The Exercise of Power: Counter Planning in Palestine

Husni S. Qurt
University of New Orleans, Hqurt@uno.edu

Follow this and additional works at: https://scholarworks.uno.edu/td

Part of the Public Affairs, Public Policy and Public Administration Commons, Social Work Commons, Sociology Commons, Urban, Community and Regional Planning Commons, and the Urban Studies and Planning Commons

Recommended Citation
https://scholarworks.uno.edu/td/1885

This Dissertation is protected by copyright and/or related rights. It has been brought to you by ScholarWorks@UNO with permission from the rights-holder(s). You are free to use this Dissertation in any way that is permitted by the copyright and related rights legislation that applies to your use. For other uses you need to obtain permission from the rights-holder(s) directly, unless additional rights are indicated by a Creative Commons license in the record and/or on the work itself.

This Dissertation has been accepted for inclusion in University of New Orleans Theses and Dissertations by an authorized administrator of ScholarWorks@UNO. For more information, please contact scholarworks@uno.edu.
The Exercise of Power: Counter Planning in Palestine

A Dissertation

Submitted to the Graduate Faculty of the University of New Orleans in partial fulfillment of the requirements for the degree of Doctor of Philosophy in Urban Studies – Urban Planning

by

Husni Qurt

B.Sc. University of Jordan / Amman, Jordan, 1996
M.Sc. Birzeit University / Palestine, 2006

August, 2014
Acknowledgement

Pursuing PhD and writing this dissertation has been one of the most significant academic challenges I have ever faced in my life. Without the patience, support and guidance of the following people this work would not have been possible. It is to them that I owe the deepest gratitude.

- Professor David Gladstone, my supervisor and friend, without his knowledge, wisdom and endless support this work would not have been possible.
- Everyone working at the Fulbright Scholarship Program, and the AMIDEAST in specific, for their endless efforts to make lives of students studying abroad easier.
- Sulafa, my wife who had bared long nights and hard times with me.
- And to my loving parents, without whose endless support and love I would not have been able to pursue this PhD degree.
Preface

I have been working as a professional planner, in a local Palestinian consulting firm, in the West Bank / Palestine, since the year 1999. Since that date and for more than 10 years now, I have been involved in the preparation of a large number of master plans for Palestinian communities as part of my daily job tasks.

A Palestinian independent state has been a Palestinian demand, and dream, since the beginnings of the Palestinian-Israeli struggle. When the Palestinian National Authority was first founded, in 1993, it adopted this demand as an essential part of the PNA's vision. With that stated, during my work experience I have noticed that the bulk of the planning projects do not take into consideration the surrounding planning environment. On the contrary, plans were only created inside Israeli-imposed boundaries. The Israeli-imposed boundaries, most of the time, used to cover only the built-up area. In a few cases these boundaries allowed for modest urban growth.

On the other hand, the Israeli Authorities—specifically the Israeli Civil Administration (ICA)—had plans of their own for the areas outside of the built-up environment of cities and villages. Israeli authorities were building highways, water and power infrastructure, and of course, Jewish illegal settlements in these areas. It was clear to me that Israeli plans greatly contradict the Palestinian vision of a contiguous state. This planning reality raised some questions, for me at least: what are we doing as Palestinian planners to contribute to the Palestinian vision of an independent, contiguous state? Were we, by planning only where Israeli officials allow us to plan, unconsciously contributing to the Israeli plans? Are there any Palestinian actions or plans, on the official or private levels, that aim at challenging Israeli ones?
In this research I examine the Palestinian planning process in an attempt to spot Palestinian planning actions that might be counter-acting Israeli ones. This research will present recommendations that can enhance the Palestinian counter planning performance of the Palestinian planning institutions.
Contents
Preface .................................................................................................................................. iii

Abstract .................................................................................................................................. xiii

Introduction ............................................................................................................................. 1

1 Chapter 1: Historical Background ................................................................................ 4

1.1 Historical Background and Land Tenure in Palestine .............................................. 4

1.2 Research Setting ...................................................................................................... 11

1.2.1 The Formation of the Palestinian National Authority and Land Categories in the West Bank .................................................................................................................. 12

1.3 Israeli policies ......................................................................................................... 13

1.3.1 Policies of Control ........................................................................................... 14

1.3.2 Policies of Separation ...................................................................................... 15

1.4 Planning Process in Palestine .................................................................................. 17

1.5 Palestinian Statehood and the Palestinian Vision ................................................... 19

2 Chapter 2: Literature Review ..................................................................................... 22

2.1 Social Justice ........................................................................................................... 23

2.1.1 Spatial Justice .................................................................................................. 24

2.2 Planning as an Act of Power ................................................................................... 30

2.2.1 The Public’s Role and Public Participation ..................................................... 31

2.3 Mapping and Counter-Mapping .............................................................................. 35

2.4 Counter-planning ..................................................................................................... 38
| 2.5 | Planning in Palestine — Previous Literature | 41 |
| 3   | Chapter 3: Methodology | 45 |
| 3.1 | Purpose Statement | 45 |
| 3.2 | The Gap | 46 |
| 3.3 | Objectives | 48 |
| 3.4 | Main Questions | 48 |
| 3.5 | Research Methods | 49 |
| 3.5.1 | Multiple Case Study Analysis | 50 |
| 3.5.2 | Semi-structured Interviews | 54 |
| 3.6 | Reliability and Validity | 58 |
| 3.6.1 | Reliability | 58 |
| 3.6.2 | Validity | 59 |
| 3.6.3 | Ethics and Bias | 62 |
| 4   | Chapter 4: The Planning of Ramallah | 64 |
| 4.1 | Background | 64 |
| 4.2 | Planning Ramallah | 67 |
| 4.3 | The Pre-Israeli Era | 67 |
| 4.4 | The Israeli Occupation Era | 72 |
| 4.5 | The Palestinian National Authority Era | 80 |
| 4.6 | Attempts at Counter-planning in Ramallah | 84 |
6.1.2 Background ................................................................................................. 125

6.2 Rawabi: A Controversial City ........................................................................... 127

6.3 Rawabi, Neoliberalism and the Growth Machine ............................................. 130
  6.3.1 Planning and Neoliberal Policies ............................................................... 131
  6.3.2 The Growth Machine ................................................................................ 137
  6.3.3 Public-Private Partnerships ....................................................................... 138

6.4 Planning of Rawabi .......................................................................................... 140
  6.4.1 Rawabi Master Plan ................................................................................. 142

6.5 Conclusion ...................................................................................................... 147

7 Chapter 7: Discussion of Main Themes ............................................................... 150
  7.1 Legal and Political Issues .............................................................................. 150
  7.2 Lack of Coordination .................................................................................... 154
    7.2.1 Attempts at Enhancing the Planning Coordination Process ..................... 157
  7.3 Deficiency of Palestinian Planning Institutions ............................................. 159
  7.4 Lack of Readiness or Vision .......................................................................... 162
  7.5 Counter-planning Actions ............................................................................. 165

8 Conclusion .......................................................................................................... 169
  8.1 Reasons for the Relative Lack of Counter-planning in the West Bank/Palestine 170
    8.1.1 Legal Reasons ....................................................................................... 170
    8.1.2 Lack of Coordination ............................................................................. 171
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1.3</td>
<td>Deficiency of Palestinian Planning Institutions</td>
<td>172</td>
</tr>
<tr>
<td>8.1.4</td>
<td>Lack of readiness or vision</td>
<td>174</td>
</tr>
<tr>
<td>8.2</td>
<td>Significance of being under occupation</td>
<td>175</td>
</tr>
<tr>
<td>8.3</td>
<td>Newly Planned Neighborhoods</td>
<td>177</td>
</tr>
<tr>
<td>8.4</td>
<td>Recommendations</td>
<td>179</td>
</tr>
<tr>
<td>8.5</td>
<td>Further Research</td>
<td>181</td>
</tr>
</tbody>
</table>

Bibliography | 182 |

Appendices | 193 |

Appendix 1: Semi-Structured Interview Protocol | 193 |

Appendix 2: Text of United Nations Security Council Resolutions that are Referred to in the Manuscript | 197 |

Appendix 3: Institutional Review Board (IRB) Approval | 209 |

VITA | 211 |
List of Figures:

Figure 1: Palestinian Planning Areas ................................................................. 3
Figure 2: Partitioning of Palestine ................................................................. 5
Figure 3: Declared State-lands verses illegal settlements in Ramallah area ........... 9
Figure 4: A Timeframe of Israel’s control over Historic Palestine ....................... 10
Figure 5: Planning process in Palestine .......................................................... 20
Figure 6: Lying with maps ............................................................................. 36
Figure 7: Location of case studies ................................................................. 53
Figure 8: Generalizing in qualitative research using an inductive research method .... 62
Figure 9: Ramallah Location Map ................................................................. 65
Figure 10: Ramallah Municipality’s Master Plan Development ............................. 76
Figure 11: Al-Bireh Master Plan Development ................................................. 79
Figure 12: Population Growth of Ramallah ...................................................... 81
Figure 13: New Additions to the Ramallah Master Plan ..................................... 87
Figure 14: Ramallah—Al-Bireh—Betunia Metropolitan Plan ............................... 91
Figure 15: Metropolitan Plan Relation to Governorates .................................... 92
Figure 16: Fasayil Location Map ................................................................. 101
Figure 17: Jordan Valley .............................................................................. 102
Figure 18: Fasayil Previous Plan ................................................................. 108
Figure 19: Israeli Proposed Plan ................................................................. 110
Figure 20: IPCC Proposal to Connect Upper and Lower Fasayil ......................... 113
Figure 21: IPCC Master Plan of Fasayil ......................................................... 114
Figure 22: IPCC Fasayil Planning Process ..................................................... 117
Figure 23: Rawabi Location Map ................................................................. 126

Figure 24: 3 Dimensional Image of Rawabi (Rawabi, 2011) ....................... 129

Figure 25: Abu Ghnaim Israeli illegal settlement (Illean, 2012) .................. 129

Figure 26: Rawabi Near-by Palestinian Village of Bir Zeit (Wikimedia Commons, 2011) ................................................................. 129

Figure 27: Rawabi Master Plan ................................................................. 144

Figure 28: Rawabi and its Surroundings .................................................. 146
List of Tables:

Table 1: Areas of A, B and C lands (PASSIA, 2011) .......................................................... 12
Table 2: List of planning / mapping institutions in the West Bank .................................... 55
Table 3: Conducted interviews .......................................................................................... 57
Table 4: Illegal Israeli settlements around Fasayil .......................................................... 105
Table 5: Poverty and living standard indicators in the West Bank ................................. 135
Abstract

In the beginning of the 2000s, Israeli policies in the West Bank shifted from policies of control to policies of separation, which in turn led to the Transformation of West Bank communities into isolated urban islands. Current plans prepared for Palestinian localities by Palestinian planning institutions most often address these isolated islands without taking into account the Israeli-controlled areas surrounding these localities. Palestinians envision the entire West Bank as a contiguous area that will eventually form part of the Palestinian national state. However, most Palestinian plans take the boundaries imposed by Israel as a given and plan only for areas within the Israeli-controlled areas.

This dissertation is about the Palestinian planning processes in the West Bank. It makes an attempt to assess whether these processes are or could counteract Israeli policies of separation. Upon extensive research, it was found that Palestinian planning institutions have a very limited impact in countering Israeli plans. The only counter-planning activity that can be observed is the Palestinian National Authority’s latest orientation to plan in Palestinian areas classified as Area C (found in areas under complete Israeli Control). The aforementioned lack of counter-planning activities can be attributed to the inefficiency of a legal framework, lack of vision, lack of coordination, and deficiencies within Palestinian planning institutions.

Keywords: Counter Planning, Palestine, West Bank, Conflict, Occupation, Planning Under Conflict, Power, Planning Against Main Power, Ramallah, Rawabi, Fasayil.
Introduction

The West Bank and Gaza Strip are Palestinian lands that were militarily occupied by Israel in 1967 after the Six Day War with the Arab countries. The West Bank and Gaza Strip remained under direct Israeli Military occupation until the year 1995, when the Palestinian National Authority (PNA) was formed. In accordance with this agreement, land in the West Bank and Gaza Strip were divided into three categories: A, B and C. The PNA has complete control and administrative authority over Area A and only administrative authority over Area B. Socio-economic institutions, such as education, health and municipal services, including urban planning, are administered by the PNA in Areas A and B. The PNA has law-enforcement institutions, such as police forces, in Area A only. Total control and administration remains in the hands of Israel regarding Area C. However, Area C includes the vast majority of Palestinian lands in the West Bank and Gaza Strip (about 60%) (ARIJ 2011, OCHA–OPT 2011, PASSIA 2011). Moreover, Areas A and B are isolated islands which reside within an Israeli controlled Area C, as shown in Figure 1.

Currently in Palestine, one of the greatest challenges facing planning is that Palestinian localities are isolated from one another in the form of islands. This isolation is a result of Israeli policies which began in 2001, when the Israeli government began constructing a separation wall. Other Israeli acts of isolation include the construction and expansion of illegal Israeli settlements, Israeli bypass roads and military checkpoints on the entrances of many Palestinian

---

1 The PNA was formed as a result of the signing of the Oslo Accords in September 1993 between The Palestinian Liberation Organization and Israel under the umbrella of the United States, the Russian Federation and the European Union.

2 The United Nations considers all Israeli settlements built in the Palestinian, and Arab, territories that were occupied by Israel in 1967, including Jerusalem, in conflict with the Fourth Geneva Convention, and therefore illegal. The United Nations Security Council has repeatedly asked Israel to stop building such settlements and declared that these settlements "have no legal validity." UN resolutions concerning Israeli settlements in Palestine.
communities. Many scholars argue that by the year 2001, Israeli policies shifted from a focus on control and domination to that of isolation and separation (Bauer 2012, Chomsky 2010, Gordon 2008, Halper 2008).

On the other hand, planners within many of the Palestinian Local Government Units; Municipalities or local councils, are proposing master plans for Palestinian localities that barely take into account the surrounding urban environment. These plans mostly fail to take into account area C. Official Palestinian planning institutions, such as the Regional Planning Committees and the Higher Council on Planning, are supposed to be responsible for coordinating the planning process between various planning regions both horizontally and vertically; Horizontally between multiple plans for the same area and vertically between different planning levels. In this research I have examined the Palestinian planning process on the regional and national levels to assess if this planning process is contributing to the Palestinian vision of a contiguous national state, and thus is counter-acting Israeli policies of separation. At the end of this research, in Chapter 8, recommendations will be presented on actions that might enhance the counter-acting of Palestinian planning process to Israeli policies of separation.

Figure 1: Palestinian Planning Areas
1 Chapter 1: Historical Background

1.1 Historical Background and Land Tenure in Palestine

Since the beginning of the twentieth century, Palestine has historically transitioned through several political regimes which have had a tremendous impact on its urban development. Palestine was under the Ottoman Empire’s rule since the beginning of the fourteenth century for more than 600 years, until 1923. In November 1917 the United Kingdom's Foreign Secretary, Arthur James Balfour, wrote a letter to Baron Rothschild, the leader of the British Jewish community, in which he promised that the Zionist Federation of Great Britain and Ireland would establish a national home for the Jewish people in Palestine. This letter was to become infamously known as "the Balfour Declaration" (dated on 2 November 1917). After the collapse of the Ottoman Empire in 1923, Palestine came under the British Mandate³ until the 1948 War that broke out between the Palestinians and a coalition of Arab countries and the Haganah Zionist groups.⁴ In 1947, the United Nations' Security Council issued Resolution 181 that partitioned the area of the British mandate into two states—one for Arabs and the other for Jews (Figure 2).

The 1948 War resulted in the foundation of the state of Israel on approximately 80% of "Historic Palestine".⁵ However, Israel ended up controlling a far larger area than that dictated in the UN Resolution 181. At the end of this war only the West Bank and Gaza Strip were left

³ After the WWII, Britain and France convinced the new League of Nations (precursor to the United Nations), in which they were the dominant powers, to grant them quasi-colonial authority over former Ottoman Empire territories. The British and French regimes were known as mandates. Britain obtained a mandate over the areas which now comprise Israel, the West Bank, the Gaza Strip, Jordan and Egypt. France obtained a mandate over Syria, Lebanon, and western North African areas.

