

VILLAGE STATISTICS 1945
*A Classification of Land and Area Ownership
in Palestine*

With Explanatory Notes

by

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Foreword

THIS PUBLICATION is not meant to be a study of the land situation in Palestine as it existed during the period of the Mandate.¹ Its purpose is merely to reproduce the important yet little known detailed data which the Palestine Government had put out during the latter years of the Mandate in the form of *Village Statistics*, giving the names of the towns and villages comprising Palestine, figures of the population by community, the classification of the soil for fiscal purposes, and the ownership holdings of the land as between Arabs, Jews, Public and Others as on 1 April 1945. This study is also intended to draw attention to certain defects in the 'Village Statistics' publications of the Palestine Government and to explain their effect on Arab rights and interests, particularly in view of the situation which has arisen after 1948 as a result of the creation of the state of Israel.²

The original document had limited circulation when it was first published, and with the termination of the Mandate, the last edition ceased to be available. Hence, public opinion remained largely ignorant of the facts, thereby giving a semblance of authenticity to the extreme form of Zionist propaganda allegations that Palestine was a Jewish country and that the Arab inhabitants constituted an insignificant minority of nomads who roamed the countryside.

The reproduction of this official material, despite its inaccuracies, should help to set the record straight and ensure that the Arab personality of Palestine is not lost upon serious researchers. Its availability will also serve three other objectives:

- (1) Enable world opinion to realize the magnitude of the material losses of the Palestine Arabs in land alone;
- (2) Rebut Zionist claims that the lands of Palestine were owned by the Jews through purchase;
- (3) Dispel the unwarranted accusations which have been circulating since 1948 that the Palestine Arabs, having sold their lands to the Jews, must bear responsibility for their present predicament.

(1) For a detailed study of the classification of land and area ownership, see *Palestine: Loss of a Heritage*, by Sami Hadawi.

(2) As the Official Land Valuer and Inspector of Urban Tax Assessments of the Palestine Government during the years 1935 to 1948, and the officer who was entrusted with the task of compiling the figures on classification of land and area ownership, this writer feels competent to comment on the accuracy of the contents of the 'Village Statistics 1945.'

A few departures from the original form of the 'Village Statistics' have, however, been necessary in order to reduce this book to reasonable size; but such alterations as have been made will not materially affect the substance in the original. The changes introduced are explained hereunder:

- (a) Instead of the single sheet format of 37-inch width, the material has been divided into three separate tables, namely:

Table I — Population and total areas by town and village according to ownership;

Table II — Cultivable land showing, according to ownership, its classification under citrus and bananas, other fruit trees, irrigable land; and other land fit for the cultivation of cereals appears under one column instead of two;

Table III — Town and village built-up areas and land classified as non-cultivable, according to ownership.

A summary by sub-district for each of the above divisions is also provided, as well as a summary of the three tables.

- (b) **Population** — Under the column of 'Arabs' in Table I have been included Moslems, Christians and Others. There is no reason to distinguish Moslem from Christian Arabs; and in regard to 'Others,' the 14,100 persons appearing in the 'Village Statistics' are, "in the main, Druzes, dwelling now, as in the past, in villages mainly in the hill areas of the sub-districts of Acre, Haifa and Tiberias."³ The Druze community is considered, and the people regard themselves as Arabs. The population question is discussed at length in Section II.
- (c) **Land Holdings** — Here also the holdings of Moslems and Christians, as well as those of 'Others,' for the reasons given in (b) above, have been included under 'Arabs' in Tables I, II and III. The heading 'Others' may, however, have included the properties of other than Druze, such as German, Russian, Bahai, etc., property; but these holdings are insignificant in relation to the total. The area appearing in the column of 'Others' in the 'Village Statistics' is only 142,050 dunums, or 0.54 per cent of the total.
- (d) **Citrus, Bananas and other Fruit Trees** — An area of 49,700 dunums appearing in the 'Village Statistics' under the column of 'Public' has been transferred to the column of 'Arabs' in Table II. The reason for this is that whereas the Government possessed the 'bare ownership' title to the land, the Arab farmers owned the fruit trees and enjoyed hereditary tenancy rights over the land, paying the Government rental equivalent to the amount of the annual tax for their occupation. In practice, the tenants could not be evicted

and they exercised complete freedom of action over the land including transacting sales among themselves.

Such lands existed mainly in the Beisan and Jordan Valleys as well as in certain villages in the Gaza sub-district. The Government recognized Arab rights in these lands and was in the process of transferring full title to the Arab cultivators on payment of *badl misl*, that is, a price based on the unimproved capital value of the land, when the Mandate came to an end.

- (e) **Cultivable (Cereal) Land** — All such lands registered or recorded in the tax records in the name of 'The High Commissioner for the time being in trust for the Government of Palestine' remain in the column of 'Public' even though certain areas are known to have been occupied by Arab farmers under hereditary tenancy rights or other rights of cultivation. The reason for this is that it is not possible at this stage to distinguish land which was in actual possession of the Government from land which was occupied by the Arab cultivators. The question is discussed further under Section IV — State Domain.
- (f) **Fish Ponds** — The area listed under 'Fish Ponds' in the 'Village Statistics' is only 4,823 dunums. This area is wholly Jewish-owned. It has been included in Jewish holdings under the column of 'Plantations and Irrigable Land' in Table II.
- (g) **Uncultivable Land** — All land which appeared in the 'Village Statistics' under 'Public' has continued to appear so in Table III. The question is discussed further in Section IV — State Domain and Section V — Beersheba sub-district.

Finally, the land measure used in Palestine during the period of the Mandate was the 'dunum' which equals 1000 square metres; 1000 dunums equal one square kilometre; 4.05 dunums make one acre; and 2590 dunums equal one square mile.

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S. H.

(3) *A Survey of Palestine 1945-1946*, Vol. I, Chapter VI, para. 18, p. 159.

I - Introduction

IN AUGUST 1936, the British Government, as the Mandatory Power in Palestine, appointed a Royal Commission under the chairmanship of Lord Peel, "To ascertain the underlying causes of the disturbances which broke out in Palestine in the middle of April; to inquire into the manner in which the Mandate for Palestine is being implemented in relation to the obligations of the Mandatory towards the Arabs and the Jews respectively; and to ascertain whether, upon a proper construction of the terms of the Mandate, either the Arabs or the Jews have any legitimate grievances upon account of the way in which the Mandate has been, or is being implemented; and if the Commission is satisfied that any such grievances are well founded, to make recommendations for their removal and for the prevention of their recurrence."¹

Among the documents which the Palestine Government was asked to prepare for submission to the Commission upon its arrival in Palestine on 11 November 1936 were statistical data relating to land ownership in Palestine as between Jews and non-Jews. The Department of Land Settlement, being the authority responsible for the country's fiscal assessment records from which this information had to be extracted, was approached by the Commission's liaison officer, Mr. L.Y. Andrews,² then Development Officer of the Government, to make available the data needed. The schedules when submitted were treated as 'strictly secret.'

In 1943, the Palestine Government decided to make such statistical information public, and the Department of Land Settlement thereupon issued the first printed 'Village Statistics' showing the position as on 1 April 1943. Circulation of this publication was limited to government offices and a few interested private organizations.

