

Planning for Bedouin Communities in the West Bank

בִּמְקוֹם **بمكوم** **BIMKOM**

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Summary

Today, some 100 Bedouin communities live in Area C of the West Bank, following the unique lifestyle of herder communities. Their main source of livelihood is the herding and tending of flocks, which means that their way of life is closely linked to place, involves seasonal mobility, and is dictated by unique socio-cultural codes that have spatial significance.

The communities have, over the years, shaped and adapted spatial characteristics to their needs. Such characteristics include the layout of the built-up area; the uses of land; the location of buildings; the style of building; roads which connect living areas; spaces that separate living areas; and the use of topography. These factors and more determine the lifestyle of the communities, and create the unique spatial template which allows the Bedouin to maintain their existence, their unique way of life, and their future development. Spatial planning is a powerful tool for influencing spatial characteristics: Planning tailored to the needs and characteristics of the population can maintain and even enhance unique lifestyles (as in the planning of kibbutzim in Israel), whereas planning that does not take into account the specifics of the population and its unique characteristics, and does not allow for residents to take part in it, can prove economically, culturally and socially disastrous to their way of life.

In Area C of the West Bank, spatial planning is controlled by the Civil Administration (CA). Until now, the CA has at best ignored the Bedouin communities, and at worst has adopted planning practices such as forced evictions or strictly limited zoning of areas for construction. In either case, most of the communities have not been recognized at all: they are not connected to essential infrastructure such as water and electricity, they are denied education and health services, and worst of all, the sword of demolition and expulsion hangs over them constantly.

This position paper presents the unique nature of the Bedouin communities in Area C and shows that in order for them to maintain their traditional way of life, two things must be done: recognizing the unique nature of the Bedouin village; and breaking out of existing planning paradigms. Planning for these communities must be carried out in accordance with their lifestyle, and with the active participation of the residents.



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1. Introduction

In the West Bank, there are currently some 100 nomadic/herding communities. These communities are fighting for their right to reasonable living conditions, including making their livelihood from grazing and continuing their unique way of life, which is influenced by local social and cultural norms. The Israeli authorities do not respond adequately to their needs and they are subject to political pressures, threats, violence, displacement, and limitations on their living space. Spatial planning of the areas in which they live is under the control of the Civil Administration, and is the tool that either enables or undermines the existence of the communities and their future development and living conditions.

Today there are almost no spatial plans for the Bedouin communities in the West Bank, and existing plans do not recognize the needs and lifestyle of the community. This planning approach, which ranges from deliberately ignoring communities to planning in ways that make life difficult, causes the Bedouin communities severe harm: it prevents them from earning a living from herding; it forces members of the communities to change the nature of their intra- and inter-familial ties; it negatively impacts the status of women and their position in the community; and it does not allow the Bedouin to continue their unique way of life with dignity. It should be noted that according to international law, the State of Israel, which holds Area C in belligerent occupation, must provide for members of these communities, who by definition are protected residents, in accordance with their way of life. This position paper details existing planning practices that negatively impact communities, highlights the main characteristics of community life that a proper planning process must take into account, and suggests new directions that will enable appropriate planning for the unique characteristics of these communities.

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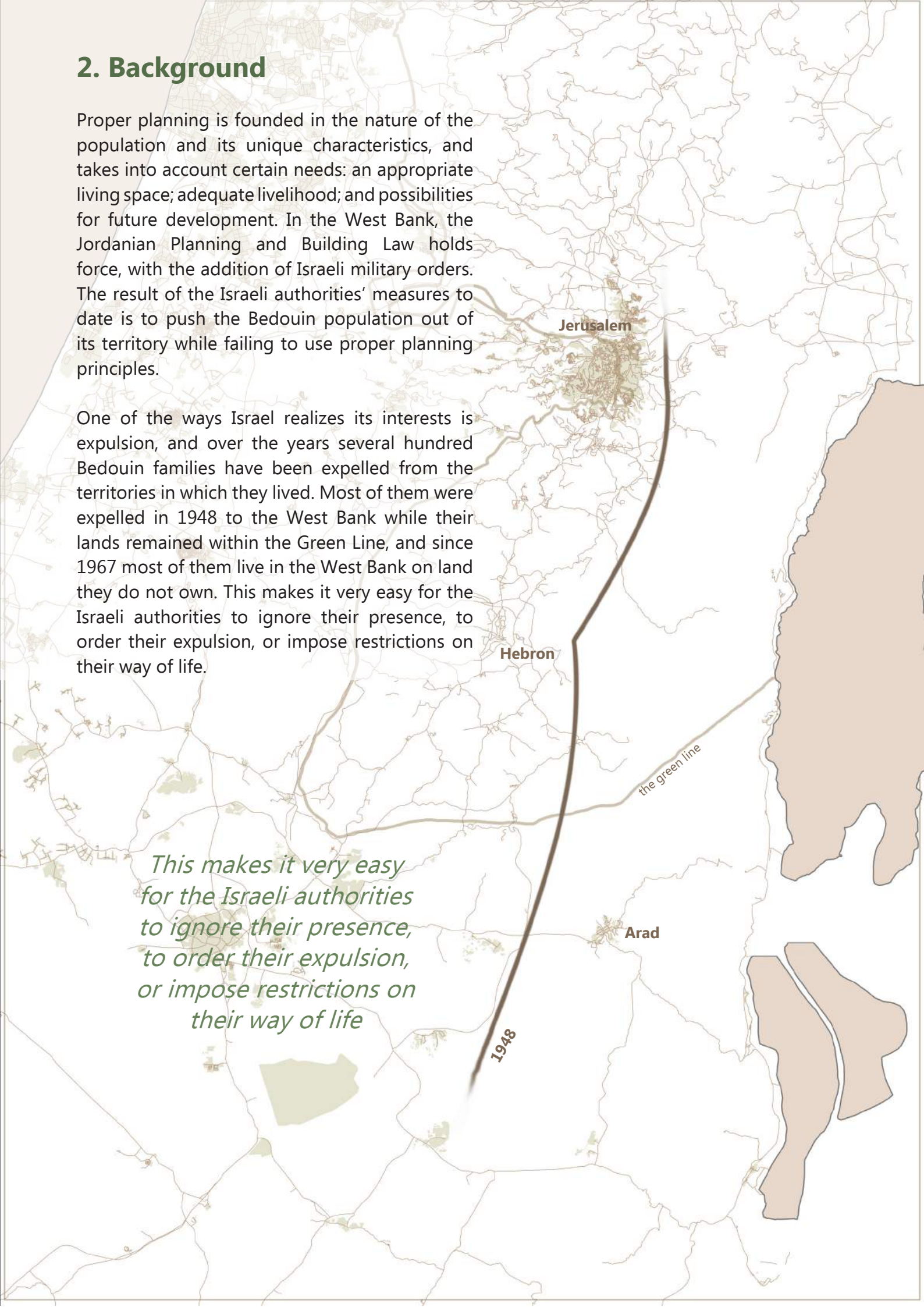