⁴ The Hebrew word haganah translates to "Defense". The Haganah was a Zionist military organization that acted in Palestine from 1920 to 1948. Organized to combat the revolts of Palestinian Arabs against the Jewish colonization of Palestine. It was outlawed by the British Mandatory authorities (Encyclopædia Britannica Online 2014).

⁵ I refer to the area between the Mediterranean Sea and the Jordan River which was known before 1948 as Palestine.
outside Israeli controlled areas. Thereafter, the West Bank was placed under Jordanian rule and the Gaza Strip under Egyptian control. June 1948 marked the date for the establishment of the state of Israel and for the Palestinians it marked what came to be known as the "Nakbeh" or "Catastrophe." In 1967 a second war broke out between Arab countries and Israel. Israel won again and the West Bank, Gaza Strip and Sinai Desert of Egypt were militarily occupied. Sinai returned to the Egyptian rule as a result of another Arab-Israeli war in 1973, while the West Bank and Gaza Strip remained under the Israeli occupation. In 1993 after the Oslo Interim Agreement was signed between Israel and the Palestinian Liberation Organization, the Palestinian National Authority (PNA) was established and began limited governance over the West Bank and Gaza Strip in 1995.

Israeli governments took tremendous advantage of the land tenure and ownership regulations that originated from the laws of the Ottoman Empire. During the late nineteenth century, the Ottoman Empire suffered from difficult economic and social conditions. One of the main concerns of the Ottoman Empire at that time was to raise money through the collection of taxes. It was not until the late nineteenth century that Ottoman law required registration of land ownership. However, land owners rarely
complied with this law, probably because of the fact that one of the major reasons for requiring land owners to register their land ownership was to enforce taxes. In many cases, citizens (usually farmers) were assigned the right to cultivate these lands only as a way to collect taxes from them. Land plots which were not cultivated for periods which exceeded 10 years were considered to be dead "Moat" lands and would be transferred to state (government) control. These Ottoman land tenure and registration policies left most of the Palestinian lands as state-owned or *Miri* lands (Tamim 1995, Tannous 1951). During the British period most of the Palestinian lands remained under state control. The main contribution of the British mandate was the accurate cadastral survey of Palestine. This survey drew accurate boundaries of villages and it drew the boundaries of Palestine (Woods, Fles and Krygier 2010). It should be duly noted that this survey, although accurate, did not have anything to do with individual land parcels, or parcel ownership issues. The survey produced an accurate cartography of the boundaries and physical features on the ground of Palestine. Hence as a result of this survey, fixed concrete survey benchmarks that were founded deep into the ground were constructed. These benchmarks still exist and are used by surveyors to this day. So even though the British had conducted an accurate survey of Palestine, they did not attempt to document the ownership of lands. Furthermore, and despite the fact that residents actually owned, cultivated, or lived on this land, most of the Palestinian lands remained registered as *Miri* (State-owned) lands. Thus, Woods et al. (2010) and Gavish (2005) argue that this survey was carried out in response to the demands of the Zionist movement at that time, and to facilitate the occupation of Palestine. It was a deliberate step to draw specific boundaries for the land that would contain the Israeli state in the future. The Zionist movement needed an accurate map for the lands on which it was to establish the Israeli State and that was the exact product of this survey.
The British Mandate for Palestine ended with the 1948 war. Afterwards the West Bank was transferred to Jordanian control. Since Jordan additionally fell under the British Mandate all previously mentioned land ordinances by the British authorities were also applicable in Jordan. Land ownership registration remained voluntary, and land categories remained almost the same. Very few parcels of land were actually registered. Most of the Palestinian lands remained under the *Miri* category (Tamim 1995). *Miri* originates from the Turkish language and means, "state owned."

Soon after the West Bank and Gaza Strip fell under the Israeli occupation in 1967, the military authorities issued an order forbidding any land transactions without a written permit (Benvinisty, Abu-Zayed and Rubinstein 1986). This military order implied that land ownership registration had become practically compulsory since that date. Any ownership change of lands had to be approved by the Israel military authorities. As a result, most of the land in the West Bank remained unregistered, and lands remained under state-owned (*Miri*) status. After the occupation in 1967, Israel became the governing entity and assumed control over all state-owned (*Miri*) lands. Israel took advantage of this situation to easily confiscate Palestinian lands for the benefit of Jewish illegal settlements (Woods, Fles and Krygier 2010).

In 1980, the Israeli government adopted a new "legal" approach that revived the Ottoman law, and manipulated it to the benefit of the occupation's own interest. This approach declared uncultivated, unregistered land as state land. Under this declaration, all *Mewat*\(^6\) lands and *Miri* lands which were not cultivated for 10 years or more, were to become state lands and liable to be confiscated at any time (Benvinisty, Abu-Zayed and Rubinstein 1986). Shelav (2012) through B'Tselem also discusses how Israel manipulated Ottoman land regulations to declare much of the West Bank lands as State lands in order to try to legitimize the process of building illegal Israeli

---

\(^6\) *Mewat* land is an Ottoman term that translates into "dead land." It refers to un-built, uncultivated land.
settlements upon them. Figure 3 shows the spatial distribution of Illegal Israeli settlements against Israeli-declared state lands in the Ramallah area. It is very clear how all state-declared lands have been used to build Illegal Israeli settlements. Shelav (2012) provides other examples comparing Israeli-declared state lands against Israeli built illegal settlements in other parts of the West bank, such as in Salfit area, and discusses that this represents a general Israeli policy in the West Bank since the Israeli occupation in 1967. Israel used the previous Ottoman laws and regulations, which were originally issued for taxation purposes, to control more Palestinian lands in the West Bank and Gaza Strip. Moreover, Israel enforced many limitations on the mobility of Palestinians, which made many agricultural lands extremely hard to reach and thus remain uncultivated, and hence easy to be confiscated. As a result, many Illegal Israeli settlements have been built on parts of these Israeli controlled lands, as it was easy for Israel to do so under the Ottoman regulations. Vast areas of these lands also remained empty, as it was extremely hard to obtain building permits from the Israeli Military Government units which were authorized by the Israeli state to deal with the urbanization of these areas. The Israeli Military Government units had the sole authority to issue building permits, or to develop infrastructure in these areas. This was also a main reason why much of the land remained uncultivated.

When the PNA was formed in 1993, as a result of the Oslo Accords signed between Israel and the Palestinian Liberation Organization under international patronage, most of the Palestinian lands in the West Bank and Gaza Strip were outside the jurisdictions boundaries of Palestinian cities and villages. These lands remained un built because of the Israeli authorities' limitations on urban growth since the year 1967. As a result of the Oslo Accords authority over these lands remained in the hands of Israel, in what was regulated to be Area C. Area C

---

7 B'Tselem is an Israeli human rights organization.
comprises more than 60% of the West Bank. The PNA does not have the authority to administer or perform urban planning for this area (Figure 4).

Figure 3: Declared State-lands verses Illegal Israeli settlements in Ramallah area.
*(Shelav 2012)*

The PNA is currently facing significant problems with land registration issues and is faced with the fact that most of the land in the West Bank is neither registered nor surveyed and do not have any clearly defined parcel boundaries. The registration of land in the West Bank requires significant financial resources. Ownership issues and conflicts over boundaries are also an issue (Abdulhadi 1990, Coon 1992). A Norwegian-funded project in the West Bank has allowed for the survey and registration of unregistered West Bank lands, but conflicts over land boundaries between owners are issues that those working on the project face on a daily basis.
Land registration and ownership issues can be independently viewed, or by their current consequences, as obstacles to the Palestinian planning process. It can be easily interpreted that current Illegal Israeli settlements, Israeli bypass roads, and confiscated lands are all results of land tenure policies Israeli planners have adopted on the basis of previous Ottoman land tenure regulations. By looking at planning as an act of power (Woods, Fles and Krygier 2010), it can be interpreted that land tenure regulations have contributed significantly to the planning power of the Israeli state; facilitating land occupation and control and at the same time weakening the Palestinian’s power to plan. Thus, it can be argued that the PNA’s capabilities of planning are hindered by land registration and ownership issues that still remain an obstacle. The history of land registration and how it has affected planning in Palestine is discussed in more detail in the Ramallah case study later on in this dissertation.

Figure 4: A Timeframe of Israel’s control over Historic Palestine
1.2 Research Setting

As stated earlier, the West Bank and Gaza Strip / Palestine and in accordance with international law and U.N. Security Council resolutions, have been residing under Israeli military occupation since the year 1967. Even in Area A lands, where the PNA is supposed to have complete security authority, these area are subject to frequent Israeli military actions including arrests and assassinations of what Israeli officials call "wanted" activists. This research will concentrate mainly on the West Bank. Despite the fact that the Gaza Strip is geographically separated from the West Bank and is currently under different political rule, these facts should not be enough reasons for Gaza to be excluded from this research. I believe that the West Bank and Gaza Strip should be dealt with as one political unit. However, the main reason why the Gaza Strip is excluded from this research is because all Israeli settlers were evacuated from it in 2005. Thus, the Palestinians have full planning authority there. The classification of lands into categories A, B and C do not apply there since the Israeli unilateral withdrawal from the Gaza Strip in 2005. As a result Israeli policies of separation do not apply there anymore and isolated planning islands are nonexistent. Because Israeli policies of separation are a major component of this dissertation, I have decided not to include any cases from the Gaza Strip. The planning process in the Gaza Strip should be researched in the future in a separate prospect. The literature on planning in the Gaza Strip is very limited at this time.

The West Bank has an area of 5,640 square kilometers (2,270 square miles) and a population of approximately 2.5 million, with most people (more than 90%) living in cities and

---

8 There are U.N. Security Council resolutions concerning the Palestinian / Israeli conflict, the most significant being:

- Resolution 242 (November 22, 1967) which "calls upon Israel to reciprocate by withdrawing its forces from land claimed by other parties during the 1967 war." See Appendix 2.
- Resolution 267 (July 3, 1968) which "censures' Israel for administrative acts to change the status of Jerusalem." See Appendix 2.
villages (PCBS 2010). These cities and villages have an approximate annual population growth ratio of 2.6% (PCBS 2010).

1.2.1 The Formation of the Palestinian National Authority and Land Categories in the West Bank.

The PNA was formed as a result of Oslo Accords signed between the Palestinian Liberation Organization (PLO) and Israel under the umbrella of the United States, Russia and the European Union. The Oslo Accords was signed in Oslo, in 1993. Palestinian lands, two years later in 1995, according to the Oslo II agreement, were categorized into three types: A, B and C. Area C formed the majority, with a ratio of about 74% of the lands. This categorization was created as part of a 5-year interim period, during which Israel was to withdraw from lands converting B and C areas to A and B areas, respectively, until a permanent peace agreement between the Palestinians and Israel is reached by the end of the interim period. Unfortunately, this did not happen. Israel, since the signing of Oslo Accords, had made few minor redeployments of its forces. As a result Area C forms now about 60% of the West Bank area, see Table 1.

Table 1: Areas of A, B and C lands (PASSIA 2011)

<table>
<thead>
<tr>
<th>Land Category</th>
<th>Percentage of Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>14%</td>
</tr>
<tr>
<td>B</td>
<td>27%</td>
</tr>
<tr>
<td>C</td>
<td>59%</td>
</tr>
</tbody>
</table>

According to the Oslo accords, the Palestinian Authority has security and administrative control over category A lands and only administrative authorities in category B lands, which
includes urban planning authorities, within the West Bank and Gaza Strip. Category C lands are under full security and administrative control of Israel.

Accordingly, the Palestinian institutions have the authority to plan within areas A and B (about 40% of the area of the West Bank) only, while the authority to plan in Area C (About 60% of the area of the West Bank) is solely controlled by Israel. However, it is not just the area size that is significant here. Areas A and B consist of geographically discreet areas within a context of Area C, see Figure 1. The PNA is only permitted to plan inside these isolated islands, and has no control over the planning context in which these isolated islands are located.

The urban planning environment in the West Bank is complicated due to the military occupation. Urban discontinuity and lack of authority on the ground contribute to this complexity. The numerous physical factors involved within the planning process include Illegal Israeli settlements, Israeli bypass roads and the limited authority of the PNA. This research will examine how the Palestinian planning process in the West Bank responds to the Israeli planning themes of Area C and to the Palestinian vision of an independent, integrated and geographically connected state.

1.3 Israeli policies

Ever since the occupation occurred in 1967, Israeli policies in the West Bank have aimed to enhance the control and superiority of the Israeli military power (Abu-Ayyash 1976, Abu Gharbiyyeh 2001, Bollens 2000, Chomsky 1983, Coon 1992, Gordon 2008, Makdisi 2008, Reshmawi 1987). However, many scholars suggest that these policies have shifted from the

---

Bypass roads are roads that have been constructed according to Oslo Interim Agreement to connect Israeli illegal settlements and at the same time bypass Palestinian communities. These roads are fully controlled by the Israeli Army and solely used by Israeli settlers. Palestinians are forbidden from driving on these roads. These roads form a network that contributes, along with the separation wall and the illegal settlements themselves, to the Israeli policies of separation.
beginning of the 2000’s towards policies of separation and insualtion (Bauer 2012, Chomsky 2010, Gordon 2008, Halper 2008). In the following section I discuss scholarly literature on Israeli policies in the West Bank.

1.3.1 Policies of Control

Coon (1992) discusses how prohibiting Palestinians from planning was a tool used by Israel to enforce its sovereignty over Palestinian areas in the West Bank and Gaza Strip since they were occupied in 1967 to the early 1990s. Coon (1992) argues that Israeli policies were aimed at controlling the maximum area of land with the least number of Palestinian residents. Israel simply wanted the land in order to build expand their territory by building illegal Jewish settlements and confiscating resources, while at the same time having to deal with the least number of Palestinians. Bollens (2000: 65-101) similarly argues, when discussing Israeli policies in Jerusalem, that Israeli planners have used many tools to enhance Israeli control over the city. These tools include expropriation of land, restriction of Palestinian construction rights, use of roads which restrict and fragment Palestinian communities, and the intentional absence of plans for Arab areas that would be needed for infrastructure provision and community development. In essence, Israeli policies since the beginning of their occupation in 1967 and until the early 2000s, aimed to control Palestinian land.

Eyal Weizman (2007), an Israeli planner and a professor at the University of London, argues that the main purpose of building Israeli settlements in the West Bank (usually on top of hills) is primarily for them to act as points of power to support the military occupation. These settlements and their transportation networks form lines that are then expanded into areas of power and control. Nevertheless, Weizman’s (2007) main argument remains that Israeli policies

\footnote{The eastern part of Jerusalem City was occupied in 1967 with the rest of the West Bank, and thus has the same legal status as an occupied territory, despite the fact that Israel considers it a part of its territory.}

Makdisi (2008) adds another objective to current Israeli policies in the West Bank. He argues that, in addition to enhancing Israeli control over the occupied Palestinian lands, Israeli policies in the West Bank aim to transfer the local population out of the Palestinian territories to other parts of the world. He simply asserts that these policies are making Palestinians’ lives more difficult by imposing restrictions on construction, mobility, and economic resources. Thus, they are forcing Palestinians who have the means to emigrate.

1.3.2 Policies of Separation

Neve Gordon (2008), an Israeli professor of politics at Ben-Gurion University, argues that the underlying structure of Israel’s occupation has fundamentally shifted from the *colonization principle*, by which Israel attempted to administer and control the lives of Palestinians, to the *separation principle*, by which Israel abandoned efforts to administer the lives of the indigenous population while still maintaining its control over the land. Gordon continues by stating that Israel is attempting to impose a permanent spatial arrangement that will enable it to extend its control over the area of occupied lands, while abandoning Palestinians to small self-governing enclaves completely surrounded by Israeli controlled areas.

