taken by Zionists of a more purist position than the classic colonialist policy held by Rothschild. "When we occupy the land... we must expropriate gently the private property on the estates assigned to us," wrote Zionism's founder Theodor Herzl. "We shall try to spirit the penniless population across the border by procuring employment for it in the transit countries, while denying it any employment in our own countries."⁸ In 1907 the World Zionist Organization incorporated the *Keren*

Kayemeth Leisrael (Jewish National Fund), which was dedicated to purchasing land exclusively for Jews and refusing employment to displaced Arabs. Beginning a year later with the building of a suburb outside Jaffa which came to be known as Tel Aviv, Keren Kayemeth was destined to be the major landowner in Palestine.

During the last years of Turkish rule in Palestine, the lands seized from Arab peasants by Arab absentee landlords were in turn being sold to Zionist settlers whose policy increasingly was to deny employment to Arabs. Only 144 Arab landlords owned a total of 3,130,000 dunums in Palestine—in the Jezreel Valley alone the Sursuk family of Beirut and Egypt held title to 230,000 dunums—and “the great majority of land bought by Jews in the period of Turkish rule, and later under the British Mandate, . . . was acquired from proprietors of large estates.”⁹ By 1914 Jewish ownership of land amounted to 418,000 dunums or about 1.6% of Palestine, and Jews constituted 84,660 (12%) out of a population of 689,275.¹⁰

“His Majesty’s Government view with favour the establishment in Palestine of a national home for the Jewish people,” wrote British Foreign Secretary Lord Balfour to Lord Lionel Rothschild in November 1917, adding that “nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine,” i.e., the overwhelming majority of the population consisting of Moslem and Christian Arabs. Palestine was a land without a people and for a people without a land according to Zionist leader Israel Zangwill, who wrote in 1919:

The power in every country . . . always resides in the landowning classes. Yet over 30,000 Arab landlords and some 600,000 *fellahin* are to continue in possession of the bulk of the Holy Land. . . . [To remedy this situation] measures of race redistribution . . . will be carried out in Palestine as elsewhere. Thus the Arabs would gradually be settled in the new and vast Arabian Kingdom. . . . Only with a Jewish majority . . . can Israel enter upon the task of building up that model state. . . .¹¹

Before October 1920 Jews held 650,000 dunums and land sales quickly increased under the British Mandate. The first significant Keren Kayemeth purchase of seven Arab villages was a factor in the 1921 Arab uprising which led Britain to enact the Transfer of Land Ordinance (1921), whereby the landlord was required to see that tenants uprooted by sales retain land elsewhere. Landlords evaded the ordinance simply by evicting tenants before sale. Comparable acts to protect cultivators passed in the following two decades were also evaded, increasing the number of landless Arabs.¹² In any case, the first real census of Palestine, taken in 1922, indicated that Jews numbered 83,794 out of a total population of 757,182. Thus Jews, about three-quarters of whom lived in the Jerusalem-Jaffa area and about two-thirds of whom were European immigrants, constituted 11% of the population.¹³ Estimates respecting distribution of land indicate that in the same year, excluding freehold fellaheen, three million dunums of the land

of Palestine were held by only 120 Arab families.¹⁴ By 1927 Jewish land holdings more than doubled from the start of the war to 865,000 dunums — still only 3.3% of Palestine.

A year after the 1929 revolt in which fellaheen and especially bedouin played a major role, the Simpson Report estimated that about 30% of Arab villagers were landless. Unlike the Jews, who had favorable, long-term leases, Arab tenants held land on a yearly basis, terminable at the landlord's will. The economic condition of the fellah was desperate, for scarce capital, heavy debts, rising rent, overtaxation, and high interest were crushing this class. One study showed the average fellah family in possession of about seventy-five dunums, while double that amount would have been required for a decent standard of living.¹⁵ Peasants borrowed at 30% interest or more, or sold their land, in order to pay the tithe (which might be a fourth of a fellah's income) and other taxes, debts, and subsistence expenses. Cultivators without land were required to give the landlord whose land they worked about half the produce. The fellaheen were literally bankrupt — 64% of the families in one subdistrict had execution proceedings pending against them, a family's whole crop could be attached for taxes, and imprisonment for debt was extensive. The condition of the fellah was hardly better than under the Turks.¹⁶