2. Background

Proper planning is founded in the nature of the population and its unique characteristics, and takes into account certain needs: an appropriate living space; adequate livelihood; and possibilities for future development. In the West Bank, the Jordanian Planning and Building Law holds force, with the addition of Israeli military orders. The result of the Israeli authorities' measures to date is to push the Bedouin population out of its territory while failing to use proper planning principles.

One of the ways Israel realizes its interests is expulsion, and over the years several hundred Bedouin families have been expelled from the territories in which they lived. Most of them were expelled in 1948 to the West Bank while their lands remained within the Green Line, and since 1967 most of them live in the West Bank on land they do not own. This makes it very easy for the Israeli authorities to ignore their presence, to order their expulsion, or impose restrictions on their way of life.

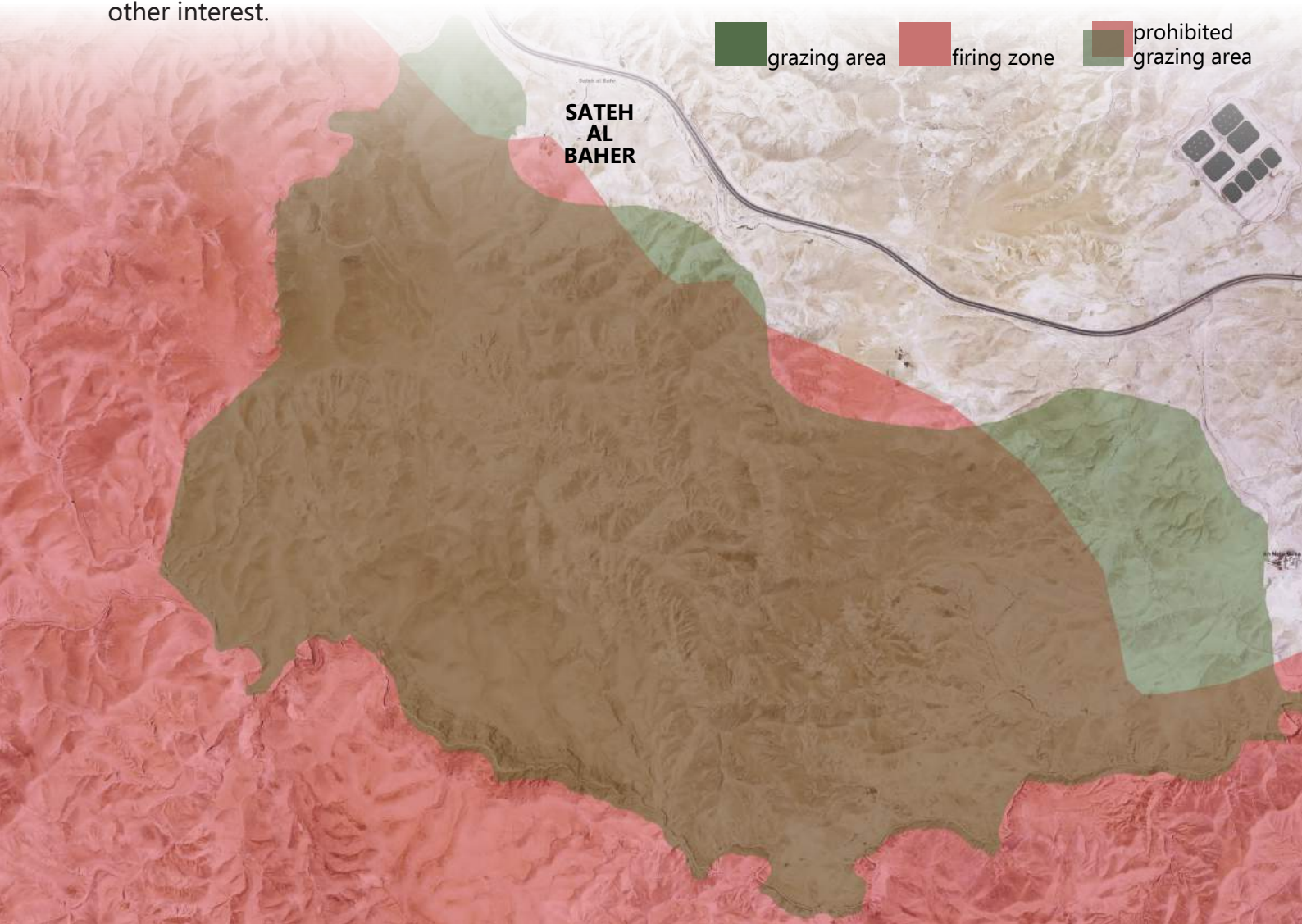
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Indeed, since Israel occupied the West Bank in 1967, the military regime has restricted the mobility of Bedouin in the area and their use of natural resources: large areas have been declared firing zones or nature reserves, entry into which is forbidden, and other areas have been declared state land for various needs: settlements have been planned, roads paved, army bases built and barriers, fences and walls constructed. All this has prevented the free movement of Bedouin residents and limited their use of grazing land and water.