From a similar point of view, Halper (2008) argues that the current Israeli strategy is one of "warehousing." Israel is attempting to "warehouse" its "surplus" Palestinian population, in the West Bank, by enclosing it within closed enclaves and abandoning any political efforts to resolve the conflict. Halper argues that this might explain why Israel is unconcerned about entering into a genuine peace process or resolving its conflict with the Palestinians:
By warehousing them it has the best of both worlds: complete freedom to expand its settlements and control without ever having to compromise, as a political solution would require (Halper 2008: 1).

These policies of separation have been evident on the ground where Illegal Israeli settlements, Israeli-controlled road networks and the separation wall are dividing Palestinian cities and villages into separate islands, see Figure 1.

Yehuda Bauer (2012) argues that the principle of separation is a Zionist necessity. Bauer signed a document, along with other Israeli figures, calling for a Palestinian state to exist within the pre-1967 borders (Bauer 2012). The document states that, from a Zionist point of view, it is an Israeli interest not to include a significant number of non-Jews (Palestinians) within its borders. According to Bauer (2012), this is the only way Israel can preserve its Jewish identity and at the same time be able to survive as a democratic state. Bauer states that this is the reason why he signed that document calling for a Palestinian State. However, if this is the only reason to give the Palestinians a state, then why give it to them in accordance to the pre-1967 borders? According to Chomsky (2010), this is the exact position of the current Israeli government and its Prime Minister Benjamin Netanyahu. This is leading Israel to a policy of "Bantustans." Israel is planning to abandon Palestinians in these isolated ghettos, permitting them to call these disconnected territories a state. Chomsky (2010) argues that Palestinians could name these ghettos "fried chicken" meaning that Palestinians can call them what they want, but isolated "Bantustans" are what they will wind up with, according to Israeli policies.

Considering the points above, it can be argued that planning Palestinian localities as isolated units—while not taking into account their surroundings nor the ability to form continuous and integrated urban environments—contributes to the Israeli policies of separation.

---

11 A "Bantustan" is a territory that was designated for black inhabitants of South Africa and South West Africa (now Namibia), as part of the policy of apartheid.
The PNA has a planning body that is represented in Palestinian planning institutions. These institutions are responsible for urban, regional, and land-use planning in Palestine. The Palestinian's government plan illustrates a vision of an independent contiguous Palestinian state within the pre-1967 borders by the year 2011. The following sections will shed light on the Palestinian planning process and vision.

1.4 Planning Process in Palestine

Urban planning in Palestine is usually initiated by Local Government Units, which are either municipalities or local village councils. Plans are then developed by private planning firms in coordination with the local planning units. Once an agreement is reached between a planning firm and the local planning unit, the plan is submitted by the municipality or local council to the regional planning committee in order to obtain the necessary approvals.

Each "Governorate"\(^{12}\) has a regional planning committee that is headed by the Director of the Planning Department in the regional office of the Ministry of Local Government (MOLG) in that particular governorate. Members of this committee are deputies from regional offices of the Ministries of Planning, Public Works, Transportation, National Economy, Labor, Environment, Tourism and Archeology and Education. Also on these committees are representatives from the Engineers Association. The committee members study the plan and discuss it with local government unit officials. The plan is studied by each ministry within the governorate separately, approved by their technical teams, and approved accordingly by that specific ministry’s representative from within the committee. It must be duly noted that the MOLG is the entity responsible for reviewing and approving major elements of plans, such as land-use zoning and the relationship of local plans to surrounding cities and villages.

\(^{12}\) A "governorate" is a Palestinian administrative geographic division that includes a main city and its sub cities and villages. The West Bank is divided into 11 governorates.
Once the regional planning committee approves the scheme, it is then advertised in the official newspaper for a period of two months. The plan is also made available in the municipality offices and the regional department office of the MOLG for the local citizens to review. Any individual unable to reach the municipality or local council for any reason would be able to view the plan in the MOLG’s regional offices. Local citizens are then given the right to appeal. During the two-month review period a large number of appeals are usually submitted to the MOLG. Appeals are studied first by the planning consultant who prepared the plan and then by the local government unit. Once recommendations are made, the MOLG may modify, accept, or reject these recommendations.

The plan is then approved by the Regional Planning Committee (after appeals have been addressed) and submitted to The Palestinian Higher Council on Planning, a national-level planning institution. The Palestinian Higher Council on Planning is located in Ramallah and is a centralized counterpart to the regional planning committees. It consists of Deputy Ministers from the same ministries that form the Regional Planning Committee and is headed by the Minister of Local Government. The plan is reviewed by the central office of the MOLG and approved by the rest of the ministries included within the Higher Council on Planning. The Palestinian Higher Council on Planning may accept, request modifications, or reject the plan. If accepted, the urban plan is then advertised in the official newspaper for 15 days before implementation. Afterwards the plan becomes law and the municipalities are obligated to follow it. As part of my research I have examined the criteria which the regional and higher planning committees use to approve urban plans, how these criteria deal with separate Israeli plans, and how they contribute to a Palestinian comprehensive planning vision. Figure 5 provides a graphical depiction of the Palestinian planning process.
1.5 Palestinian Statehood and the Palestinian Vision

Establishing an independent state has always been a national Palestinian goal since the British mandate era and during the early stages of the Palestinian / Israeli conflict in the 1930s. When the Palestinian Liberation Organization was formed in 1965, it announced two major objectives it would fight to achieve: the right to self-determination and the right of return for Palestinians who were expelled from their lands by Israel as a result of the 1948 war. They believed that the way of accomplishing self-determination was through the establishment of an independent Palestinian state. Since its formation in 1993, one of the PNA's major goals has been the establishment of an independent Palestinian state within the 1967 borders. Currently, the formation of an independent Palestinian state is at the core of all peace negotiations between the Palestinians and Israel. It can be argued that establishing an independent Palestinian state has been a Palestinian demand and dream since the beginning of the twentieth century.

Currently, the main document that represents the PNA’s future planning vision is the 

Palestinian National Plan (Ministry of Planning and Administrative Development 2009). The National Plan builds upon the Palestinian Government’s Reform and Development Plan (Palestinian National Authority 2006). The Reform and Development Plan (Palestinian National Authority 2006: 4) defines the Palestinian vision as the establishment of a viable, geographically contiguous, independent state in the West Bank and Gaza Strip. The Reform and Development Plan is simply the Palestinian Government’s 2006 political program, that is a set of policies geared toward reforming Palestinian institutions ahead of the envisioned Palestinian independent state. The Palestinian National Plan (Ministry of Planning and Administrative Development 2009) takes the Reform and Development Plan one step further. It advances a concept of
"sectorial development," meaning the development of social, economic, infrastructural, and governance sectors.

Figure 5: Planning process in Palestine
The *Palestinian National Plan* (Ministry of Planning and Administrative Development 2009: 6-11) and the Palestinian *Reform and Development Plan* (Palestinian National Authority 2006: 27-35) provide a methodology for achieving the Palestinian vision of an independent state. This methodology can be summarized as developing civil society institutions or sectors, as these plans refer to them, in order to be able to handle the duties pertaining to an independent Palestinian state. The PNA is trying to prove to the world that its institutions have the ability to run a state.

Unfortunately, Palestinian national plans do not mention mechanisms for responding to or resisting Israeli policies of occupation and separation. Instead, these plans are responding to political pressure by United States and European officials to implement a neoliberal capitalist agenda (Khalidi and Samour 2011). Ironically, this neoliberal policy is being practiced at a time when capitalist countries that have been politically stable for decades are facing one of the most significant crises of the last 50 years. Economists Raja Khalidi and Sobhi Samour call for Palestinian unilateral economic actions that are able to resist Israeli policies.

Palestinian economic power . . . would have to be consolidated in a struggle to reclaim policy space and push back Israeli control through unilateral economic measures . . . (Khalidi and Samour 2011: 18)

The same could be argued for the planning process as a whole. This research argues that the Palestinian planning process should act beyond what is permitted by the Israeli authorities. Israeli policies of control and separation come into direct conflict with the Palestinian vision of an independent, contiguous Palestinian state in the West Bank and Gaza. Accordingly, Palestinian planning institutions should be ready to produce plans that are able to contradict or counteract Israeli occupation’s plans, and to contribute to the Palestinian vision of an independent contiguous State.
Chapter 2: Literature Review

The West Bank is an area that is still under Israeli military occupation. Even Area A territories, where the Palestinian National Authority (PNA) is supposed to have jurisdiction over security, are still violated by the Israeli military forces on a daily basis arresting and sometimes killing what Israel call "wanted" Palestinians. Israeli authorities, as discussed in the previous chapter, are using planning as a tool to endorse the interests of the Israeli occupation (Abdelhamid 2006, Bollens 2000, Chomsky 2010, Gordon 2008). These interests, such as connecting illegal Israeli settlements or controlling resources, in most cases, run counter to local Palestinian needs. As a result, Israel is endorsing social injustice by implementing plans that do not respond to the needs of locals and that contradict their interests. Many scholars have discussed how planning can create injustice (Friedman 1969, Soja 2010) and how state policies can cause many social problems such as poverty and crime (Goode and Maskovsky 2001, Marger 2008).

Planning can be used to promote unjust state policies. However, planning can also be used to defend social justice. The stream of thought on how planning can defend the interests of the least powerful against the plans of powerful groups is what this dissertation will refer to as the "concept of counter-planning." This chapter will discuss how social justice scholars have viewed the situation in Palestine and how various scholars view planning as a tool for endorsing or resisting social injustice. Finally, this chapter will discuss literature which pertains to planning in Palestine. The available literature is very limited, as planning in Palestine has not been discussed widely by planning scholars.
2.1 Social Justice

Social justice generally refers to the idea of creating a society that is based on the principles of equality and solidarity, in which the values associated with human rights and human dignity are respected (Foucault 1995, Said 2004, Venkatesh 2000, Young 1990, Young 2005). Iris Young is among those scholars who have written on social justice. Young (2005:11) recognizes the unjust social situation in Palestine. Building on her concept of social groups in previous work (1990), Young (2005) discusses three possible scenarios for the Palestinian Israeli conflict that can result in a socially just outcome. According to Young the first solution —— is a single secular state solution. An unbiased state would respond to everybody’s needs and recognize the rights of everyone and every group to freedom and development through a "politics of difference" approach. Everyone within the boundaries of this state would be considered citizens with equal rights and duties. There would be no occupation and no oppressed. Young (2005) suggests that this solution can act as an alternative to the two-state solution. Young argues that this solution is far from being implementable. Simply, it neither fulfills the Israeli nor the Palestinian political demands. Though some would argue that they think it might be the most suitable solution.

The second solution that Young suggests is one based on to the "social groups" concept that she discusses in her book Justice and the Politics of Difference (1990). Young proposes a horizontal federation between existing different groups of different needs. Each group has the right of self-determination and has control over the area it occupies. These groups would interact with each other on a horizontal basis. There would be no central legitimizing force is needed. Young calls this solution the "self-determination non-dominance solution." She contrasts it to the two-state solution which she calls the "self-determination non-interference solution." Yet, the
self-determination non-dominance solution does not answer many questions. For example it does not address how these horizontal relations would be monitored and maintained within a socially just context. How would people from either side react to it? It still requires further study and development if it is to be considered as a realistic, negotiable proposal. Young states that: "The alternative I have imagined for Palestine/Israel is not a political proposal. Political actors involved in the conflict themselves must develop those" (Young 2005: 9). Nonetheless, the second solution suggested by Young is not accepted by either party of the conflict. The third solution offered by Young is the political solution that is now being sought. It is the two-state solution: Palestine and Israel. Palestinians and Israel will be two separate, non-interacting, neighbor states. All political rounds of talks since the beginning of the peace process in 1991 between the Palestinians and Israelis specifically revolve around this idea. Accordingly, Young discusses this solution and raises reasonable questions concerning it. How do we know each state would exercise social justice within its borders? Would there not still be oppressed groups? Would not a new Palestinian state be very weak, both economically and militarily, compared to its neighbor, Israel? Accordingly, what would stop the powerful state from oppressing its weaker neighbor (Young 2005: 13)? The creation of a separate Palestinian state might do nothing but change the situation from one oppressed reality to another. The two-state scenario represents the official policy goal of the PNA. It forms the basis for the peace process that began with Israel in 1993. For this reason I have chosen to focus on it exclusively in this dissertation.

2.1.1 Spatial Justice

Planning can be a way to endorse social justice, or by default, social injustice. Friedman (1987: 40-48) establishes a link between thought and planning when he argues that the purpose of planning is to link knowledge to action in his book. Edward Soja (2010) establishes a similar
connection between social justice and planning by introducing his concept of *spatial justice*. Soja discusses how the exogenous geographies and political organization of space can result in unjust policies within communities. Edward Said (2004: 31-49) argues similarly that political organization of space can result in oppressive geographies.

Harvey (1977: 96-116) elaborates on the concept of social justice from a Marxist point of view. He explains that although surplus value is rooted in the production process, it might be realized in a different place as well. For example, while surplus value might be produced in a factory in China, it might not be realized until the produced merchandise is sold in a department store in either Europe or the United States. Accordingly, Harvey states that, "urbanization is, in many ways, a field of realization of surplus value." (Harvey 2013: 1) Harvey points out that capital is very flexible. While the working class might think they have achieved some of their rights in the production phase, such as better wages or living conditions, they would probably be paying these privileges back to the bourgeoisie in their day-to-day interactions with the urban environment, through extra taxes, bills, or more expensive fees. Harvey argues that urban spatial policies can be imposed by the elite to embrace spatial injustice.

Although Soja (2010) finds that spatial injustice does exist in many cities of the world, he stresses that Israeli unjust policies are extreme in Palestine, resulting in greater oppression and injustice. Noam Chomsky, among others, in an interview with Christopher Lee (2004) links Israeli control of the West Bank and Gaza to the South African government's policy of Apartheid. Soja (2010) claims that Israeli policies are similar to the ones that were practiced by the Apartheid Regime in South Africa, only more technologically advanced:

What we are seeing . . . is another form of spatial colonization . . . not entirely different from the blunt institutional expressions of territorial power association with apartheid or
the more technologically advanced spatial tactics of the Israeli military in controlling occupied Palestine (2010: 43).

Therefore, Israeli plans and actions in the West Bank are endorsing social injustice. As discussed previously, Palestinian communities are daily facing many difficulties and social problems due to the measures imposed by Israeli authorities on the ground. These measures are mainly meant to facilitate the lives of Israeli residents in Illegal Israeli settlements. Israelis bypass roads, which in many cases Palestinians are forbidden from using by military orders, connect Israeli settlements and divide Palestinian communities into isolated islands. The separation wall and hundreds of military check points hinder the ability of Palestinian citizens to move freely and have access to services such as universities and hospitals. Therefore, It is clear that Israeli policies are the main reasons for many social and economic problems that local Palestinians encounter.

Israeli planners were not the first to use urban planning as a tool of spatial segregation and social injustice. Urban planning was used as a tool for racial segregation in the United States during at least the first half of the twentieth century (Thomas and Ritzdorf 1997). According to Thomas and Ritzdorf, zoning was used in the United States by the dominant white elite to keep the undesired population of African Americans and new immigrants away from white neighborhoods (1997: 23-58). Although racial zonning was found to be unconstitutional by more than one U.S. court ruling in the 1930s, "racially informed" urban and master plans were used instead of racial zonning plans and continued to be approved in the 1930s. Many cities in the United States remain divided to this day along racial lines, as a result of the use of urban planning as a tool of racial segregation. The dominance of an elite group (in this example, the white race) on the planning process has ultimately resulted in the oppression and the ignorance
of the rights of other groups (mainly African Americans). Urban planning here was used as a powerful tool to enforce spatial injustice. However, residents of divided cities in the United States, currently, share the same rights and duties, at least officially and by law. In contrast, this is not the case in the West Bank where all Israeli governmental policies are directed towards enhancing the Israeli occupation. These policies result in the oppression of the Palestinian indigenous population.

