

Access to Natural Resources

A necessity for the existence of the
herding communities in Area C



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מחכמים למען זכויות תכנון (ע"ר) מחפזות מן אגל חפוק התחפוט Planners for Planning Rights

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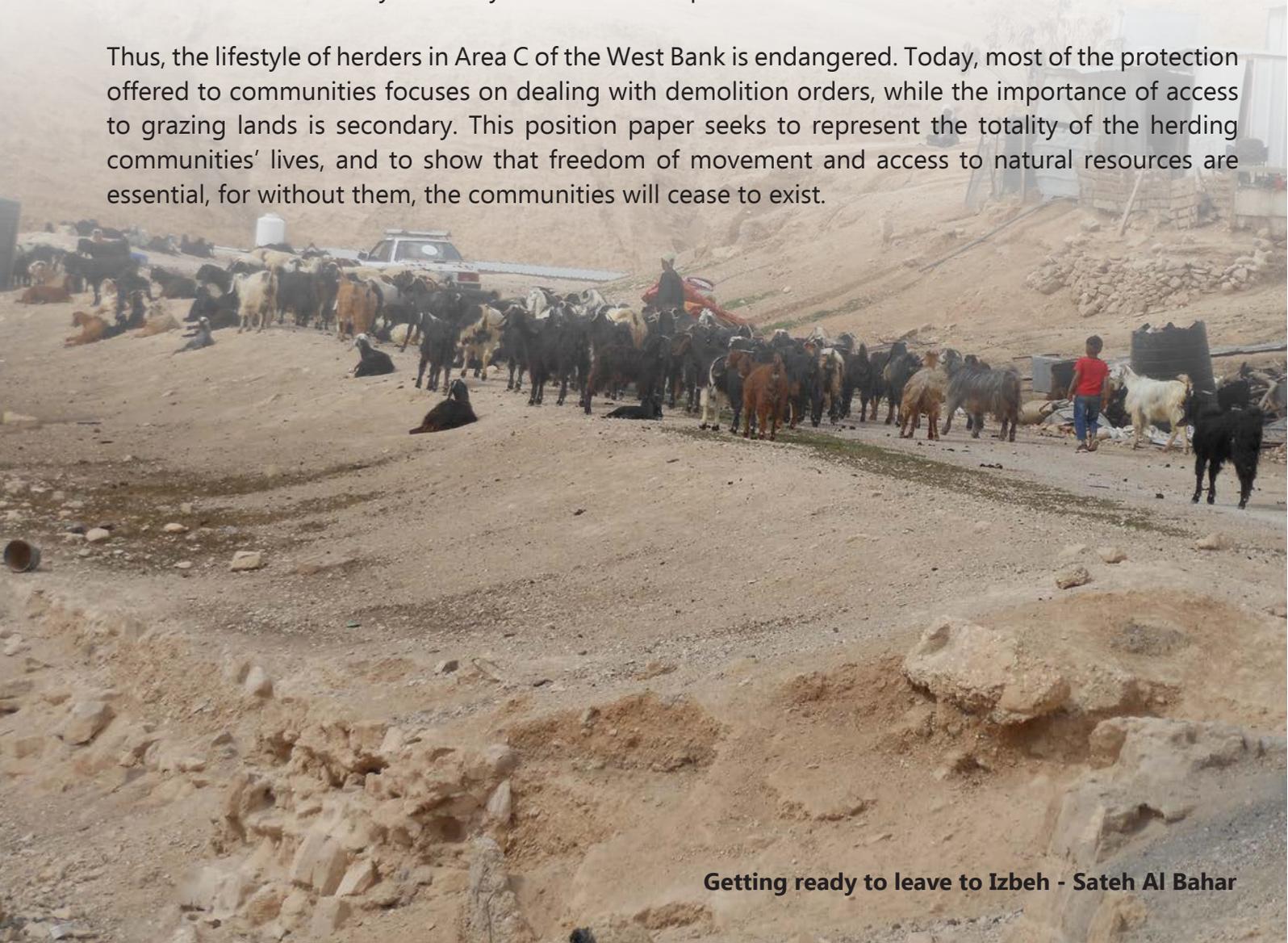
Introduction

Herding communities in Area C are communities whose economic survival, and to a large extent their social and cultural survival, depend on access to water and grazing lands, the basic natural resources needed for their existence. Since these natural resources are limited and not always stable, the mobility of the flocks in order to find water and pasture is a basic condition of their way of life, and requires dynamic logistical arrangements.