As a result of this policy, tens of thousands of Bedouin residents suffer daily threats to their way of life, thousands of homes have been demolished, dozens of communities are threatened with expulsion, residential areas are neglected, and most have no infrastructure or access to essential services. These deprivations do not enable a reasonable standard of living, and make any development very difficult. Planning tools must be identified and enhanced that will place the good of the communities above any other interest.

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3. Recognition of Bedouin villages - forced eviction, planning limitations

A glance at the recent history of planning for Bedouin communities in the West Bank reveals several types of recognition of Bedouin villages. To date only about 10 Bedouin communities in the West Bank have been recognized - the first in the early 1980s and the last in 2009. Recognition has been carried out in two main ways, without any clear policy. One method is statutory planning, which includes detailed plans or special outline plans (a total of four plans); the other method is the administrative determination of an area in which there will be no enforcement actions against construction, but rather regulation without a statutory plan. This determination is also called "a demarcation plan" (this procedure was used in six villages).

A. Statutory planning

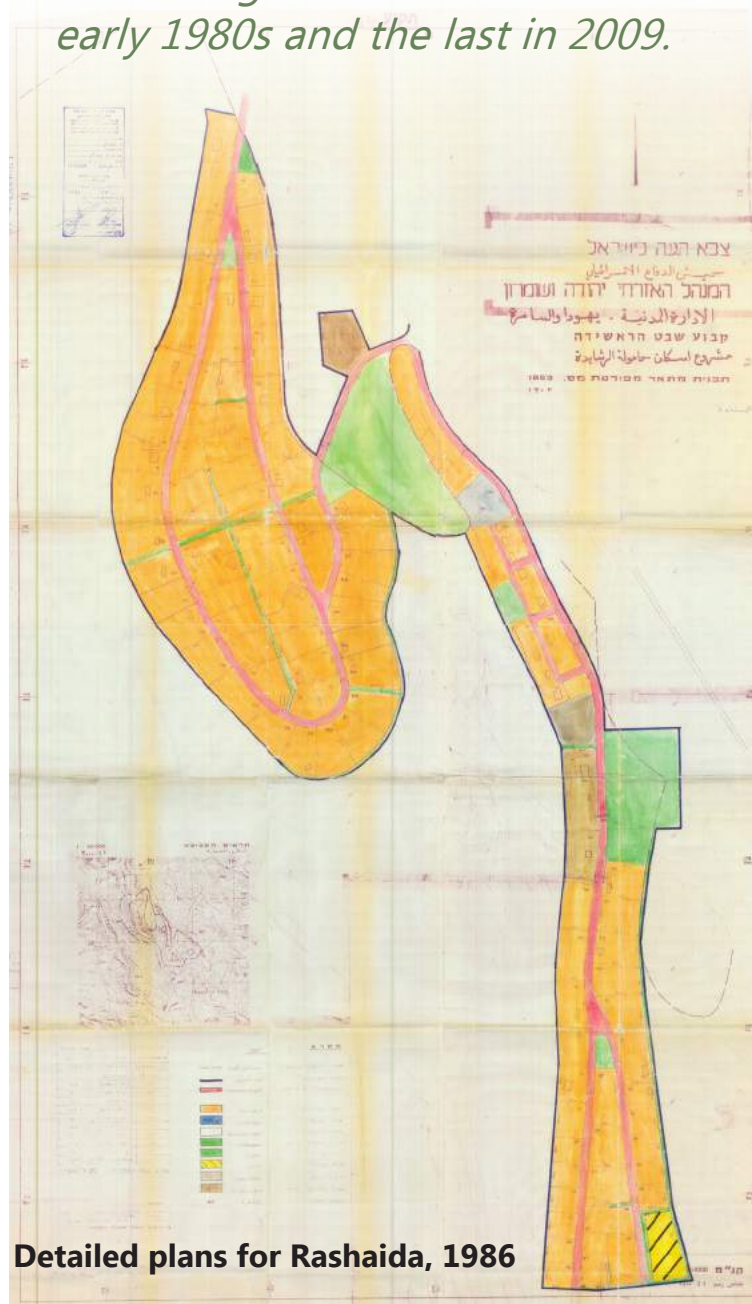
A.1. Detailed plans

Detailed plans have usually been made for Bedouin communities that Israel has sought to transfer to a permanent location according to Israeli interests and against the will of the residents. Since 1970, four such plans have been approved:

- The first two plans were for the members of the Rashaida tribe east of Bethlehem, and included forced transfer of the entire population. The first plan was prepared in 1970 in the area of Minya. The site chosen was not within the tribe's lands, but on the lands of the village of Sa'ir, and was selected because of its proximity to other Palestinian communities - Kisan and al- Minya – such that the built-up area of the Palestinians was concentrated in one locality. The owners of the land from Sa'ir objected to the new village, and clashes broke out, and ten years later the members of the Rashaida tribe were removed to another locality, where they live today. The new village was built on the tribe's land, and here too a detailed plan was prepared, including division of the land into plots for each family.



