The Jewish National Fund was founded more than a century ago by the fifth Zionist Congress at Basle in 1901 for the purpose of land purchase and development in Palestine. The JNF (Hebrew: Keren Kayemeth Leyisrael, KKL) was more than a charity for it saw itself as ‘the custodian of the land for the Jewish people’, according to the biblical injunction that ‘the land shall not be sold in perpetuity’ (Leviticus 25:23). It was to become the most prominent Zionist symbol for Jews everywhere before the establishment of the State of Israel. Hundreds of thousands of collection boxes would be placed in Europe, the US and elsewhere – altogether forty countries - where ‘the kopecks, pennies and centimes went into the little blue box.’ After 1948, its role changed but its importance was not diminished.

### A popular mission

For many Jews, the idea of ‘redeeming the land’ under public ownership, rather than relying on the egotism of private property, appeared as a liberal and universal ideal. Above all, the JNF’s work was seen as yielding highly beneficial practical results all over the map of Israel. In the economic field, its adherents viewed it as facilitating the development of modern agriculture and of efficient farming units. The kibbutz and the moshav (communal and cooperative settlements), which could only be built on national land, appeared as exciting new social forms.

It was apparent for all to see that JNF afforestation had beautified and enriched the Israeli landscape over the length and breadth of the country. The JNF states that at the end of the 20th Century, Israel was the only country in the word which had more trees than there were at the start of the century. The JNF has also invested major efforts in education and in publicity in order to foster an attractive and constructive image of the benefits it brings to the state and to ordinary citizens, be they from Left or Right, secular or religious. There may be criticism here and there but the recognition of the JNF as an organization carrying out an important mission was, and remains, widespread in Israeli public opinion.

In effect, hardly any other Jewish organization could compete with the special appeal of the JNF, which was first incorporated in England in 1907, controlled by the World Zionist Organization. It made its first purchase of land in Palestine in 1905 in the areas of Tiberias, Ramle and Lydda. Since its foundation, it has purchased 2.6 million dunams (one dunam is a quarter of an acre) of land all over the country for 1,000 settlements (including the kibbutzim and moshavim), planted 240 million trees and built 150 dams and water reservoirs and 400 parks.

The JNF is also among the important ‘green’ organizations in the country and were it not for JNF forests, and other projects, the countryside would look quite different. Nowadays the JNF claims that annual donations amount to US $25 million, 40% coming from the US. In 2003 even the small Jewish community of Australia still
collected over a million dollars through the blue JNF boxes. However, most of the JNF’s income now comes through more sophisticated methods like revenue from lands it owns, legacies etc. The JNF’s annual budget is about US $150 million, illustrating the vast scope of current JNF activities in all areas of work connected with land and development. The JNF employed some 3,000 people in 1998, but the number has been reduced by about a half due to budgetary problems.

**Another side of the coin**

Despite this record of well publicized achievements, accompanied by propaganda campaigns conducted abroad and in Israel, there has been no lack of unfavorable evaluations of the JNF’s record. These negative viewpoints deserve equal attention. Let us take a brief look at some of these items of criticism. First, ‘redeeming’ the land before the establishment of the State of Israel was often at the expense of Arab fellahin. The British Hope Simpson report in 1930 said that ‘the Arabs gradually were being driven off the soil by Jewish land purchases and by the JNF not allowing Arab employment on Jewish tracts.’ There are, however, widely differing estimates as to how many fellahin were evicted.

Second, after the 1948 war, it was the holdings of Arab refugees or of ‘present absentees’ (and not land purchases from the little blue boxes) that accounted for most of the JNF’s land. They were not ‘redeemed’ but conquered. This is quite contrary to the image that JNF holdings were bought by mutual agreement from the former owners of the land at fair prices. It is also contrary to international law. Land acquisition and settlement by an occupying power contravene The Hague Regulations of 1907 and the 1949 Geneva Convention. Incidentally, in Israel itself the JNF ‘often buys land for prices well above the market value in order to prevent their being sold to Arabs who may have been negotiating to buy them.