Venkatesh (2000) discusses in more detail how state and elite policies can cause social problems. He studies a case in Chicago City where the state policy was the reason for many of the social problems that African American citizens were facing. In this case the poor African Americans were blamed for these social problems under the pretense that these problems were a result of the salient cultural practices. Venkatesh (2000) carried out an ethnographic study of African-Americans in a public housing project, The Chicago’s Robert Taylor Homes, one of the United States’ largest housing projects that were being dismantled in 2000. Venkatesh's (2000) main argument was that the overcrowding and insulation from the surrounding environment of this community acted as a scaffold for these social problems. The city council was dominated by the mostly white middle and upper classes. Therefore, the city’s policies ignored the interests of the working class mostly African-Americans. As a result, the inhabitants of the Robert Taylor Homes were victims of unjust economic and discriminatory policies. For example, the cuts in the city budgets assigned for maintaining some of the project’s apartments left many of these apartments vacant and in turn acted as bases for gangs and drug dealers. The same can be argued concerning Israel’s actions in Palestine. Israeli government's policies in the West Bank are leaving Palestinians within isolated and area-limited localities that are and will suffer
overcrowding due to the Palestinian high rate of population growth and in turn expose them to similar social problems.

Goode and Maskovsky (2001) explain how unjust planning policies can cause many social problems, especially poverty. Goode and Maskovsky (2001) argue that poverty in society is not accidental. On the contrary, it is a product of the system. The poor are viewed by the elite from two perspectives: either as undeserving their society or victims of that society. Goode and Maskovsky (2001) point out that the poor are definitely victims of the unjust policies of authorities. Elite groups are actually trying to sustain poverty. In the case of military occupation, this is even a more extreme orientation. Goode and Maskovsky (2001) goes on to suggest that poverty is the result of three characteristics of the neoliberal system: economic, political and market. In this manner, Goode is in harmony with Marger's (2008) notion that there is an elite group within the society that controls the decision making process. Inequality and social injustice are in the interest of this group. In other words, in order for the elite group to get richer and more powerful, other groups will become poorer and less powerful. Bearing in mind that this group dominates the decision-making process, policies within the system are produced in a way in which this inequality is sustained. Israeli policies in the West Bank can be viewed from a similar point of view. These policies are directed towards the benefits of one group, here the Israeli settlers and the occupation. These policies are not only ignoring the needs of the Palestinian population but they are also expropriating lands and resources which is resulting in an extreme oppression of the Palestinian citizens.

Thus, inequality in a society can exist on more than one level. There are social, economic, and power inequalities. Marger (2008) differentiates between stratification and differentiation within the society. For him, differentiation is acceptable, because groups within the society are,
simply different from each other, such as doctors, teachers, and workers. However, stratification means the classification of these groups in a hierarchical manner, where some groups are advantaged over others. Once again, the situation in Palestine represents an extreme case of stratification; the occupier versus the occupied, the Israeli versus the Palestinian. Marger (2008) argues that this inequality between groups is in the interests of an elite group. Thus the elite groups would always work to sustain inequality. Occupation can be looked upon as an extreme case of elite group stratification. Marger goes further to suggest that this is a structured inequality. Governments and institutions act to sustain this inequality. If this was the case with legitimate governments and states, then a military occupation regime such as Israel can easily be considered much more extreme in its efforts to maintain inequality. There are many factors that act to support inequality, including culture, ideology and institutions (Marger 2008).

That stated, it is debatable whether all Israeli government policy is based on the view of Palestinians as inferior to Israelis. Baumann (1996) views the discourse of identity as a reason for unjust policies towards certain groups in society. Baumann argues that there are two levels of identity discourse: the official or dominant and the local or demotic. State officials view the public from a different perspective than the one from which they view themselves. Looking at the situation in Palestine from this perspective, it can be argued that Israeli official government policies identify Palestinians as having a lower status, as less significant human beings. Thus, it is not important for them (Israeli officials) to look out for Palestinians' interests when planning in the West Bank, as long as their own interests are met. This falls in line with the concept of social stratification (Marger 2008). No matter how one looks at it, Palestinians are a powerless group of people who reside under a powerful military occupation that is attempting to accomplish its interests without taking into consideration the cost the Palestinians would have to pay.
Although unjust spatial policies can result in oppression, it can be argued that one major result of this oppression is an increased potential to resist it. However, resistance has many forms; theory and planning can be two of these forms. As Soja points out, "this battle over space and territory is not just about soldiers and guns but also about ideas and imagery" (Soja 2010: 41). Building upon that, plans of oppression can be counteracted by other plans of social justice. Plans that bear in mind only the Israeli settlers' interests can be counteracted with those which endorse the local Palestinians' interests. Additionally, plans that endorse the occupation’s vision of control can be counteracted by plans that envision a contiguous Palestinian state. This way of looking at planning is very similar to the concept of counter-planning upon which this dissertation builds.

2.2 Planning as an Act of Power

The planning process in general and that pertaining to Palestine specifically can be viewed as a power struggle. In Palestine the struggle is between the power of the Israeli occupation and its plans of separation on one side and the power of the Palestinian planning institutions and their ability to respond to the Palestinian interest and vision of having an independent state on the other. Despite the fact that the Israeli side is apparently more powerful, it can still be argued that Palestinian planning institutions can exercise their right to plan, regardless of whether implementation is currently possible or not. Foucault (1995) suggests that although power is unevenly distributed, it cannot be owned by any one party. Power is distributed and exercised among groups. Although the powerful would try to exploit this power and apply it towards their own interests, Foucault would argue that less powerful groups always possess some sort of power which they can practice to defy the powerful. Gandhi realized this — and put it into practice — long before Foucault, during his peaceful resistance of the British colonization of
India in the first half of the twentieth century. In reference to prison, Foucault (1995) argues that knowledge is a major source of power. He explains how knowledge provided to the prison guards, by means of surveillance cameras and remote communication systems, privileges them over prisoners who do not have the same means. Therefore, knowledge possessed by those less powerful can be a privilege and can be a great source of power. Having a Palestinian planning vision for a certain area can provide Palestinian planning institutions with the ability to argue from a more rigid position for this vision and regardless of their ability to currently implement these plans. Moreover, planning visions for Area C can help create plans within PNA areas (Area A and Area B) that can comprehensively result in the future towards a contiguously planned area.

In Palestine, the Israeli occupation possesses the greater amount of power. It can be argued that Israeli official policies are directing that power towards the occupation's own interests regardless of the needs of the Palestinian public. From a similar point of view, Scott (1998) argues that in some cases the power of states is used to impose legislation that serves the interests of the state itself, not necessarily its people. States use the power they possess to organize society in a way by which they will be able to govern. However, many of the public’s interests could be ignored as they are not the main objective of these policies. This can be argued to be the case in Palestine, but in a more extreme fashion, as the interests of the occupation often contradict the needs of the public. Furthermore, Scott, amongst other scholars, argue that the state would probably serve the more powerful group in a society.

2.2.1 The Public's Role and Public Participation

The power struggle between the Israeli state and Palestinian planners is evident, as Israel is trying to implement plans that totally contradict Palestinians’ interests. In light of the fact that the
Israeli state is an occupation authority, it should be mentioned that a different type of power struggle also exists here. The Palestinian society, as in any other society, has different social layers. In order for the Palestinian planning process to be effective, it should address the interests of the less powerful groups at the same time it is addressing Israel’s separation policies. Public participation practices in the planning process are a way for the public’s needs to be heard and integrated into the planning process.

The public sector usually has stronger connections to the elite and powerful, or at least these entities have the power to influence the public sector’s decisions and make their voices heard more than the less powerful (Davidoff 1965, Forester 1989, Hunter 1968, Scott 1998). Therefore, the public sector is more likely than other organized groups in society to ignore the interests and needs of the poor and the less powerful while attempting to respond to the elite. Socially embedded and community based organizations, by contrast, are more likely to represent the interests of the minorities and the less powerful. Urban scholars are divided on the proper role of the state. Scholars such as (Friedman 1987, Healey 2006) debate that the public sector should step back to grant social embedded institutions more room to operate as they can properly address the interests of the poor. Savitch and Kantor (2004), on the other hand, view public sector intervention as essential. However, does the public sector have the motivation or the will to serve the less powerful? This falls in line with the concepts of advocacy, equity and counter power planning (Davidoff 1965, Forester 1989, Krumholz 1982) by which the planner is viewed as a social activist who is expected to fight business-oriented and middle-class-visional proposals in order to try to provide a better life for the distressed and low-income minorities.

One reason the powerful influence planning decisions in Palestine is related to what Logan and Molotch (1987) refer to as the "growth machine." Although most Area C lands in the West
Bank are considered *miri* lands, people still buy and sell land parcels. The only proof of ownership is the taxation financial record. These records are more of a representation of the right to use, according to the Ottoman law, than official ownership papers and are utilized for processing real property transactions due to the lack of a better proof of ownership.

Land within planned areas in Palestine is very expensive compared to those in areas controlled by Israel. This is understandable taking into account the risks of confiscation or demolition to properties that reside within Israeli-controlled areas (Area C). Logan and Molotch (1987) expand on Molotch's earlier work (1976) which introduced the concept of the growth machine. Logan and Molotch (1987) explain that local governments are concerned with growth in large part because of the influence of the private sector. Real estate in specific are viewed by profit-driven investors as ways of generating profit. Land parcels have values and these values can increase by focusing growth and development in the areas where these lands are located. In Palestine this increase in value is much more significant. Logan and Molotch (1987) argue that private investors attempt and successfully impact urban development policies in reference to these lands in order to maximize their profits. It is here where Logan and Molotch (1987) distinguish between two types of value: *value of investment* — which is a major concern for the private–sector investors and the *value of use* — which is the main concern of the regular public who view real estate as a means to obtain their daily living. Logan and Molotch (1987) argue that because of the increasing influence of the private sector’s elite groups on governments, governmental development policies are more directed towards the *value of investment* and ignore the *value of use*. As a result, the working class or low-income individual’s needs and interests are ignored. This is very true in Palestine. Palestinian elite groups and thus Palestinian governmental development policies are more concerned with the *value of investment* rather than the *value of
use. Land prices in Areas A and B are very high; for example one square meter of land in the city of Ramallah can easily reach the price of one thousand US dollars. It can be debated that prices in Areas A and B are high because of the limited availability of vacant land within these areas, whereas land in Area C is much cheaper. Thus, it can be argued that the growth machine concept exists clearly in Area A but is limited in Area C. The growth machine concept becomes very apparent when discussing the Rawabi case study in Chapter 6.

Therefore, the planning process in Palestine could be viewed as a struggle on two levels. First, against Israeli policies of occupation and second, as a response to the needs of the less powerful and the public rather than the needs of the Palestinian elite. Public participation can be used as a way to acknowledge the voices of the public and the less powerful. Until recently, the Palestinian planning process had very minimal public input, represented by the public's ability to appeal master plans if they felt their properties were being threatened. Recently, the Ministry of Local Government (MOLG) is requiring Palestinian planners to conduct several workshops and public meetings for feedback and to present planning alternatives as part of the planning process.

Norman Krumholz’s experience in Cleveland (Krumholz 1982) is a successful example of how planning can be used in ways that support the rights of the poor. Krumholz served as the Director of the Cleveland City Planning Commission under several mayors. Krumholz considered the planner, thus himself, as a social activist. He set as one of his goals "to provide a wider range of choices for Cleveland residents who had few, if any, choices" (Krumholz 1982: 163). Krumholz's task was not an easy one. It was more of a fight to try to provide the distressed with at least part of their rights. Krumholz had to face accusations of hindering the city's development.
Krumholtz's experience shows the amount of persistence and will that is required from planners to serve the distressed and avoid the upper-classes' interests. In Palestine, the plight of planners is a more difficult one; not only does the planner fight for the interests of the less powerful against the interests of the influential elites, but also fight plans of occupation that can contradict, in some cases, the interests of the elite and distressed Palestinians. Therefore, Palestinian planners should not be "ordinary bureaucrats seeking a secure career, some status and regular increases in salary" (Krumholz 1982: 170).

2.3 Mapping and Counter-Mapping

State authorities use maps to exercise power. Woods et al. (2010) show how states use maps to impose zoning laws, tax districts and other legislation that can be considered sources of power. Maps are also used to assign addresses and names to places. For some places these names and addresses would not have existed if it was not for maps.

Monmonier (1996) argues that maps can be deceiving. Although they might be, content wise, true scale, geographic projection and presentation can all be ways for maps to be deceiving. Looking at maps from this perspective, it can be argued that Monmonier agrees with Woods et al. that using maps as a tool of deceit makes them a very effective source of power. As an example of lying with maps Monmonier (1996) presents a map published by the Jewish National Fund of Canada right before the 1973 war (Figure 6). The map is intended to mobilize world support for Israel in the war. The map shows how small Israel is compared to the surrounding threatening Arab countries. While the map is true, shape and area wise, the map does not say anything about the Israeli military superiority over its Arab neighboring countries. It can be discussed then that on various levels cartographers, planners, planning institutions, states and
military occupiers use maps to promote their own personal interests and agendas. Maps are indeed sources of power on various levels.

![Map showing the encirclement of Israel by neighboring Arab nations, redrawn from a map published during the 1973 war by the Jewish National Fund of Canada.](image)

**Figure 6: Lying with maps.**

*(Monmonier 1996)*

In the mid-1990s scholars introduced the term *counter-mapping* to describe mapping efforts whose purpose are to counteract dominant governing regimes’ plans (Peluso 1995). Much of the research on counter mapping was concerned with the availability of newer mapping technologies such as Geographic Information Systems (GIS). This technology made map creation possible for social activists and community-based groups. Examples of such research are found in various parts of the world, such as South Africa — where efforts were aimed at re-writing apartheid maps (Harris, et al. 1995) and in South America — to help Amerindian groups formally claim historical territories (Poole 1995a). In addition to celebrating the use of new technology, counter-mapping literature also considered simple handmade and artistic mapping as

Woods et al. (2010) argue similarly in their discussion of the relationship of maps to the state. They survey several examples of efforts by indigenous peoples, parish residents, artists, and even some geographers to use maps to challenge the authority of the state while exploring the potential and limitations of counter-mapping.

The aforementioned concept is similar to that of Forester (1989) and Davidoff (1965) of planning against main-stream power that will be discussed in more detail in the following section. It is a process that attempts to counteract main-stream planning. However, the actors here are not planners as much as they are social activists, geographers and artists who are trying to protest the main-stream plans that affect their lives directly and gravely ignore their needs.

Woods et al. (2010) discuss Palestine as a specific example of counter-mapping practices. To Woods et al. the West Bank, has been counter-mapped more than once. The State of Israel had counter-mapped the West Bank during their occupation of the territory in 1967. Israeli planners were not happy with the maps of Palestine that existed when they occupied the West Bank. These maps were covered with Palestinian names of cities (in Arabic), villages and historic and religious areas. According to Woods et al., the Israelis have counter-mapped the West Bank by producing maps that replace the original Arabic names with Hebrew names taken from the Old Testament of the Bible in order to be more coherent with the Jewish nature of Israel. Ironically, Woods et al. argue that Palestinians are now producing alternate maps that stress the original Palestinian/Arabic names. Examples of Palestinian counter mapping include the *Atlas of Palestine* 1948 (Abu-Sitta 2004), maps of Palestine produced by departments of
geography in Palestinian universities and even in symbols and monuments Palestinians construct in their cities and villages.

2.4 Counter-planning

Israel controls planning in most of the national territory of Palestine. Israel is an occupying force whose objectives are to enhance its control and sovereignty over the indigenous Palestinian people. Here the influence of the elite class on the planning process is minimized but not eliminated by their limited ability to influence planning decisions within the Palestinian planning institutions. Accordingly, this dissertation focuses on planning activities in the West Bank that counteract Israeli planning measures. The following section will discuss literature that pertains to planning against mainstream power, what I will refer to as counter-planning.