While the Jewish Agency pressed its claim to all lands owned by the government, considerable areas over which the government had *de jure* claims had been occupied and cultivated by Arabs for very many years. Not only were areas available for Jewish settlement "negligible," but already Jewish settlements were interfering with the rights of grazing and cultivation of bedouin, the majority of whom wandered in Beersheba as in ancient times. Fellaheen who were evicted from their lands in the countryside, on emigrating to the cities, found that the Histadrut (Jewish Labor Federation) excluded them from employment in Jewish industry and commerce, resulting in serious unemployment.¹⁷

Zionist policies faced Arabs with discrimination based on race, religion, or national origin at every turn: *Kibush Hakarka* (Conquest of the Land) took the Arab tenant's land, *Kibush Ha'avoda* (Conquest of Labor) prevented the hiring of Arabs as employees, and *T'ozteret Ha'aretz* (Produce of the Land) imposed a boycott of Arab produced commodities.¹⁸ The Constitution of the Jewish Agency (1929), Art. III, declared: "Land is to be acquired as Jewish property. . . [and] held as the inalienable property of the Jewish people. The Agency shall promote agricultural colonisation based on Jewish labour, and in all works or undertakings carried out or furthered by the Agency, it shall be deemed to be a matter of principle that Jewish labour shall be employed. . . ." The Keren Kayemeth lease contained the restrictive covenant based on race that the holding shall never be held by any but a Jew and that only Jewish labor could be employed in connection with cultivation of the holding. Jewish lessees who hired or attempted to sell rights to Arabs were to have their own leases terminated.¹⁹

The census of 1931 revealed an Arab population (including Moslems, Christians, Druses, etc.) of 861,200 and a Jewish population of 174,600, i.e., 17%. The same estimate of 66,553 bedouin as suggested in 1922 was used, as if no population increase ever occurred among this sector of the Arab population.²⁰ While the doubling of the Jewish population (which was about half European) since the previous census was due primarily to immigration, the increase in the Arab population resulted from natural causes. With further Jewish immigration and land purchases in the thirties, foreclosures by absentee holders of legal title who often resided in Damascus, Beirut, Cairo, and Kuwait dispossessed an ever increasing number of fellaheen. The sale by the Lebanese Sursuk tax farmer family of 240,000 dunums alone displaced almost 9,000 persons.²¹

TABLE 1
Land Acquisitions of the PICA, Keren Kayemeth, and
Palestine Land Development Company as of 1936

	Dunums	Percentage
Acquired from large absentee landowners	358,974	52.6
Acquired from large resident landowners	167,802	24.6
Acquired from government, churches and foreign companies	91,001	13.4
Acquired from fellaheen (farmers)	64,201	9.4
	681,978	100.0

Source of data: Granott, *The Land System in Palestine*, p. 277. (See n. 22, *infra*.)

By the end of 1936, the PICA, Keren Kayemeth, and Palestine Land Development Company—all Zionist organizations—held title to land as indicated in Table 1. As the former director of Keren Kayemeth commented: "If we add up all these figures, we shall find that no less than 90.6 per cent of all acquisitions were of land which formerly belonged to large landowners, while from fellaheen only 9.4 per cent was purchased."²² While it is not known how many Arab tenants were thereby evicted, in 1936 Jewish landownership amounted to 1,231,000 dunums. It is not surprising that when Arab workers and peasants, sparked by al-Qassam's guerrilla offensive in the countryside, rose up in armed struggle and engaged in general strikes during 1936-39, the feudal elements led by al-Husseini favored a compromise with the British, who, aided by the Zionists, crushed the revolt.

"There is no room for both peoples together in this country," reflected Joseph Weitz in 1940. Head of the Jewish Agency's Colonization Department and in charge of land acquisitions, Weitz continued that "there is no

other way but to transfer the Arabs from here to the neighboring countries; to transfer all of them: not one village, not one tribe should be left. . . ."²³

A Survey of Palestine, prepared for the Anglo-American Committee of Inquiry in the mid forties, described the continuing dispossession of the fellaheen in the same manner as had the Simpson Report. Legal fictions regarding title rather than traditional rights based on possession continued to insure land transactions between large Arab and Zionist landowners. "The Ottoman land registry records. . . still constitute the basis of a large number of claims to real rights in Palestine." Yet Arab agriculturists worked "state" lands to the extent that "it cannot be assumed that Government is in possession of extensive tracts of land which are lying idle." In 1944 the Jewish population, determined to be 553,600 (32%) out of 1,739,624 (including the never increasing nomads), held 1,731,300 dunums. "This total area of Jewish land represents 6.6% of the total area of Palestine."²⁴

A smaller official estimate for Jewish landholdings at the end of 1944 set the figure at 1,491,699 dunums as compared to 12,766,524 dunums owned by Arabs and 1,491,690 dunums of public land. This excludes the 10,573,100 dunums composing Beersheba, which bedouin freely inhabited; traditionally basing their rights on use and not on title conferred by what they perceived as outside forces, the bedouin always had their land underestimated because their method of crop rotation involved leaving land fallow for a couple of years, while assessors included only land in current use. In any case, 85% of cultivatable lands were held by Arabs, 13% by Jews, and 3% by the public.²⁵ The proportion of Jewish to non-Jewish landownership is presented in Map 1.

