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Israel's Invisible Negev Bedouin: Issues of Land and Spatial Planning

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Heidelberg, New York, Dordrecht and London

Springer Briefs in Geography

2015

102 pp.

\$54.99

paper

ISBN: 978-3-319-16819-7

Review DOI [10.1108/IJCMA-04-2018-132](https://doi.org/10.1108/IJCMA-04-2018-132)

Although this book can be narrowly classified as an inquiry into the “Bedouin problem” in Israel’s Negev desert, also known as the country’s Southern District, a close reading reveals a probing discussion of crucial aspects of a majority-minority (Jewish-Arab) conflict over land, civil rights, indigenous rights, spatial planning and counter-planning, population growth and urbanization, with specific regard to the Negev Bedouin.

Israel's Invisible Negev Bedouin is broadly contextualized in the historical process of the settlement of Jews and Arabs in Eretz-Israel/Palestine, which over the past century and a half has emerged as an arena of struggle between the native rights of the Arabs of the country and Jews’ claims to the country as their “promised land.” This struggle culminated in the 1948 war over the country, which resulted in the expulsion and flight of large numbers of Palestinian Arabs, Bedouin included, to neighboring Arab countries and the imposition of military government over all Arab communities in Israel, which ensued until 1965.

In addition to the imposition of military government on the Negev Bedouin, this population was forcibly concentrated into a small territory within the region known as the “Siyag”, a measure that curtailed the grazing areas that constituted the foundation of their livelihood as livestock-raising nomads. Israel’s political, social, legal and economic policies have relegated the Negev Bedouin to the status of an under-privileged minority in the peripheral and marginal Negev region – a minority among the Arabs of Israel who are, in themselves, a minority within the Jewish Israeli state. According to Shmueli and Khameisi, the conflicts between the state and its Arab population:

[...] arise from limitations to Israeli Arab political and civic equality within a state that is defined as a Jewish state that is politically, economically and socioculturally structured to ensure the dominance of the Jewish majority (p. 28).

Israel's Invisible Negev Bedouin is an excellent book that offers a planning solution for the long-standing conflict between the state of Israel and the Negev Bedouin, particularly with regard to the one-quarter of this population who are living in dispersed unauthorized villages.



The conflict in the Negev revolves around Bedouin land claims, which the Israeli Government is reluctant to recognize, and as one of the most underprivileged communities in Israel, around the Bedouin's right to housing, infrastructure and economic opportunity. This book investigates the interface between land rights, administrative decisions, judicial rulings and determinations regarding municipal boundaries, on the one hand, and spatial planning and planning rights within the contradictory context of state-imposed top-down policies on the other hand. The book's theoretical prism incorporates indigenous land rights, counter-planning, urbanization in non-Western societies and environmental and distributional justice.

Shmueli and Khamaisi have been involved in the study, counter-planning and research of the Bedouin in the Negev for more than two decades, and the book's strength is undoubtedly the product of their broad longitudinal field-work among the Bedouin communities in the region. Together with other planners and researchers, the authors introduced collaborative planning as a means of bridging the gap between Bedouin claims and the arguments of the state.

The book's title – *Israel's Invisible Negev Bedouin* – is somewhat misleading. After all, as clearly reflected throughout the book itself, the Negev Bedouin are anything but invisible. Indeed, the authors present (Table VII. 4, pp. 57-61) some 19 major government actions, decisions and policies that have been directed at the Negev Bedouin community since the establishment of Israel (between 1948-2014).

In addition, in 2007, the Israeli Government charged the Goldberg Committee with the task of devising and submitting recommendations for an extensive, comprehensive and feasible plan for normalizing the issue of Bedouin settlement in the Negev. Two committees were also appointed to ensure implementation of the Goldberg's Committees recommendations, and a commission of inquiry was established to consider municipal and planning boundaries for the Bedouin in the Beer Sheva district.

Over the past two decades, the Negev Bedouin have also constituted a focus for ongoing research and planning by a vast community of academics and nongovernmental organizations (NGOs), who have highlighted social, political and cultural facets of Bedouin life in the Negev. As a result of this effort, as well, they are certainly not invisible. Perhaps, it would be more accurate to say that these combined efforts have not, as yet, been sufficient to significantly change the prevailing situation in which Bedouin rights are ignored as a result of the complex factors and processes that are discussed in this book.

