**Debunking Myth: Did Palestinians Sell Their Lands to Jews**

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One of the biggest myths revolving around the Palestine-Israeli conflict is that it has been going on for centuries. This conflict, which has up till now claimed thousands of lives, remains unsettled. Many initiatives in the past, such as Jordan and Egypt signing a peace agreement with Isreal in hopes that the process would lead to further such pacts and the Oslo accord in 1993, failed to bring about the desired peace. The outcome of these ventures was a new wave of riots in the form of Intifada in the West Bank and Gaza Strip aimed at ending Israel’s occupation of the territories and creating an independent Palestinian state.

The protracted conflict revolves around followers of two different religions; Muslims Arabs and Jews, who claim the same land. The region was under Ottoman’s rule for centuries wherein communities from different religious backgrounds were living including a small number of Jews. However, it all underwent an abrupt change. Jews in Europe started to move to the now called Israel-Palestine region as a result of the nationalistic movement in Europe and demanded a homeland for Jews to avoid further persecution.

For the movement, the aforementioned region was the best hope for establishing a Jewish state, which promoted massive migration. The influx took momentum during WW1 when the Ottoman Empire began to collapse. As the British and French could foresee a total collapse of the empire, their respective representatives drew a crude line called the Sykes-Picot Line across the map of the Middle East. It ran from Haifa (today’s Israel’s port city) on the Mediterranean to Kirkuk (now in Iraq) in the northeast. Before this, there was no Iraq, Saudi Arabia, Isreal, Jordan, Kuwait. Ottoman called today’s conflicted region of Isreal-Palestine as Filistina. North of the line was to be under French control, south of it went under British hegemony known as British Mandate, of which Filistina was a part. The British, following taking over the control of the region, allowed Jews to move into the region. The Jews, as no one had expected, especially ethnic Arabs, started to settle on the lands, suitable for agriculture and kept on expanding their outreach on the lands historically occupied by Arabs.

This caused tensions, discord, and a sense of mistrust was created between the two communities, which resulted in sheer acts of violence from both sides. The tensions forced Britain to limit the influx of Jews to the region, prompting Jews to create armed militias to fight both local Arabs and British. Then, an event, which is recalled in modern Europe as the tragic Holocaust happened, leading thousands of more Jewish to settle in Mandatory Palestine.

Tension rose and sectarian violence hiked up. Following the devastating WW2, which ruined the world economy, especially of states fighting the war, in February 1947, the British cabinet decided to pull out of Mandatory Palestine and asked the UN to take up the matter. It took nine months for deliberation and the UN then adopted the idea of partitioning the region without the consent of Palestinians (local Arabs), who clearly rejected the plan as an act of colonialism.

Revolving around this history is a myth, fabrication, and exaggeration, claiming that Ethnic Arabs (Palestinians) had sold their lands to the Jews who were migrating from all across Europe to the region.

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In 1945, the total area of landholdings by Jews was 906, 800 dunams (1 dunam=4 acre). This equalled 3.5 per cent of the total land under the legal control of local Arabs, and by 1948, it was estimated at around 2 million, seven per cent of the total Palestinian land.

Rashid Khalidi, an American historian, estimated that a little over a third of the total seven per cent was sold by absentee landlords of Palestinian origin to the Jews. And only six per cent of the total seven per cent was sold by local landlords or peasants to Jews. These estimates were also corroborated by Walter Lehn, a voracious writer on the Israel-Palestine conflict, and reports from the Jewish Agency that confirmed that the majority of land purchased was from large absentee landlords.

The Jews, who owned around seven per cent of the total land area of Filistina and constituted no more than one-third of the population at the time of partition of Mandatory Palestine, were handed more than half of its overall territory by the UN.

The Partition Resolution was adopted on November 29, 1947, and the ethnic cleansing of Palestine known as Nakba began in early December 1947 with a series of Zionist attacks with no accountability.