From 1922 until 1945, an estimated 96% of Moslem population growth was due to natural increase, while 72% of Jewish population growth was attributed to migratory increase. While two-thirds of the Jews lived in Tel Aviv, Jerusalem, Haifa, and Jaffa, 70% of Moslems resided in villages, although the latter percentage still indicated a trend toward urbanization. The last official Mandate Government population estimates found 589,341 Jews (31%) out of 1,908,775 persons at the end of March 1947.²⁷ By the end of that year Jews owned 1,734,000 dunums or 6.6% of Palestine, having bought 57% of this land from large Arab landowners, 16% from government, churches, and foreign companies, and 27% from fellaheen.²⁸ Graph 1 and Table 2 summarize the growth of Jewish population and landownership respectively.

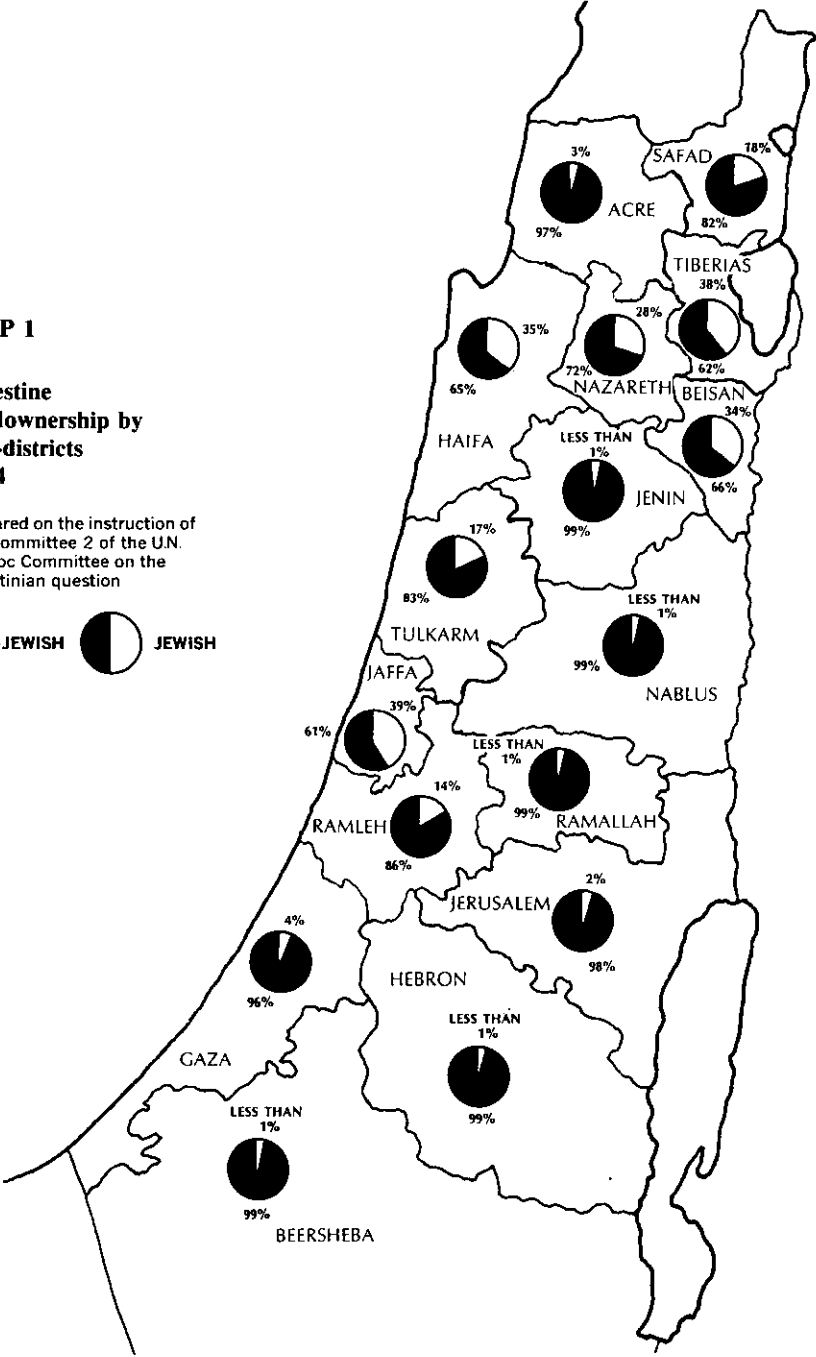
The United Nations Partition Resolution of November 1947 provided for a Jewish state of about 57% of Palestine although Jewish landownership was only about 10% of the proposed state. The gerrymandering plan included 498,000 Jews and 497,000 Arabs within the state. Yet for the Zionist leadership, this was too little land and too many Arabs. It was not only the Irgun of Menachem Begin and Moshe Dayan, whose organization exploded bombs in Arab population centers, that desired the new state to