Bedouin herder communities are characterized by the complete social, cultural and material lifestyle which has developed out of these arrangements.

Various restrictions on mobility prevent access to these natural resources, effectively blocking the economic resources of the Bedouin and at the same time harming their socio-cultural-material lifestyle. In addition to their flocks, the herders' income has always been supplemented by work outside the community, especially in years of drought, when it becomes necessary to buy water and feed for the flocks, but the balance between the two has been violated. Today, the Bedouin are increasingly being pressured into becoming day labourers who lack job security and who depend on unstable employers, while still trying to maintain their traditional way of life, despite restrictions on their mobility. The denial of access to natural resources forces the herders to take loans with compound interest in order to buy water and feed for their livestock, and the result is that they fall into debt and can barely make ends meet. Herders who are forced to give up their flocks are plagued by crises of identity and values due to the change in the traditional division of roles in the family, which undermines family authority structures and spheres of influence.

Thus, the lifestyle of herders in Area C of the West Bank is endangered. Today, most of the protection offered to communities focuses on dealing with demolition orders, while the importance of access to grazing lands is secondary. This position paper seeks to represent the totality of the herding communities' lives, and to show that freedom of movement and access to natural resources are essential, for without them, the communities will cease to exist.

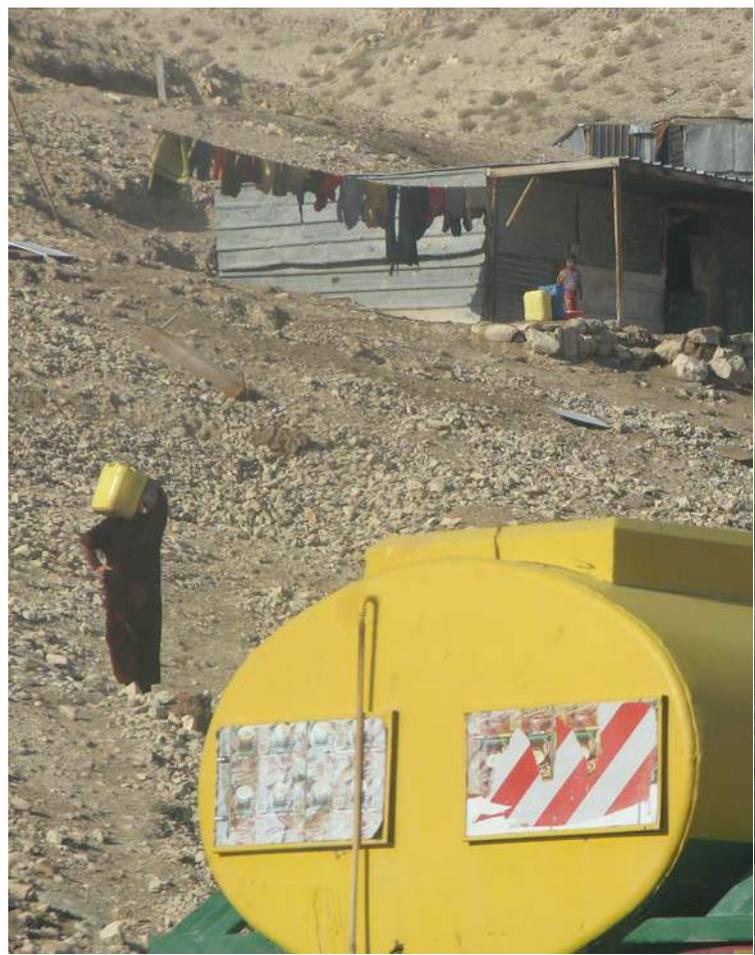


1. Herding is a way of life

Most of the herding communities in Area C are communities of refugees - Bedouin shepherds who were expelled during the war of 1948 from the areas in which they had lived, and dispersed throughout the West Bank. Today most of them live and herd outside the land of the "dira" (the traditional nomadic area of their tribe) and have settled on land leased from its Palestinian owners, or are dependent on the indulgence of the landowners.