Third, the JNF undertook projects with dubious moral overtones, like planting Canada Park in the Jerusalem Corridor on the still visible ruins of two Arab villages destroyed in the 1967 war. Canadian Jews financed the project with donations of fifteen million dollars. Fourth, as with many large organizations in Israel the efficiency of the JNF administration in Jerusalem has been questioned in the Israeli press. It is asked why two chairmen are necessary, except in order to satisfy the ambitions of the two main Zionist parties.

Last but not least, the JNF claims that it does not operate over the ‘green line’ (the 1967 border) but the JNF subsidiary Himnuta, as an instrument for the implementation of JNF policies, makes no such claim. Himnuta was established by the JNF in 1938 and registered in Ramallah in 1971. Its original function in the 1930s was mainly to circumvent legal restrictions on land dealings so that there is a degree of continuity in its current endeavors. As a private rather than a public company it enjoys the advantage that its activities are not properly supervised. Hence it can avoid too much public exposure. When the public eye is turned upon Himnuta, it appears, for example, under the headline 'Ring suspected of trading in stolen Palestinian land’ in Haaretz on 28.2.05. We read that Haim Cohen the former director of Himnuta, and four others, were suspected of ‘purchasing stolen Palestinian lands in exchange for bribes… police suspect that the ring was responsible for at least five
deals in which West Bank lands were stolen from their Palestinian owners and sold to
Himnuta for a total of more than NIS 20 million. Nineteen lawyers were said to be
involved in the fraud. The stolen lands are located near Hebron, Gush Etzion,
Jericho, Ma’aleh Adumim and Givat Ze’ev. All these areas are, of course, in the
occupied West Bank, or in formerly Palestinian-owned Jewish neighborhoods in
Jerusalem, settled since 1967. Apart from the criminal aspects, the question is – why
is the director of Himnuta, which is a JNF subsidiary, interested in purchasing land in
the territories?

Other examples: It is also known that in 1972 the JNF paid half the cost of a highway
through the West Bank linking Jerusalem with the upper Jordan valley. JNF Director
Shimon Ben Shemesh said on Israel Radio on 23.9.97 that during the past year the
JNF had purchased lands in the territories for the sum of over US $66 million,
including lands in the Nebi Samuel area, huge tracts in the area between Ramallah
and Latrun. Another report spoke of JNF land deals in the northern part of the Jordan
valley, southeast of Nablus, near Kiryat Arba, south of Ramallah, east of Kafr Kasim,
and in Gush Etzion.

The JNF itself sometimes inadvertently lets the cat out of the bag in connection with
the occupied territories. For instance in a reference in the official 2003 JNF website
we read that the 1967 Six Day War ‘started a fresh page in the history of Israel and
the JNF was enlisted to develop new areas for settlement.’ In addition to areas within
the green line, one of the areas developed for settlement was none other than Rafah
(in the Gaza Strip, then occupied by Israel). In general, since, as we have noted,
such activities in the territories are not publicized and do not appear in JNF reports,
the random examples quoted here, which somehow manage to escape the secrecy,
may well be only the tip of the iceberg. At any rate, all this is summed up in the
statement by Amiram Barkat in Haaretz of 28.2.05 that ‘Himnuta has made extensive
purchases in the territories, where the JNF does not operate (my italics – DL).

Perpetuating an anomaly

There is still a naive belief in the old myth that the land in the State of Israel was
acquired dunam by dunam through donations to the JNF from the Diaspora. This
idea has no historical foundation since before the establishment of the state only 7%
of the land in Palestine was owned by Jews, and not all of that was JNF land. Though
impressive for a voluntary organization, the results of the JNF’s land acquisition
before the establishment of Israel were quite modest – 22,363 dunams by 1920,
516,000 dunams by 1940, 936,000 by May 1948. (Even so, the British White Paper
of 1939 didn’t prevent the JNF holdings from almost doubling between 1939 and
1946). Most of the land now owned by the JNF – 13% of all public land – was
conquered during the War of Independence and ended up in the hands of the JNF,
administered by the Israel Land Authority (ILA). This includes some of the best lands
in the center of the country. In spite of its minority status in ownership, the JNF,
according to an agreement signed in 1960, appointed about half of the board of
directors of the ILA.