MAP 1

**Palestine
landownership by
sub-districts
1944**

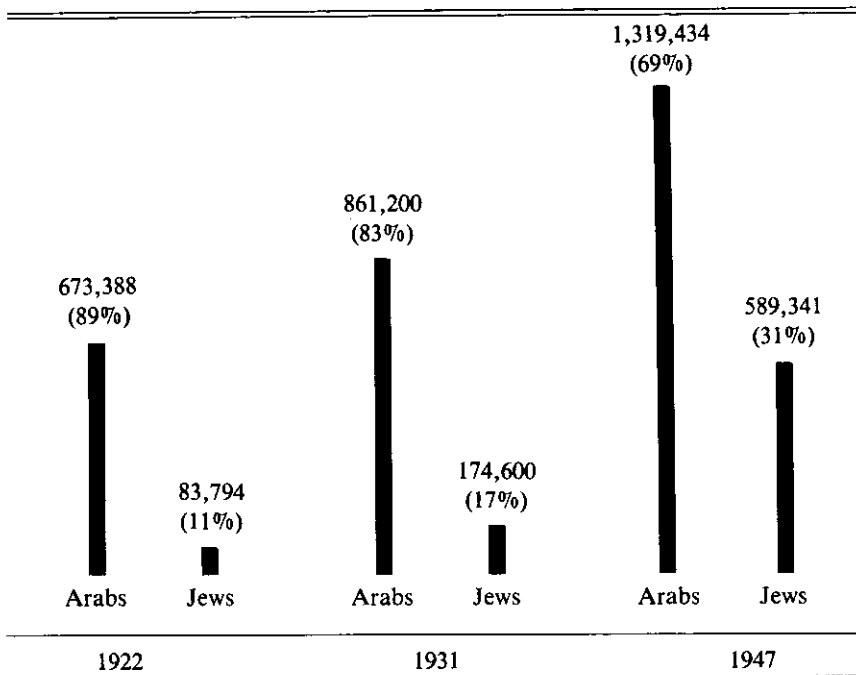
prepared on the instruction of
sub-committee 2 of the U.N.
Ad Hoc Committee on the
Palestinian question

NON-JEWISH  **JEWISH**



GRAPH 1

Population Statistics of Mandate Palestine



Source: British Census and estimates. Graph by author.

consist of the whole of Mandate Palestine or more and to be *arabenrein*. An expansionist who foresaw an Israel extending from the Nile to the Euphrates, David Ben-Gurion never intended to abide by the U.N. boundaries, and in his state "there was no place for Arabs." Ben-Gurion wanted to attack Arab population centers.

Ben-Gurion remained skeptical about any possibility of coexistence with the Arabs. The fewer there were living within the frontiers of the new Jewish state, the better he would like it. He did not actually say this, but his position was clear—a major offensive against the Arabs would not only break up their attacks but would also greatly reduce the percentage of Arabs in the population of the new state. While this might be called racialism, the whole Zionist movement actually was based on the principle of a purely Jewish community in Palestine.²⁹

On April 9, 1948, 254 unarmed men, women, and children at Deir Yassin, an Arab village west of Jerusalem, were massacred by Zionist terrorists.³⁰ Most of the mutilated bodies were thrown down a well, while

TABLE 2
Jewish Landownership

Year	Dunums	Percent of Palestine (26,323,000 dunums)
1882	22,500	.09
1900	218,000	.8
1914	418,000	1.6
1927	865,000	3.2
1936	1,231,000	4.7
1947	1,734,000	6.6

Source of data: Granott, *Agrarian Reform and the Record of Israel*, p. 28. (See n. 6, *infra*.)

others were scattered about the village. While the attack was spearheaded by Begin's Irgun Zvai Leumi and the frankly fascist Stern gang, the commander of the Haganah approved the attack, although Ben-Gurion's party attempted to exculpate itself from blame. According to Begin, the attackers used "large numbers of hand-grenades," and the civilians "suffered inevitable casualties." Deir Yassin was "the first Arab village to be captured by Jewish forces," leading the Arabs to expect genocide at the hands of the Zionists.