Therefore, in many herding families, the difference between making a living from their flocks, and living in debt to grain traders, is that period in which the flock is fed by natural grazing.

Raising flocks is a family business. The family moves and organizes its life in accordance with the seasons and the availability of water and grazing land. However, the greater the restrictions on movement, the more the feeding and watering of the flocks is dependent on bought feed, the price of which has risen drastically over the years, and purchased water, which is expensive. Therefore, in many herding families, the difference between making a living from their flocks, and living in debt to grain traders, is that period in which the flock is fed by natural grazing, and the herders do not have to buy feed or water. The life of herder communities in Area C is therefore characterized by varying combinations of grazing and purchased feed, and there are those who, for lack of other options, have given up their nomadic life for keeping their herds under the house and feeding them twice a day with purchased feed and water.



2. Raising flocks – seasonal mobility of herders

Three basic needs dictate the herders' movement with their flocks: access to water sources, availability of grazing land, and appropriate shelter for flocks and people. Through optimisation of access to natural resources, the family has greater chances of subsisting from their flocks, and even generating income from them. Their nomadic movement responds to fluctuations in access to these basic needs according to the seasons of the year:

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Winter - In years without drought, the winter months are rainy, cold and stormy, and both family and flocks need a site protected from wind. During this season there is no natural pasturage and the flocks need to be fed, but water is usually abundant. In winter the conditions dictate settlement, not mobility.

Spring - This is the optimal natural pasturage season. Access to grazing land for feeding the flocks will make the difference between relative well-being and bare survival, such that mobility is essential wherever possible. The herders go out to the grazing areas and try to move into areas where the vegetation is diverse and the pastures rich. During these months, the flock is watered once a day instead of twice, and may be able to subsist on grazing alone, or on once-daily feeding.

Summer - A season of dryness and heavy heat. The natural grazing has long since dried up and the flocks move toward the agricultural areas, whether leased from their owners or self-owned. The family seeks a cool place to live in, in a higher and more airy location, but movement is dictated by the access to grazing land, that is, the agricultural land and access to the water. In this period sometimes an entire family goes out to the agricultural lands, and sometimes only the herders themselves move through the area, searching for remnants of grazing and water sources.

Autumn - During this season, the flocks must be fed with produce from the agricultural lands or purchased feed, with some grazing. Although grazing is secondary during the autumn, it does take place to one extent or another. During this period the rains are just beginning. Staying near a water source makes it easier for the family because water need not be bought. However, moving close to a source of water is not always possible because of the limitations on mobility, such that access to this vital natural resource is blocked.