The JNF could have been abolished, and the land taken over by the state after 1948.
Why was this anomaly perpetuated? The Zionist leader and Israel’s first Prime
Minister David Ben-Gurion had originally thought that the role of the JNF would end once the state was declared. Then came the UN resolution on the refugees, arousing the fear of grave international repercussions if the state were to take over Arab land directly. The JNF was used to circumvent the issue and it was given a new mandate, later popularized in the slogan 'Making the desert bloom.'

In 'The Israelis – founders and sons,' Amos Elon has noted that 'the Zionists, pursuing a national and social renaissance in their ancient homeland, were blind to the possibility that the Arabs of Palestine might entertain similar hopes for themselves.' In 'The question of Palestine,' Edward Said has written that 'Zionism has been studied and discussed as if it concerned Jews only, whereas it has been the Palestinian who has born the brunt of Zionism’s extraordinary human cost... large but unacknowledged.' There were various Zionist responses, too many and complex to be described here, to the sort of Arab opposition forcibly brought home in the Arab Revolt of 1936-39. Among these, it is significant that Joseph Weitz, who was director of the JNF since the early 1920s, had hinted at future developments when he wrote in 1940 that 'the Zionist enterprise had been fine and good in its own time and could do with "land buying" (but now) there is no way beside transferring the Arabs from here to the neighboring countries' (My italics – DL).

The concept of transfer

This opinion by the veteran head of the JNF should not come as a surprise for though Zionist historiography tries to indicate otherwise, in ideological terms Zionists frequently raised the concept of transfer for the Arab population. Herzl had written in his diary in 1895 that 'we shall try to spirit the penniless population across the border (by) denying them employment in our own country' In 1930, speaking to a high British official the reputably liberal Chaim Weizmann, who was to become Israel's first President, called the idea of transfer ('a quasi-exchange of population') 'a courageous and statesmanlike attempt to grapple with a problem that had been tackled hitherto halfheartedly.' Though careful about public declarations, after the British Peel Commission had at one stage mentioned the possibility of transfer, David Ben-Gurion had said in 1938 that 'I support compulsory transfer. I do not see in it anything immoral' (Footnote 16 'Righteous victims'). Later, he even compared the expulsion of the Arabs to the expulsion of the Indians from North America.

However, even in the exigencies of wartime, there was no official Israeli expulsion policy. It was the Revisionist Jabotinsky who had written in 1923 that voluntary agreement with the Arabs was impossible and Jewish settlement depended upon building an 'iron wall which they would be powerless to break down.' But by 1938 Ben-Gurion also saw the Arab Revolt as 'a national war declared upon us by the Arabs' and thought that now 'only war, not diplomacy, would resolve the conflict between Zionism and the Arabs.' 'The Arabs would reconcile themselves to the Jewish presence only after they had conceded their inability to destroy it.' Ben-Gurion refrained from issuing clear or written expulsion orders, preferring during the 1948 war to let his generals 'understand' what he wanted, as in his approval of the largest expulsions from Lydda and Ramle in July 1949. Ben-Gurion tended to convey the image of Israel as a de-Arabized society, writing in 1952 that the state 'was set up in a desert land' and after the Arabs fled the country 'it was virtually emptied of its former owners’, this when the Arab population of the country made up twelve percent of the population.'
Neither Ben-Gurion, nor the more moderate Moshe Sharett, who unlike Ben-Gurion knew Arabic and understood Arab sensitivities, shared the illusions of the Zionist founding fathers about ‘a land without a people for a people without a land’ As far back as 1914 Sharett wrote that ‘we have not come to an empty land to inherit it but we have come to conquer a country from a people inhabiting it. No wonder, then, that Chaim Weizmann, the acknowledged and most highly respected leader of world Zionism, called the 1948 Arab exodus ‘a miracle’.