Panic overwhelmed the Arabs of Eretz Israel. . . . Arabs throughout the country, induced to believe wild tales [sic] of "Irgun butchery," were seized with limitless panic and started to flee for their lives. This mass flight soon developed into a maddened, uncontrollable stampede.³¹

In Jerusalem, Zionist soldiers paraded a few bloodstained Deir Yassin survivors through the streets, and in Haifa Zionist loudspeakers warned the Arabs of more Deir Yassins. "All the Jewish forces proceeded to advance through Haifa like a knife through butter. The Arabs began fleeing in panic, shouting: 'Deir Yassin!'"³² Sixty thousand Arabs fled Haifa, and almost all of Jaffa's Arab population of a hundred thousand evaporated. Almost 900 villages and five million dunums of land were abandoned as some three-quarters of a million Arabs fled Jewish, Arab, and British armies alike. "The greater part of the agricultural land was in the hands of these villagers."³³

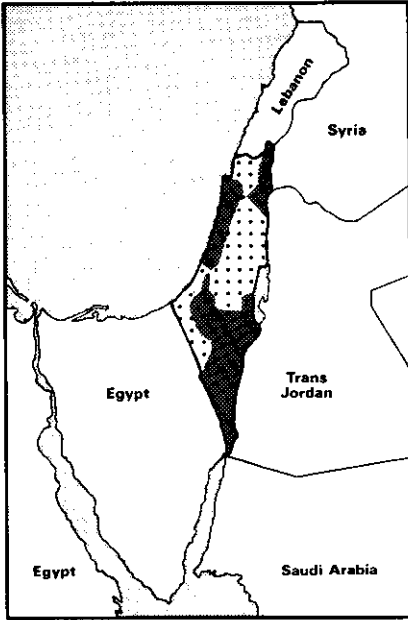
In mid May 1948, when Israel proclaimed its existence as a state, Jews were still less than one-third of the population of Palestine. Jewish landownership, as a result of the expulsion of the Arabs, jumped from nearly 7% of Palestine to 79%; thus it was military force, rather than a half century of land purchases (largely from Arab absentee landowners), that was the primary method by which the land of Palestine became the land of Israel.

The Ensuing Years

While many Arabs fled with the intention of returning to their homes when the violence ended, most were not permitted to return to their villages, and a combination of military and legal devices were employed in the ensuing years to destroy or expropriate Arab homes and lands. In the ten-year period from the end of the war, about a million dunums of Arab land were expropriated. Even in cases such as Bir'im and Ikrit, in which the Israeli Supreme Court ruled in favor of dispossessed Arabs, military occupation authorities prevented the enforcement of the decrees by dynamiting whole villages, driving peasants and bedouin across the borders, and shooting those who attempted to return as "infiltrators." The Law on the Acquisition of Absentees' Property (1950) transferred to a custodian all real and personal property of "absentees," i.e., persons who left their places of abode in a specified period and fled temporarily to a place not under Israeli occupation. The custodian transferred the land of "absentees" (who in many cases had returned to their homes and worked the land at the time of expropriation) to Jewish settlers, over a third of whom ended up by 1954 living on "absentee" property. A number of other laws in the fifties relating to military occupation resulted in the expropriation of more and more property from Arabs for "security" reasons.³⁴

Most "abandoned" property came into the hands of Keren Kayemeth, which possessed less than a million dunums on the day Israel proclaimed itself a state but which within half a decade acquired almost two and one-half million more dunums, becoming next to the state the largest landowner in Israel.³⁵ Restrictive covenants disallowing non-Jews from enjoying any rights under leases were continued in force and extended to state lands, denying Arabs any potential benefit from 90% of the land of Israel.³⁶ At the same time that Palestinian Arabs were being denied repatriation, the Law of the Return (1950) allowed "Jews" to immigrate freely to Israel, thereby increasing the number of Zionist settlements and reducing the percentage of Arabs within Israel's borders.