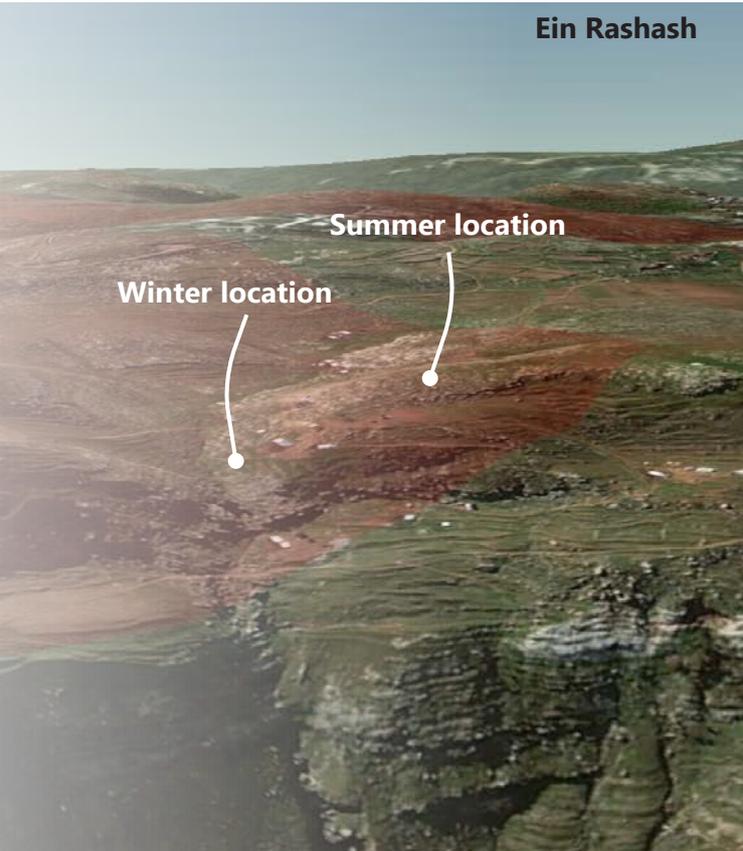
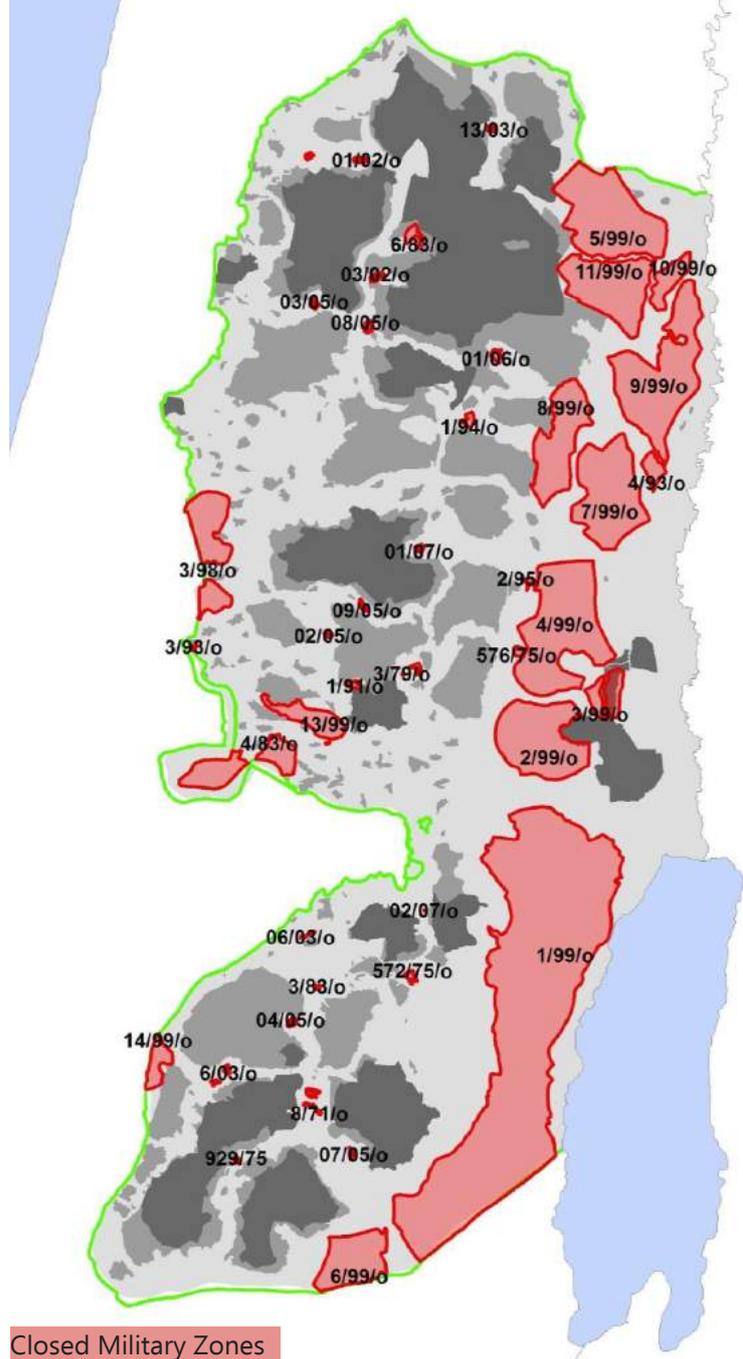
3. Spatial policies that prevent access to natural resources