Israel's Invisible Negev Bedouin will be of great interest to broad audiences. On an international level, it will certainly attract the interest of those engaged in the study of efforts of indigenous peoples to maintain their cultures and traditions and the study of the conflict between indigenous customary laws on the one hand and state legal regimes and Western legal systems on the other. It will also prove valuable for planners around the globe, especially those involved in alternative community spatial planning and collaborative planning. Finally, also on a global level, students of urbanism, modernization, Westernization and forced urbanization will all find this book to be a valuable read. Additional audiences will include readers interested in the Jewish-Arab conflict in general and Bedouin resettlement policy and distributive justice in particular.

The contents of the book

This nine-chapter book begins with an introduction that presents the spectrum of issues and narratives encompassed by the conflict between the Israeli state and the Negev Bedouin. The main controversy concerns the Bedouin's demand for formal recognition of their land

rights and their dispersed villages, which state authorities classify as unrecognized and unauthorized, depriving them of municipal services.

Chapter 2 presents a profile of the Bedouin community as an ethnically indigenous community that was once nomadic but is now sedentary. The chapter highlights the Bedouin's sociocultural and historical tribal affiliation, which influences their settlement pattern; their religious, cultural and geographical fragmentation; and the planning process and resettlement efforts engaged in by the Israeli government.

Chapter 3 explores the urbanization of the Arab minority in Israel – a major outcome of the population growth that has been and continues to be absorbed by its separate villages and towns. Because of both internal and external forces, namely, majority-minority relations in Israel and the cultural preferences of the Arab community itself, Arab Israelis display limited rates of migration to cities and, instead, import urban life into their own communities. All Arab towns in Israel are in need of additional land for residential development, environmental infrastructure and public parks to accommodate their rapid internal population growth. Such land, however, is not available to them in sufficient quantities.

Chapter 4 presents the book's theoretical context. First, it considers indigenous land claims within the framework of changing planning practices, from state-imposed prescriptions to a more participatory approach. In this context, it highlights how the relationship between the Negev Bedouin, and the Israeli Government differs markedly from the situation that prevails in other countries, in which indigenous peoples share a common background and strategic interests with the state, which is ultimately helpful in solving conflicts over land claims. The second theoretical context discussed in this chapter is that of urbanism, modernization, Westernization and forced urbanization, with the Western model of urbanization being imposed on the Negev Bedouin as a consequence of government territorial and planning policies of resettlement and spatial concentration. The book's final theoretical component presented in this chapter is environmental justice, although for Arab citizens of Israel in general and the Bedouin in particular, perceptions of justice are closely tied to their more general demand for treatment, which is equal to that accorded to Israel's Jewish citizens and the restoration of lost and expropriated land.

Chapter 5 engages in a historical survey of the development of Bedouin settlement in the Negev, particularly with regard to issues of land ownership and the legal regime of land ownership under the Ottoman Empire and British Mandate rule. Israel does not recognize Bedouin ownership of the "Mawat" land (land that is deemed uncultivated and located far from established towns and villages) that was held and used by the Bedouin for generations and, in the absence of registration documents, was subsequently confiscated by the state.

Chapter 6 introduces the issue of local government and its evolution in the past and present and details the powers and legal authority of municipalities in Israel. This is no trivial matter, as municipal structure will constitute an element of any solution for the dispersed unauthorized Bedouin settlements. Central government control of the geographical jurisdiction allocated to each authority has resulted in municipalities that lack territorial contiguity and are unable to expand their jurisdictional boundaries, creating obstacles to efficient economic and social development (modifications aimed at remedying these weaknesses of the current municipal structure are proposed in Chapter 9).

The final three chapters (Chapters 7, 8 and 9), which form the crux of the book, discuss the planning process *vis-à-vis* the Negev Bedouin, its weaknesses, the lessons learned from the past, current conflicts between the state and the Bedouin and proposed counter-planning solutions. Chapter 7 presents the process of resettlement planning as it has played out between 1948 and the present and shows how the Israeli planning paradigm for the

Bedouin has historically been based on territorial considerations. Indeed, most government planning policies have aimed at concentrating the Bedouin in high-density towns with defined limited jurisdictions and with inadequate land allocated for public use and economic development. The planning paradigm for seven new Bedouin towns took into account only one aspect of Bedouin life – tribal affiliation. These towns, which were planned as “bedroom” or “satellite” communities of the Southern District capital city of Beer Sheva, were poorly suited for the rural character of the population and lacked an economic foundation and sufficient employment opportunities.