In 1946, an Anglo-American Committee of Inquiry was appointed jointly by the British and United States Governments to examine, among other things, the political, economic and social conditions of Palestine and to make recommendations for a settlement.³

(1) *Cmd. 5479* — Report of the Royal (Peel) Commission.

(2) It is believed that the idea of the partition of Palestine, as later recommended by the Royal Commission, was inspired by Mr. Andrews whose friendly relations and cooperation with the Jewish Agency were then no secret. Particulars of the location of Jewish land holdings were needed by the Commission to decide the boundaries of their proposal for a 'Jewish state.'

(3) *Cmd. 6808* — Report of the Anglo-American Committee of Inquiry.

Once again the Department of Land Settlement was called upon to provide, as a matter of urgency, a revision of the 'Village Statistics' of 1943. At the same time, the Department of Statistics was instructed to supply figures on population. Both Departments cooperated in the preparation of this information which eventually emerged in the form of the 'Village Statistics 1945' with which we are now dealing. This was the last such publication issued by the Palestine Government before the termination of the Mandate on 14 May 1948.

The difference between the 1943 and 1945 editions is that whereas the former gave only particulars as between Jews and non-Jews, the latter was more detailed and included information on estimated population by community as at the end of 1944 and land holdings broken up according to Arabs, Jews, Public (government, municipalities and local councils) and Others.

The village names appearing in the 'Village Statistics' are in accordance with the Administrative Divisions (Amendment) Proclamation 1945 as published in the *Palestine Gazette* No. 1415 dated 7 June 1945. This Proclamation divided Palestine into six districts (Galilee, Haifa, Samaria, Jerusalem, Lydda and Gaza) comprising sixteen sub-districts, each sub-district consisting of a number of town and village units.

The following examples explain the system adopted where more than one name appeared on the same line:

- (a) Where a territorial unit included two or more administrative units which were not territorially separated from one another and were of equal importance — Sur Bahir and Umm Tuba
- (b) A unit which included a *Khirbet* ('hamlet') or a previously declared village which was no longer recognized as a separate village entity — Beit Kahil (includes Khirbet Jamrura)
- (c) Change of name — 'Ein hash Shofat (Previously Ji'ara)
- (d) An entity known by two names — Khirbet Samah (Eilon)

The limits of towns were as defined under the Urban Property Tax Ordinance; and village built-up areas were those lands classified in category 4 under the Rural Property Tax Ordinance.

II - Population

TABLE I gives the total population of Palestine at the end of 1944 as about 1,765,000 persons.

In its accompanying *Explanatory Note* to the 'Village Statistics 1945' the Department of Statistics had the following to say on the method used in arriving at the population figures:

"The population estimates given in 'Village Statistics' show for each inhabited place in Palestine the number of persons, classified by religion at the end of 1944. A summary of the data by sub-district is given on page 3 (of the book). In this table the population is further classified in three categories, viz: urban, rural and nomad.

2. The classification of the population according to religion, viz: Moslems, Jews, Christians and Others is that used in the censuses and in vital statistics and is socially necessary by reason of the complete jurisdiction enjoyed by religious communities in matters of the personal status of their members. In the current life of Palestine the further distinction between 'Arabs,' 'Jews' and 'Others' which may be described as 'racial' or 'national' has also been found to be necessary. In the absence of basic data, however, statistics of the distribution of the population of each locality according to 'race' cannot be compiled, and only a rough estimate of the total population according to the 'racial' classification may be given as at the end of 1944:

	<i>Settled Population (Excluding Nomads)</i>	<i>Total Population</i>
Arabs	1,112,000	1,179,000
Jews	554,000	554,000
Others	32,000	32,000
Total	1,698,000	1,765,000

3. The classification of the population into 'urban,' 'rural' and 'nomadic' is that used in current population statistics. The population considered as 'urban' is (a) that of the four large towns (Jerusalem, Tel Aviv, Haifa, Jaffa); (b) that of the *cheflieu* of each sub-district, after which the sub-district is named (Gaza, Beersheba,

Ramle, Hebron, Ramallah, Tulkarm, Nablus, Jenin, Nazareth, Beisan, Tiberias and Safad); (c) that of certain municipalities and local councils, both Arab and Jewish (Petah Tiqva, Lydda, Khan Yunis, Rehovot, Majdal, Bethlehem, Rishon-le-Zion, Hadera, Natan-ya, Beit Jala, Shafa 'Amr, Affula). The population considered as 'rural' is the settled population of all other localities.

The 'Nomadic' population is that considered as such by the Census of 1931, which enumerated, by special methods, all the Bedouins of the tribes normally resident in the Beersheba sub-district.

4. The population estimates are prepared as far as possible by taking into consideration municipal, local council and other administrative boundaries. Nevertheless, in certain places there is an incomplete correspondence between the areas to which the population figures refer and those to which the land figures refer.

5. The last population census taken in Palestine was that of 1931. Since that year, the population has grown considerably both as a consequence of Jewish immigration and of the high rate of natural increase among all sections of the population. The rapidity of the change in the size of the population and the length of the period elapsed since the census rendered difficult the task of estimating the population. The population estimates published here are the result of a very detailed work conducted by the Department of Statistics, by using all the statistical material available on the subject. They cannot, however, be considered as other than rough estimates which in some instances may ultimately be found to differ even considerably, from the actual figures. The estimates for the whole of Palestine are to be considered as more reliable than those for sub-districts, while the sub-district estimates can, in turn, be considered as more reliable than those of the individual localities.

6. The method of estimating the population figures has been somewhat different from that used in the previous issues of 'Village Statistics' and may be briefly described as follows :

The data have been prepared in three stages: (a) first of all, an estimate of the total number of inhabitants of each religion for the whole of Palestine has been compiled; (b) this total has then been distributed by sub-district, distinguishing between population of each town and rural population of the sub-district 'en bloc'; (c) in the third stage the rural population of each religion in each sub-district has been allocated to each locality.

(a) The estimated *settled* population in the whole of Palestine has been obtained by adding to the *settled* population enu-

merated *de facto* by the 1931 Census the natural increase and the net *recorded* migratory increase in the period between the census data and the end of 1944. Whilst natural increase records are presumably on the whole fairly complete, data on net migratory increase are less reliable. These data are calculated too, as far as possible on a *de facto* basis, by subtracting the recorded departures from Palestine from the recorded arrivals. However, (i) net immigration is the residuum of a vast movement of arrivals and departures. In 1932-44 out of 2,119,732 arrivals and 1,861,510 departures, net recorded immigration was 258,222. In so large a movement account must be taken of the possibility of cumulative errors. (ii) Not all the migratory movements are recorded. It is well known that a considerable movement of illegal immigration occurs across the borders of Palestine. Since 1939 records have been kept of illegal immigrants enumerated in ships, arrested, or inferred from reliable evidence, and are included in population estimates. These records are, however, incomplete for 1939-44 and no such records exist for 1932-38.

For the Jewish population it has been possible to correct, to a certain extent, the estimate of population, by taking into consideration detailed estimates by locality prepared by the Jewish Agency and the Food Controller. By compiling all available data a revised conservative *de facto* estimate has been obtained which amounts to 553,600 at the end of 1944 as compared with the unrevised estimate of 528,700 which excluded persons whose arrival in the country had gone unrecorded.