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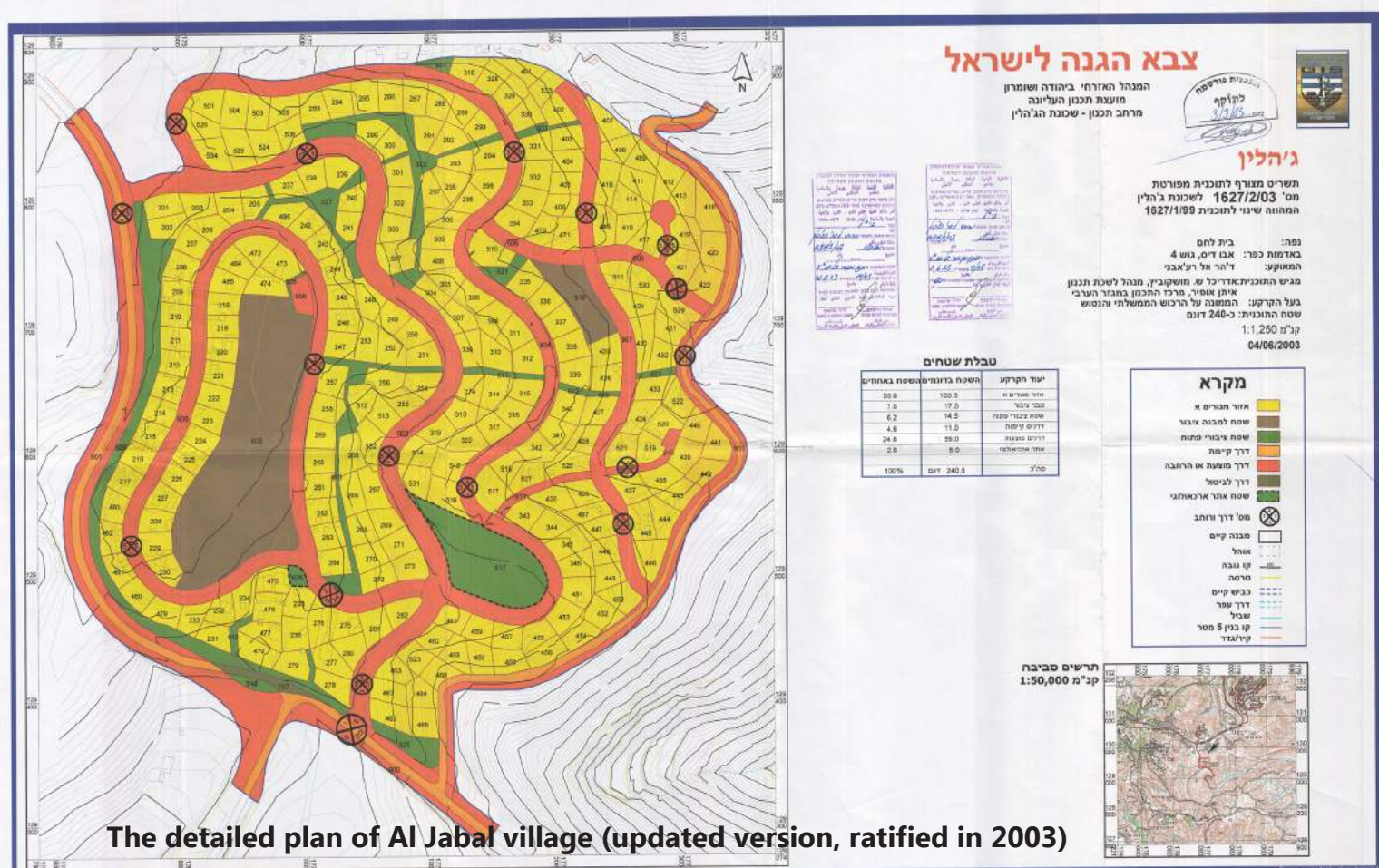


Detailed plans for Rashaida, 1986

• The third detailed plan was prepared in 1996 for the Jahalin Bedouin, against the background of Israel's desire to expand the Ma'aleh Adumim settlement and expel the Bedouin who lived in the lands designated for its expansion. The village of Al Jabal, planned for the Jahalin, was located near the village of Al Ezariya in Area B and adjacent to a waste disposal site, on lands declared state lands a decade earlier. After the detailed plan was approved and a level of preparation of the plots was carried out, 150 families from the Salamat faction of the Jahalin were forcibly transferred to the village. The transfer took place in three major waves between 1997 and 2007. Since Al Jabal was populated, Israel has been trying to expand the village with the help of another plan, and is attempting to transfer further Jahalin Bedouin families who live in the area. The detailed plans for Al Jabal divide the land into small plots (about half a dunam each) adjacent to each other, with a perimeter road system. The plan designates areas for public buildings, and plots are connected to basic electricity, water and communications infrastructure.

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• In 2014, several large-scale detailed plans were deposited in order to establish the town of Nweima, north of Jericho. The plans were intended for some 12,500 Bedouins from several tribes living in the central West Bank. They, too, include a pattern of high-density residential areas and perimeter roads that are inappropriate for the Bedouin's lifestyle. Hundreds of objections were submitted to these plans, and since then, the plan has not moved forward.