Chapter 8 summarizes the lessons learned from this research with regard to the current situation of the Bedouin community and presents government policies and the Bedouin responses to them as a game of ping-pong, with the Bedouin, for the most part, on the losing side. The chapter deals primarily with the lessons derived from the theoretical prisms of indigenous land claims, urbanism, modernization, Westernization and forced urbanization and, finally, justice with relation to material distribution, recognition, participation and compensation.

Chapter 9 advances collaborative planning-based proposals for flexible Bedouin resettlement. The proposals take into consideration the following elements of the “Bedouin problem”: population growth, land claims, the increase of non-land-owning Bedouin, tribal structure, economic and employment structure, modernization with or without urbanization, the strengthening of civil society and demands for the provision of equal and equitable goods and services at all levels of government. The proposed model calls for choice among the different planning options:

- urban concentration in higher density government-planned population centers that have typically been viewed by the Bedouin as failures;
- the annexation of villages *in situ* to urban centers to allow the existence of small communities in close proximity to Bedouin and Jewish urban centers;
- maintaining of the current pattern of dispersed independent communities, which is the option most preferred by the Bedouin; and
- a new structure for Bedouin communities – the “regional council” – a form of federated governance appropriate for strong small to mid-size communities located on the periphery of metropolitan centers.

The highlights of the book

This book offers a rare glimpse at the entire spectrum of narratives and paradigms underlying both Israeli state planning policies and the counter-planning policies for the same group, as reflected in [Table I](#).

[Table I](#) clearly illuminates the gaping disparity between state and Bedouin positions regarding the broad spectrum of issues that constitute the conflict. It also points to the dichotomous nature of the paradigms and narratives of the two parties to the conflict, which makes this conflict so difficult to resolve.

Paradigmatic *rapprochement* is discernable in the recommendations of the Goldberg Committee, which were adopted by the Israeli Government in 2009. The Committee called for the recognition of unrecognized villages and the legalization of structures that were built illegally as a result of the Bedouin’s inability to secure building permits. The Committee was also critical of state policies toward the Bedouin, including its attempt to concentrate the entire Negev Bedouin population within the existing towns and the systematic violation of

Table I.
Paradigms and
narratives regarding
the Bedouin
communities of the
Negev

State	Bedouin
<i>Ideological Political paradigm</i> Israel is defined as a Jewish State that is politically, economically and socio-culturally structured to ensure the dominance of the Jewish majority. The major narrative: “Judaization of the land” (and the Negev in particular)	<i>Ideological political paradigm</i> The Bedouin have been residents, natives, and landholders in the Negev for many generations. They are therefore entitled to maintain their tribal cultures, traditions, and way of life within a distinct physical setting and to be granted land rights. The major narrative: attachment to the land
<i>Indigenous people</i> The Government does not recognize the Bedouin as a traditional or indigenous community	<i>Indigenous people</i> Ethnically, socio-culturally and historically, the Bedouin are an indigenous group living in accordance to its own customs and laws
<i>Demography and population growth</i> The overriding perception is one that regard the Bedouin as a growing demographic threat, smugglers and a potential fifth column	<i>Demography and population growth</i> As a result of population growth, crowding, and socio-cultural pressures, additional land is needed for housing and for public and economic infrastructure
<i>Law</i> The applicable law in the region is state law, including non-recognition of customary Bedouin tribal law and the conversion of <i>Mawat</i> into state land	<i>Law</i> The applicable law in the region is customary Bedouin tribal law, which encompasses elements of Sharia Law and traditional habitual Bedouin Law
<i>Land ownership</i> Conflict over land ownership remains the main component of the dispute between the state and the Bedouin. In 1955, the Israeli courts ruled that any Bedouin, who passed up the opportunity to register <i>Mawat</i> land in 1921 and did not receive a certificate of ownership was no longer eligible to do so. Consequently, much of the land that the Bedouin had held for generations was confiscated by the state, which used non-recognition to force residents off their land. The guiding narrative: “. . . the land belongs to the Jewish people, based on their presence during the Biblical times . . .”	<i>Land ownership</i> Conflict over land ownership remains the main component of the dispute between the state and the Bedouin. The Bedouin claim ownership based on a clear, adhered to, and agreed-upon system of property rights under which they possess rights to cultivated <i>Mawat</i> land in accordance with Ottoman law. The Bedouin oppose government non-recognition using legal and political means and by remaining settled on their land in what the government classifies as illegal settlements. The guiding narrative: The Bedouin have a territorial space in the Negev. The government must recognize their ownership and usage rights to their land in the region and acknowledge principles based on customary and habitual Bedouin Law
<i>The planning paradigm</i> The Israeli planning paradigm for the Bedouin has historically been based on territorial considerations and has strived for the concentration of the Bedouin in high-density towns with defined and limited jurisdiction and inadequate land for development In 1964, the state began to plan towns for the Bedouin, initially with extremely small plots of land and houses and later with larger ones. This paradigm took into account only one aspect of Bedouin life – tribal affiliation. The new towns	<i>The Planning paradigm</i> The Bedouin have consistently rejected the new, concentrated Bedouin towns as conflicting with their rural culture and livelihood. NGOs advocate recognition of the Bedouin’s (“illegal”) villages and cessation of forced urban resettlement and home demolitions Counter-planning that was more clearly representative of the socio-cultural and economic needs of the Bedouin emerged in the 1970s, 1980s and 1990s. The involved NGOs fought for recognition of Bedouin villages and against home

