

A Proposal for Suitable Representation of the Arab Minority in Israel's National Planning System

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Introduction

National planning in Israel, as articulated and mapped by a range of national master plans, contributes significantly to shaping the country's character, spaces, economy and environment. Israel's first national master plan,³ devised by planner Aryeh Sharon in 1951, had far-reaching implications on the shaping of the country's physical space. Ever since, up to and including the latest national master plan, TAMA 35, approved in late 2005, national planning has made a considerable impact on Israel's geopolitical, geographic and demographic space. TAMA 35 defines "the planning of the entire area of the state" and addresses, among other things, the purposes and uses of land, industrial zones, the demarcation of primary road networks, the location of railway lines, national supply lines, ports, power plants and facilities of the electrical grid. The plan also includes directives pertaining to recreation areas, forestry and land preservation; directives on preserving antiquities, holy places, landscape and natural areas; sites for factories and public use at the national level; and a projection of changes in the state's population distribution, the stages of development and desired timing of each stage; and town planning (the projected size, type and location of new communities).

National planning has also influenced and continues to have a considerable impact on the geography and physical, economic and social living spaces of the Arab minority in Israel. There has never been a sufficient discussion of this matter, especially in the context of the rights of the minority in the national planning system. This article focuses on the status of the Arab minority in the national planning system. The article will examine the latest national plan in Israel, *Integrated National Master Plan for Construction, Development and Preservation – TAMA 35*, and analyze the status of Arabs in this plan. Based on this analysis, proposals will be presented for integrating the Arab minority into the national planning system and granting suitable representation for this minority. The first part of the article will present the goals of TAMA 35 and describe those who drafted it and comprised its steering and work committees. The next section will briefly present the spatial problems of the Arab minority, which TAMA 35 is supposed to address, and examine to what extent the plan deals with these problems. On the basis of this analysis, the final section of the article will present proposals for suitable representation of Arab citizens of Israel in the national planning system.

The Goals of National Master Plan TAMA 35

From the first national master plan, drafted in 1951, national master plans have ignored the needs of the Arab minority in Israel and excluded it from the planning activities and decision-making pivotal for shaping the physical, social and economic space of the state.⁴ For example, following the wave of immigration to Israel in the early 1990s, the National Council for Planning and Building (NCPB) ordered the preparation of an integrated national master plan for immigration absorption (TAMA 31). The process of preparing this plan began during the period of Yitzhak Shamir's government. The next government, headed by Yitzhak Rabin,

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³ Aryeh Sharon (1951), *Physical Planning in Israel: The First National Physical Plan for Israel*. Jerusalem: Government Publisher (Hebrew).

⁴ See, for example, "Plan for Geographic Distribution of the Population of Israel of Five Million," 1972; National Master Plan for Geographic Distribution of the Population of Israel of Seven Million Residents in Israel, TAMA 6/1, 1985.

approved it in 1993. The principal aims of TAMA 31 were to maximize implementation of the policy of population dispersal, while placing emphasis on strengthening Jerusalem, the Naqab (Negev) and the Galilee.⁵ An evaluation of TAMA 31 shows that the plan totally disregarded the spatial, social and economic needs of Arab towns and villages in Israel. In addition, an analysis of the composition of the steering and work committees involved in the drafting of TAMA 31 reveals that the NCPB ignored the existence of the Arab minority, which comprises approximately 20% of the population. This minority was not accorded representation in the various committees that worked on the plan's preparation. For example, not a single Arab representative was included in the planning team, the national steering committee or work committee. This pattern of disregarding the Arab minority continued in the preparation of TAMA 35.

The preparation of TAMA 35 began on 5 November 1996, when the NCPB ordered its drafting. The government approved the plan at the end of 2005. The main goals of the plan are: to guide development and preservation of the space of the State of Israel by dividing the national planning space into planning regions according to planning categories (each category is governed by different directives for development); to define directives and principles for expanding built-up space; to draft principles for preserving and fostering open spaces; to establish new towns and villages; to improve and plan built-up space; to create guidelines for the environment, landscape and transportation; and to define stages for implementation of the plan in relation to other master plans.