Davidoff (1965) challenged the idea that planning is exclusive to the state. Being a professor of law, he viewed the planning process in a way similar to the adjudicating process. Davidoff states his major question: why are governments the sole party responsible for creating urban development plans? He asserts that community-based institutions and special-interest groups should be given the opportunity to prepare urban plans that reflect their own interests. Professional planners can be hired to produce urban plans in a professional manner. In that sense the planner's role is similar to that of a lawyer in that the planner is a professional advisor who provides professional advice to interest groups. The public, thus, are given the opportunity to prepare plans that reflect their interests and needs. To reach consent on a final urban plan to be approved, a planning commission could weigh the merits of the competing plans in a democratic voting process, very similar to the way a court hears and weighs arguments from different parties. The public sector here competes with interest groups in providing urban plans and should
not dominate the urban-development process. In a sense the public is given the chance to prepare plans that counteract the State’s plan and reflects the interests of local groups.

Forester (1989) argues in a similar manner. To him, the planner should not treat powerful and powerless groups equally. The planner should analyze and filter all information and seek information from less-powerful groups that might not be able to contact the planner as easily as other, more-powerful groups. The planner should be progressive and proactive. Communication here is a key issue, both outgoing communication regarding what the planner says or makes public and incoming communication regarding how the planner deals with information sources and power. The planner should have the ability to analyze information and distinguish between positive and negative communication. Positive communication sheds light on the public’s needs and negative communication aims at promoting the interests of the powerful. Planners should do what they can to maximize positive communication and minimize negative communication. Some communication may be directed towards manipulating the decision-making process towards the interests of powerful groups. In that case, the planner should develop creative ways to reach and make the voices of the distressed heard. Voices of the powerful will most likely find their way to the planner much easier. With that stated, according to Forester this is the only way planners will be able to reach a comprehensive view of the urban context and the real interests of the community and thus be more capable of addressing the interests of the distressed. Forester acknowledges that planning involves both technical problem solving and politics. However, he argues that "[p]lanning analysts are not apolitical problem solvers or social engineers. Instead they are actually pragmatic critics" (Forester 1989: 18).

There is not a large body of literature that discusses the concept of *counter-planning*. However, the term *counter-planning* has been used by a number of scholars. For example, the
term *counter-planning* was employed as a governmental policy in 1979 in the former Soviet Union. At that time the Soviet government required enterprises to present an updated plan with higher targets periodically. Enterprises were expected to present a plan that counters that specific enterprise’s previous plan. In other words, enterprises were counter-planning their own plans to set higher objectives (Gupta 1989, Hanson 1983). However, this concept of *counter-planning* is different from the concept that I employ in this dissertation.

*Counter-planning* is also a concept that is present in health planning and refers to a pluralistic approach of health planning where hospitals themselves play a significant role in the health planning process, while being more capable of understanding the needs and issues facing their daily activity rather than the Health Systems Agencies (HSA’s) (Berry 1980, Brown 1978).

Baum (1977) uses the term *counter-planning* in his discussion of how existential planning approaches should replace rational ones. Baum views *counter-planning* as a type of participatory or democratic planning that represents a way to change the rational, top-down planning approach that was salient in the 1960s. Roos (1974) also uses the term *counter-planning* in conjunction with the concepts of democratic and participatory planning. Within it community-based institutions play a strong role in influencing the planning decisions of the main stream capitalist planning process.

By counter-planning I mean, then, attempts to influence the capitalist planning process . . . by means of creating new planning organs, new competitive alternative plans or opposition to plans (Roos 1974: 223).

In general, counter-planning was viewed by a number of scholars as the type of planning directed against the dominant system of institutionalized power (Davidoff 1965, Forester 1989, Friedman 1969, Krieger 1971, Roos 1974). This concept of *counter-planning* is similar to the concept used in this research.
In this research I have examined the planning undertaken by Palestinian planning institutions in order to see if it is acting as a counter-planning process to Israeli planning actions and policies of separation and control.

2.5 Planning in Palestine — Previous Literature

Literature on planning in Palestine is sparse. Apart from master's theses prepared by planning students in Birzeit and Al-Najah Universities, academic work in this field is very limited. In the following section I will conduct a review of the main academic publications on urban planning in Palestine.

Coon (1992) discusses the Palestinian urban planning process and how it is affected by Israeli occupation policies. He also thoroughly discusses the urban planning process; its procedures and stages and the problems it faces in the West Bank / Palestine. Coon's book is more than 15 years old and is based on research conducted even earlier in the 1980s. Coon (1992) does not discuss Palestinian planning institutions simply because they did not exist at that time. It was only until the 1990s, when the PNA was established that Palestinian-controlled planning institutions began to be introduced. However, Coon's work provides an understanding of the implications of Israeli policies on the Palestinian urban planning process. Coon argues that Palestinians basically lacked authority that is essential for any urban planning process. He also discusses that there are only two sources of natural resources in Palestine: agriculture and water. Coon argues that Israeli planning policies are aimed at controlling these resources and thus preserving Israeli superiority over the Palestinians. Planning in the West Bank was entirely controlled by the Israeli Military Government at that time, what came to be renamed later as the Israeli Civil Administration (ICA).
Bollens is another scholar who discussed the conflict in Palestine and many other parts of the world. Bollens (2000) discusses a similar concept in regards to the city of Jerusalem. Bollens provides a thorough discussion of the Israeli policies in East Jerusalem in particular and the West Bank more generally. He shows how these policies have worked to promote Israeli superiority over the city. Bollens argues that the goals of Israeli policy makers are to "extend the Jewish city geographically and demographically, control the heights for military security, reconnect the formerly partitioned areas by building a Jewish development bridge from west to east and build Jewish neighborhoods so that the division of the city in terms of political control and sovereignty is never again possible" (Bollens 2000: 65).

Abdulhadi (1990) discusses restrictions on the land use planning process in the West Bank since its occupation in 1967 to the 1980s. He demonstrates how the urban planning process has been totally dominated by the Israeli authorities and how it was used to implement Israeli policies for controlling the land.

Dr. Samih Al-Abed (Abed 1998) discussed the urban planning process a few years after the formation of the PNA in his paper, "The Circumstances for Strategic Planning in Palestine." However, this paper focuses more on economic development and the challenges it faces. Lack of funding and the vague and unstable political climate are among the main issues listed that challenge an efficient strategic plan in the PNA’s areas. Similarly, a publication of the Ministry of Planning and International Cooperation (MOP) (Sha'at 2002) discusses the challenges that face a Palestinian strategic plan. However, both Abed (1998) and Sha'at (2002) do not consider actions that could be taken to try to overcome these challenges.

Abdelhamid (2006) focuses on analyzing the development and changes in the urban form of Palestinian cities and towns. He also discusses the major factors and impacts that affected
urban morphology and the urban form of the Palestinian areas. Abdelhamid (2006) puts forward some recommendations for improving the performance of the Palestinian planning process such as capacity building of Palestinian planning institutions, enhancing public participation and upgrading planning laws and regulations.

Araj (2010) may perhaps come closest to the focus of my research in her discussion of the planning conflict over space in Palestine. She focuses on the relationship between afforestation planning and the struggle over space in the Palestinian territories. Unlike this dissertation, however, Araj (2010) applies a more historic approach in her research. Her main source of information is document review, rather than field research, as is the case with this dissertation. She studies the planning actions of the British Mandate and the Israeli occupation and concludes that these actions aimed at controlling the Palestinian lands and enforcing the occupation. Although Araj studies these actions until recently, after the formation of the PNA, she did not research the Palestinian planning process as an institutionalized one under the PNA. Araj only sheds light on some individual Palestinian public attempts to resist Israeli and British plans through afforestation. Thus, she does not study the Palestinian planning process as is the case in this dissertation.

In an unpublished paper (2012) Khamaisi documents how urban planning can serve as a tool for civilian resistance to Israeli plans. However, Khamaisi targets Arab communities inside Israel but not in the West Bank or Gaza. Khamaisi (2012) discusses how preparing urban plans for Arab villages inside Israel can be used to resist unjust, biased plans of the Israeli government that, according to Khamaisi, aim at limiting urban expansion and hindering the development of villages in favor of Jewish cities. From this point of view, Khamaisi’s assertion is very similar to the counter-planning concept, by which local communities prepare plans to endorse their

Other planning literature in Palestine deals mainly with planning on the local level, of certain case studies of specific localities and does not look at the planning process as a whole (Abu Gharbiyyeh 2001, Halapi and Ghadeyya 2003, Khamaisi 2006, Najjar 2008).
3 Chapter 3: Methodology

3.1 Purpose Statement

After the Israeli Occupation in 1967, all Israeli policies in the West Bank and Gaza Strip were directed at enhancing Israeli control and supporting the occupation. There has been a shift in these policies during the previous decade towards policies of separation (Bauer 2012, Chomsky 2010, Gordon 2008, Halper 2008). Policies of separation, including construction of the Israeli-built separation wall, Israeli bypass roads, construction of illegal settlements and the attempts to annex the Jordan Valley to Israel, are designed to isolate the Palestinians in urban islands that are totally surrounded by Israeli-controlled areas. Currently, the Palestinian National Authority (PNA) possesses active planning institutions. However, the researcher has observed that many of the plans prepared for Palestinian localities by Palestinian planning institutions do not take into account the area surrounding these localities. Many of these plans simply take the boundaries of Areas A and B as a given and just plan within them. In doing so, they do not take into account the Palestinian vision of an independent continuous state.

The present dissertation is focused entirely on the West Bank. The Gaza Strip is separated from the West Bank as a whole unit. All Illegal Israeli settlements within the Gaza Strip were evacuated unilaterally by Israel in 2005. Concepts of separation of communities into islands and the categorization of lands into A, B and C areas do not apply in Gaza. The planning process within the Gaza Strip faces different challenges and is therefore not addressed here, although I recommend investigations of the planning process in Gaza as a subject for future research.

The main purpose of the research I have undertaken here is to understand the regional and national planning processes in the West Bank and assess whether these processes are acting as counter-planning strategies to resist Israeli plans of separation and thus contribute towards an
independent, contiguous Palestinian state. Furthermore, I provide recommendations on how to enhance the function of the Palestinian planning process as a counter-planning one by applying theories of planning against mainstream forces and theories of counter-planning.

I employ qualitative methods and multiple case study-analysis of the planning process of three Palestinian communities. I then carried out a series of semi-structured interviews with public-sector and private-sector planners working on the regional and national planning levels in order to better understand the planning process and to assess if this process is functioning as a counter-planning strategy. My findings are directed to both scholars and official planners as a contribution towards a more effective regional and national planning strategy in Palestine.

### 3.2 The Gap

The review of literature that was conducted in Chapter 2 lead to the conclusion that previous research on planning in Palestine was either not dealing with Palestinian planning as a counter action for the occupation's policies or else it was undertaken in a different era and under a different set of circumstances. On the other hand, literature on counter planning and planning against dominant-power institutions dealt with a legitimate state or authority which is different than the case in the West Bank which resides under military occupation.

The literature on planning in Palestine is either dealing with planning of individual localities, or simply analyzing challenges that face the planning process. Some literature on the planning process in Palestine was created before the formation of the PNA (Abdulhadi 1990, Abu-Ayyash 1976, Coon 1992), thus outdated and does not discuss a Palestinian planning process. Other literature can be found that offers recommendations for a more effective planning process (Abdelhamid 2006, Araj 2010, Sha'at 2002). However, this area remains highly under-researched.
Coon (1992) and Abdulhadi (1990) discuss the planning process in the West Bank (and Gaza) before the formation of the PNA. The planning environment currently is significantly different. Before the formation of the PNA, the Palestinians did not have any planning institutions. The planning process was exclusive to the Israeli occupation. Only individual acts of resistance to Israeli plans existed, such as protests or building without permits and being forced to face demolition orders. No Palestinian planning institutions existed at that time.

On the other hand, Davidoff (1965) and Forester (1989), in their work on planning and power, discuss planning that is directed against the dominant planning authority. Forester (1989) discusses how the planner should act within the power struggle of a community. For Forester the planner is a proactive social individual who should expend great effort towards hearing and responding to the voices of the least powerful who are less capable of influencing the decision-makers. Davidoff (1965), on the other hand, questions the exclusivity of creating plans for the state. Davidoff argues that community-based organizations and interest groups are more capable of assessing the needs of the public than the central state. Thus, community-based organizations and interest groups should be given the ability to create plans. Within this process, the planner is a consultant or an advocate whose job is to make sure plans are professionally produced to reflect the interests of these social groups. The public can then vote for one, or a merger of more than one, of the plans created by these groups. Davidoff (1965) and Forester (1989) assume a legitimate state or authority. This is apparently not the case in the West Bank where there is an occupation authority implementing policies of control and separation and not just a struggle of power between the power layers of a society.

Moreover, literature on counter-mapping deals more with process of producing maps rather than the planning process. For example, Woods et al. (2010) discuss how maps created by
community activists, geographers, artists, or community-based organizations in Palestine are counteracting maps created by Israel by using the original Arabic names of places instead of the Jewish names imposed by the Israeli State. Woods et al. (2010) here, similar to other scholars who wrote on counter mapping, do not discuss any planning processes, or planning activities.

This research employs concepts of planning against a dominant power developed within a different political context (Baum 1977, Davidoff 1965, Forester 1989, Friedman 1969, Krieger 1971, Roos 1974) to the Palestinian planning process. Thus, it will link the literature on counter-planning and counter-mapping to the literature on planning under the occupation in Palestine.

3.3 Objectives

My objectives for undertaking the research presented here were as follows:

1. To document the current Palestinian planning processes on the regional and national levels and evaluate if they are actually acting as counter-planning processes to Israeli policies of separation as I have defined counter-planning in section 2.4.

2. To demonstrate the efficiency of the concept of counter-planning and its importance as a Palestinian planning policy to support the Palestinian vision of an independent contiguous state, while at the same time resist Israeli policies of separation.

3. To offer recommendations of planning actions the Palestinian planning institutions could employ to enhance their counteractions to the Israeli policies of separation and thus support the Palestinian’s national goals.

3.4 Main Questions

In order to meet the objectives I have outlined in the previous section, I have attempted to answer the following research questions as part of my dissertation research:
• How are Palestinian planning institutions on the national and regional level currently performing as overarching coordinating bodies?
  o How are master plans for Palestinian communities currently being prepared?
  o What criteria exist to approve master plans of localities?
  o What coordination currently exists between the different institutions concerned with mapping and planning in Palestine?
  o What strategies exist to ensure plans comply with the Palestinian national vision of a contiguous independent state?
• How do Palestinian plans respond to Israeli plans in the West Bank?
  o How are planning institutions addressing Area C? How efficient are these plans? Are there alternative plans for Israeli ones?
  o What Palestinian process exists to approve Palestinian plans for areas currently under Israeli control?
  o How can Palestinian plans act as a reference for Palestinian politicians and decision makers?
• Are Palestinian planning processes on the national and regional levels acting as counter-planning policies to Israeli plans?
  o What can be done to enhance the counter-planning effect of these plans?

3.5 Research Methods

In this research I have utilized a qualitative research methodology to examine the degree to which the Palestinian planning process is acting as a counter-planning strategy to Israeli planning in the West Bank. According to Creswell (2007), the qualitative paradigm is most suited to questions about processes and meanings. It provides a more in-depth and detailed understanding
of the research subject and questions. Three case studies of Palestinian cities' planning processes are analyzed to provide an insightful understanding of the urban planning process in the West Bank. I conducted semi-structured interviews with key official planners to further deepen the understanding of the three case studies within the context of the planning process and in order to assess if the planning process is really acting as a counter-planning strategy. In the following, I provide a detailed explanation of the methodology.

3.5.1 Multiple Case Study Analysis

The case study approach provides an analytical framework within which research is conducted. A case study is an intensive analysis of an individual, or multiple unit(s) (in this case three Palestinian communities’ master plans). The method provides a systematic way of looking at these cases, collecting data, analyzing information and reporting the results. The case study approach is most suitable when the researcher needs to collect data from various sources. Yin (2003) recommends six types of data inquiry methods: documents, archival records, interviews, direct observation, participant observation and physical artifacts. The research I am presenting here draws from most of these types of inquiries: analyzing documents and archival data, semi-structured interviews, and the observation of the researcher over a long period of time while working as a professional planner. A case study approach is thus an in-depth approach that allows the researcher to collect data from different sources and apply a variety of data analysis techniques in order to form a comprehensive understanding of the research subject (Creswell 2007, Yin 2003).