Israel's control over land in the West Bank makes use of a number of policies, which are key to both permanent and limited use of the land. Following are examples of spatial policies that Israel uses to control access to land. Each policy

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has its own independent rationale, and together they make up the spatial control and lead to restrictions on mobility that prevent herders from accessing the natural resources necessary for their communities. These policies mean that most of the herder communities in Area C are in violation of Israeli orders, including prohibitions on their presence in areas they have used for years.

Military Zones - In the 1970s, Israel began to declare closed military zones on a massive scale. Today, the closed military zones cover close to one million dunams, about a third of Area C. This means that herders are limited in grazing, and in seasonal or permanent presence in an area. For example, the Bedouin living in the Ein Rashash area spend the winter in a low and protected valley, which is in a closed military area. In recent years, the Civil Administration has issued eviction orders for buildings and subsequently demolition orders, which were enforced in February 2016. One morning, the Civil Administration demolished dozens of homes at the tribe's winter site only because they were in an area with a closure order, and despite the fact that the structures were seasonal, and no military use was being made of the area.



State Lands - Using a manipulative interpretation of the Ottoman law that deals with the cultivation of the land, Israel declared vast tracts of grazing land to be state lands. The Israeli legal system does not recognize them as agricultural land, although in practice they serve the herder communities as agricultural land, and the state has allocated them solely to Israeli interests, primarily the settlements. Most of these lands have become part of the jurisdictional area of the local and regional councils of the settlements, and the entry of the Palestinians, including the herders, is prohibited.

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Establishment of settlements - The establishment of settlements in the West Bank had, and has, a significant impact on the herders' mobility. Their locations throughout the West Bank, including in the heart of grazing areas, and all the mechanisms involved in their establishment - roads, security measures, etc. - violate spatial continuity and movement, and as the confrontation between Israelis and Palestinians has escalated, restrictions on movement have increased, especially for the Palestinian and Bedouin herders. The establishment of outposts and farms throughout the West Bank, including very close to herder communities, has intensified the restrictions and created friction and competition over grazing land. For example, the Mor Farm, which was established on declared state land in the area of the Tene settlement, has been allocated thousands of dunams for grazing in the area where several communities from the Dahariyya area regularly graze. The result is that at times there is friction between Palestinian and Israeli shepherds. In such situations, soldiers also become involved, and they usually expel the Palestinian herders.



Cultural heritage - nature reserves, archaeological sites and national parks have been declared throughout the West Bank which prevent grazing and even passing through the area. For example, in 1988, an order created the nature reserve of Nahal Prat-Wadi Kelt, covering some 28,000 dunams. Previously, this area provided grazing land and water sources for dozens of herder communities, whereas today, access for their flocks is very limited. Israel controls natural water sources, and they are no longer available to shepherds. In other places, archaeological sites have been declared, and in the name of their preservation, Israel has expelled communities (such as Susya) and seeks to expel other communities (such as Zanuta), from lands where they lived for hundreds of years.

Roadblocks and obstacles - roads to isolated settlements, security fences around settlements at some distance from their built-up areas and along roads, as well as the attempt to erect a continuous barrier (the Separation Barrier) are all physical obstacles that block access to natural resources and grazing areas. Even grazing areas that are very close to herders' houses have been blocked, or the paths to them have become almost impassable, and the herders are forced to use circuitous routes, long bypass roads, or look for other grazing areas.