After 1948: less Arabs, more land

According to the official Israeli version, which welcomed the Arab exodus, the Arab population left of its own accord; on the other hand, Arab and Israeli new historians believe they did not leave but were expelled. Professor Martin Buber, the veteran philosopher of dialogue, remarked in 1949 that ‘there is nothing sillier than to be overjoyed because the Arab population has left.’ Be that as it may be, it seems fair to sum up the Jewish position as follows: after the holocaust, after the Arabs rejected the 1947 partition proposal and took up arms against Israel, after the Arab exodus and as the new state faced the perspective of mass Jewish immigration - Israel wanted still less Arabs and still more land.

The United Nations had resolved in December 1948 (Resolution 194) that ‘those refugees wishing to return to their homes and live in peace with their neighbors,’ should be given that option. Israel’s official line was that these people, who made up a majority of the former Arab population and numbered about 700,000 be resettled in Arab countries and that issues of return and compensation should be held in abeyance pending an Israel-Arab peace agreement. Buber proposed that a certain number of refugees be allowed to return since a solution of the refugee problem demands ‘cooperation and mutual understanding’… while taking into account security conditions. This was considered totally unrealistic.

In the wake of the mass Arab exodus set off by the War of Independence, the Israeli authorities created irreversible facts on the ground as Arab lands were formally taken over by the 'Custodian of Absentee Property' and sold to a fictitious 'Development Authority' which had the options of selling to the state, to the JNF, to municipalities, or to 'an institution for settling landless Arabs.' The latter option was not used and in fact most of the land was sold to the JNF.

In the biggest real estate transaction ever carried out in Israel, at the end of 1948 the JNF bought one million dunams of good lands for eleven million Israeli pounds, a very low price in some, though not all, opinions. (Footnote 26: ‘The land revolution’ by Tovah Tsimuki, Yediot Aharonot 27.1.05. Meron Benvenisti noted that in this case 'the uprooted Palestinians including tens of thousands of "present absentee" citizens, did not get a single agora for their land that was given to the JNF, while the government of Israel was compensated in their stead in a deal that was illegal even according to the heads of the JNF.’ (Footnote 27. See ‘A shameful kind of Zionist,’ Haaretz, 10.2.05). This was followed later by additional sales of some 250,000 dunams. The JNF had apparently no more money to buy further lands from the ILA. Today, about half of JNF land once belonged to Palestinian refugees.
An indefensible policy

The JNF was not owned by the government, and according to the 1929 Constitution of the Jewish Agency, JNF land is 'the inalienable property of the Jewish people.' So 'it is not obliged to act for the good of all its citizens (but) for the good of the Jewish people only,' according to statement by JNF Chair Yehiel Leket, December 9, 2005. Therefore, the State of Israel as such could not be accused of expropriating the land. In 1954 more than a third of Israel’s population lived on property which had belonged to Arab refugees or to 'present absentees' (some 30,000 Palestinian Arabs with Israeli citizenship whose property was confiscated since they had fled to other places in Israel during the war).

Though Arabs account for about 20% of Israel’s population, they own only 4% of the land. The real problem posed by the JNF is that in acting as caretaker of the land for the Jewish people only in a period of protracted national conflict, it was bound whatever the intention, to be discriminatory. However, it seems that most Jews did not ask the question: From whom was the land 'redeemed?' The JNF published a survey in 2005 showing that over 70% of the Jewish public opposed allocating JNF land to non-Jews (over 80% preferred that Israel be defined as the state of the Jewish people and not the state of all its citizens). These subjects were to generate a stormy public debate in the late 1990s when Adel Ka’adan, a Palestinian Arab and citizen of Israel, applied to buy a plot of land in order to build a house for his family in the new neighborhood of Katzir in the lower Galilee. The JNF-owned land is seven minutes ride from his own village.

While the Ka’adan family had lived in Galilee for some 200 years and Ka’adan (43), a male nurse with three children, was prepared to pay the full price of $17,000 for the land, the Katzir residents’ committee refused his application because as JNF land, it was earmarked for Jews only. In March 2000, the issue went to the Supreme Court which handed down a landmark decision that though Israel is a Jewish state ‘every minority member enjoys full equality and the government could not give state land to the JNF which could only allocate that land to Jews since it was established to serve the Jewish people’ (author’s italics).