(continued)

State	Bedouin
<p>were planned as bedroom localities and lacked a foundation for economic feasibility and development and for sufficient employment. Some of these illegal villages were recognized by the state and organized within one, and subsequently two, regional councils</p> <p>The regional council model gives greater consideration to the socio-cultural imperatives of tribal separatism, land ownership and existing structures.</p> <p>However, it is still guided by territorial planning objectives</p> <p><i>Politics, geopolitics and geostrategy</i></p> <p>The position of the Israeli Government has been influenced by military strategies and is part of its discriminatory policies against the Arab inhabitants of all the territory that constituted pre-state Eretz Israel/Palestine. The state fears territorial continuity of Palestinian Arab settlements from the Gaza Strip to the West Bank, which explains its effort to relocate the Bedouin to the limited territories of the new towns. In this context, one response to the recommendations of the Goldberg Committee was that if they are adopted, Israel would lose its control over the Negev</p>	<p>demolitions, urban resettlement, and the confiscation of private land. They also prepared plans for the recognition of Bedouin villages</p> <p>The Bedouin demand that rural settlements be planned for them as part of the state planning process. Counter-planning that proposed diverse urban and rural localities for the Bedouin was rejected by the government. A recent alternative Master Plan for the unrecognized villages that was prepared in 2010 has thus far been ignored by the state</p> <p><i>Politics, geopolitics and geostrategy</i></p> <p>The Negev Bedouin and the Israeli government lack a shared common background and shared strategic interests, which has had a clear impact on their relationship. In response to government policy, the Bedouin have become politically active in Arab and other political parties and have established NGOs to promote their claims and demands. The most prominent geopolitical change for the Negev Bedouin has been their shifting geopolitical and national affiliation, from strong association with the state of Israel and its Jewish majority to a closer identification with Israel's non-Bedouin Arab minority</p>

Table I.

the Bedouin's basic rights. The Committee's recommendations recognized the Bedouin's historical usage rights but not their undocumented historical claims to the land.

Perhaps, most importantly, the authors of *Israel's Invisible Bedouin* do not lose hope and instead offer a sophisticated model for negotiating a solution for resettlement which could bridge the gap between the state and the Negev Bedouin. However, here too, the obstacles are formidable, as their model would not only require the government to implement the recommendations of the Goldberg Committee and to produce a resettlement policy which will do justice for the Bedouin but will also require the Bedouin to accept that some of their unauthorized villages will have to be relocated.

The book could benefit from a reordering of chapters and additions to the text and bibliography based on the vast empirical sources at the disposal of scholars today, such as interviews, meeting protocols and roundtable discussions. All in all, however, this is a solid piece of scholarship and highly recommended.

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