For example , many years after the Jahalin tribe had settled in the Judean Desert, a road to the Kedar settlement was paved through the Abu Nuwar area in which they live, along which a security fence was built. The flocks cannot cross the road, and thus the access to their grazing areas has been blocked. The solution is to cross the road through the drainage pipe below it. This is a very narrow passage, only one meter in diameter, and the movement of a whole flock through it takes a long time. The herders, who make this trip four times a day, preferred to change their daily routine and instead of coming home at noon to water the flocks and rest in the heat of the day, they leave in the afternoon and return the following morning. In other words, in order to move the flock through the drainage pipe fewer times each day, they stay out at night with the flocks in the "blocked" grazing land. A further type of harm that cannot be ignored is environmental damage. Environmental damage also affects the communities' way of life. In the absence of sewage treatment systems in Palestinian communities, settlements, factories and quarries in the area, wastewater flows into the valleys and streams, and pollutes water sources and grazing lands. As a result, there are areas where communities avoid grazing because they fear for the health and safety of the flocks due to the sewage and pollution.



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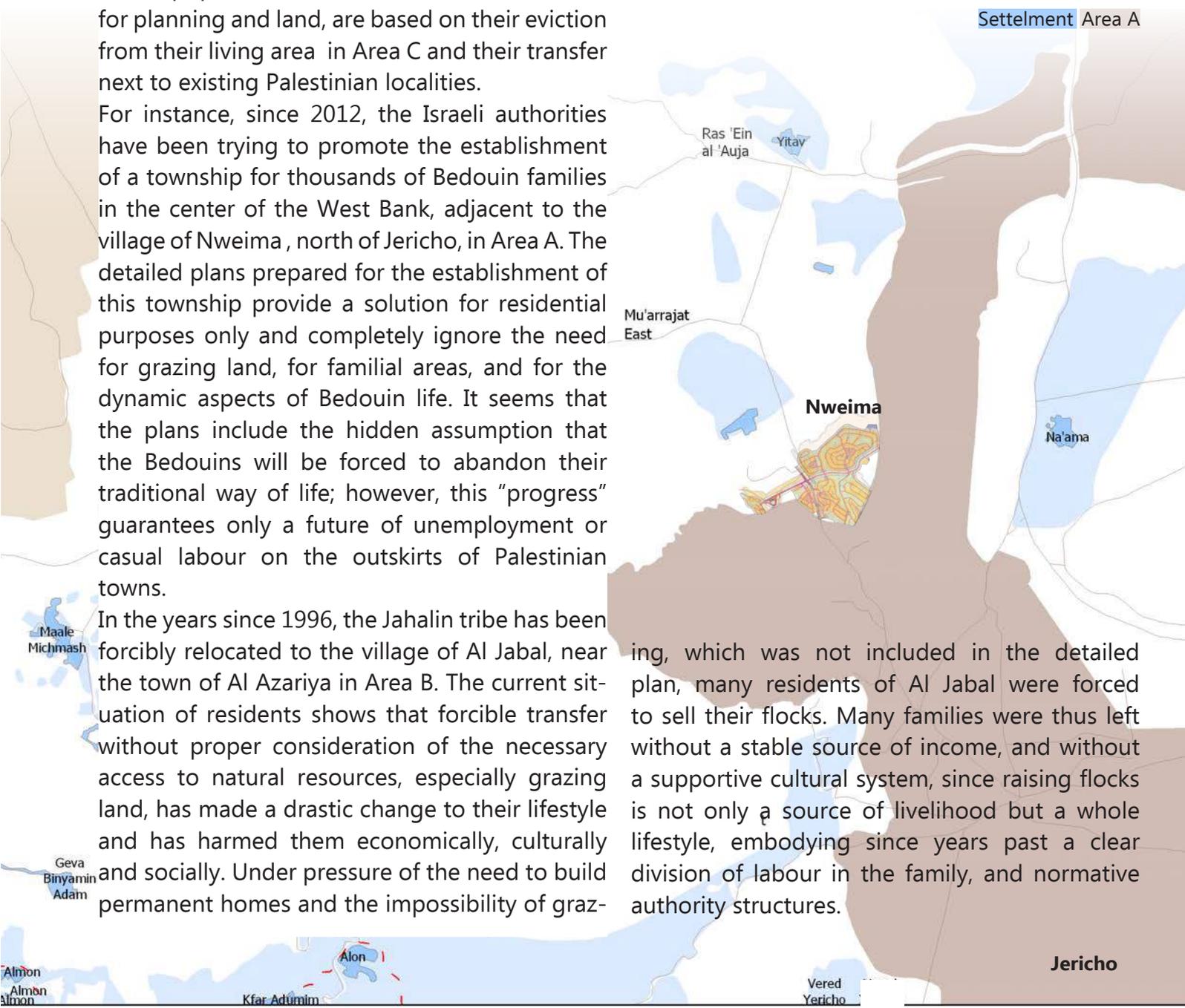
4. Solutions offered by the State which ignore access to natural resources