The overall goal of the plan is, "Development of Israel's space in a way that enables the attainment of the goals of Israeli society, including all of its various groups, and realization of its values as a Jewish state, as a society that absorbs *aliyah*, [the immigration of Jews to Israel] and as a democratic state."⁶ In addition, the plan presents priorities for development, "giving priority to developing Jerusalem as Israel's capital, the Galilee and the Negev – with an emphasis on the Beer Sheva [Beer el-Sabe] metropolitan area, which will constitute a catalyst for its development."⁷ The plan also seeks "a balanced distribution of the population between the different parts of the state, while stressing the maximal development of the Negev and balanced development of the Galilee."⁸

In addition, TAMA 35 seeks to address the differences between the groups that comprise Israeli society and emphasizes the need to provide "a planning response to the needs and desires of the various population groups, paying particular attention to groups that require special treatment." The plan stresses the need to "develop new planning approaches for the Arab population in Israel, which would facilitate the narrowing of gaps between it and the Jewish population, and would give an effective spatial response to the processes of economic, social and cultural change it is experiencing."⁹ These goals have the potential to promote the planning interests of the Arab population. However, questions remain over to what extent they are implemented. Indeed, the planning language and goals of this plan differ slightly from the planning language and goals of previous national and regional master plans that dealt with "Judaizing" the space and dispersing the population. This newer planning language is, however, not adequately reflected in the final product – that is, the final map of TAMA 35.

⁵ Lerman Raphael and Lerman Edna (1992), *A Comprehensive National Master Plan for Construction, Development and Absorption of Immigrants #31*. In Golani Y., Eldor S., and Garon M., *Planning & Housing in Israel in the Wake of Rapid Changes*. pp. 29-47. Ministry of the Interior - Israel, Ministry of Construction and Housing - Israel.

⁶ *Integrated National Master Plan for Construction, Development and Preservation – TAMA 35* (1999), *Volume A: Principles of the Plan and Policy*, p. 10 (Hebrew).

⁷ See the directives of TAMA 35 <<http://www.moin.gov.il>> (Hebrew)

⁸ Ibid.

⁹ Ibid. p. 11.

Methodology

The methodology employed in this article is based on the *evaluation method of master plans*. There are various approaches to examining the way in which a master plan relates to a certain population group.¹⁰ In general, it is possible to identify different types of plan evaluations. The first main distinction is between “before” (Ex-Ante) and “after” (Ex-Post) evaluations. The Ex-Post evaluation focuses on analyzing the practical impact of plans and planning policies that have already been implemented. The Ex-Ante evaluation deals with the expected and projected impact of plans and planning policies that have yet to be implemented. Here, we are dealing with an Ex-Ante evaluation, as TAMA 35 proposes a planning policy and planning definitions the implementation of which has just recently begun. Considering the characteristics of the integrated national master plan, which addresses broad spatial, social, economic and environmental issues, the term “evaluation” will be defined in this article as an analysis of the extent to which the goals of the Arab minority are achieved within the framework of TAMA 35. In other words, we will conduct a comparison between the main goals of the Arab minority in the realm of spatial, social and economic development, and the projected outcome of the national master plan.

To characterize the goals of the Arab minority with regard to national planning in Israel, an empirical survey was conducted based on a structured questionnaire written in Arabic. The questionnaire included socio-economic questions and questions pertaining to the problems of the Arab minority on matters of space, planning and development. The sample included 517 respondents – men and women over 18 years of age who are residents of Arab towns and villages in the north, Triangle and Naqab, as well as mixed cities. The following section will present the goals of the Arab minority for the spatial, social and economic development of the Arab towns and villages, based on the results of the survey. The question of to what extent TAMA 35 responds to these goals will then be addressed.