For the Moslem and Christian population, it has not been possible to take account of unrecorded movements; but these movements are not considered to be such as to involve very substantial errors in the estimate.

(b) A first and provisional estimate of the population of each religion by sub-district, was obtained by adding to the population enumerated in 1931 the natural increase in the sub-district up to the end of 1944 and by allotting to the sub-district a part of the migratory increase of the whole country. Afterwards, a detailed correction of the provisional estimate data was made in order to allow for the consequences of internal migratory movements between sub-districts (which are not recorded in Palestine). This correction was made up as follows:

i. Birth and death rates for each sub-district (separately

for the urban and rural population of each religion) were compiled for the period 1938-44 on the basis of the figures of births and deaths in those years, and of the current estimates of population in the same year. Calculations were made of the ratios existing between the natality and mortality of the sub-district populations of each religion and the natality and mortality of the corresponding population in the whole of Palestine.

- ii. Indices of fertility and of child mortality for each religion and sub-district were calculated, by a method wholly independent of the population estimates and based on vital statistics.
- iii. The indices obtained from (i) above and from (ii) revealed systematic differences. In many instances it was possible to find reliable evidence that these differences were due to under-estimates or over-estimates of the population figures used in the calculation of the indices obtained as in sub-para. (i). These figures were therefore corrected. Data compiled by the Food Controller were also used for comparison, account being taken of the fact that in certain sub-districts, and in particular, in non-pointed areas, the figures were considerably exaggerated.

For the Jewish population, data compiled by the Statistical Department of the Jewish Agency have also been employed for further correction of the estimates of the population by sub-district.

- (c) The general framework of the population estimates according to religion, sub-district, rural and urban areas being completed, the allocation of population to individual localities was obtained as follows: For each locality a sheet was prepared showing the population figures as at the Census of 1931, the estimates for 'Village Statistics' at the end of 1942, the estimates of the Food Controller for the end of 1942 and 1944, and the estimates of the Jewish Agency at various dates. On the basis of a detailed comparison of all the figures available, a provisional estimate was reached for each locality. This estimate was finally corrected to adjust the total of the estimates for each locality of the sub-district to the estimate already reached for

the whole sub-district. The final estimates were then rounded off to the nearest digit of tens.

7. Estimates of population have been prepared only for the settled population. No reliable data are available for the nomadic population at the end of 1944 as no records of their vital occurrences or migration are kept. To indicate the order of magnitude of this population, the data of the Census of 1931 have been inserted in the tables. It should, however, be pointed out that these figures may be very far from being representative of the nomadic population in 1944, since the size of this population as a whole has probably been changed by natural increase, migrations and settlement. In addition, the distribution of this population by locality is a very transient one."¹

In 1947, the Palestine Government supplied the United Nations Special Political Committee on Palestine (UNSCOP), which visited the country and later recommended partition, with figures estimating the total population at the end of 1946 to be 1,936,000, made up of 1,293,000 Arabs (an increase of 114,000 over the 1944 figure), 608,000 Jews (an increase of 54,000) and 35,000 'Others' (an increase of 2,000).²

The total Arab population as in mid-May 1948, had the expulsion of the Moslem and Christian inhabitants not taken place, would have been 1,380,000. This figure has been arrived at by using as a guide the increase of 114,000 in the Arab population which had occurred during the 24-month period of the years 1945 and 1946 and by calculating the estimated increase for the 17½-month period of 1947 to mid-May 1948. It is realized that this method may not be the proper one, but the resulting figure is near enough to give an idea of what the Arab population would have been on 14 May 1948 had the Mandate over Palestine not been terminated.

As regards the Jewish population, the Government Department of Statistics estimated the Jews in July 1947 to have increased to 626,000.³ The Israeli Government in subsequent years claimed that the Jewish population had risen to 649,600 by 14 May 1948 when the state of Israel was proclaimed.⁴

Whether we accept the Palestine Government figure of 626,000 as in July 1947 or the Israeli Government figure of 649,600 as given for 14 May

(1) 'Explanatory Note' in the *Village Statistics 1945*, p. 2.

(2) U.N. Document A/364 — UNSCOP Report, Chapter II, paras. 12-13 and footnote 11.

(3) *Ibid.*, Chapter IV, p. 54.

(4) *Statistical Abstract of Israel 1968*, p. 18.

1948, the fact remains that the Jewish population (legal and illegal) of Palestine on the eve of the partition of the country stood at about one-third the estimated total population of 2,030,000 persons.⁵

As regards the nomadic population of the Beersheba sub-district, the figure of 47,980 persons appearing in the 'Village Statistics 1945' is a gross under-estimation for the reasons given by the Department of Statistics in paragraph 7 above. The Palestine Government made no effort to settle the bedouin inhabitants outside the Beersheba sub-district, and there is no evidence that they emigrated to surrounding Arab countries. Although it was difficult to obtain accurate figures for a constantly moving population, the local administrative authorities which had daily contacts with the tribes and sub-tribes estimated the bedouin population of the Beersheba sub-district as well over 100,000 persons.

(5) As regards the Jewish population prior to the period of the Mandate, the Palestine Government, in its memoranda to the Anglo-American Committee of Inquiry, stated that "reliable statistical data collected during the second part of the nineteenth century and at the beginning of the twentieth century, estimated the Jewish population of Palestine as follows:

1882	24,000
1895	47,000
1900	50,000
1910	81,000
1914	85,000
1916-1918	56,000
1922 (census)	83,794"

Source: *A Survey of Palestine 1945-1946*, Vol. I, p. 114.

III - The Land and Its Ownership

PALESTINE COVERS an area of 27,027 square kilometres (10,435 square miles) of territory of which 704 square kilometres (271 square miles) are under water.

In terms of dunums, the land area comprises 26,323,023 dunums, and the water area 704,000 dunums (Half the Dead Sea — 525,000 dunums, the other half being in Jordan; Lake Tiberias or the Sea of Galilee — 165,000 dunums; and Lake Huleh — 14,000 dunums), making a total area of 27,027,023 dunums.

Table I, which is based on the figures in the 'Village Statistics 1945,' classifies the ownership of the 26,323,023 dunums of land as follows:

Arabs	12,766,524 ¹	or	48.50%
Jews	1,491,699	or	5.67%
Public	1,491,690 ²	or	5.67%
The unassigned 'uncultivable' lands of the Beersheba sub-district	10,573,110 ³	or	40.16%

Table II, classifies the ownership of the 'Cultivable' lands, which include land planted with citrus, bananas and other fruit trees, fish ponds, and land under cereal cultivation, as follows:

Arabs	7,797,129 ⁴	or	84.70%
Jews	1,176,745	or	12.78%
Public	231,664	or	2.52%
Total	9,205,538		

Table III deals with the ownership of town and village built-up areas and lands classified for fiscal purposes as 'Non-cultivable,' that is, land which was regarded as incapable of cultivation by the ordinary means of husbandry

(1) Of this 142,050 dunums, or 0.54 per cent, are owned by 'Others.'

(2) An area of 49,700 dunums has been deducted from the column of 'Public' and included under the column for 'Arabs' because the plantations thereon are owned by the Arab cultivators who also possess hereditary tenancy rights over the land.