The interest of the Israeli authorities, including the Supreme Court to a certain extent, is limited to the legality of the dilapidated buildings of the communities, which are often subject to demolition orders. An in-depth consideration of the herder lifestyle, and of its components and its spatial needs, is completely absent from official discourse. The proposed solutions are aimed at concentrating the herder communities into semi-urban population centers on the margins of built-up Palestinian communities in Areas A and B, or in places where there are no natural resources. All of Israel's proposals regarding the herder population and the allocation of resources for planning and land, are based on their eviction from their living area in Area C and their transfer next to existing Palestinian localities.

For instance, since 2012, the Israeli authorities have been trying to promote the establishment of a township for thousands of Bedouin families in the center of the West Bank, adjacent to the village of Nweima, north of Jericho, in Area A. The detailed plans prepared for the establishment of this township provide a solution for residential purposes only and completely ignore the need for grazing land, for familial areas, and for the dynamic aspects of Bedouin life. It seems that the plans include the hidden assumption that the Bedouins will be forced to abandon their traditional way of life; however, this "progress" guarantees only a future of unemployment or casual labour on the outskirts of Palestinian towns.

In the years since 1996, the Jahalin tribe has been forcibly relocated to the village of Al Jabal, near the town of Al Azariya in Area B. The current situation of residents shows that forcible transfer without proper consideration of the necessary access to natural resources, especially grazing land, has made a drastic change to their lifestyle and has harmed them economically, culturally and socially. Under pressure of the need to build permanent homes and the impossibility of graz-

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ing, which was not included in the detailed plan, many residents of Al Jabal were forced to sell their flocks. Many families were thus left without a stable source of income, and without a supportive cultural system, since raising flocks is not only a source of livelihood but a whole lifestyle, embodying since years past a clear division of labour in the family, and normative authority structures.

Other initiatives by the Israeli authorities, including demarcation schemes or Special Outline Plans, have not addressed the issue of access to natural resources, but sought to find a solution only for the built-up area of the herding community villages. The plans were formulated with the aim of regulating the communities in

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a particular time and place, and did not take into account their real needs and the spatial implications of those needs. In the South Hebron Hills, demarcation plans were prepared in the 1980s, and some tribes were allocated limited lands by demarcating the existing built-up area of their villages.

Since the plans were not made in consultation with the residents and did not understand their needs, Hmeida community, for example, was allocated a high windy area that serves the residents and their flocks in the summer. Since the place is not suitable for grazing, they leave at the end of the summer for lower pastures.

The case of Hadalin village illustrates the implications of these plans. Most of the built-up area of the village was included in the plan boundaries, but they did not include the grazing area, where the flocks are held in the spring, and where the community has water cisterns for them. Due to this non-inclusion, two years after the Hadalin plan was finalised, 11 water cisterns were demolished in the grazing area of the tribe because they were located outside the boundary, and the villagers had to find other ways to water their flocks.