The main purpose of the first phase of the research is to understand the urban planning process in the West Bank. To accomplish this objective a multiple case study approach is used. I selected three communities in the West Bank for in-depth analysis with respect to urban and
regional planning. Multiple case studies are usually selected to best illustrate the research issue. Case studies, in a multiple-case-study approach, can be selected for different reasons, such as ease of access or data availability (Creswell 1994, 2007, Stake 2005, Yin 2003). However, Creswell (2007) prefers that case studies be selected to show different views of the research topic to form a purposeful sample. The communities selected vary in size, importance and function. The three communities provide different perspectives of the planning and counter-planning processes in the West Bank. The communities I selected as multiple case studies are Ramallah, Fasayil, and Rawabi, (Figure 7).

Ramallah is a major city in the West Bank. It functions as a central hub for other Palestinian cities because it contains the headquarters of all official Palestinian institutions and Ministries. Ramallah is currently functioning as the main Palestinian city, both economically and socially. The City of Ramallah is located in the heart of the West Bank with a population of about 30,000 and an approximate area of 9 km$^2$ (about 2,200 acres) (Ministry of Local Government 2011). Ramallah is a Palestinian city that provides a good context for studying the historical development of the planning process in the West Bank because it has gone through many historic eras and transformations since its foundation in the sixteenth century and transformation into a city in 1908. Ramallah is also a fast growing city and is running out of Area A and B land. Ramallah municipality is attempting to include Area C land in its new plan and thus it can be considered a case of counter-planning as well.

The second case study is Fasayil. Fasayil is a Palestinian village located in the Jericho Governorate. It faces a serious lack of infrastructural services and its development is hindered by the current Israeli Civil Administration (ICA) planning policies that do not allow any construction outside Area B. Fasayil has a significant number of buildings that already exist in
Area C. These buildings are not licensed and are subject to demolition orders by the ICA. The ICA has defined boundaries for development of a master plan that include some buildings of the locality but excludes others. These boundaries are also so tight that they limit any future expansion of the locality. They basically reflect the Israeli planning policy for that area. A Palestinian master plan for Fasayil has been prepared that looks at the urban needs of the locality regardless of whether it is located in Area B or Area C. The Palestinian plan of Fasayil is counteracting the Israeli one. This Palestinian plan of Fasayil is studied thoroughly as a counter-planning second case study in this dissertation (International Peace and Cooperation Center 2011)\textsuperscript{13}.

The third case study chosen is Rawabi. Rawabi is a newly planned city. Rawabi presents a new trend for urban planning in Palestine, as newly designed cities are not common in Palestine. Rawabi is the first Palestinian city to be newly planned from scratch. It is currently being built. It is expected to have a population of approximately 40,000 within its area of 6 km\textsuperscript{2} (about 1,500 acres) (Ministry of Local Government 2011). Planning for Rawabi is a new planning experience that may shed light on the concept of counter-planning.

\textsuperscript{13} A Palestinian NGO located in Jerusalem that is concerned with promoting an urban planning participatory democracy through an integrated approach of research, urbanism, community engagement and training.
Figure 7: Location of case studies
In the course of my research I thoroughly examined the three case studies. I reviewed all three current master plans (maps and reports) and situated the master plans within the surrounding urban context. I considered planning in each of the three case studies from two perspectives. First, I tried to determine how the cities function as urban centers and how they connect to sub cities and villages. Second, I tried to determine how the three case study sites fit within the larger urban context and connect to central and other major population centers in the West Bank. I then attempted to determine the degree to which these master plans take (or do not take) into consideration the surrounding urban context during the planning process in order to acquire an in-depth understanding of how master plans in the West Bank are actually created.

3.5.1.1 Data Sources

Master plans of the three case studies are available at the Ministry of Local Government (MOLG). The MOLG is the institution responsible for final approval of master plans and thus archives copies of all maps and reports.

Data concerning the urban environment are available in the form of GIS layers at official institutions and NGOs that are working within different fields related to planning and social studies. Semi-structured Interviews

The main objective of semi-structured interviews is to understand how the Palestinian planning process is addressing Israeli plans in the West Bank and how this process can act as a counter-planning strategy to Israeli plans. Toward that end, I conducted semi-structured interviews with official planners within the regional and national planning institutions.
Table 2 shows a list of these institutions and their work focus.

3.5.2 Semi-structured Interviews

The main objective of semi-structured interviews is to understand how the Palestinian planning process is addressing Israeli plans in the West Bank and how this process can act as a counter-planning strategy to Israeli plans. Toward that end, I conducted semi-structured interviews with official planners within the regional and national planning institutions.
Table 2: List of planning / mapping institutions in the West Bank

<table>
<thead>
<tr>
<th>No.</th>
<th>Institution</th>
<th>Type</th>
<th>Specialization</th>
<th>Web page</th>
<th>Gate keeper found</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>OCHA–OPT</td>
<td>United Nations Institution</td>
<td>Closures, check points and wall</td>
<td><a href="http://www.ochaopt.org/">http://www.ochaopt.org/</a></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Stop the Wall</td>
<td>NGO</td>
<td>Israeli Wall</td>
<td><a href="http://www.stopthewall.org/index.shtml">http://www.stopthewall.org/index.shtml</a></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>ARJJ</td>
<td>NGO</td>
<td>Jerusalem Studies</td>
<td><a href="http://www.arij.org/">http://www.arij.org/</a></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>B’tselem</td>
<td>Israeli NGO</td>
<td>Closures, check points and wall</td>
<td><a href="http://www.btselem.org/">http://www.btselem.org/</a></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>The Palestinian Hydrologists Group (PHG)</td>
<td>NGO</td>
<td>Water / Underground water</td>
<td><a href="http://www.phg.org/">http://www.phg.org/</a></td>
<td>Yes</td>
</tr>
<tr>
<td>6</td>
<td>PWA</td>
<td>Governmental</td>
<td>Domestic Water / Water networks</td>
<td><a href="http://www.pwa.ps/">http://www.pwa.ps/</a></td>
<td>Yes</td>
</tr>
<tr>
<td>8</td>
<td>Jerusalem Electricity Company</td>
<td>Semi-Governmental</td>
<td>Electricity networks</td>
<td><a href="http://www.jdeco.net/">http://www.jdeco.net/</a></td>
<td>Yes</td>
</tr>
<tr>
<td>10</td>
<td>MOLG</td>
<td>Governmental</td>
<td>Regional / Local planning</td>
<td><a href="http://www.molg.pna.ps/">http://www.molg.pna.ps/</a></td>
<td>Yes</td>
</tr>
<tr>
<td>12</td>
<td>Ministry of Agriculture</td>
<td>Governmental</td>
<td>Agriculture</td>
<td><a href="http://www.moa.gov.ps/">http://www.moa.gov.ps/</a></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>The Palestinian Department of Antiquities and Cultural Heritage</td>
<td>Governmental</td>
<td>Archeological places</td>
<td><a href="http://www.dach.pna.ps/">http://www.dach.pna.ps/</a></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Ministry of Transportation</td>
<td>Governmental</td>
<td>Transportation</td>
<td><a href="http://www.mot.gov.ps/default.asp">http://www.mot.gov.ps/default.asp</a></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Good Shepherd Engineering and Computing Company</td>
<td>Private</td>
<td>Mapping</td>
<td><a href="http://www.gsecc.com/">http://www.gsecc.com/</a></td>
<td>Yes</td>
</tr>
<tr>
<td>16</td>
<td>REWAQ</td>
<td>NGO</td>
<td>Archeological conservation</td>
<td><a href="http://www.riwaq.org/2010/index.php">http://www.riwaq.org/2010/index.php</a></td>
<td>Yes</td>
</tr>
<tr>
<td>17</td>
<td>Palestinian National Initiative</td>
<td>NGO</td>
<td>Closures, check points and wall</td>
<td><a href="http://www.almubadara.org/new/english.php">http://www.almubadara.org/new/english.php</a></td>
<td>Yes</td>
</tr>
</tbody>
</table>
As previously discussed in section 1.4, the two major entities responsible for reviewing plans are the Palestinian Higher Council on Planning and the Regional Planning Committee housed within each Governorate. Every plan in Palestine has to go through approval on both the regional and national levels. Most of the Palestinian ministries have members / representatives in these two councils, both on the regional and national levels. However, the one ministry that heads both councils is the MOLG. The Regional Director of the MOLG of the specific Governorate is the head of the Regional Planning Committee, whereas, the Minister of Local Government is the head of the Higher Council on Planning. Thus, the MOLG is taking a coordination role, in addition to its modifying and review role and is the sole entity responsible for approving plans after they are approved by other municipalities.

Accordingly, I focused my research on the MOLG at both regional and national levels. My goal was to interview key official planners in the central and regional offices of the MOLG. However, this does not mean that I excluded all other ministries. I also conducted interviews with planning officials from the Ministry of Planning (MOP).

I interviewed planning officials within the MOP. As a result of these interviews I came to the understanding that the MOP is responsible for drawing general guidelines for planning in Palestine. Appendix 1 represents a protocol design for the planned interview. It also contains suggested questions for the semi-structured interview. Table 3 shows the conducted interviews and interviewees.

Creswell (2007) discusses the data analysis process within the qualitative research methodology. Preparing and organizing data for analysis, reducing into themes through coding and condensing codes and the representation of data using figures, tables and diagrams are all qualitative tools used for the analysis of data that were discussed. Creswell (2007) also cites
Stake (2005), specifying qualitative analysis methods typically used in case study approaches. Concepts of cross case study analysis and the aggregation of data into categories are discussed thoroughly in his book.

Table 3: Conducted interviews

<table>
<thead>
<tr>
<th>Planning Level</th>
<th>Number of Interviews</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOLG National Level</td>
<td>6</td>
<td>1 interview with the General Director of Planning Department.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5 interview with key planners.</td>
</tr>
<tr>
<td>Ministry of Planning National Level</td>
<td>3</td>
<td>1 interview with General Director of National Plan Department.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 interview with key planner.</td>
</tr>
<tr>
<td>MOLG Regional Level</td>
<td>2</td>
<td>Interviews with General Director of Regional Planning Committee.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total number of interviews</strong></td>
<td><strong>11</strong></td>
<td></td>
</tr>
</tbody>
</table>

Consistent with Stake (2005), I have conducted the following procedures through the data analysis process. First, I have transcribed all data collected through the semi-structured interviews into text and entered it into a word processing software. The transcripts were read thoroughly by the researcher until a comprehensive understanding was formed. Afterwards, I have produced a thorough description, based upon the review and readings of the collected data. Codes were then assigned to data collected from the interviews. As mentioned at the beginning of this chapter I have selected the case studies, among different experiences of planning / counter-planning in the West Bank to convey a more comprehensive research. Accordingly, codes that were found repeatedly within a specific case study indicated themes that are specific to that particular case study. Codes that are found repeatedly among the case studies can indicate themes that might be generalized for the planning process in the West Bank. Consequently these codes are aggregated and categorized into these themes. These themes are then studied in terms
of relationships. Hierarchical diagrams that visualize the cause / effect relationships into trees are prepared. Network diagrams representing the interaction and relationships between the themes are also prepared and studied.

### 3.6 Reliability and Validity

Reliability is a measure of the precision and consistency of the research measuring tools (Creswell 2007). However, in this research I have not attempted to measure quantities—as in the case of quantitative research — where there are specific accurate statistical laws of analysis. Qualitative data consists of flows of ideas and discussions in the form of transcripts. Thus, it is harder to judge degrees of precision. Reliability in quantitative research is a measure of consistency. Qualitative research is reliable if repeating the same question is more likely to result in similar answers (Babbie 1998).

Validity, on the other hand, measures the extent to which a study answers the research questions (Creswell 1994). Creswell (2007) specifies that validity is a measure of the accuracy of a study. A research is valid if it really answers what it is trying to answer. Following is a discussion of procedures that can enhance this research’s validity and reliability.

#### 3.6.1 Reliability

Qualitative research is reliable if the data collection and analysis is consistent. Consistency can be achieved by using standardized data collection and analysis practices that are widely used by scholars. Babbie (1998) argues that the reliability of research refers to the quality of measurement method that suggests consistency among the collection of data. Good quality taping of interviews, unified interview protocols and great attention to the coding process are factors that enhance reliability (Creswell 2007). Yin (2003) also stresses a carefully handled coding process as an important element in the reliability of research.
When analyzing case study data, consistency in the process of analyzing and coding should be assured by the researcher. Analytical maps created by the researcher should be simple and consistent. Presentation techniques can be in many cases deceiving or disorienting. Although maps might be true regarding the data they contain, they sometimes – according to Monmonier (1996) – can lie. Excessive use of colors and fancy presentation techniques, non-standard projection systems and variation of scales used, can create deceptive maps (Monmonier 1996). In order to ensure consistency of analysis, I have used a standard projection system for all analytical maps created. The Palestine Grid 1923 projection system is used and the scale is unified as much as possible. No fancy-looking presentation techniques have been used and color use is maintained at a minimum.

Moreover, I have designed and followed a standard interview protocol. I have recorded most interviews except for one case when the interviewee specifically asked not to be recorded. In that case notes were taken and then converted to themes. During the transcribing process, I have given attention to the linguistic gestures of interviewees, such as metaphors and analogies, transitions and connectors (Babbie 1998, Weiss 1994). During the coding process, part of the transcripts was coded by a peer colleague, in addition to the researcher. Coding results were compared and discussed, with that peer, to ensure a consistent coding process.

3.6.2 Validity

Validity is a measure of the extent to which I answer the research questions posed (Babbie 1998). Validity can also be seen as a measure of the accuracy of a study. It can be accomplished in qualitative research through prolonged field engagement, triangulation, thick description, clarifying bias and insider, peer and external reviews (Creswell 2007).
The researcher has about 12 years of experience in the planning field in the West Bank that can strongly be argued as a prolonged field engagement. To ensure the quality of findings, I have triangulated data analysis outcomes among the three case studies and the results of the interviews. I have, additionally, asked three interviewees and one peer planners to review and comment on the findings of the research.

Babbie (1998) discusses several types of validity such as: face validity, content validity, construct validity and criterion validity. He argues that any research should demonstrate at least two of these types to be valid.

Face validity is a preliminary check for validity. Face validity implies that a research seems logically valid within the norms of the study field.

Construct validity is a more in-depth measure of validity. A research can be argued to have construct validity if its results fit within current theory and literature on a research topic (Babbie 1998: 134). This research applies existing theories of planning against main-stream power to provide a framework for the analysis. Accordingly, the research questions are directly related to theories of planning and power, which in turn are directly related to plans and maps. The answers are situated in theories of planning against power.

Content validity refers to the extent to which the analysis covers the whole spectrum of meaning of the research conceptualization. Again, a thorough review of literature on planning, planning against main-stream power, counter-mapping and counter-planning ensures the research covers the full meanings of these concepts.

External validity refers to the degree to which a research is generalizable (Creswell 1994). Theory is used in qualitative research, as it is used in quantitative research as a form of generalization. Qualitative researchers use theory in different ways so as to generalize their
findings. Theory, in qualitative research, can be either a starting or an ending point of a research. Qualitative researchers might use theory as a starting point for their studies to form a broad explanation of behavior or social attitude. For example, ethnographers employ cultural themes to conduct qualitative research, such as social organization or language. Theory can also be used in qualitative research as a lens, or perspective, that orients the research questions and method of inquiry from the very beginning, such as a feminist approach or a racialized discourse (Creswell 2014).

Theory can also be the result – the end point – of a qualitative research, which is the case in this dissertation. In this dissertation generalization is achieved as a result of an inductive research process. The research begins by gathering detailed information from participants, then organizing this information into themes that are developed into broad patterns. Generalizations, or theories, are then achieved by studying these themes against existing literature, here literature on counter—planning and literature on planning in Palestine, (Figure 8). Comparing the found themes and the resulting generalizations, or theories, to personal experience of the researcher in the field of planning adds to the value of these generalizations (Creswell 2014).