The detailed plan of Al Jabal village (updated version, ratified in 2003)

The impact of detailed plans

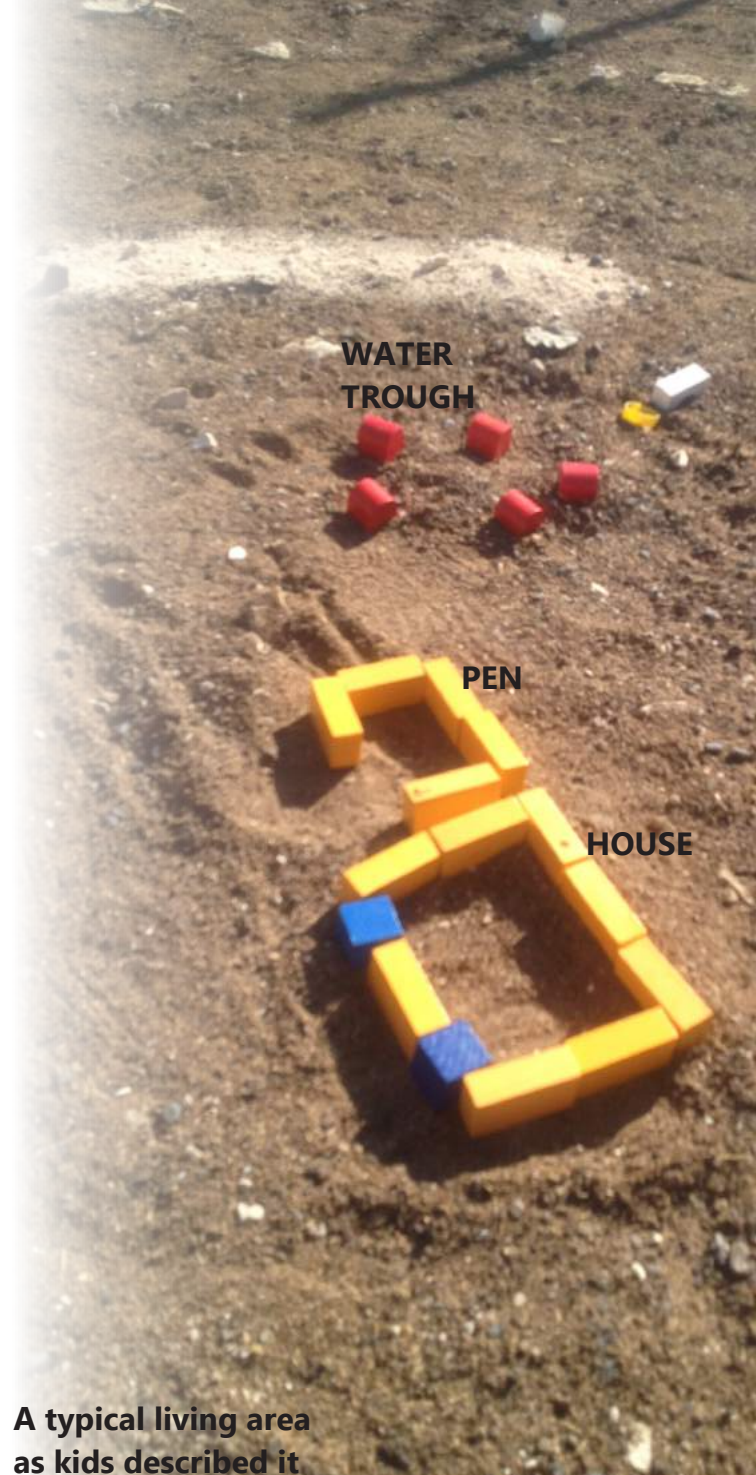
The areas in which Bedouin live is characterized by proximity to grazing areas and water sources, following patterns consistent with the socio-cultural tradition of the nomadic herders, that is, movement according to the yearly seasons. The detailed planning and construction of the new Bedouin villages has cut residents off from their living areas, has distanced them from the grazing lands and created a new, crowded and enclosed building style for them. This new situation is incompatible with their traditional way of life with its requirements of privacy and separation. These changes have caused severe social and economic upheaval, and have prevented Bedouin families from maintaining their way of life: it has damaged the structure and social roles within the family and the tribe, and has damaged the ability of Bedouin families to earn a decent living, since no alternative income generation has been provided.

It should be noted that the detailed plans have particularly harmed women. With the loss of the flocks, the women's expertise in managing the pastoral-agricultural production system has become superfluous, and suddenly their economic role within the family has ceased to be primarily productive, and became that of a consumer only. This extreme change in their way of life, and the redundancy of the traditional roles that women played in rural space have therefore cost them dearly in terms of adjustment. In the new urban setting, women's economic contribution has disappeared, and the families who were forced to forgo their flocks because of the forcible transfer have become completely dependent on the men for income. The women who were born and married in the rural communities have had their main areas of responsibility - which defined their familial roles, and provided them with space for freedom of action - taken away.

A typical living area as kids described it

The allocation of residential land and connection to basic infrastructure cannot be a sufficient substitute for an entire way of life. No alternative has been offered, despite the forced change in lifestyle, and the necessity of abandoning herding, with all its economic, social and cultural implications. The authorities have not provided any tools to help residents adjust, economically or socially, to the lifestyle thrust upon them.