Unsatisfied with previous acquisitions, Begin declared before the Knesset on October 12, 1955: "I deeply believe in launching a preventive war against the Arab States without further hesitation. By doing so, we will achieve two targets: firstly, the annihilation of the Arab power; and secondly, the expansion of our territory." A year later some fifty Arabs were massacred in Kafr Qasim, located in Samaria, and not long thereafter the Suez adventure provided an unsuccessful opportunity for Begin's plans. It remained for the 1967 war for Israel to occupy the West Bank and the Gaza Strip—to which Begin as early as 1948 claimed the Jews had a right—as well as the Golan Heights and the Sinai. The successive governments of Levi Eshkol, Golda ("there are no Palestinians") Meir, and Yitshak Rabin promoted settlements in these occupied territories. As a result of the June War, 1,700,000 Palestinians, largely non-citizens, were under Israeli occupation, and another million Palestinians remained outside Palestine, mostly on the East Bank.³⁷

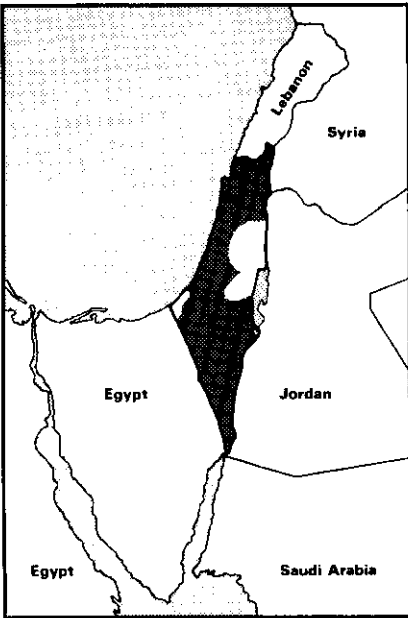


MAP 2

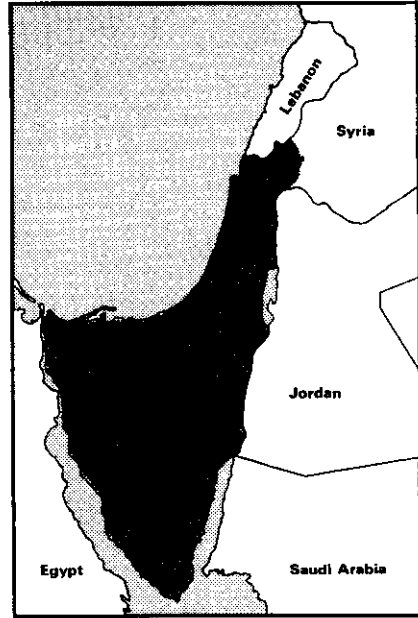
**Israeli Expansion
1947-1967**

Jewish State ■
Arab State ···

UN Partition Plan 1947



1948 War



1967 War

By early 1973 it was estimated that out of 475 substantial Arab villages before 1948, only 90 remained.³⁸ Settlements throughout the occupied territories have escalated at an ever increasing rate since the Yom Kippur War of 1973 and the election of Begin during 1976. Confiscation and expropriation of Palestinian Arab land, creation of illegal settlements which are afterwards "legalized," and the consequent spontaneous demonstrations as well as guerrilla actions by Palestinians countered by repression by the Israeli armed forces mark the present epoch. Map 2 exhibits three decades of Israeli expansion.

If Zionist colonization resulted in the direct dispossession of the lands of the Palestinian Arabs and the expulsion of three-quarters of a million from their homeland, an indirect result was the expulsion of a like number of Jews from the Arab world. Although since ancient times Moslems and Jews have engaged in oppression and massacres both among and between themselves, the Arab world has been a refuge for Jews from Europe since the Spanish Inquisition, and it received refugees from Hitler long after the United States and Great Britain disallowed Jewish immigration. But particularly in 1948, an upsurge in anti-Jewish riots and government action resulted in numerous deaths, increasingly widespread confiscation of Jewish property, and the emigration of many Arab Jews from their ancient homelands. Of the Arabs who fled Palestine and the Jews who fled the Moslem countries, one commentator stated: "All of the above peoples fled, or were driven from their homes, and few of them were allowed to take with them either money or possessions, or to retain any property rights, however ancient."³⁹ Table 3 indicates the Jewish population in the Arab world in 1948 and 1977. Of the Jews who emigrated, about a half million settled in Israel, while the remainder went to America and Europe.

