

## Four Reasons to Reject the "Prawer Plan"

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How does one guarantee opposition to a new bill? Ignore the people affected - the inhabitants, use vague and deceptive language, and propose degrading terms. That is exactly what the statutory memorandum "for regulating Bedouin settlement in the Naqab (Negev)," published by the government on 3 January 2012, has proposed. This bill and the "Prawer Plan," which the government initially approved in September 2011, outline a problematic master plan. The plan is reminiscent of a previous government scheme for Arab Bedouin towns in that it seeks to concentrate the Bedouin in crowded settlements while at the same time expropriating most of their lands. Rather than leading the Naqab into a process of reconciliation and to an agreed upon development plan, the Prawer Plan deepens the conflict between the Arab Bedouin citizens and the state. There are four reasons why the bill should be categorically rejected.

Firstly, from the perspective of land rights, which is central to the proposed solution, the master plan outlined in the bill **disregards the property rights** of most of the Arab Bedouin, who have owned extensive lands in the Naqab since before 1948. In contrast to previous proposals by the state, the new law prevents any Arab Bedouin who does not currently live on and exercise control of their land from ever receiving title to that land. This new formulation of land title applies to over half of the land claimants who were expelled in the 1950s from their lands in the western Naqab and the Naqab highlands, and certain groups in the area of Al-Araqib and Lakiya. Instead of correcting a historic injustice, the law proposes **to impose a second punishment on these citizens of the state**. They were first punished when they were initially expelled from their lands, and now they will be punished for the second time when their claims to the land will go unrecognized. Obviously no group would, or should, be expected to accept such an offensive arrangement.

In addition, although the arrangement proposed for the remaining Arab Bedouin claimants who are currently living on their ancestral lands offers a somewhat higher rate of land compensation than in the past, it also sets harsher preconditions for registering the land, and includes a waiver of any monetary compensation. A reasonable estimate reveals that the maximum that the Arab Bedouin community as a whole will receive through the arrangement proposed in the law is 90,000 to 100,000 dunams. Thus, **they will receive less than one percent (<1%) of the Naqab lands**, and a tenth of the area they claim as their ancestral lands. In Hebrew this is called a mockery, לעג לרש.

Secondly, from the perspective of land settlement and planning, the situation is equally severe. Despite the fact that most of the 46 "unrecognized" Arab Bedouin villages existed even before the state was established in 1948, the government refers to them in a degrading fashion as "scattered settlements." The plan departs from previous government declarations, such as that of the Goldberg Report, which stated that "the villages should be recognized as far as possible," and noted the names of specific villages. The present report conditions the Arab Bedouin's planning rights in these and any other villages on the finalization of their land claims with the state. This condition is extremely problematic as all remaining planning

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concerns are vague and secretive. The plan completely undermines the trust of the Arab Bedouin community, which is already threatened by the possibility of home demolitions and forced eviction. The village of Al-Araqib, for example, was first destroyed in the 1950s, and has been demolished more than thirty times since its second destruction in 2010. Under the framework of the Praver Plan, the government is planning a similar future for tens of thousands of Arab Bedouin citizens of Israel living in the Naqab.

Thirdly, the proposed administrative arrangement is undemocratic and does not meaningfully involve local Arab Bedouin populations. Unlike other civic planning projects, the 'operation' for regulating the Bedouin areas will be **administered directly from the Prime Minister's office**. The plan will be implemented by Major General (ret.) Doron Almog who will work alongside a special authority for the regulation of Bedouin settlement headed by Police Major General (ret.) Yehudal Bachar. **Is this a military operation or a civic plan?** In addition, the central claims committee established by the Praver Plan will be chaired by a senior jurist and include four government representatives. The Prime Minister will then *appoint* only one Arab Bedouin representative to join the committee. No group can agree to this kind of administrative arrangement, in which it has no adequate representation, particularly with regard to such a sensitive and volatile issue as land and settlement.

Fourthly, the Praver Plan constitutes **unlawful racial discrimination**. Only one year ago, the State of Israel retroactively recognized scores of Jewish farms – individual settlements - that were established illegally in the Naqab. This decision followed a Supreme Court decision upholding the state's "land grab" in the Naqab, despite a challenge by Adalah and other civil society groups and Arab Bedouin citizens. At the same time, the state seeks to evacuate Bedouin ancestral villages in the Naqab which pre-date the establishment of the state and are home to hundreds and thousands of people. Moreover, last October 2011 the government authorized the establishment of ten new Jewish communities in the area of Arad, the same district from which it seeks to evict existing Bedouin villages. This policy cannot be defined as anything other than racial discrimination. Do the Praver Committee and Minister Benny Begin really believe that the community will accept a plan based on discrimination?

Therefore, what can be done? In our view, the new bill and the Praver Plan must be **rejected and suspended immediately**. At the same time, the government must hold discussions with the Arab Bedouin on an **alternative master plan** that was prepared by the Regional Council for Unrecognized Villages (RCUV) and Bimkom – Planners for Planning Rights in Israel, which is currently in deliberation within the Arab Bedouin community. This alternative master plan demonstrates that **it is possible, appropriate and necessary to recognize all of the villages**, based on criteria that are equal for Arabs and Jews in the Naqab. Instead of forcing a plan of displacement and population concentration which will undoubtedly deepen the conflict in the Naqab, it is possible, and not particularly difficult, to recognize all of the 46 existing Bedouin villages, and to recognize any valid land claims. This is the logical, just and equal foundation for a historic reconciliation in the Naqab.