The Goals of the Arab Minority in Israel and TAMA 35

The survey found the main planning and development goals relating to national planning of Arab society in Israel to be spatial justice and equality, and equality in social, economic and environmental allocation between the Palestinian minority and the Jewish majority in Israel. Due to limited space, only some of the goals of Arabs in Israel with regard to national planning development are presented, briefly.

1. Spatial Justice and Equality

1.1. *The unrecognized Arab villages.* The plan completely ignores the existence of the unrecognized Arab Bedouin villages in the Naqab and the north (approximately 70,000 residents live in around 40 unrecognized villages in the Naqab). These villages are not marked on the maps of TAMA 35. The plan does not deal with the issue or provide solutions for the distressing situation of tens of thousands of citizens living in these communities.¹¹ The planners of TAMA 35 explain the absence of these villages from the plan by claiming that:

“Regarding the unrecognized villages in the Negev, their [the planners] hands were tied by the Interior Ministry and Bedouin Development Authority, which plan to establish four to five new towns for the Bedouin in the Negev.”¹²

¹⁰ Yosef Jabareen and Hubert Law-Yone (1998), *Urban Planning in Arab Towns and Villages in Israel: The Allocation of Land for Public Needs, a Research Assessment*. Center for Urban and Regional Studies, Faculty of Architecture and Town Planning, The Technion, Haifa (Hebrew).

¹¹ Although the state has recognized a limited number of Arab villages, both in the north and Naqab, dozens of villages still suffer from a lack of basic services stemming from the non-recognition of their existence.

¹² Joseph Algazy, *Ha'aretz*, 3 March 1999, “Well-planned deprivation” (Hebrew).

Until today, the formal and quasi-formal planning and settlement institutions, such as the Jewish Agency, have pursued a policy of "Judaizing the Space." This policy is manifested in attempts to disperse the Jewish population to "sparsely populated" areas through enormous financial incentives, the takeover of land through expropriation from Arab citizens, and the promise of exclusive Jewish use of the maximum possible area, while minimizing the areas used by the Arab population. On the basis of this policy, the state does not acknowledge the unrecognized Arab villages in the Naqab. At the same time, this policy channels considerable resources and efforts into promoting the construction of Jewish towns and villages in the region and the establishment of individual settlements that stretch over tens of thousands of dunams of land. The approach of TAMA 35 to the unrecognized villages represents a continuation of this discriminatory and unjust policy.

1.2 The jurisdictional areas of Arab towns and villages. Nearly all Arab towns and villages currently have jurisdictional borders inadequate for the needs of their residents, such as housing, industry, public services and open spaces.¹³ Land reserves in these towns and villages are extremely limited and cannot ensure suitable development over the short and long terms. Israel's land policy has led to an unjust distribution of land between Arabs and Jews, which in turn creates serious spatial problems of infrastructural inadequacy, lack of development potential, etc. At the end of 2000, the area of jurisdiction of Arab local authorities amounted to a mere 2.5% of the territory of the state.¹⁴ The vast majority of the remaining land falls under Jewish municipal control.¹⁵ For example, the Beer el-Sabe district stretches over 12,945 km². The area of jurisdiction of the seven Arab towns located in this district covers an area of 59.9 km², comprising just 0.5% of the district's total area,¹⁶ while Arabs account for 26% of the population in this district.¹⁷ Another example of discrimination and injustice in land allocation is provided by the relative jurisdictional areas of the neighboring towns of Nazareth and Natzerat Illit in the Galilee. Nazareth is an Arab town and Natzerat Illit predominately Jewish. Despite the fact that Nazareth's population is 1.4 times larger than that of Natzerat Illit (63,800 compared with 43,900 people),¹⁸ the jurisdictional area of Natzerat Illit (42,000 dunams) is almost three times that of Nazareth (14,200 dunams).¹⁹ Nazareth's jurisdictional borders are inappropriate for the size of its population and for the current and future needs of its residents.