Although the Arab states bear most of the blame for the oppression or expulsion of the Jews in their midst, a number were driven out not as Jews but as Europeans. In Egypt for decades many riots have been anti-foreigner, as such; e.g., the 1956 crisis, in which all British and French citizens were expelled, including many Jews who were European citizens. Egyptian citizens were not expelled, although some who were Jewish were interned as alleged collaborators. Additionally, of the Jews who left Algeria in the 1960's, 125,000 went to France and only 14,000 to Israel—indicating that they departed as French colons, consequent on the Algerian revolution. While few Jews were in Lebanon in 1948, within a decade 9,000 found refuge in that liberal Arab country, although the recent civil war has driven away people of all ethnic backgrounds. Although the Iraqis carried out oppressive policies against Jews (not to mention larger minorities such as the Kurds), it is known that Zionists exasperated this process by bombing synagogues and other Jewish centers in Baghdad in 1951, resulting in numerous casualties.⁴⁰ Such actions add sustenance to the claim that Zionists have always attempted to strain relations between Arab Jews and their homelands. Finally, Syria, Morocco, Egypt, and other Arab nations now

TABLE 3
Jewish Population in the Arab World

	1948	1977
Algeria	130,000	1,000
Morocco	240,000	20,000
Tunisia	80,000	8,000
Libya	38,000	12(?)
Egypt	65,000	400
Syria	15,000	4,500
Lebanon	3,200	500
Iraq	130,000	400
Yemen and Aden	53,000	0(?)
	754,200	34,812

1948 statistics from *Jews in Arab Lands* (Jerusalem: Israel Information Center, 1975), p. 4, except that the Lebanese figure is from the estimate of the World Organization of Jews from Arab Countries as stated in *Christian Science Monitor*, June 1, 1977. 1977 figures from G. E. Gruen, "Situation: Precarious" in the "Jews of Arab Lands" issue of *Keeping Posted* 22, no. 4 (January 1977): 20.

have removed legal restrictions on Jews and have invited those who emigrated to return and realize full rights of citizenship. While these affirmations of non-discrimination against Jews do not compensate for the shameful destruction of Jewish life and property carried out by Arab states, Israel has not given even token support to the suggestion that Palestinian Arabs may return to their homeland.

Arab states which caused damage to the persons and properties of Jews have an obligation to return property seized or to compensate its owners, as well as to compensate families of those murdered by official state action. Similarly, Palestinian Arabs have the rights to return to their homes and estates taken over by Israelis, to receive just compensation for loss of life and property, and to exercise national self-determination. Palestinians may have moral claims not only against Zionists who took their lands by force but also against members of the Arab elite who made huge profits in land sales to Zionists by evicting tenants who had cultivated the land since time immemorial. No balance is achieved in the status quo—the Zionist expulsion and dispossession of Palestinians is not "made up for" by like treatment by Arab states toward its Jewish citizens. Palestinian Arabs simply have not benefited from the oppressive acts carried out by Moslem states against Jews. Compensation, return of property, and repatriation are rights held by Arab Jews and Palestinian Arabs alike.

