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## Who needs the JNF?

By Haaretz Editorial

Tomorrow the High Court of Justice will hear a petition against the Jewish National Fund (JNF) from Arab citizens who have been barred from acquiring land in Carmiel, because the JNF does not lease land to non-Jews. That the heart of an Israeli city holds land intended for Jews only 60 years after the establishment of the state is inconceivable. The petition opposes wrongful state discrimination against Arab citizens by means of the JNF.

To make things more difficult for the High Court, the Knesset approved by a large majority (64 to 16) a bill in its preliminary reading stating that discrimination against non-Jews by the JNF is not wrongful discrimination. The JNF is a private corporation, founded to buy land for the Jewish people, and that is its purpose to this day. The attorney general believes this is wrongful discrimination as 13 percent of Israel's land belongs to the JNF, and he supports the petitioners against that body.

Facing off against the attorney general is a group of contributors, among them former chief of staff Moshe Ya'alon, Rabbi Yoel Ben-Nun and Nobel laureate Robert (Yisrael) Aumann, who argue that they themselves donated money to the JNF because they believed it would go to Jews only, and therefore their contributions cannot be used for non-Jewish communities. It turns out that if Ya'alon, Ben-Nun and Aumann thought that an Arab would live in Carmiel, they would not have placed even one cent in the JNF's blue box in school.

However, almost two million dunams (approximately 500,000 acres) out of 2.5 million dunams (approximately 625,000 acres) owed by the JNF were not purchased with contributions, but simply taken from Arabs who fled during the War of Independence. It might have been expected that after the establishment of the state, a new leaf would have been turned over, and lands obtained in various ways to establish the state would from then on serve all its citizens. However, while the Arabs of Israel were required to treat 1948 as the point of no return as far as their rights to the land and returning to their homes were concerned, the Jews preferred to have their cake and eat it, too. The "redemption of land," which means, in fact, the transfer of lands from Arabs to Jews, is still going on. A subsidiary of the JNF, Himnuta, is involved in redeeming land from the Arabs in the occupied territories, while in Israel Arabs are prevented from settling on land that was redeemed 100 years ago.

The issue of the JNF is not a legal one. The state can buy land from

the JNF and let all Israel's citizens benefit from it. The issue is whether there is any justification for the existence of national institutions whose historic role has come to an end, and at present serve as a damaging, institutionalized instrument of discrimination.

This is not just another confrontation between the High Court and the Knesset, but rather an essential debate over Israel's democratic values. The interpretation of the concept "Jewish and democratic" cannot be the automatic support by Jewish MKs of legislation containing wrongful and hurtful discrimination against Arabs. The JNF is not just any private corporation. Its size and control over such a large national resource makes it a public body, and thus it is obliged to serve all equally, like the Israel Electric Corporation or satellite and cable TV, which cannot be for Jews only.

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