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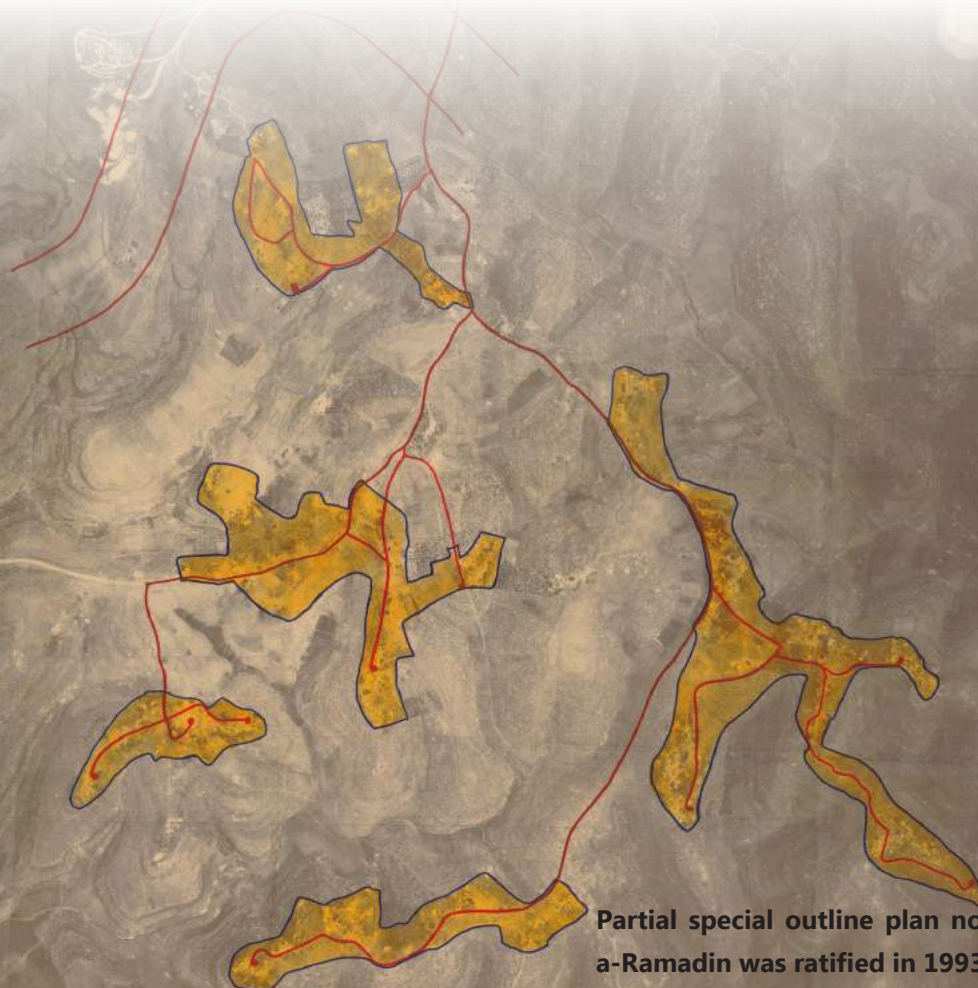
A.2. Partial special outline plans

From the end of the 1980s, the Civil Administration's Planning Bureau began to prepare special outline plans for Palestinian villages and towns. These partial special plans, rather than enabling the development of the villages, were intended to demarcate boundaries for their development, thus reducing the area of Palestinian development in the West Bank. The plans went through all the statutory procedures: submission of a plan; publication and submission of objections; discussion of objections (if submitted); and approval and publication for ratification. Several plans were prepared for Bedouin communities and villages in their existing locations, mainly in the South Hebron Hills. For example, special outline plans were prepared for the villages of Arab a-Ramadin and Arab al-Furijat.

As mentioned, the special plans did not allow or define development areas, but rather were intended to limit the use of land. The restrictions were created by allocating limited residential areas (not necessarily even including the entire

previously built-up area of the village), such that future construction would of necessity be high density, and be carried out in defined and limited areas. In effect, the special outline plans sought to photograph the existing situation and to freeze it to the extent possible. The special plans thus immeasurably changed the pattern of construction of Bedouin communities, both in terms of material - construction of permanent structures - and in terms of layout, since the plans forced dense building, contrary to the social mores of the community, which are based on privacy and separation.

The special outline plans provided only limited areas for development and completely ignored other components of the Bedouin lifestyle, such as grazing areas, the need to build pens for flocks, and seasonal mobility. Israeli interests, such as the establishment of the Eshkolot settlement on the land of the village Arab a-Ramadin, were significant factors in the planning of the village. For example, the special outline plan did not include a particular built-up area, even though it was part of the village, because of its proximity to the planned Eshkolot.



Partial special outline plan no. 1784 for the village Arab a-Ramadin was ratified in 1993. The plan, based on the existing situation, only zoned "islands" of non-contiguous residential area (the yellow areas), connected by roads.



B. Regulation without planning ("demarcation plans")

In the 1980s, Israel initiated the first "demarcation plans" in order to control the construction area of the Bedouin tribes, especially in the South Hebron Hills. A demarcation plan is not a plan with all its normal implications, and is in essence the delineation of an area in which no enforcement action will be taken, and therefore the Bedouin are able to build there without fear of demolitions. The area is determined by marking a blue line on an aerial photograph. The line delineates an area in which construction can be carried out, with any building outside it subject to the enforcement of demolition orders. In theory, demarcation plans are similar to special outline plans, but in practice they do not follow the statutory procedure of depositing a plan and approving it in a planning committee, and therefore there is no possibility of submitting objections.