This example shows that although recognition of the residential area is an important component of the communities' ability to live in the area, it is not sufficient, and in proposing planning solutions for herder communities, water sources and seasonal living areas must be taken into account.



Dry cistern in Khashem al Daraj

5. Impact on the lifestyle of communities

The negative effect of restricting access to natural resources on the lifestyle of herding communities is clear and unequivocal. Israel's control over access to natural resources and its policies, which seek to evict pastoralist communities and concentrate them in limited areas, finds expression in orders, prohibitions and severe restrictions, which have transformed the well-known land in which the herders used to move freely, into a limited and limiting space where their very existence is threatened. Many herders have been forced to reduce their flocks or give them up completely, and to thus abandon an entire lifestyle. The alternative is employment outside the home; however without training or education, the herders have become dependent on day jobs and low-paid casual work, and many men remained unemployed. In the labour market on the outskirts of Palestinian cities there are many competitors for little work, and it is not a safe or stable source of income. Another possibility is work in the settlements, but this requires permits, and the permits may or may not be given, such that many people are left with no regular income and no permanent employment.

Those who persist in maintaining their way of life as herders encounter many difficulties in their attempts to cope with the limitations on mobility and on access to natural resources: Often, the herders are forced to walk large distances, by roundabout ways, and to navigate obstacles to reach grazing areas. Herders who graze their flocks as in the past in lands which are now defined as firing zones or nature reserves, risk confiscation of their flocks and high fines if caught. Others go further, and take their flocks to graze at night so as not to be caught in pastures that have become nature reserves or military zones. This type of grazing involves many hardships and, of course, disrupts the lives of both animals and herders, but most of all it exposes how desperate the herders have become.

Thus, the takeover of land, the establishment of settlements, and the creation of mechanisms

of control over land, have greatly reduced the herders' living space and open pasture areas, and led to their forcible displacement from the areas they used to live in. In the establishment of Ma'aleh Adumim in 1975, some 30,000 dunams were expropriated and Bedouin residents were expelled from the areas where the city was built. Since then Ma'aleh Adumim has continued to expand. Each expansion produces new threats to the herding communities, who are barely managing to maintain their presence in the area.



Forced transfer plans such as the Al Jabal plan have created concentrations of many families in crowded semi-urban settings in close proximity to Palestinian cities while completely ignoring the residents' needs and lifestyle. The effective result of implementing these Israeli policies is partial elimination of the grazing and herding lifestyle, thus undermining the foundations of herder society and its systems of authority. In this situation, those who suffer most are the women, since their expertise in producing dairy products and their partnership in caring for the flocks have been rendered irrelevant, and their economic role within the family has ceased to be productive. Many women in Al Jabal report that since the forced transfer, they feel that they have lost their vitality and feel useless, while their new lifestyle has led to weight gain, and diseases such as diabetes and heart disorders.

Summary and Conclusions

Access to natural resources is essential for the preservation of a sustainable way of life for herders in Area C of the West Bank, as is recognition and understanding that such a lifestyle is characterized by unique needs. Reliance on natural resources means spatial mobility. Israel's policies ignore these needs. Moreover, they threaten to destroy a centuries-old society and culture without providing a stable alternative for the herding communities, such that they are relegated to making a living from low-wage day jobs, and to a life of poverty next to Palestinian cities which are themselves impoverished.

Despite the great changes faced by herder communities in the West Bank, they maintain their own traditional system of customs, values and social codes, and this tradition dictates their way of life to this day. Recognition of the unique nature of this lifestyle, and a flexible and respectful approach to planning for them that will include the components essential for their continued existence – residential construction and animal shelters, as well as seasonal movement for agriculture or grazing - are not only the duty of the authorities but also the only way to prevent the deterioration and dereliction of tens of thousands of women, men and children to poverty and want, on land which Israel controls and is fully responsible for.



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