In January 2005, Attorney-General Menahem Mazuz declared that ‘the state cannot defend a policy in which the ILA prevents Israeli Arabs from applying for building plots on land belonging to the Jewish National Fund’ and ‘all land managed by the ILA, including land owned by the JNF, will be marketed without discrimination or limits, including to non-Jews’ (author’s italics). (A few months later, after prolonged legal wrangling Ka’adan was permitted to sign a contract with the ILA) Mazuz added that while the state could not defend discrimination in the marketing of JNF lands by the ILA, if any ILA tender for land owned by the JNF is won by a non-Jewish citizen, the ILA will transfer alternative land to the JNF. He thought that this would both honor the principle of equality while retaining the JNF’s current quota of land, and budgets, ‘for the purpose of settling Jews.’
There were various and contradictory reactions to the Attorney-General’s decision, which the press described as ‘revolutionary.’ Perhaps surprisingly, JNF Chair Yehiel Leket welcomed it since ‘it permitted his organization to continue its mission’ and ‘the JNF will continue to safeguard the land.’ Without going into detail, he referred to ‘smart solutions to uphold the principle of Jewish settlement without having to face the High Court of Justice.’ Unlike Mazuz, he was not convinced that the JNF would have lost the case had it reached the Court but he preferred ‘a non-confrontational solution’ and welcomed the establishment of a committee to discuss ‘arrangements which would satisfy the Supreme Court without injuring the JNF,’ a subject which had up to now been based on informal agreements.

While there can be no objection to the JNF’s continuing to ‘safeguard the land’ as a green organization, the concept of ‘safeguarding’ through the sort of discrimination which is built into the JNF’s constitution is today widely unacceptable. Thus for example, while the Association for Civil Rights in Israel (ACRI), which had petitioned the court along with other organizations, welcomed the Attorney-General’s decision, it saw the compensation arrangement between the JNF and the ILA as ‘problematical’ since ‘it does not provide a full answer to concerns about anti-Arab discrimination’. Journalist and leader of the Peace Bloc, Uri Avnery, objected to the JNF claim that it acts ‘not on behalf of the state but on behalf of the Jewish people’ and saw the decision as ‘a sleight of hand which allows a body based on discrimination to maintain its hold over 13% of land in the state.’ The Arab Advocacy Center Mossawa saw ‘a glimmer of hope’ in the decision but felt ‘we will still have a situation in which 13% of the land will not really be accessible to Arab citizens.’ The decision ‘will effectively protect the original reserve of land controlled by the JNF and its principles’ (so that) ‘discrimination against Arab citizens in terms of land allocation will continue.’

Equality for all

In summation, some welcomed the attorney-general’s decision as a sign of progress toward equality in the state since it prevents the ILA, and through it the JNF, from discriminating over the rights to land; others regretted that meanwhile it nevertheless assures the maintenance of the JNF and its budget, an anomaly perpetuating the long-standing inequality of Arab citizens who make up 20% of the population. In this view, the situation is intolerable whether Israel is perceived as ‘a Jewish and democratic state’ or as ‘a state of all its citizens.’ What would we say were a minority group of citizens elsewhere in the world be denied the right to purchase 13% of the land in its own country?

The 1948 Israeli Declaration of Independence promised ‘to foster the development of the country for the benefit all... to ensure complete equality of social and political rights to all its inhabitants regardless of religion, race or sex (and) full and equal citizenship to the Arab inhabitants of the state.’

One recalls that the draining of the lake and swamps in the Huleh valley in upper Galilee, a major JNF project in the 1950’s, turned out to be an error, prompting the eminent Hebrew poet Yehuda Amihai to write:
'When I was young I believed with all my heart the Huleh swamp had to be drained. Then all the bright-colored birds fled for their lives. Now half a century later they were filling it with water again Because it was all a mistake. Perhaps my entire life I’ve been living a mistake.'