(3) This vast area appears in the 'Village Statistics' under the separate column of 'Uncultivable Land' as distinct from areas appearing under the column of 'Public' because any rights the Government may have claimed therein had not been settled before the termination of the Mandate.

(4) Of this, 49,700 dunums of citrus, bananas and other fruit trees were recorded in the 'Village Statistics 1945' under 'Public' and 81,604 dunums under 'Others.'

and where the costs of production outweighed the yield from the land. Ownership of these categories of land is as follows:

Arabs	4,969,395 ⁵	or	29.03%
Jews	314,954	or	1.84%
Public	1,260,026	or	7.30%
The unassigned 'uncultivable' lands of the Beersheba sub-district	10,573,110	or	61.83%
	<hr/>		
Total	17,117,485		

The figures in the 'Village Statistics 1945' were compiled from two sources:

- (1) Where settlement of title to land had been completed in any village or part thereof, the Tax Distribution Lists for such lands were compiled to conform with the names of owners and areas appearing in the Land Settlement records.⁶
- (2) Where no land settlement of title operations had taken place, the data for the 'Village Statistics' were extracted from the lists of taxpayers prepared by a village tax distribution committee which was specifically appointed under the Rural Property Tax Ordinance to distribute the tax assessed on the lands of the village.

Since the tax was the criterion, the tax distribution committee ignored non-taxable land, and in the majority of cases did not enter any particulars in the tax lists about such lands. This was not unusual as it had always been the practice, since Ottoman times, to ignore non-taxable land.

As regards the Beersheba sub-district, the names of the tax-payers were extracted from the Commutation of Tithes Lists which showed the tax due by tribe or sub-tribe, but seldom gave the names of the individuals. At any rate, areas of land were ignored.

When the Department of Land Settlement began the preparation of the schedules on which the 'Village Statistics' was based, it was realized that the total area of the village as it actually existed did not tally with the figures extracted from the fiscal records for non-settled land. And so, for the purpose of convenience, the difference was entered in the 'Village Statistics' under the column of 'Public' whether or not it was owned by Government. Strictly speaking, this action was not in order because no authority other than the tax distribution committee was entitled to alter the records in this respect. It was the function of the committee to divide the land and apportion

(5) Of this, 60,446 dunums were recorded in the 'Village Statistics 1945' under the column of 'Others.'

(6) The settlement of title to land was completed in only about 5 per cent of the total lands of Palestine when the Mandate came to an end on 14 May 1948.

the tax at the time of the original distribution but this was not done. No harm was, however, seen by this departmental action at the time since land settlement of title operations when they reached the village would adjust the ownership situation to agree with the actual position.

The main defect in the 'Village Statistics' lies in the classification of land for tax purposes which in turn affected the extent of Arab ownership. No problem arose in respect of Jewish-owned lands because all Jewish purchases had been properly surveyed and registered. Existing defects may be explained as follows.

Classification of Land

To understand the extent of the defect, it is necessary to review the tax laws which were applicable to agricultural land in Palestine during the period of the Mandate. Property in urban areas presented no appreciable difficulties insofar as areas and ownership were concerned.

The taxation system applied to agricultural land inherited by the British Mandatory from the Turks was based on the *tithe*, a tax which was supposed to be equal to one-tenth of the produce. The collection of the tithe used to be farmed out by public auction, usually to influential persons, and assessment of the produce was made by assessors at the time of harvest. This practice, being open to abuse, was discontinued after the British occupation.

In 1928, the Palestine Government replaced this system by a *commutation of tithes*, that is, a fixed aggregate amount paid annually irrespective of what the produce of a farmer was. The tax was, however, related to the average amount of tithe that had been paid by the village during the years immediately preceding the application of the Commutation of Tithes Ordinance to it, and was distributed by village committees under official supervision on the basis of the productivity of the land in cereals or fruit trees. The extent of the areas cultivated were not taken into account.

In 1935, the taxation system was once again changed by the enactment of the Rural Property Tax Ordinance⁷ which remained in force in Palestine (except in the Beersheba sub-district where the Commutation of Tithes applied) until the termination of the Mandate, and on which the figures in the 'Village Statistics' were based.

For the operation of this Ordinance, plans were prepared showing the boundaries of all villages and settlements, the boundaries and names of the various localities or blocks, the area planted with fruit trees and the cultivable and non-cultivable land. Villages and settlements were divided by official valuers into blocks of land of a roughly similar ground crop productivity value, and the category was determined in which each block should be placed. The following categories⁸ were decided upon:

(7) Latest revised law was published in the *Laws of Palestine 1944*, Vol. I, p. 32; and Ordinance No. 8 of 1945, Supplement No. 1, p. 47.

(8) *A Survey of Palestine 1945-1946*, Vol. I, pp. 251-252.

22	Category	Description
	1	Citrus (excluding Acre sub-district)
	2	Citrus (Acre sub-district)
	3	Bananas
	4	Village built-on area or land reserved therefor and any area which in the opinion of the Official Valuer is reserved for the erection of buildings.
	5	1st Grade Irrigated Land and 1st Grade Fruit Plantation
	6	2nd Grade Irrigated Land and 2nd Grade Fruit Plantation
	7	3rd Grade Irrigated Land and 3rd Grade Fruit Plantation
	8	1st Grade Ground Crop Land, 4th Grade Irrigated Land and 4th Grade Fruit Plantation
	9	2nd Grade Ground Crop Land, 5th Grade Irrigated Land and 5th Grade Fruit Plantation
	10	3rd Grade Ground Crop Land, 6th Grade Irrigated Land and 6th Grade Fruit Plantation
	11	4th Grade Ground Crop Land, 7th Grade Irrigated Land and 7th Grade Fruit Plantation
	12	5th Grade Ground Crop Land, 8th Grade Irrigated Land and 8th Grade Fruit Plantation
	13	6th Grade Ground Crop Land, 9th Grade Irrigated Land and 9th Grade Fruit Plantation
	14	7th Grade Ground Crop Land and 10th Grade Irrigated Land
	15	8th Grade Ground Crop Land
	16	Forests planted and indigenous and uncultivable land
	17	Fish ponds

The first thirteen categories were taxed according to the estimated productivity of the soil, and in some relation to the net annual yield. Generally, the rates of tax per dunum approximated to 10 per cent of a low estimated net annual value of the several categories of land. The last three categories, namely, 14, 15 and 16, were exempted from taxation. But in 1943, the Government decided, as a war measure, to levy a tax on categories 14 and 15 and to impose a tax on fish ponds which were then coming into being under an added category 17. Category 16 remained exempt until the termination of the Mandate.

The soil of Palestine differed considerably even within the limits of a single village, particularly in the hill regions; and the usage to which certain lands could be put depended largely on the availability of a sufficient rainfall. It was for these reasons that the Government of Palestine decided upon as many as sixteen categories of land for the purpose of taxation, while classification was not as rigid as it might have been since it bore no relation to actual capital value, in the sense that two plots of land with the same productivity but falling in different locations (and of different capital values) were taxed alike.