TAMA 35 does not operate according to the principles of justice in spatial allocation and is detrimental to the Arab minority in the immediate and long term. Israeli daily newspaper *Ha'aretz* reported on the attitude of the work committee of TAMA 35 to Nazareth's jurisdictional area:²⁰

"With regard to Nazareth, for example, there is a proposal to expand the city westwards. However, in late December 1998, at a meeting of the TAMA 35 work committee, it was decided that this plan conflicts with the plan to preserve the Alonim Forest. Therefore, it was decided that the urban categorization of Nazareth

¹³ See note 10.

¹⁵ Oren Yiftachel, "Land, Planning and Inequality: Space Division between Jews and Arabs in Israel," ADVA Center, November 2000, p. 7 (Hebrew).

¹⁵ Oren Yiftachel and Alexander (Sandy) Kedar (2000), "On Power and Land: The Land Regime in Israel," *Theory and Criticism* (16), pp. 67-100 (Hebrew).

¹⁶ Table 4A: Selected Settlements by Area of Jurisdiction and Central Landmarks. *Statistical Data for the Negev*: <www.negev.co.il/statis/ch1.asp> (Hebrew).

¹⁷ Processed data from Central Bureau of Statistics, *Statistical Abstract of Israel* No. 56, 2005, Table 2.10.

¹⁸ *Ibid.*, Table 2.14.

¹⁹ See the website of the Nazareth Municipality, <www.nazareth.muni.il/html/pdf_arabic.html>

²⁰ See note 12.

will be limited and precisely defined by the Ministry of Construction and Housing and environmental groups.”

1.3 The housing shortage. The Palestinian minority suffers from a housing shortage that is also evident in the survey findings. TAMA 35 ignores this problem. The shortage of housing is the result of neglectful planning that does not provide a response to the needs of Arab citizens or the shortage of land for housing. For this reason, there are now many houses in Arab towns and villages that were constructed without building permits, some of which are located outside of the approved plan. This absurd situation leaves Arab residents who were compelled to build without permits under the daily threat of home demolition and evacuation. It reflects an institutionalized disregard for the most vital needs of Arab citizens and seriously infringes upon their rights to housing, community development and connection to infrastructure, etc.

1.4 The uprooted Arab communities and holy sites. One of the results of the 1948 war was the uprooting and abandonment of hundreds of Arab villages, whose residents have not been allowed to return to them. TAMA 35 ignores this problem. As the survey indicated, these villages carry historical, cultural and symbolic significance for Palestinians. These villages should be marked in the national master plan and preserved, but are not. The survey results further reveal that Arab society in Israel is concerned for the fate of the holy *Waqf* sites of Muslims and Christians, which are today controlled by various authorities, but not by Arab communities themselves.

2. Equality and Suitable Economic Development

The official data shows that the economic disparities between Arab and Jewish citizens of Israel are profound, as revealed by the following facts: (1) the overwhelming majority of localities hard-hit by unemployment are Arab localities; (2) the percentage of unemployed women in the Arab population in Israel is one of the highest in the world, for example, standing at 75% in Nazareth, 93.4% in Rahat, 87.6% in Umm al-Fahem, and 88.5% in Maghar; (3) the economic base of Arab localities is very weak. Branches of industry in these localities are weak and predominantly traditional. Around half of employed Arab citizens work in the field of construction and a small percentage work in management and financial management; (4) an extremely small number of Arab citizens are hired to work in public corporations, such as the Israel Electric Corporation. The vast majority of the survey's respondents (95%) stated that they believe that the economic development policy of Israeli state institutions is unjust.

TAMA 35 almost completely ignores the economic development of Arab towns and villages and even contributes to widening the existing gaps between Arabs and Jews. For example, the plan relies mainly on existing industrial zones and does not propose new industrial zones within the jurisdictional areas of Arab towns and villages or clusters of them. As the unemployment data presented above demonstrates, the assumption that industrial zones located in Jewish towns and villages will absorb Arab employees does not correspond to reality in Israel. The establishment of industrial zones within the jurisdictional areas of Arab localities would increase the independent revenues of Arab local authorities, create new places of employment and generate a chain of positive economic developments.