The dictionary defines an anachronism as ‘the error of placing a person or thing in the wrong period.’ This is a precise definition of the JNF today, and it is true however one evaluates the JNF’s past. ‘Perhaps it was all a mistake,’ as the poet ruminated, and perhaps it wasn’t. In any case, in our day and age, the JNF’s historical concept of exclusively Jewish land is wholly anachronistic and should surely be considered incompatible with the vision of a democratic society founded on equality between all its citizens.

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1 This was the next to the last Congress presided over by Theodore Herzl, who founded the Zionist movement in 1897.
2 In this context, the JNF, though not a religious organization, was perceived by some supporters as comparable to the Muslim religious endowment the Waqf, whose property is also not subject to any inheritance or sale. The Basic Law on Israel Lands (1960) holds that land is not sold but rather leased for a period of 49 years.
3 An opponent of Zionism like Noam Chomsky wrote in 1960 that the kibbutzim “the most advanced socialist form in existence... were constructed on lands purchased by the Jewish National Fund and from which Arabs were excluded in principle”– see his Peace in the Middle East.
4 Haaretz, 23.2.05, 23.7.05, though various figures are quoted.
5 A History of Israel by Howard M. Sachar.
6 Simpson spoke of some 30 percent of the fellahin but the British authorities subsequently agreed that this was an exaggeration. See Israel and the Arab World by Aharon Cohen. Abraham Granott, one of the heads of the JNF, wrote in his book Agrarian Reform and the Record of Israel (1952) that 27 percent of JNF land was purchased from fellahin, and 57 percent from large Arab landowners, and that the JNF’s “far-seeing policies” determined the borders in the 1947 Partition Plan in contrast to those in the 1937 Peel Plan. Walter Lehn, not a friend of the JNF, thinks in “The Jewish National Fund,” Journal of Palestinian Studies, summer 1974, that 9.4 percent of the fellahin were ejected.
8 Visitors to the Canada park, with its archeological sites, scenic lookouts and hiking trails, read signs about Jewish, Byzantine, Roman and Ottoman history but without mention of the thousand-year Arab presence there.
9 The director-general and a former chairman recently sued each other for libel after an exchange of remarks in the JNF Audit Committee. Legal expenses of over US $60,000 were paid by the JNF, prompting the judge to remark that “the blue box was being used as a cash box (for) the well-being of JNF officials and their self-perpetuation, rather than for the redemption of the land.” See Yediot Aharonot, March 11, 2004; Haaretz,.February 23, 2005).
10 Amiram Barkat describes Himnuta as follows in Haaretz, February 28, 2005 under the heading “State-Funded yet Private”: “While it is a division of the JNF, it is a private company whose dealings go largely unsupervised. It neither issues financial statements nor publicizes information on its business deals. Though financed in part by state funds, it is not subject to oversight by the State Comptroller or the High Court.
of Justice. It can buy lands as an investment, or exchange them, with Arab dealers, both of which are forbidden to the JNF. It is useful for buying lands from Arabs who are reluctant to sell directly to a Jewish national institution.”

14 Estimates of land thus acquired by the state from Arab citizens who remained in the country vary, with some claiming that as much as 40 percent of this land was expropriated. See “Early state policy toward the Arab population 1948-1955” by Don Peretz in New Perspectives of Israeli History edited by Laurence J. Silberstein. Of the present 1.1 million Israeli Arab citizens, 25 percent were the victims of expropriation of their land or property and over 15 percent were displaced from their original towns and villages, according to the Palestinian Central Bureau of Statistics in a Palestinian Media report of May 15, 2005).
16 In 2005, there were over 250,000 of these internally displaced people living in Israel, Haaretz, May 13, 2005.
18 The Declaration of Independence, with all its unique historical importance, is not a law but the principle of equality has been endorsed by the Knesset in the Basic Law on Human Dignity and Liberty.
19 The Palmach, a voluntary armed striking force, was disbanded by Ben-Gurion in May 1948, with the establishment of the state. Its people, including a young officer named Yitzhak Rabin, were integrated into the newly formed IDF. In the eyes both of its adherents, and later of historians, this did not make the Palmach’s contribution to the creation of the state any less important. The same would be true were the JNF to transfer its functions to the state, in accordance with the precept that changing times demand abandoning outdated thinking.