It should be noted that in the majority of cases Arab methods of cultivation were still primitive; and owing to the hunger for land, especially in the hill regions, the Arab farmer paid no attention to economic considerations and could be seen engaged in the cultivation of small patches of soil between the rocks sometimes by means of a pick-axe, or in terracing still smaller pockets and placing olive tree-shoots in them in the hope that they would survive. Many village families were able to subsist, though miserably, on such marginal land, which, according to Government standards, was classified as non-cultivable and therefore non-taxable. While such land was held in individual ownership, the tax distribution committee failed to enter the land and ownership in the tax lists because there was no tax to be assessed, and the owner was only too pleased to evade payment of the tax. Cases are known to exist in which influential members of the tax distribution committee would include their own lands under the non-taxable category in order to escape taxation.

The defect in the government classification of 'cultivable' land was condemned by Mr. Maurice Hexter, of the Jewish Agency, before the Royal (Peel) Commission, because, he said, "the figures, based on a fiscal survey, were necessarily falsified by the natural desire to evade the tax. They were compiled," he said, "by surveyors unable to classify cultivability, and limited to recording areas actually under cultivation, omitting fallow lands. The estimate of Government," he went on, "excludes all or nearly all land not under cultivation; secondly, it excludes all or nearly all land requiring considerable capital outlay; thirdly, it excludes all land under water, such as Huleh; fourthly, it does not distinguish between quality and productivity of the soil; fifthly, the figures are still estimates; sixthly, their present basis seems to us no more final than the estimates which they displace; and, lastly, the definition is unrelated to realities, because it omits, as it shows by its very contents, technology, capital, education, skill and markets."⁹

Another critic of the government classification of 'cultivable' land was Mr. A. Granovsky. To support his argument, he said: "In order to test the accuracy of the survey statistics, Jewish Agency experts classified the lands of two villages into the prescribed categories. In one village, near Jerusalem, where the survey made for the introduction of the Rural Property Tax, had shown 2,794 dunums, or 51.8 per cent, of the lands as uncultivable, the Jewish Agency experts could find only 975 dunums, or 18.8 per cent, of uncultivable land. In the second village, near Haifa, where 2,185 dunums, or 28.1 per cent were registered as uncultivable by the Government, the Jewish experts found no more than 726 dunums, or 9.3 per cent, of such land."

Mr. Granovsky then explained: "It would also seem that the terms 'cultivable' and 'cultivated' were often used interchangeably during the survey, and that only such lands were registered as 'cultivable' as were then actually under

(9) *Cmd. 5479* — The Royal (Peel) Commission Report, Chapter IX, para. 48, p. 236.

cultivation. That this was an erroneous appraisal is proved by the very fact that many new stretches of land have since been brought under tillage. With the extension of the cultivated area, the area of the cultivable lands has also been enlarged. The total area of cultivated land has been extended year by year, and thus considerably enlarged in the course of time." While this was true, the tax records carried the same figures of 'cultivable' land as originally classified. Mr. Granovsky then quoted as an example the figures for 1930-1931 which, he said, showed that "the whole area under cultivation was 3,866,189 dunums, while by 1934-1935 it has been extended to 4,529,906; that is to say, 663,717 dunums, or 17 per cent more of the land was being worked. "These figures," he explained, "apply only to winter and summer fruits and to vegetables, while the 'krab' areas, that is to say, the lands which it is customary in Palestine to leave lying fallow every other year, were not taken into account."¹⁰

The contention of the Jewish Agency experts on 'cultivable' land was not lost on those responsible in the Department of Land Settlement for the classification of land. As Official Valuer this writer more than once drew attention to the discrepancy and suggested a revision of the survey. It was, however, pointed out that the expenditure involved would more than outweigh the expected increase in the incidence of the tax.

While Government was willing to forego its tax, it was not realized that a day would come which would involve the Arabs in discussion over the extent of Arab-owned land in Palestine and that the figures in the 'Village Statistics' were compiled from classifications intended for taxation purposes only, with all the short-comings and under-estimations of these figures.

Ownership of Land

The figure entered under the column of 'Arabs' in Table I is 12,766,524 dunums, comprising 48.50 per cent of the total lands of Palestine. This represents land held in individual ownership (*mafruz*) and in partnership (*masba'*). It does not, however, include 'Communal *profits-à-prendre* land or land subject to public easements in common' (*Matruka*) or land of the *Mawat* (Dead or undeveloped land) categories. Arab rights and interests in these two categories of land will be discussed in Section IV — State Domain.

As regards Jewish land holdings, Table I shows that these holdings as on April 1, 1945, amounted to 1,491,699 dunums, comprising 5.67 per cent of the total land area of Palestine. This does not include state domain land held by Jewish bodies under concession agreements.

The Survey of Palestine 1945-1946, prepared for the Anglo-American Committee of Inquiry, stated that "Between the opening of the Land Registries in October 1920 and 31st December 1945, Jews have purchased and registered a net area of 938,365 dunums. The assumption that they owned 650,000

(10) Granovsky, A., *The Land Issue in Palestine* (Jerusalem, 1936), pp. 61-62.

dunums prior to October 1920, is generally accepted. The total area now owned by them may, therefore, be put at about 1,588,000 dunums; this figure does not, however, include lands which are occupied by Jews, as legal tenants or otherwise, but of which the ownership is not registered in the Land Registries in the names of Jews."¹¹

The areas registered annually under Jewish ownership since October 1920, were stated to be as follows:

AREAS PURCHASED BY JEWS, 1920-1945

Year	Dunums
Area owned before 1920 (estimated)	650,000
1920	1,048
1921	90,785
1922	39,359
1923	17,493
1924	44,765
1925	176,124
1926	38,978
1927	18,995
1928	21,515
1929	64,517
1930	19,365
1931	18,585
1932	18,893
1933	36,991
1934	62,114
1935	72,905
1936	18,146
1937	29,367
1938	27,280
1939	27,973
1940	22,481
1941	14,530
1942	18,810
1943	18,035
1944	8,311
1945 (estimated)	11,000
Total	1,588,365 ¹²

(11) *A Survey of Palestine 1945-1946*, Vol. I, Chapter VIII, para. 52, p. 243. To defeat the purposes of the *Land Restrictions Regulations of 1940* of the Palestine Government prohibiting Jews from purchasing Arab lands in certain zones, the Jewish authorities arranged with certain non-Jewish land brokers to act as their agents in the purchase of land in prohibited zones and to turn them over to the Jews after registration in their names under irrevocable powers of attorney. Hence the difference between the tax records and land registers.

(12) *A Survey of Palestine 1945-1946*, Vol. I, Chapter VIII, p. 244.

Mr. A. Granott, an Israeli land expert, placed "the total area of land in Jewish possession at the end of June 1947 at 1,850,000 dunums; of this 181,100 dunums had been obtained through concessions from the Palestine Government . . ." ¹³ Since land granted by Government under concession or lease appeared in the 'Village Statistics' under the column of 'Public,' the net area actually owned by Jews drops to 1,668,900 dunums.

The three estimates given in respect of different dates are very close to each other, and whether we accept one figure or the other, the fact remains that Jewish land holdings in Palestine did not exceed 6 per cent of the total land area on the date of the termination of the Mandate in May 1948.

One point on Jewish land holdings which, however, keeps cropping up whenever the Palestine problem is discussed is worth explaining: Zionist propaganda claims that the lands of Palestine had been purchased from the people of Palestine. This claim has been accepted even in some Arab quarters; and critics accuse the Palestinian Arabs of failing to protect themselves against the Zionist invasion which brought about the present crisis in the Middle East.