Generalizability to other parts of the world could be argued only by finding similarities between the results of this research and other similar researches from other parts of the world.
3.6.3 Ethics and Bias

As part of this research, the researcher interviewed mostly professional planners and directors of planning departments within official institutions. All interviews were voluntary, offering interviewees’ confidentiality and anonymity. The researcher did/will ensure no interviewee is harmed as a result of her/his participation. All interviewees are Palestinians, so bias is anticipated. However, to minimize bias, no questions were asked concerning Israeli actions and policies. Alternately, interview questions focused on the Palestinian planning process in response to Israeli plans.

Figure 8: Generalizing in qualitative research using an inductive research method.

(Creswell 2014: 63)
It is also important to note that the researcher is also a Palestinian, who is at one end of the spectrum of the Palestinian / Israeli conflict. However, the researcher’s bias is being attempted to be accounted for by situating the analysis and conclusions in theory and existing literature. Moreover, this research is being conducted in order to meet the requirements of an urban studies doctoral program in the United States, which gives the opportunity for unbiased third party professors from the respected dissertation committee to review and give feedback and thus minimize the bias.
4 Chapter 4: The Planning of Ramallah

4.1 Background

Ramallah was founded in the mid-sixteenth century. Rashed Hadadin, the founder of the city, travelled across the hills of Jordan towards Jerusalem. Ramallah was founded in a wooded area six kilometers to the north of Jerusalem (Figure 9). Hadadin had five sons who settled in that location and formed the five families of Ramallah. Ottoman files from the sixteenth century show Ramallah as an agricultural community with approximately 400 residents (Khamaisi 2006: 5). During the course of time, Ramallah grew in population. In 1807, the first Greek Orthodox Church was built and in 1869, the Friends School for Girls was opened.

In 1902 the Ottoman government transformed Ramallah into a district that included 30 towns. Mr. Ahmad Murad from Jerusalem was appointed as the first Governor of Ramallah. Ramallah officially became a city in 1908. The municipal council included one representative from each extended family (Ramallah Municipality 2012).

Ramallah experienced various patterns of immigration. In the nineteenth century many of Ramallah's residents immigrated to the United States. Typically men would immigrate hoping to enhance their economic and social status, leaving their families behind. Money remitted from the immigrants to their families in Ramallah contributed to the fast economic growth of the city. Thus, the city prospered and grew. By 1946 approximately 1,500 of Ramallah's 6,000 residents were emigrants (Khamaisi 2006: 4).
Figure 9: Ramallah Location Map.

(Map created by researcher based on data layers obtained from the Ministry of Local Government (MOLG))
In 1948, Ramallah faced another type of inward immigration. Many Palestinians, who were evacuated by the Haganah from their towns and villages as a result of the 1948 war, immigrated and settled in Ramallah causing a dramatic increase in its population.

Ramallah continued to grow and prosper as an urban society aided by remittances from family members living and working in other countries. When the Palestinian National Authority (PNA) was formed in 1993, it needed a city to place its official and governmental institutions in the West Bank. Jerusalem is claimed by the Palestinians as the capital of their foreseen, future state; however, the status of Jerusalem was postponed by the negotiating parties to the final stage of peace talks, which were scheduled to begin five years later. The PNA chose Ramallah as the temporary seat of government despite the fact that Ramallah was not assigned any official status that distinguishes it from other cities in the West Bank. One of the main reasons might be its proximity to Jerusalem and its location in the heart of the West Bank. Being the hub of the PNA governmental institutions brought new immigrants to Ramallah from other major Palestinian cities such as Nablus and Hebron seeking employment and work opportunities which caused another dramatic increase in the population of Ramallah.

Ramallah currently is the major city in the West bank. It functions as a central hub for other Palestinian cities because it contains the headquarters of all official Palestinian institutions and ministries. Ramallah is currently functioning as the main Palestinian city economically, socially and politically. Ramallah has a population of about 30,000 and an approximate area of 9 km² (about 2,200 acres) (Ministry of Local Government 2011).

It is also important to point out that as Ramallah and the surrounding communities grew they became part of a larger group of adjacent communities, namely the city of Al Bireh and town of Betunia. Ramallah, Al Bireh and Betunia are contiguous; there are no vacant areas
separating the three communities. It is important to consider the growth of the three communities together in order to understand the growth of Ramallah. Many immigrants to Ramallah from other West Bank cities live in Al Bireh or Betunia because of less expensive rent, or simply the availability of vacant apartments, but work, shop and spend their leisure time in Ramallah.

4.2 Planning Ramallah

In the remainder of this chapter, I discuss the planning efforts in Ramallah over time, from the British Mandate to the current period. My aim is to present an in-depth analysis of the planning process in light of salient planning theories and to situate this in the context of Israeli policies and the theories of counter-planning I mentioned in the previous chapter.

4.3 The Pre-Israeli Era

Laws relating to urban planning in Palestine originated at the end of the Ottoman era with the promulgation of the Provincial Municipalities Law of 1877. Under this law 22 municipal councils were established in major towns only. It was not until 1908 that the first municipal council of Ramallah was established. During the Ottoman period there was no actual urban planning taking place in Palestine. However, under the Municipalities Law of 1877 there was a system in place to award building permits to Palestinian local citizens in major towns that included Ramallah (Abdelhamid 2006). Fruchtman (1986) points out that urban planning during the Ottoman era was limited to the physical forms of buildings and roads and ignored all aspects concerned with social and economic situations of the planned communities.

During the British Mandate period (1917–1948), planning authority was the exclusive right of the British authorities. The Office of the Planning Consultant (headed by architect Henry Kendal between 1935 and 1948) was the only authority entitled to prepare and approve regional and local urban plans (Abdelhamid 2006, Khamaisi 2006). The British planners were greatly
influenced by the modernist\textsuperscript{14} approach to planning. This influence might be one reason why British planners did not seek any participation from the public in preparing these maps.

Plans for the West Bank, including Ramallah, were prepared by British planners who knew very little, if anything, about the local residents' habits, social life and needs. Planning concepts were imported from an industrial European society to be implemented in Palestine. Palestine at that time was mostly an agricultural society of small villages and towns. British plans did not, in any way, respond to the needs of the powerless majority of Palestinians living in Ramallah and other Palestinian cities. Palestinians were never asked for any input in these urban plans.

Ironically, a very similar situation can be discussed regarding Chicago. The design of the city represented a middle and upper class vision for the city; definitely not the visions of the working class and less-affluent city residents. The planner here dealt with Chicago more as an architectural project. He tried to present urban and spatial solutions that he thought would be aesthetically appealing. These solutions dealt with the city as if nothing had existed before. The public were never asked for participation or input.

Modernist planning ideas were salient during the first half of the twentieth century. Modernist planning ideas promoted scientific inquiry and objective research. According to the modernist planning approach, the planner is the expert who possess the knowledge and experience and is able to use scientific objective inquiry to identify urban problems and suggest solutions (Park and Burgess 1925). British planners during the British Mandate era were affected, same as other planners of that time, with the modernist planning approach. From the

\textsuperscript{14} Since the beginning of the twentieth century and until the Second World War, the modernist / high—modernist planning thought guided the urban development and urban-planning thought in the United States. This thought adopted a top – down planning approach where the planner is the expert who knows the solutions to the problems of the public. Therefore, Chicago School assumes that there is no need for feedback or any participation from the public in the planning process.
point-of-view of a modernist approach Palestinian local farmers knew little or nothing about city planning and their input was therefore irrelevant to the city-planning process.

The planning process in Palestine during the British Mandate era was dominated by a small group of elite British planners. Many scholars have critiqued the domination of a small powerful group over the decision making and urban development processes. Hunter (1968) is one of the famous scholars who critiqued the domination of a small group of powerful elite over the planning process in the United States. He critiqued the exclusivity of decision-making to a very small group he referred to as the elite. Hunter (1968) argued that governance is dominated by an elite, while the great majority of the members of society do not play a role in governance and thus in urban-development policies. Hunter tried to identify the most powerful individuals who controlled governance in a city. He asserts that 40 individuals had relative monopoly over the decision-making process out of the 500,000 population. As a result, the urban development process was totally dominated by this elite group (Hunter 1968).

The modernist planning thought exemplifies an extreme top-down planning approach that situates the planner — and thus the state of which the planner is a member — on the top of the decision-making pyramid. During the British Mandate era, this was the planning approach in Palestine, an approach that ignored the fact that the public knows their day-to-day needs better than elite planners and may have a greater chance in identifying urban problems and thus urban needs than foreign individuals coming from Britain. The extreme top-down urban development approach has been disputed by much of the contemporary urban literature (Healey 2006, Jacobs 1961, Stone 1989). Therefore, the planning process in Palestine during the British Mandate era had ignored the needs of the local citizens to the benefit of an elite of British officials and a foreign colonizing country; Great Britain.
The British Mandate for Palestine ended in 1948, right after that the *Nakbeh* war broke out between the Haganah and the Arab countries. As a result, the State of Israel was established; the West Bank came under the Jordanian governance and the Gaza Strip under Egyptian one.

The Jordanian authorities did very little to improve or change the planning system in the West Bank that was established by the British governing authorities. They only developed master plans for some West Bank towns (Abdelhamid 2006). The first master plan documented for Ramallah was the 1963 plan. During the Jordanian era, planning activity was exclusively assigned to the Jordanian government. The Jordanian policies were centered on developing the East Bank of the Jordan River and to a great extent ignored the development of the West Bank (Abdelhamid 2006, Abdulhadi 1990, Bollens 2000, Coon 1992). Like the British plans, the Jordanian master plans in the West Bank generally ignored the demographic and socio-economic development needs of the Palestinian population. Planners also failed to assign sufficient land for public buildings and economic activities which limited the economic and industrial development in the towns. Moreover, the planned road networks disregarded future needs and the increasing number of vehicles (Al-Gerbawy and Abdulhadi 1990, Khamaisi 1997). Today Ramallah, especially the city center, is a highly traffic-congested place with mostly narrow one-lane roads. Ramallah traffic problems can be largely attributed to the Jordanian master plans for the city in the 1960s.

The Jordanian era brought no noticeable change in the field of planning from the British Mandate era. The top-down planning approach is still obvious, ignoring the needs of the local citizens. The focus was on planning designed to meet the needs of non-residents, whether they were Jordanian officials concentrating on the development of the East Bank during the Jordanian era or British planners adopting European-inspired planning methods. It is important to mention
here that during both eras, the planning authorities were foreigners and did not identify with the local population, a fact that served to maximize the top-down modernist effect. In some ways the top-down planning approach was even more divorced from the needs of the local residents in Palestine than in other regions where top-down approaches were implemented. Whereas the planning other cities designed on the basis of modernist principles such as Brasilia (Hall 1998) was carried out by planners who believed they were primarily serving the residents of these cities, planners in Palestine, including Ramallah, were primarily concerned with implementing British or Jordanian policies and deliberately ignored the needs of local citizens.

The modernist approach to planning resulted in planned cities that represented, in extreme cases, only the vision of the planner/architect, as in the example of Brasilia in Brazil (Hall 1998), or in less extreme cases, the planning vision of the middle or upper classes, one that ignores the majority of the working class, such as in the case of planning Chicago (Burnham and Bennette 1908).

Towards the end of the Jordanian Era in 1967, Palestinians had very little input if any, in the planning process which directly affected their day-to-day lives. They were only recipients of these plans with no power to change anything within them. The first regulation to try to garner input from local inhabitants was Jordanian Law No. 79 of 1966 (Abdelhamid 2006, Al-Gerbawy and Abdulhadi 1990, Khamaisi 2006). This law delineated three levels of the planning process: national, district and local levels. According to this law, the Jordanian Higher Council on Planning is responsible for addressing high-level planning policies which constitute a framework for District Planning Committees. The District Planning Committee is responsible for producing district (regional) urban plans which in their turn form guidelines for detailed locality master plans that are prepared by the elected local council or municipality. The 1966 law also defined
mechanisms for public input, by means of announcing the master plan before its final approval and opening the door to the public to object to planning decisions. Unfortunately, this law was applied only one year before the occupation in 1967.

4.4 The Israeli Occupation Era

Ramallah was one of few major cities that had an approved master plan (1963) when the Israeli occupation began in 1967. The 1963 master plan consisted of about 3.7 square kilometers. In addition to the old city, the Ramallah master plan of 1963 expanded to include the neighboring city of Al-Bireh. It also included areas northwest and south of the old city (Figure 10). The plan consisted mainly of a local land-use plan for the city but did not take any regional aspects into consideration.

During the first years of occupation, Israel kept the Jordanian planning law of 1966 in effect. Abdelhamid (2006) argues that this was probably due to the fact that Israeli decision-makers did not expect the occupation to last. Nonetheless, the first amendment that Israel had made to the Jordanian law of 1966 did not occur until 1971 with the issuance of Israeli military order number 418. Military order number 418 came to be known as the Decree Concerning the Organization of Towns, Villages and Buildings in the West Bank (Abdelhamid 2006, Abdulhadi 1990, Coon 1992).

The Jordanian law number 79 of 1966 can be considered a step towards a more democratic planning process, because the local elected councils were responsible for creating detailed master plans that took into account the district or regional structural plan. Public participation was limited to two points during the planning process: the right to object and the fact that the detailed master plan was prepared by an elected local committee, a democratic representative of the public. There was no mechanism defined for public input during the preparation process of
master plans. Because it provided for more inclusive decision making, the Jordanian law may be viewed as a reflection of the postmodern planning thought that was developing in the 1960s; a way of thinking about planning at odds with the top-down modernist planning school that called for more public participation and input in planning (Dahl 1961, Davidoff 1965, Jacobs 1961).

The Israeli Decree Concerning the Organization of Towns, Villages and Buildings in the West Bank introduced several modifications to the Jordanian Planning Law Number 79 of 1966. These modifications can be seen to have hindered the orientation towards a more democratic public-based planning process. The first amendment to the Jordanian law, according to the decree, was the abolishment of the District (Regional) Planning Committee. It transferred the regional planning authority and responsibilities to Israeli military planning officials, who were appointed by the Military Governor of the region (Abdelhamid 2006, Coon 1992, Khamaisi 2006). Israel established the Israeli Supreme Planning Council which mirrored the Jordanian Higher Council on Planning during the Jordanian Era. Israeli military planning officials followed the Israeli Supreme Planning Council. According to the decree, all powers granted by the Jordanian law to the Minister of Local Government were transferred to this council. Secondly, the Israeli decree abolished the participation of local councils, for example municipalities, in the planning process. In doing so the Israeli decree transferred the totality of the planning process to the Israeli Supreme Planning Council and military planning officials. The planning process in the West Bank was now a purely top-down process totally controlled by the occupying authorities. Neither the Palestinian residents, nor the local Palestinian councils, had any input whatsoever in the planning process.

Ramallah Municipality retained its authority to grant building permits within its master plan borders. However, Ramallah is the major city in Ramallah Governorate. The Ramallah
Regional Planning Committee lost its role as a regional planning authority for the city proper and the surrounding villages to the Israeli military planners. In other words, Israel confiscated all rights of the Ramallah Regional Planning Committee to plan for the Governorate’s development on the regional level. Any urban growth outside the approved master plan would have to be approved by the Israeli military planning officials who would only approve a proposed growth plan that did not conflict with Israeli policies of control and illegal-settlement building (Abdelhamid 2006, Abdulhadi 1990, Coon 1992).

Israel thus controlled all building permits and land use plans outside the approved master plan area of Ramallah. All surrounding villages, except for Al-Bireh, did not have any approved master plans. Israeli policy makers used the militarily-amended planning law as an efficient tool to restrict Palestinian urban growth and limit the construction of buildings by rejecting building permits and thus apply its policies of control and illegal-settlement building (Abdelhamid 2006, Abdulhadi 1990, Bollens 2000, Coon 1992).