1. E. A. Fium, *Palestine Peasantry* (London: Marshall Brothers, 1923), p. 10.
2. *Ibid.*, pp. 11-12.
3. Elzhu Grant, *The People of Palestine* (Philadelphia: J. B. Lippincott, 1907 and 1922), pp. 225-28.
4. *A Survey of Palestine: Prepared in December 1945 and January 1946 for the Information of the Anglo-American Committee of Inquiry* (Palestine: Government Printer, 1946, pp. 237-38. Note: 1 metric dunum = .1 hectare = .2471 acre.
5. William Polk et al., *Backdrop to Tragedy* (Boston: Beacon, 1957), p. 235; and Efraim Orn, *Agrarian Reform and Social Progress in Israel* (Jerusalem: Keren Kayemeth Leisrael, 1972), pp. 48-49.
6. Orn, *Agrarian Reform and Social Progress*, p. 51; Janet Abu-Lughod, "The Demographic Transformation of Palestine," in Ibrahim Abu-Lughod, ed., *The Transformation of Palestine* (Evanston: Northwestern University Press, 1971), p. 140; Abraham Granot, *Agrarian Reform and the Record of Israel* (London: Eyre and Spottiswoode, 1956), p. 28; and *Survey of Palestine*, pp. 114, 372.
7. Artie Bober, *The Other Israel* (Garden City, N.Y.: Doubleday, 1972), p. 38.
8. Raphael Patai, ed., *The Complete Diaries of Theodor Herzl*, trans. Harry Zohn (New York: The Herzl Press, 1960), 1:88.
9. Orn, *Agrarian Reform and Social Progress*, pp. 50, 52.
10. Census Office of Palestine, *Report and General Abstracts of the Census of 1922* (Jerusalem: Greek Convent Press, 1923), pp. 2-4.
11. *Asia* (New York), February 1919, reprinted in R. P. Stevens, ed., *Zionism and Palestine Before the Mandate* (Beirut: Institute for Palestine Studies, 1972), pp. 79-80.
12. *Survey of Palestine*, pp. 244, 289-94.
13. *Census of 1922*, pp. 3-5. The bedouin population of Beersheba continued to evade the census as a conscription measure and is thus always underestimated. In any case, inclusion of an estimated 72,893 bedouin reduces the proportion of Jews to 10%. The figure of 66,553 bedouin was also suggested and carried over in all successive census, including that of the Israelis in November 1948.
14. Orn, *Agrarian Reform and Social Progress*, p. 50.
15. Sir John Hope Simpson, *Palestine: Report on Immigration, Land Settlement and Development* (London: Great Britain Colonial Office, 1930), pp. 26, 34, 48, 64, 141.
16. *Ibid.*, pp. 65-71, 142.
17. *Ibid.*, pp. 56, 73, 134-35, 141.
18. Bober, *The Other Israel*, p. 11.
19. Cited in Simpson, *Palestine: Report on Immigration*, p. 53.
20. *Census of Palestine 1931* (Jerusalem, 1932), p. xv.
21. *Shaw Commission Report 1930* (Cmd. 3530), p. 118, cited in Sami Hadawi, ed., *Village Statistics 1945* (Beirut: P. L. O. Research Center, 1970), p. 27.
22. Abraham Granot, *The Land System in Palestine* (London: Eyre and Spottiswoode, 1952), p. 277. Cf. Orn, *Agrarian Reform and Social Progress*, p. 52.
23. *Davar* (Mapai daily), September 9, 1967, cited in Abdullah Schleifer, *The Fall of Jerusalem* (New York: Monthly Review Press, 1972), p. 19.
24. *Survey of Palestine*, pp. 238, 267.
25. Hadawi, *Village Statistics 1945*, p. 19. The official Land and Valuer of the Mandate Government during 1935-48, Hadawi participated in the compilation of *Village Statistics 1945* as originally published by Great Britain.
26. *Statistical Abstract of Palestine 1944-45* (Jerusalem: Government Printer, 1946), pp. 17, 21.
27. *General Monthly Bulletin of Current Statistics* 12, no. 12 (December 1947):686.
28. Granot, *Land System in Palestine*, p. 278.
29. Michael Bar-Zohar, *Ben-Gurion: The Armed Prophet* (Englewood Cliffs, N.J.: Prentice Hall, 1967), pp. 103, 125, 162.

NOTES

30. *Ibid.*, pp. 107–108. Ironically, about the same number of Jews were killed in 1940 when Irgun and Haganah terrorists bombed the *Patria*, a ship full of refugees, in Haifa harbor. And in 1948 Begin narrowly escaped death at the hands of Haganah forces led by Yigal Allon and Yitshak Rabin.
31. Menachem Begin, *The Revolt* (Tel Aviv: Hadar, 1964), pp. 162–64.
32. *Ibid.*, p. 165.
33. Granott, *Agrarian Reform and the Record of Israel*, pp. 88–89.
34. The most thorough legal analysis is provided in Sabri Jiryis, *The Arabs in Israel: 1948–1966* (Beirut: Institute for Palestine Studies, 1969), chap. 2. The Palestinian attorney has written a new edition published by Monthly Review Press, 1976—relevant chapters are 4 and 5.
35. Orni, *Agrarian Reform and Social Progress*, p. 62; and Granott, *Agrarian Reform and the Record of Israel*, pp. 28, 31.
36. Statutes passed in 1960 and 1967, cited in Walter Lehn, “The Jewish National Fund,” *Journal of Palestine Studies* 3, no. 4 (Summer 1974):88.
37. Abu-Lughod, “Demographic Transformation of Palestine,” p. 162.
38. Dr. Israel Shahak, Chairman of the Israeli League for Human and Civil Rights, *Report on Arab Villages Destroyed in Israel* (Tel Aviv, February 15, 1973). Dr. Shahak estimated that out of 120,000 bedouin in pre-1948 Beersheba, 25,000 remained.
39. Martin Gilbert, *The Jews of Arab Lands* (London: World Organization of Jews from Arab Countries, 1976), Map 14.
40. *Jerusalem Post*, June 15, 16 and July 21, 1966, cited in I. M. Oweiss, *The Israeli Economy* (Washington, D.C.: Georgetown University, 1974), p. 20.