Ben Gurion, the primary national founder of the State of Israel and the first Prime Minister of Israel, said a couple of months before partition: “The Palestinians could become a fifth column, and if so, they can either be mass arrested or expelled; it is better to expel them.”

The early Jewish assaults were severe enough to cause the massive exodus of around 75,000 Palestinians from their ancestors’ land. But on April 9, 1948, before the final declaration of the partition plan, Jewish forces carried out the Deir Yassin massacre. As they broke into the village, the Jewish soldiers sprayed the houses with machine-gun fire; killing many of its inhabitants mercilessly. The remaining villagers were then gathered in one place and murdered in cold blood, their bodies.

Four nearby villages were the next target of Jewish soldiers: Qalunya, Saris, Beit Surik and Biddu. Taking only an hour or so in each village, the Zionist forces blew up the houses and killed whoever came in their way. In the ethnic cleansing operations, the Hagana, the Palmach, and the Irgun were the Zionist forces that occupied the villages.

Ben Gurion also employed a lethal weapon to set on fire the fields and houses of Palestinians: A flame-thrower. This project was part of a larger unit engaged in developing biological warfare under the directorship of Ephraim Katzir who later became the Israeli President. The unhindered campaign of killing not just continued limited to rural areas.

The offensive against the urban centres in Palestine began with Tiberias. On April 18, the day the Palestinians of Tiberias were put to flight, Major General Hugh Stockwell, the British commander of the Northern Sector seated in Haifa, told the Jewish authorities that British forces would be removed from locations where they had been serving in Haifa. This act provided Israeli forces room to go wild against the local Palestinians.

Mordechai Maklef, who later became the Israeli Army chief of staff, orchestrated the cleansing campaign in Haifa. His orders to his troops were unambiguous: “Kill any Arab you encounter; torch all inflammable objects and force doors open with explosives.”

By the time Haifa fell, only a few towns in Palestine were still free; Acre, Nazareth and Safad. The remaining were also occupied by the lynchers. In total, 531 villages were destroyed starting with Qisarya on 15 Feb 1948 followed by the destruction of four other villages on the same day.

In 1933, Jews were only 12 per cent of the total Palestinian population and held just three per cent of the land. By the end of 1948, the Zionists had captured more than 80 per cent of the land area after executing a mass drive of expropriating the local Arabs from their lands and later killing them if they got a chance.

Mass killings of Palestinians continued even after the 1948 war and mass expulsions continued from their lands following the Nakba in which around 800,000 population was uprooted from 560-70 villages with 31 confirmed massacres.

Legal ploy

All of these rampant killings set the stage for legal plots employed by the Israeli authorities to take over Palestinians’ land or simply to expropriate the Palestinians from their lands.

Absentees Property Law 1950: This law, a part of a series of laws, mandated the Israeli authorities to regulate the lands which were left behind the Palestinians who fled, or who were made to flee, or were deported during the 1948 war from their land. Through this law, the Israeli expropriated lands, farms, established properties of fled Palestinians, and those who dared to come back to take the land back were shot dead. Lands not contested were also made the subject of the state to become the property of it. Several other laws were first introduced as emergency ordinances issued by the Jewish leadership but which after the war was incorporated into the legal book of Israel. For example, the Emergency Regulations (Absentees’ Property) Law 1948 (December) which according to article 37 of the Absentees Property Law 1950 was replaced by the latter; The Emergency Regulations (Requisition of Property) Law 1949, and other related bodies of law. These legal bodies focused on formulating a legal definition for the people (mostly Arabs) who had left or been forced to flee from these lands, an attempt to confiscate whatever portion or land the Israeli authorities wanted to.

As a result, two million dunams were confiscated and given to the custodian (local authority), who later transferred the lands to the local development authority. The aforementioned law created the novel citizenship category of “present absentees” (Present absentees were Arab IDPs, who fled or were expelled from their homes by Jewish or Israeli forces, before and during the 1948 Arab-Israeli war, but who remained within the area that became the state of Israel).