3. Equality and Suitable Cultural and Social Development

Among Arab citizens of Israel, there is a great shortage of public services at the level of the town and village. Individual Arab towns and villages also lack services at the regional and national levels, including heritage and cultural centers, universities, etc. The scarcity of social and cultural services at the level of the town and village clearly escalates the problem to the national level. Despite this, TAMA 35 ignores the unique social and cultural needs of the Palestinian minority. The plan does not recognize the cultural differences between Jews and Arabs, with a clear detrimental impact on the non-dominant culture. This situation is

reflected in the views of the respondents: 93% gave a negative assessment of places of entertainment in their communities; 84% negatively described the condition of health services; and 72% expressed a similarly negative view towards the education system.

4. Equality and Appropriate Development and Environmental Preservation

In general, planning policy in Israel has exploited the need to preserve the environment as an instrument for limiting the development of Arab towns and villages, negatively influencing and grossly impairing their development. Contrary to this policy, green areas should be allotted and landscape should be preserved, without harming the possibility of natural and suitable spatial development of the Palestinian minority. TAMA 35 ignores the needs of the Arab communities in defining the various categories, and in particular the categories of preservation and landscape. For example, TAMA 35 confines Arab towns and villages to a green envelope, which prevents their natural and desired development. The green rings are not the fruit of planning needs; rather, they are the result of volition, the main desire being preventing the "spread" of Arab towns and villages.

The Future Consequences of TAMA 35 for Arab Citizens of Israel

Severe ramifications for the Arab minority can be expected to result from the *Integrated National Master Plan for Building, Development and Preservation – TAMA 35*. The main ways in which the plan will hurt the Arab population are by:

1. *Widening the spatial gaps between Jewish and Arab citizens of Israel.* The plan restricts or, more precisely, perpetuates, the "possible living space" of recognized Arab towns and villages and completely ignores the living spaces of Arabs in the unrecognized villages. From the plan's perspective, these villages do not exist and the land on which these people are living is earmarked for other, non-housing needs.
2. *Widening the economic gaps between Jewish and Arab citizens of Israel.* The huge existing disparities in the field of employment (unemployment rates, accessibility to workplaces, industrial zones, existing branches of industry, etc.) will continue to grow, as the plan does not propose any employment solutions for the Arab minority.
3. *Widening the social gaps between Jewish and Arab citizens of Israel.* The plan does not offer the Palestinian minority any planning solutions in the areas of housing, social services, cultural services, etc.
4. *Increasing the alienation between citizens of the state and state institutions.* Many studies from the fields of social science and urban planning demonstrate that discriminatory policies and plans such as TAMA 35, which are not based on equitable criteria, increase alienation between citizens and the state and state institutions.

Despite the fact that TAMA 35 will shape the national space of Israel for the coming years in a way which affects the Arab citizens of Israel, the NCPB refrained from including Arabs citizens in the planning process in a suitable way. It is no coincidence, then, that the final product is irrelevant from the perspective of the Arab minority. In sum, the various goals of Arabs in Israel will not be achieved by national master plan TAMA 35. On the contrary, the implications of the plan in various fields are severely detrimental.

Proposals for Suitable Representation of Arab Citizens in the Planning System

The ultimate goal of the Arab minority with regard to national planning in Israel is spatial, social, economic and environmental equality between the Arab minority and Jewish majority. TAMA 35 ignores the basic principles of equality, including ethnic-spatial equality, equality in the fields of social, economic and environmental development and equality in involvement in the preparation of the plan. With regard to the outcomes of the plan, the goals of the Arab

citizens of Israel will not be achieved and spatial, social and economic disparities between Jews and Arabs will increase.