This type of regulation enabled connection to electricity and water infrastructure, and the construction of public buildings and other facilities without any need for permits. The boundaries were determined during the summer - the season in which the Bedouin moved to higher elevations - and so only a small part of the

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communities' living space was included in the demarcation, while the lower areas in which they live during the winter season were left outside the boundaries. The last such demarcation plan was in 2009 for the Hadalin tribe, also in the South Hebron Hills. The boundaries did not include all the homes of the tribe or the water cisterns, which Israel subsequently demolished.



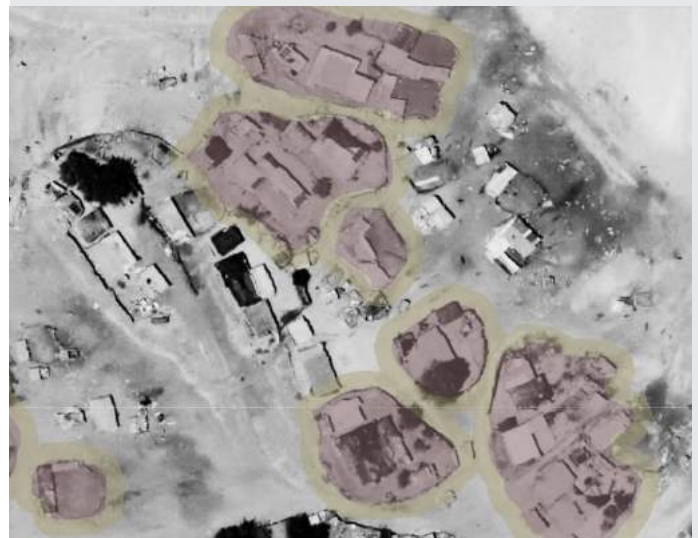
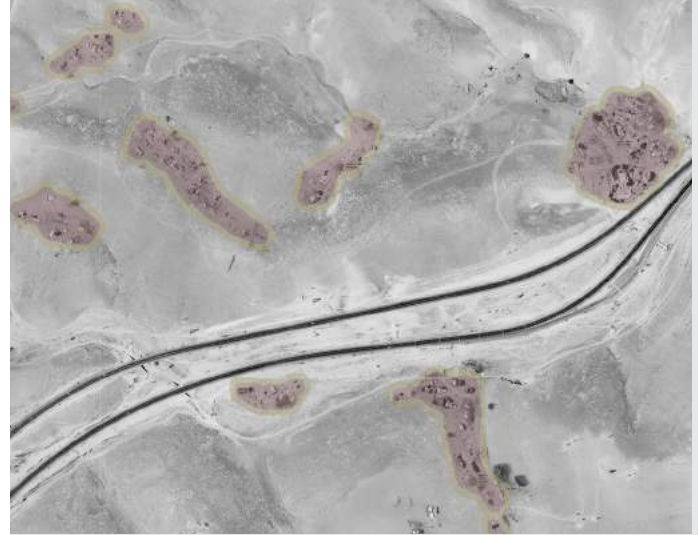
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4. Appropriate planning for Bedouin communities - essential principles

The few plans approved for the Bedouin in the West Bank have failed to meet the residents' needs or to offer a real planning tool that would enable them to maintain their way of life and allow development. Therefore, in order to facilitate planning that enables the unique Bedouin lifestyle, a number of principles must be formulated.

Flexible planning tools must be developed for the Bedouin communities, which can accommodate seasonal and daily spatial changes and be consistent with principles of shared and separate space within the locality.

The first principle in bringing about this change in planning is the recognition that a Bedouin village is a unique type of locality, with distinct cultural and spatial characteristics. In this, it is similar to other forms of settlement, such as the kibbutz, community settlement, workers' moshav or cooperative moshav. As in these, principles of social organization, core values and social agreements dictate the layout of the space and the distribution of land uses in the Bedouin village. One must therefore take into consideration the internal logic of the locality and formulate plans for it based on a deep understanding of its socio-cultural rules. Bedouin villages have at least two characteristics which must be taken into account in their planning: animal husbandry, and socio-cultural conventions.



One of the main spatial principles of Bedouin communities is that of separation, in which privacy is maintained by the creation of dividing spaces between built-up areas. This principle is present in a variety of scales – on the wider scale between tribes and communities, and on the more local scale, between nuclear families.

These dividing spaces and separations between private areas are a leading principle which should be preserved in any plan prepared for Bedouin communities.

Therefore, a plan which allocates residential plots one next to the other divided by roads, like city blocks, as has been proposed in the plans for the town of Nuweima, show no understanding of the specificities of Bedouin life, and in fact does not allow a reasonable and culturally acceptable lifestyle for the families.



The tending of flocks is an important component of Bedouin society. It is also the central source of income which most families depend upon, and is a cultural element in the development of family traditions, including the roles of women, men and children. Today, the Bedouin are not nomadic, but move according to the seasons between two main places – an elevated and airy place in the summer, and a lower, more protected place in the winter, each family in accordance with its needs .