The comments and figures stated below, while inconclusive, should refute any such accusations. Mr. Granott exonerates the Palestinian farmer by providing evidence that the majority of land acquisitions by the Jews had been made from absentee land-owners.

Commenting on "the distribution of the land from the point of view of its ownership before it passed into the hands of the Jews," Granott states: "The Jews acquired their land principally from large and medium Arab land-owners; the area which was bought from small proprietors was not extensive." He went on to say that "although there are no figures covering the whole of the land acquisition, there are more or less precise data on the majority of the lands which in the various periods passed into the hands of the Jews. The figures," he said, "relate to acquisitions which were made by the big companies and associations — P.I.C.A., the Palestine Land Development Company, and the Jewish National Fund." He then listed Jewish acquisitions up to the year 1936 and pointed out that the figures embrace "only about half (55.4 per cent) of all the areas which were acquired by Jews." ¹⁴

According to Mr. Granott's tabulation, acquisition of land by the three Jewish companies by the end of 1936 stood as follows:

	Dunums	Percentage
Acquired from large absentee landowners	358,974	52.6
Acquired from large resident landowners	167,802	24.6
Acquired from Government, Churches and foreign companies	91,001	13.4
Acquired from fellaheen (farmers)	64,201	9.4
	<u>681,978</u>	

(13) Granott, A., *The Land System in Palestine* (London: Eyre and Spottiswoode, 1952), p. 278.

(14) *Ibid.*, pp. 275-277.

Mr. Granott remarks: "If we add up all these figures, we shall find that no less than 90.6 per cent of all acquisitions were of land which formerly belonged to large landowners, while from fellaheen only 9.4 per cent was purchased." ¹⁵

Corroboration of the fact that the majority of the lands acquired by the Jews during the period of the Mandate were from non-Palestinian absentee landlords, is contained in a memorandum dated 25 February 1946 submitted by the Arab Higher Committee to the Anglo-American Committee of Inquiry on its arrival in Palestine. Dr. Yusif Sayegh, the signatory of the memorandum, listed the areas acquired, as compiled from a field survey, conducted at the time, *in only a part of Palestine* as 461,250 dunums out of a total area of 1,491,699 of which 841,699 dunums were purchased during the period of the Mandate. "The real total area sold this way," Sayegh explained, "is definitely more"; he commented: "The fuller the data, the less the blame to attach to Palestinian Arabs."

The information contained in the memorandum, because of its importance, is given hereunder:

Land Sales to Jews in Palestine by Non-Palestinian Absentee Landlords

Name of Seller	Area (Dunums)	Locality
<i>Lebanese</i>		
Heirs of Salim Ramadan	3,000	Hittin
Heirs of Jammal and Milki	2,500	Nimrin
Ghulmia and Jbara	4,000	Zuq et Tahtani
Emir Chehab family	1,100	Khalisa
Francis family	3,000	Dafna
Shab'a villagers	1,500	Khan el Dweir
Debki and Shams families	1,600	Ed Dawwara
Farha family	1,400	Ez-Zawiya
Chehab family	1,300	En-Na'ima
Farhat and Bazza families and Mardinis (of Syria)	9,000	Qaddas
Bazza family	3,500	El-Malakiya
Ahmad el As'ad	2,000	El Manara & Udeisa
Moitenes villagers	1,200	Jabal Meimas
Father Shukrallah	900	Qaddita
Father Shukrallah	700	Yarda
Deishum villagers	1,100	Hawwara
Ali Salam	41,500	Hula Concession Area
Najib Sursock	26,500	Tell el Firr & Jalloud
Sursock family	240,000 ¹⁶	Marj ibn 'Amer (Plain of Esdraelon)

(15) *Ibid.*, Table 32, p. 277.

(16) This sale displaced 1746 Arab farmer families comprising 8730 persons (See *The Shaw Commission Report 1930* (Cmd 3530), p. 118).

Zu'rob family	5,000	Hanouta
Quteit villagers	4,500	Samakh
Oweini family	2,500	Nahariya
Tayyan family	31,500	Wadi el-Hawarith
	388,800	
<i>Syrians</i>		
Heirs of Emir Jazairi	34,000	Kfar Sabt and Sha'ara
Heirs of Emir Jazairi	3,000	Kirad El-Kheit, Baqqara and Ghannama
El-Akrawi family	1,600	El-Khaffas
Emirs Fa'our and Shaman	800	Salhiya
Fadl family	1,200	Barjiyat
Zaal Salloum	1,500	Khirbet es-Summan
Bozo family	4,000	Khiyam el Walid
Qabbani family	10,350	Wad el-Qabbani
	56,450	
<i>Others</i>		
Bahai Persians (Iranis)	8,000	Nuqeib
Comte de Shedid (Egyptians)	8,000	Samakh
	16,000	

GRAND TOTAL: 461,250 dunums

IV - State Domains

THE PALESTINE GOVERNMENT, in its statement to the Anglo-American Committee of Inquiry of 1946 outlined its position in relation to state domains as follows:

"The public lands of Palestine are all those lands which are subject to the control of the Government of Palestine by virtue of treaty, convention, agreement and succession, and all lands which are acquired for the public service or otherwise. Article 12 of the 1922 Order-in-Council requires that 'All rights in or in relation to any public lands shall vest in and may be exercised by the High Commissioner for the time being in trust for the Government of Palestine.'

"The public lands of Palestine include lands varying greatly not only in physical characteristics, but also in the extent and nature of the ownership and control of Government in them. There are large areas in which the precise interest of the State has not yet been ascertained.

"Among the public domain are the lands which the Ottoman Government took over from the Sultan Abdul Hamid after the revolution of 1908; these lands in turn were taken over by the Palestine Government. They are called *jiftlik* or *mudawwara*. Practically all of them were and are occupied to some extent by Arabs who claim rights based on many years presence on them.

"Land which has not been granted or assigned to anyone and is consequently unregistered and which is distant from cultivation or habitation is called *mewat*, i.e., dead land. The *mewat* lands are part of the public domain. When such lands are found to be free from any private rights, they are registered in the name of Government. It is frequently difficult to assume that there was in the past no grant, and consequently it is not safe to assume that all the empty lands south of Beersheba or east of Hebron, for instance, are *mewat*.

"Another category of land is that of *matruka*. This is common or communal land which is left for the general use of the public, or which is assigned for the inhabitants generally of some village or group of villages. The control of the Government over these lands is limited to that necessary to enable the public to benefit from them

in the way intended. At land settlement, rivers, wadis, and drainage channels have been registered in this category as lands controlled by Government on behalf of the community."¹

Some explanation is necessary as to why lands falling in the *matruka* category were registered at land settlement in the name of the High Commissioner and later appeared under the column of 'Public' in the 'Village Statistics':

In 1926, the Palestine Government enacted the Land Settlement Ordinance providing for the settlement of title to land. The procedure then adopted was that *mafruz* (individually-owned) and *masha'* (owned in partnership) land would be registered in the name of the owner in whole or in shares as the case may be. But in regard to other lands, these were to be treated as follows:

(a) Government privately-owned property (such as offices, hospitals, police buildings, post offices, agricultural nurseries, etc.); forests and areas reserved therefor; public highways and railway tracks — Registered in the name of 'The High Commissioner for the time being in trust for the Government of Palestine.'