These Israeli Arabs enjoyed all civil rights including the right to vote in the Knesset elections-except one: the right to use and dispose of their property. About 30,000-35,000 Palestinians became “present absentees.”

It also needs to be mentioned here that the exact figures of land confiscated by the Israeli authorities under the Absentees Property Law, 1950, are yet to be ascertained. Robert Fisk, a writer, and journalist who held British and Irish citizenship, in his research estimated the figure could amount to up to 70 per cent of the territory of the state of Israel. Horrific!

The absentee property played an enormous role in making Israel a viable state with a territory that its creators never had imagined.

As per Don Peretz, a professor at State University of New York, Binghamton, where he was Director of the Middle East Program and a professor of political science, in 1954, more than one-third of Israel’s Jewish population lived on the absentee property and nearly a third of the new immigrants (250,000 people) settled in urban areas abandoned by Arabs. Of 370 new Jewish settlements established between 1948 and 1953, 350 were on the absentee property.

Land Acquisition Law 1953: The Israeli government did not automatically gain title to lands seized under the Absentees’ Property Law. This was materialized under the Land Acquisition (Validation of Acts and Compensation) Law, 1953. This law legalised expropriations from the locals for military purposes or the establishment of (Jewish) settlements.

The law allowed the government to claim the property of lands that were not in the possession of its owner as of 1 April 1952.

Article 2 (a) of the said law states: Property in respect of which the Minister certifies by certificate under his hand

(1) that on the 6 Nisan, 5712 (1 April 1952) it was not in the possession of its owners; and

(2) that within the period between 14 May 1948 and 1 April 1952, it was used or assigned for purposes of essential development, settlement or security; and

(3) that it is still required for any of these purposes

This further states the monetary compensation for those losing their lands and that in the case where the lands corresponded to agricultural lands, where those lands formed their main source of livelihood, lands elsewhere would be offered. Article 3 reads:

(a) The owners of acquired property are entitled to compensation therefore from the Development Authority. The compensation shall be given in money unless otherwise agreed between the owners and the Development Authority. The amount of compensation shall be fixed by agreement between the Development Authority and the owners or, in the absence of agreement, by the Court, as hereinafter provided.

(b) Where the acquired property was used for agriculture and was the main source of livelihood of its owner, and he has no other land sufficient for his livelihood, the Development Authority shall, on his demand, offer him other property, either for ownership or for lease, as full or partial compensation. A competent authority, to be appointed for this purpose by the Minister, shall, in accordance with rules to be prescribed by regulations, determine the category, location, area, and, in the case of a lease, period of the lease (not less than 49 years) and the value of the offered property, both to calculate the compensation and for determination of the sufficiency of such property for a livelihood.

(c) The provisions of subsection (b) shall add to, and not derogate from, the provisions of subsection (a).

According to Alexandre Kedar, who teaches at the Law School at the University of Haifa and holds a Doctorate in Law (S.J.D) from Harvard Law School, until 1959, compensation was calculated based on the 1950 land values.

Through the Land and Acquisition Law (Actions and Compensation), 1.2-1.3 million dunams of land were expropriated from the Arab population with impunity. These lands were confiscated from a total of 349 towns and villages, in addition to the “built-up areas” of about 68 villages, whose precise area was not included in the expropriation orders.

There is also evidence that suggests that these local sellers did not always wish to sell their land. For example, one mode of land extraction was when the Jewish National Fund gave loans to farmers with the precondition that their land would be used as collateral, and when the farmer ultimately defaulted on their payments, they would take possession of the land.

And the process of illegal annexation continues. The world is witnessing the utter violation of international laws on basic human rights and norms centred around justice, protection from expropriation, and an inalienable right to live in one’s homeland.  Abraham Accord signed by former President Donald Trump was not only an attempt to legitimize this stained track record inundated with illegal expropriation, rather it set the stage for future expropriations to leave the local ethnic Arabs homeless in their land.

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