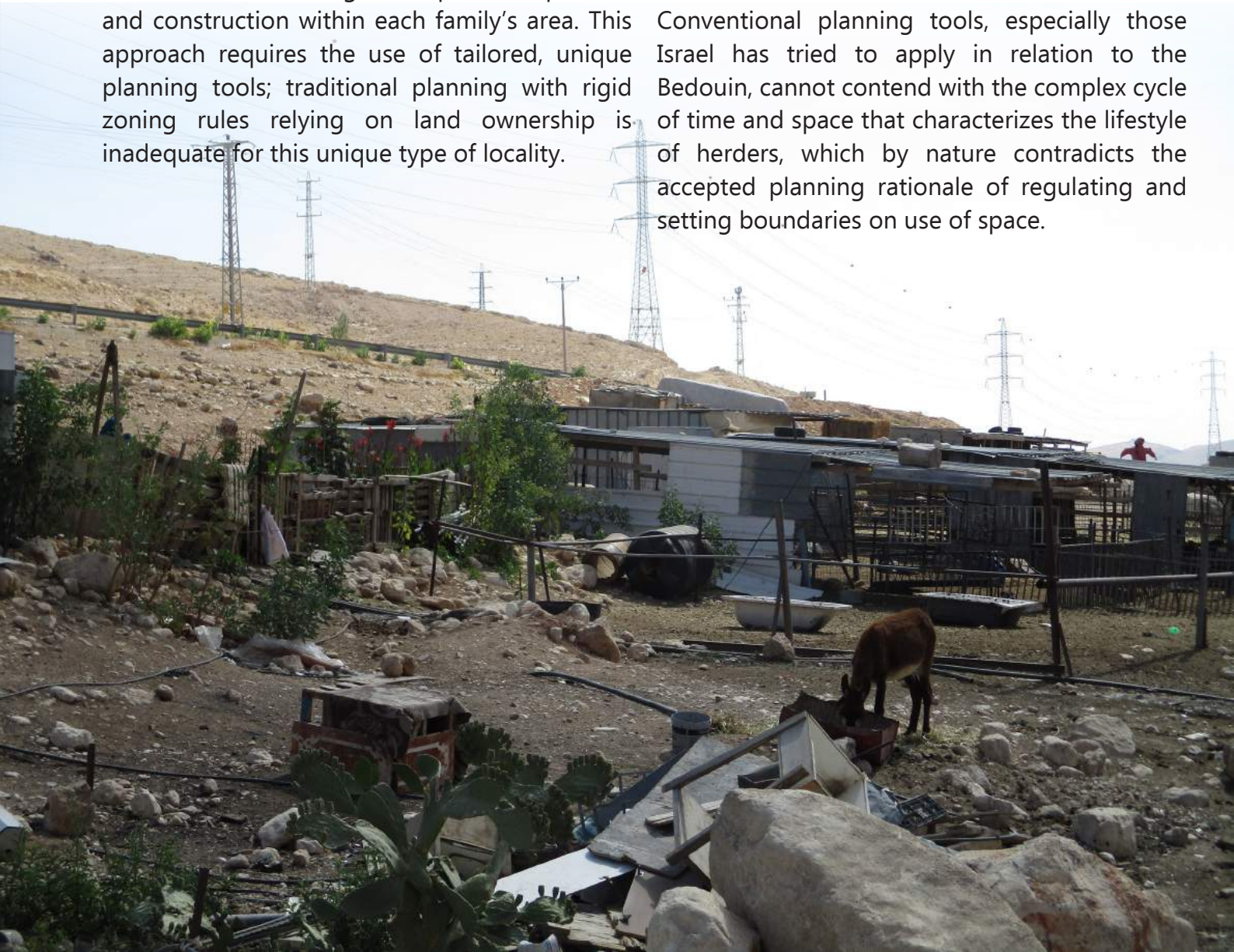
The social and cultural ties within and between the families are complex and shape the daily life of the communities. Tradition and custom define the points of encounter and of separation between families, and planning derived from these is an essential component in maintaining the unique lifestyle of the community. The central assumption is these must be accommodated: separation of families' residential areas; shared space only in employment, education and cultural zones; allowing development, expansion and construction within each family's area. This approach requires the use of tailored, unique planning tools; traditional planning with rigid zoning rules relying on land ownership is inadequate for this unique type of locality.

Flexible planning tools must be developed for the Bedouin communities, which can accommodate seasonal and daily spatial changes and be consistent with principles of shared and separate space within the locality. Such tools are critical to preserving the nature of the Bedouin village.

The need is therefore for unconventional planning, which will adopt new and innovative planning approaches:

- First and foremost, plans must be formulated together with the residents, not only for them.
- Dynamic planning based on on-the-ground needs and lifestyle, according to which uses of land and resources are defined (and not according to inflexible zoning).
- Planning that allows for rights to use land and natural resources without defining ownership.
- Planning that allows flexibility in defining borders throughout the year and from year to year, in accordance with climatic and social changes.

Conventional planning tools, especially those Israel has tried to apply in relation to the Bedouin, cannot contend with the complex cycle of time and space that characterizes the lifestyle of herders, which by nature contradicts the accepted planning rationale of regulating and setting boundaries on use of space.





Conclusion

Spatial planning is a powerful tool that dictates and influences the spatial behaviour of communities. When used appropriately, it enables the continued existence and development of communities; but when used inappropriately, it limits and destroys that which exists.

Spatial planning uses a variety of methodologies - some more and some less accepted. Methodologies that fail to take into account the unique nature of the community, or involve community members in the planning process, result in one of two outcomes: either the planning is not implemented, or it negatively impacts the community, its livelihood and local culture, and can lead to its total destruction.

Planning for the Bedouin communities in the West Bank can no longer make use of conventional planning practices. First and foremost, it is necessary to recognize the Bedouin village as a unique type of locality, and to understand how this lifestyle impacts planning. In other words, the planner should go beyond the familiar paradigms, and adopt dynamic planning methods that: do not limit herding mobility; use tools that enable the complex relationships within and between families; and encourage natural growth and development so that there is both private and shared space for all. Any plan that does not involve the active participation of the communities in the planning process is doomed to failure. This outcome is equally the case for inadequate spatial planning that fails to respect the specificity of the community and enable the residents to live in dignity in their territory.