(b) The common lands of the village used for grazing of cattle and fuel gathering, village roads, schools, public threshing floors, cemeteries, wadis (water-beds) — Registered in the name of 'the *Mukhtar* (headman) for the time being in trust for the village.'

Following the completion of land settlement operations in the first group of villages, the *Mukhtar* of a Jewish settlement exercised control over the stretch of village road running through his settlement on the grounds that it was the private property of the Jewish settlement. He prohibited passage of cars on the Sabbath and charged a fee during weekdays on through-traffic to the surrounding Arab villages.

A committee (comprising the Commissioner of Lands, the Director of Land Registries, the Director of Surveys and a representative of the Attorney-General with this writer acting as Secretary) met to consider the situation which had arisen. It was finally decided that the way to overcome the problem was to register all lands of the *matruka* category in the name of the High Commissioner. A few exceptions were, however, made in regard to village schools, threshing floors and cemeteries.

No objection was raised by the Arab villagers at the time because they were in physical occupation of their 'common lands' and were aware that if any improvement were made by Government in them, that would be for the general benefit of the village. It was never countenanced that a situation would ever arise whereby the villagers would be deprived of their lands and

(1) *A Survey of Palestine 1945-1946*, Vol. I, Chapter VIII, pp. 255-256.

homeland. The conclusions arrived at by Sir John Hope Simpson, who visited Palestine in 1930 to report on Jewish immigration, land settlement and development, strengthens the Arab argument, if argument is needed, that the lands of a village belong to its inhabitants and Government was duty-bound to develop such lands as are not privately-held for the benefit of the village as a whole. Sir Hope Simpson said: "It is clear, however, that of the land which remains with the Government at the present time [1930] the area is exceedingly small, with the exception of tracts which, until developed, are required in their entirety for the maintenance of the Arabs already in occupation. It cannot be argued that Arabs should be dispossessed in order that the land should be made available for Jewish settlement. That would amount to a distinct breach of the provisions of Article 6 of the Mandate."²

The Simpson statement disposes of any doubt that the lands within the boundaries of an Arab village or Jewish settlement, whether registered in the names of individuals, the *Mukhtar* or Government, belong to the village as a whole and no outside elements are entitled to acquire them. This fact was accepted by the Palestine Government; for, in its reply to the Jewish Agency's demand for the allocation of State Domain to the Jews, the Government said:

"The question of the availability of State Domain has been examined by Government in some detail and it has been shown that, although there are large areas of State Domain, it cannot be assumed that Government is in possession of extensive tracts of land which are lying idle. In fact, in respect both of land to which Government has a settled title and land claimed by Government as State Domain but still subject to settlement of title, there is very little that is not already put to some useful purpose. This fact is made clear by the following analysis of State Domain made at the end of 1943:

	<i>Title Settled Dunums</i>	<i>Title not Settled Dunums</i>
(i) Lands used for public purposes, e.g., forests, railways, roads, etc.	219,695	619,858
(ii) Lands occupied under tenures derived from the Ottoman regime	105,340	76,351
(iii) Leased to Jews for long periods	75,273	99,815
(iv) Leased to Jews for terms of less than 3 years	2,389	43
(v) Leased to Arabs for long periods	793	429
(vi) Leased to Arabs for terms of less than 3 years	17,591	44,931

(2) *Cmd. 3686* — The Hope Simpson Report of 20 October 1930, p. 59.

Article 6 of the Mandate quoted by Sir John states: "The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate . . . close settlement by Jews on the land, including State lands and waste lands not required for public purposes."

32	(vii) Leased to others than Arabs or Jews	2,656	593
	(viii) Earmarked for communal or public use	4,713	—
	(ix) Uncultivable sand, marsh or rocks	167,429	—
	(x) Unoccupied, including 'paper' claims	—	84,699
	(xi) Available for and offered on short term lease	20,082	—
	Totals:	615,961	926,719
	Grand Total:	1,542,680 ³	

Explaining the above figures, the statement stated that,

"It will be seen from a comparison of items (iii) and (iv) with items (v) and (vi) that the Jews have a substantial advantage over the Arabs in the matter of leases of State Domain which was at the free disposal of Government. The occupiers of Government land under item (ii) are Arabs; their right to occupation derives from the Ottoman regime and has never been seriously in dispute; the figure of 105,340 dunums covers lands, such as the sandy wastes of Rafah, which, although within the areas of Arab occupation, include considerable patches of land at present uncultivable. Even taking the areas under item (ii) into account, however, the position, on the proportions of each community to the total population, is in favour of the Jews. The figure of 619,858 dunums under item (i) includes forest reserves and consequently may include land which is claimed by private persons and which at land settlement may be found not to belong to Government. Item (x) contains an assortment of claims not yet verified even as to area or locality; they derive from various vague Turkish registrations or old records left by the Turks. Item (ix) may appear to be a subject for experimental development, but if it had been possible to transform anything from this item to item (xi) that would have been done for revenue purposes. The figure of 167,429 includes 105,000 dunums of marshy or rocky land surveyed during the operations of the Ghor Mudawwara commission; some of this may be allocated for afforestation or grazing and some may in due course become the subject of development leases and, in the case of the Beisan lands, of schemes for the consolidation of holdings. The remainder is rocky land in the Nazareth and Ram'le sub-districts or sand-dunes in the Gaza area. The figure of 20,082 dunums given in item (xi) represents the

(3) *A Survey of Palestine 1945-1946*, Vol. I, Chapter VIII, p. 267.

The above figure of 1,542,680 dunums stated by Government to be State Domain almost coincides with the figure of 1,539,111 dunums for Palestine, excluding the Beersheba sub-district, shown in the 'Village Statistics 1945.' Table I reduces this figure by 49,700 dunums on which were planted citrus, bananas and other fruit trees belonging to Arab farmers.

total area of lands which it was thought on 31st December 1943 could be made available for lease; some of these lands have subsequently been leased, some offered for lease, while others are waiting treatment under development schemes; some are occupied on 'implied' leases."⁴

(4) *A Survey of Palestine 1945-1946*, Vol. I, Chapter VIII, para. 104, p. 268.
Lands held under 'implied' leases were lands occupied by Arab farmers who signed no leases but paid rent equivalent to the amount of tax. After land settlement the farmers were given the option to acquire full ownership on payment of *badl misl*, an amount based on the unimproved capital value of the land.

V - Beersheba Sub-District (Negeb)

THE 'VILLAGE STATISTICS 1945' shows that the Beersheba sub-district covers a total area of 12,577,000 dunums — nearly half the total lands of Palestine — and classifies its ownership as follows:

Arabs (including 5 dunums appearing under 'Others)	1,936,380	or 15.39%
Jews	65,231	or 0.52%
Public	2,279	or 0.02%
Uncultivable land (ownership undefined)	10,573,110	or 84.07%

The area was never surveyed by either the Ottoman Government which occupied Palestine for over 400 years or by the British Mandatory during its thirty years of occupation. The only plans available of the area were those prepared by a British archaeological survey party before World War I. Hence there are no reliable records of land classification or registers of ownership except in and around the town of Beersheba.