National planning in Israel is governed by the Planning and Building Law (1965). This law defines the hierarchy of the planning system and plans in Israel. At the top of the hierarchy of planning institutions are the government and the NCPB. These are followed by regional and local planning and building committees. In terms of the weight of plans, at the head of the pyramid stand the national master plans, followed by regional plans, local plans and detailed local plans. The NCPB is authorized to order the preparation of a national master plan. The NCPB then presents the plan to the government, together with comments from the regional committees. The government can approve the plan without amendment or after further discussion within the NCPB, approve it with amendments or reject it. The importance of an integrated national master plan derives from its approval by the government. In other words, the plan charts long-term national planning policy through a decision of the government – the elected political institution and supreme executive body in the state.

Israeli history demonstrates that Arab citizens do not participate in the government and remain far from the centers of decision-making. Up to the present day, the Palestinian minority has not been a participant in the national-planning process that determines the state's future planning principles and contributes to shaping the state. The spatial experience and social and cultural needs of the Palestinian minority are different from those of the Jewish majority in certain significant ways. Therefore, in order to present the experience and requirements of the Arab minority properly, we offer three proposals for improving its status in the national planning system:

a. Altering the Composition of the National Council for Planning and Building

Chapter 2, Section A, Paragraph B of the Planning and Building Law describes the composition of the NCPB as follows: the Interior Minister or his representative, eleven other government ministers, two individuals with professional training in planning and housing, the Director of the Nature Reserve and National Park Authority, the mayors of Jerusalem, Tel Aviv-Jaffa and Haifa, representatives of local authorities, a member of the Association of Engineers, a representative of a women's organization, a representative of the Technion (The Israel Institute of Technology), a representative of the settlement institutions (after a recommendation made by the Jewish Agency for Israel), a professional sociologist, a representative of an environmental group and a representative of the young generation.

Clearly, this composition completely disregards the Arab minority. We propose altering the composition of the NCPB to include Arab representatives, to comprise at least 20% of the council's membership, reflecting its percentage-of-population ratio. Representatives would include elected Arab mayors, members of Arab civil society organizations, a representative of an Arab women's organization, as well as Arabs with academic and professional training in the fields of sociology, economics and planning. We propose that they be selected according to a recommendation submitted to the Interior Minister by the High Follow-Up Committee for Arab Citizens in Israel.

We also propose changing the composition of the Planning and Building Committee for National Infrastructure (established in accordance with Chapter 2, Section 1A, Paragraph 6A of the Planning and Building Law) and all other subcommittees established for national planning, so that Arab representatives will comprise at least 20% of their membership.

b. Representation of Arab Professionals in the Steering Committee, Work Committee and Planning Team of National Master Plans

If a steering committee and/or work committee is established to monitor the preparation of a national master plan, and if other subcommittees related to the plan are formed, at least 20% of the members of these committees should be Arabs, including representation of elected

Arab mayors, representatives of Arab civil society and Arab professionals and academics. In addition, we propose that the planning team preparing the plan should include Arab professionals in areas relevant to the subject of the plan. In this way, such professionals will have crucial input into planning and professional decisions made during the plan's preparation.

c. Ensuring Appropriate Participation of the Arab Public in Preparing National Master Plans

We propose that the law ensure a planning process inclusive of the diverse population groups in Israel, including the Arab minority. We propose the setting of a *mandatory hearing* for representatives of the Arab minority, including mayors, members of Knesset, civil society organizations and Arab professionals and academics in the fields of sociology, economics and planning. We further propose that the hearing be held in at least two stages: the initial stages, when the preparatory work for the plan is undertaken; and the advanced stages, when vital professional and planning decisions are made. All of this should be completed prior to the finalization and approval of the plan. We recommend that the hearing be held before the plan's steering committee and/or the NCPB, planning team and work committee.

In addition, we recommend that the law enable a *right of objection* to national master plans. This right would be granted to local authorities, representatives of civil society and any citizen harmed by the plan.