The first estimate of the 'cultivable' lands of the area was put at 1,500,000 dunums which the Government Department of Surveys admitted was mere 'guesswork.' When Sir John Hope Simpson visited Palestine in 1930 to study the land situation, the estimate quoted to him was raised to 1,640,000 dunums. This figure remained in use and was eventually quoted in the 1943 edition of the 'Village Statistics.' The 1945 edition showed the area of 'cultivable' land as 2,000,000 dunums.

The land experts of the Jewish Agency challenged these figures on every occasion; and, in the opinion of this writer, rightly so.¹ For example, Mr. A. Granovsky, writing on behalf of the *Keren Kayemeth LeIsrael* (Jewish National Fund), criticized the figure of the Palestine Government of 1,640,000 dunums, and said: "What applies to the rest of the country also applies to the Beersheba sub-district: that the size of its cultivable area is not identical with that already cultivated. In that region, also, the areas brought under cultivation become more extensive every year. From the figures of the Agricultural Department of the Palestine Government, it appears that the cul-

(1) In 1944 this writer visited Beersheba and discussed with the district authorities the possibility of applying the Rural Property Tax Ordinance to the area. That year saw an abundance of rainfall with a corresponding increase in areas ploughed. On the basis of the schedules of production prepared for the Food Controller, the 'cultivated' area was then estimated to be closer to 4,000,000 dunums.

tivated area of the Beersheba sub-district was increased by more than 65 per cent during the five years of 1931-1935, thus:

1930-1931	1,266,362 dunums
1931-1932	1,380,742 »
1932-1933	1,493,682 »
1933-1934	1,345,429 »
1934-1935	2,109,234." »

Mr. Granovsky went on to point out that "The experts of the Jewish Agency estimate the cultivable area of the Beersheba sub-district at 3,500,000 dunums, apart from any new tracts which may become cultivable in the future when supplies of underground water are found and provision is made for storing the rainwater which now runs off unused." He concluded by challenging the official definition of the term 'cultivable'.²

Sir John Hope Simpson supported the Jewish Agency contention when he said: "There is practically an inexhaustible supply of cultivable land in the Beersheba area" given the possibility of irrigation.³

The Beersheba sub-district has been inhabited from time immemorial by the bedouin tribes of Palestine who cultivated what areas they were able to depending on the amount of rainfall in a given year. Furthermore, it should not be forgotten that Arab practices have been to rotate cultivation, that is, lands cultivated one year are left fallow for one or two subsequent years because of lack of fertilizer and sufficient rainfall. Therefore, when it is estimated that the 'cultivable' lands of the Beersheba sub-district are only 2,000,000 dunums, it actually means that the *cultivated* lands in any one year are in the neighbourhood of that figure, and that the total *cultivable* lands of the region are at least twice the area cultivated in any one year.

As regards the 'uncultivable' lands of the Beersheba sub-district, here also the rights of the bedouin tribes should not be ignored. Neither the Ottoman Government nor the British Mandatory ever interfered with these rights over the whole territory. The whole of these lands are traditionally recognized to belong to the bedouin tribes, while certain bedouin tribes of Jordan and the Sinai Peninsula exercised pasturage rights during certain periods of the year. The fact that the Palestine Government did not include these lands under the column of 'Public' but showed them separately and admitted in its memorandum to the Anglo-American Committee of Inquiry that "it is not safe to assume that all the empty lands south of Beersheba or east of Hebron, for instance, are *mawat*" (dead land), is proof that Government recognized Arab rights and interests in these lands.

In the circumstances, it is wrong to presume that the figure of 10,573,110 dunums appearing in the 'Village Statistics' under the separate column of 'Uncultivable Land' is government-owned.

(2) Granovsky, A., *The Land Issue in Palestine* (Jerusalem, 1936), p. 64.
 (3) *Cmd. 3686* — Report on Immigration, Land Settlement and Development, 1930, by Sir John Hope Simpson, p. 20.

SUMMARY FOR PALESTINE (Land Areas in Dunums)

Sub-District	Population (Table I)			Cultivable Land (Table II)			Built-up Areas & Non-cultivable (Table III)			Total Land Areas (Table I)					
	Arabs	Jews	Total	Arabs	Jews	Public	Total	Arabs	Jews	Public	Total	Arabs	Jews	Public	Total
Acce	65,380	2,950	68,330	353,420	9,431	368	363,219	344,331	15,566	76,547	436,444	697,751	24,997	76,915	799,663
Beersheba	53,550	150	53,700	1,934,849	65,151		2,000,000	1,531	80	2,279	3,890	1,936,380	65,251	2,279	2,003,890
Beisan	16,590	7,000	23,590	156,942	119,211	16,355	292,508	8,006	5,544	61,029	74,579	164,948	124,755	77,384	367,087
Gaza	134,290	2,890	137,180	798,627	47,112	71,066	916,805	43,177	2,148	149,371	194,696	841,804	49,260	220,437	1,111,501
Haifa	120,120	104,510	224,630	345,646	246,620	10,623	602,889	114,145	117,656	197,065	428,866	459,791	364,276	207,688	1,031,755
Hebron	89,570	80	89,650	647,043	4,760	6,062	657,865	1,338,870	1,372	78,078	1,418,320	1,985,913	6,132	84,140	2,076,185
Jaffa	109,700	264,100	373,800	157,857	86,990	3,131	247,978	19,497	42,449	25,442	87,388	177,354	129,459	28,573	335,366
Jenin	56,880		56,880	471,140	4,173	11,829	487,142	230,953	78	117,041	348,072	702,093	4,251	128,870	835,214
Jerusalem	147,750	100,200	247,950	321,820	13,518	10,059	345,397	1,067,034	19,883	138,471	1,225,388	1,388,854	33,401	148,530	1,570,785
Nablus	89,200		89,200	638,491		69,406	707,897	768,178	15	115,628	883,821	1,406,669	15	185,034	1,591,718
Nazareth	38,500	7,600	46,100	208,975	124,619	3,249	336,843	54,113	12,763	93,814	160,690	263,088	137,382	97,063	497,533
Ramallah	47,280		47,280	369,164	67	161	369,392	313,340	79	3,753	317,172	682,504	146	3,914	686,564
Ramle	97,850	29,420	127,270	485,717	100,389	12,691	598,797	200,339	21,770	49,286	271,395	686,056	122,159	61,977	870,192
Safad	46,920	6,700	53,620	269,935	92,094	7,018	369,047	220,928	29,394	76,762	327,084	490,863	121,488	83,780	696,131
Tiberias	26,100	13,100	39,200	163,984	136,739	3,177	303,900	67,777	30,667	38,625	137,069	231,761	167,406	41,802	440,969
Tulkarm	71,240	14,900	86,140	473,519	125,871	6,469	605,859	177,176	15,490	36,855	229,501	650,695	141,361	43,304	835,360
Totals	1,210,920	553,600	1,764,520	7,797,129	1,176,745	231,664	9,205,538	4,969,395	314,954	1,260,026	17,117,485*	12,766,524	1,491,699	1,491,690	26,323,023*

*These totals include an area of 10,573,110 dunums which appear in the 'Village Statistics 1945' in respect of the Beersheba sub-district under the column *Uncultivable land* without ownership being assigned to either the bedouin tribes inhabiting the region or as state domain since title thereto had not been settled.