This being said, it is important here to state the similarity of this situation with the assertion of many social scholars that in urban development, the state does not necessarily work on behalf of and for the benefit of local inhabitants. For example, Scott (1998) asserts that state officials will in many cases attempt to meet different goals than those that would serve to benefit local residents. Other scholars assert that the state will try to satisfy the needs of elite, or the upper class minority (Forester 1989, Logan and Molotch 1987, 2007). The top-down modernist planning approach is also evident here.

The planning situation under the Israeli military occupation of the West Bank is, however, much more complicated. The very core of the state strategy is in clear conflict with the interests of the indigenous Palestinian population with respect to development and prosperity. Israeli

The first urban master plan to be approved for Ramallah under the Israeli occupation was in 1983, twenty years after the Jordanian-approved plan of 1963 (Figure 10). The 1983 Ramallah plan was designed within boundaries developed by the Israeli Supreme Planning Council. Surrounded by the adjacent cities of Al-Bireh from the east and Betunia from the west, Ramallah had the potential to grow to the south towards the city of Jerusalem and to the north, but that growth to the south is very limited compared to the amount of growth to the north of Ramallah.

Building outside municipal boundaries involves a highly lengthy and costly permit process through the Israeli authorities that most Palestinians cannot afford. Even for those who can, approval is not guaranteed. Actually, the odds of being rejected to those of being accepted are 7:3 (Jerusalem Legal and Human Rights Center 2011). In contrast to Palestinian occupied areas, the door was wide open for the planning and development of Illegal Israeli settlements in the West Bank. Illegal settlements were subject to a separate planning authority or approval process which most of the time exempted Israelis from the requirement to obtain building permits, or to prepare a master plan project (Abdelhamid 2006, Coon 1992).
Figure 10: Ramallah Municipality's Master Plan Development.

(Map created by researcher based on data layers obtained from the MOLG)
Since 1967, Israeli officials have not only been very interested in annexing East Jerusalem, but also in annexing the surrounding areas in order to give the city a stronger geo-political depth. Israeli policymakers did not like the fact that West Jerusalem was directly on the Green Line\(^\text{15}\) and on the borders with the West Bank. The plan was to annex as much land as possible around the city, including East Jerusalem, so that Jerusalem would become the heart of the Israeli state (Bollens 2000). The growth of Ramallah was therefore directed mainly to the north by Israeli planners. The new master plan of 1983 expanded west until it touched the boundaries of Betunia. To the east, Al-Bireh was already adjacent and left no space for growth. The only space left for growth was to the north and south. However, Israel had plans for the lands to the south to be annexed to Jerusalem. The Israeli-built separation wall led to the annexation of a relatively large land area. The wall, along with military checkpoints, stopped all attempts of growth towards the south (Figure 10). This only left space for growth to the north. It even seems that the Israeli planners regret allowing limited growth of the city to the south; the Israeli-constructed separation wall cut off this part of the city, although it was approved within the municipal borders in 1983 (Figure 10).

The constraints upon growth due to Israeli planning policies are even more evident in the adjacent city of Al-Bireh. The city's growth to the south was also limited for the same reasons as Ramallah. In Al-Bireh's case, an already built-up area at the southern parts of the city at Al-Ma'lufeyyeh area was excluded from the master plan. Instead, the master plan encouraged growth to the north into open areas. It is worth mentioning here that the city of Al-Bireh’s growth to the east is impeded by the Israeli illegal settlement of Pesacot. Even areas included in previously-approved master plans of Al-Bireh are excluded from the current plan due to Israeli

\(^{15}\) The Green Line is a political term that refers to the boundaries of the areas taken over by Israel in 1948 after the Catastrophe War. These borders exclude the West Bank, including East Jerusalem and the Gaza Strip. The Green Line can be thought of as the political boundary between Israel and Palestine.
opposition. This exclusion is clearly because of their proximity to Illegal Israeli settlements, or the future expansion of these illegal settlements, as in the case of Pesacot illegal settlement (Figure 11). The city of Betunia’s growth to the south and west is also hindered for the same reasons, viz., the existence and expansion of the Ofer Military Camp and Giv’at Ze’ev illegal settlement.

During the Israeli era the planning process in Ramallah has mirrored planning processes in the rest of the Palestinian Territories. It was an extreme top-down approach completely carried out and implemented by the Israeli military planners in conjunction with the Israeli Supreme Planning Council. The main change from the Jordanian era is that the Israeli military orders abolished the parts of the planning process that enabled a narrow window of public participation and replaced it with a planning process that was in direct conflict with the Palestinian requirements of development and prosperity. Israel planning policies hindered the development of Ramallah and directed its growth towards the north for political reasons and in order to be in line with the policies of occupation, regardless of the city’s and inhabitants' needs and requirements.
Figure 11: Al-Bireh Master Plan Development

(Map created by researcher based on data layers obtained from the MOLG)
4.5 The Palestinian National Authority Era

Following the establishment of the PNA in 1993, Palestinian planning institutions began to be founded and function in the West Bank and Gaza. When the West Bank lands were divided into categories A, B and C, as previously explained, Ramallah as a major city was classified as an A area by the Oslo accords. According to the Oslo Accords, areas categorized as B were supposed to be transferred into the category A and C into B until eventually the whole Palestinian Territories are transferred to the A category under the administrative and security control of the PNA. Unfortunately, this did not happen on the ground, as the peace process between the Palestinians and Israel did not progress and faced many setbacks. Currently—approximately 20 years after the Oslo Accords—the West Bank is divided into islands of Area A and Area B surrounded by Israeli-controlled Area C land.

The Palestinian planning process faced many challenges at the beginning of the PNA era. Newly-established planning institutions were untested. A clear legal framework had yet to be established to regulate these planning institutions and the planning process after decades of Israeli military-occupation regulations that hindered Palestinian development and prosperity. Furthermore and perhaps most importantly, Palestinian planning institutions had no planning authority in Areas C which comprises the majority of the West Bank territory.

Ramallah faces its own set of challenges as well. The PNA demands Jerusalem as the capital of a future Palestinian State and wants to house the main Palestinian institutions in that city. Unable to achieve this goal because Jerusalem is still under occupation, the PNA placed all of its main institutions in Ramallah. The PNA chose Ramallah due to the fact that it is the closest city to Jerusalem. Palestinian officials believed locating the seat of government in Ramallah would most easily facilitate their transfer to East Jerusalem once that city came under PNA,
which of course has not happened. Ramallah grew rapidly since it became the temporary capital (not the official capital) of the PNA. The master plan of the city approved in 1983 was no longer enough to accommodate this rapid growth (Figure 12). After its formation, the PNA passed very few new laws. Instead most former Jordanian laws were reactivated. The reasons for this vary and require a long discussion for which no space is available here. What is important here is the fact that the PNA reactivated most former Jordanian laws – including the Jordanian planning law number 79 of 1966 – as the governing planning regulation in the Palestinian Territories.

![Figure 12: Population Growth of Ramallah](Khamaisi 2006)

The first planning effort in the PNA period was initiated by Ramallah Municipality in 1997. City planners realized the city lacked a general plan to cope with the population growth represented by the increase of building permit applications and that it did not have a mechanism for accepting, rejecting, or providing guidelines for local public and private developers.
Palestinian planners believed these needs could not be addressed without the preparation of a new master plan for the city (Khamaisi 2006).

The Ramallah Municipality Council and planning department took the initiative to prepare a new master plan for the city. The new master plan included the original jurisdiction from the British Mandate and Jordanian periods and brought Ramallah city to an approximate area of 14.5 km$^2$. The new addition to the Ramallah plan was all in Area A. The first step in the planning process ended in 1999 after the Palestinian Higher Council on Planning authorized the main outline plan for Ramallah, (Figure 10).

Trying to cope with the continuous growth of the city, the MOLG decided in the year 2000 to expand the jurisdiction of Ramallah by annexing an additional two square kilometers to the northwest of the city. The municipality once again took the initiative to prepare a master plan for the new area. The Municipality accepted this plan in 2004 and the plan was then approved by the Palestinian Higher Council on Planning. The approved 2004 addition consisted of two areas within B-categorized land. These two areas are separated by a category C area (Figure 10).

In line with the planning efforts of the MOLG and the Ramallah Municipality, it can be seen that the proposed growth is constrained by the Area C boundary. No planning occurred, nor could be approved by the Israeli Authorities, outside Area B. This situation becomes very clear when looking at the southern area where growth was very limited for that reason and can be more evident when looking at the plan of the three adjacent cities: Ramallah, Al-Bireh and Betunia. Growth of Al-Bireh was halted from the east by the Area C boundary and Pesacot Israeli illegal settlement. Betunia’s growth to the west was limited by the Area C boundary and the Giv’at Ze’ev Israeli illegal settlement. To the south the three cities’ growth was very limited and constrained by the Area C boundary, as Israeli policies strictly controlled the growth of
Palestinian cities towards Jerusalem (Bollens 2000). The three cities were surrounded from the east, south and west by the Area C boundary lines leaving the north side the only available area for expansion. Only one option of growth is available for Palestinian planners and that is Area B land to the north. Accordingly, it is feasible to suggest that planners just followed what is permitted by the Israelis, rather than trying to look for and allocate the best areas for urban growth. The Area C line in this instance functioned, in a similar manner, to the Israeli plans for Palestinian communities prior to the existence of the PNA. Area C boundaries are basically indicating where the PNA is permitted to plan. Thus, it is orienting the growth direction of Palestinian communities as per an Israeli vision. As a result, the direction of urban growth has caused in many cases the loss of valuable agricultural lands for the benefit of built-up areas, simply because there is nowhere else for the city to grow. An example of this instance is the Betunia Balou' area which used to be a very fertile area. The Betunia Balou' area is now totally built up and no agricultural activity is undertaken in that area anymore. Such valuable Palestinian agricultural land would have been spared if growth were directed towards other areas in Area C-categorized lands. Such a plan that would have spared agricultural land and proposed growth in Area C would have been worth considering as a counter plan.

The inability to plan in Area C has paralyzed the regional (district) planning level. According to the Jordanian Planning Law Number 79 of 1966, regional planning committees were responsible for preparing master plans for districts that would serve as guidelines for the detailed master plans prepared by Municipalities or Local Councils. Although a regional planning committee existed for each Palestinian Governorate, regional planning committees did not prepare regional plans at all. The role of regional planning committees was only to review and approve local master plans prepared by local planning authorities.
Accordingly, the Ramallah master plans of 1999 and 2004 were developed in ignorance of the master plans for both the twin city of Al-Bireh and the adjacent locality of Betunia. This led to many planning problems including conflicts in land use between the cities (Ministry of Local Government and Ministry of Planning 2009: 51).

According to the Jordanian Planning Law Number 79 of 1966, the Higher Council on Planning should have played the role of developing a national plan that coordinated the regional plans and at the same time created a planning framework. It did not in any comprehensive manner. Although there have been a few attempts to develop such plans, such as a regional planning process funded by Norway, none of these attempts have been officially approved by the Palestinian Higher Council on Planning, and thus made obligatory.

### 4.6 Attempts at Counter-planning in Ramallah

The Israeli Civil Administration (ICA) is using the Area C boundaries to limit the Palestinian cities' growth away from Area C. In doing so, Israel is interfering with the Palestinian planning process, as the permitted areas for growth (Area A and Area B) are not always the best choice that responds to the needs of that specific community. In fact, the opposite is more likely the case. Constraining urban growth within Area A and Area B boundaries serves the Israeli occupation plans and is most likely in conflict with the local Palestinian’s interests. The term counter-planning, as discussed in Chapter 2, refers to a stream of thought theorizing for base-level planning that counteracts plans of the main stream power (Davidoff 1965, Forester 1989, Friedman 1969, Krieger 1971, Roos 1974). In accordance with my discussion of the concept in chapter two I refer to counter-planning activities here as any attempts made by the PNA’s institutions, especially Ramallah municipally, to create plans that challenge the Israeli restriction on planning in Area C.
Within the course of this research, I conducted interviews with key planners and relative stakeholders at the MOLG and the Ministry of Planning (MOP). Those interviews revealed that there is a general orientation on the Palestinian official planning level to begin preparing and approving master plans that include areas in category C land. This orientation is in spite of the probability that these planning processes have to be undertaken without the approval of the Israeli Authorities and driven by a general feeling that there is no anticipated political agreement that would subject the lands categorized by the Israeli authorities as Area C land to the jurisdiction of the Palestinian Planning Authority. The Palestinian population growth rate in the West Bank compared to other parts of the world is considered high, at about 2.9 percent per year (PCBS 2010). Area B lands are becoming too densely populated and are separated from each other by Area C lands. Palestinian planning for Area C land is countering plans prepared by the State of Israel. Plans prepared by Israel, as I have discussed earlier, promote occupation plans of control that conflict directly with the local Palestinian inhabitants. In the following section, I discuss recent counter-planning experiences for Ramallah.

4.6.1 2011 Plan

During 2009, Palestinian planners in Ramallah Municipality, motivated by the rapid increase in population, started to prepare another addition to the city's master plan. The city was running out of Area B land and expansion of the city as called for in the city's previous master plan was separated by an Area C space (Figure 13). Taking these facts into consideration and acting within the general PNA orientation to begin planning in Area C, the municipality planning staff began to prepare a master plan for a new addition that lies partially in Area C. The first step by the municipality was to propose roads within the boundaries of the 2004 approved master plan that extend into Area C between the two separated parts of the plan (Figure 13). Roads in
the already-approved 2004 plan lie in Area B and do not require Israeli approval. Although the municipality did not approve the Area C-roads in the 2009 plan, opening the roads in Area B created a fact on the ground. However, Israeli military planners can still propose or try to implement a different plan for that area. If the Israeli planners decide to propose different layouts for roads in Area C, then the municipality and its inhabitants will be adversely affected.

Accordingly, I find it reasonable to argue that because of Palestinian planning activity in Ramallah it will be more difficult for the Israelis to implement conflicting plans in Area C than if this area was simply left unplanned by the Palestinians. The Israeli Authorities would then have to provide a better excuse for curtailing development of the roads in question. Chomsky (2010) argues that Israel will always need the world’s sympathy and this might be one of the very few ways the Palestinians can use to achieve their national rights.

If it is much more difficult for Israel to implement occupation plans for areas with a Palestinian planning vision and if an official Palestinian planning vision is the one that is approved by the Palestinian Higher Council on Planning, then it is reasonable to conclude that the Palestinian position in any negotiating process over territory would be much stronger if Palestinian plans for Area C were approved by the Palestinian Higher Council on Planning. Currently, Ramallah Municipality is in the process of having these plans approved by the Palestinian Higher Council on Planning.
Figure 13: New Additions to the Ramallah Master Plan

(Map created by researcher based on data layers obtained from the MOLG)
Ramallah Municipality is currently preparing a new master plan that adds a new growth area to the north, adjacent to the addition by the 2004 master plan. This addition lies partially in Area C. The Municipality is additionally working to approve this plan. The 2004 master plan is still under consideration and had not been approved as of this writing. The approval process seems to be vague and unclear to the Palestinian authorities. However, the attempt could be considered a preliminary step in the right direction for a Palestinian planning process that counters Israeli occupation plans.

4.6.2 Metropolitan Plan

4.6.2.1 Regional Planning – Regionalism

Planning on the regional level can be associated with a scholarly stream of thought known as regionalism and neo-regionalism. Dating back to the beginnings of the twentieth century, regionalism is a response to the outcomes of sprawl, disintegration, and discontinuity between the city and its surroundings. Patrick Geddes was among the first scholars to theorize for a regional planning approach (Geddes 1915). According to those who have adopted a regionalist perspective, the planning unit should be more than only the city. The planning unit should be a region. Regionalists believe that Metropolitan Planning should substitute for city planning. Metropolitan planning ensures integration and continuity between the city and its surrounding environment. Regionalists argue that this is a more efficient approach to planning. Regions can occur on different levels; varying from the locality to the globe (Birch 1977, Gillham and MacLean 2002). Regions can exist on more than one level and planning should take into consideration the interaction between those levels and the way they affect each other.
4.6.2.2 The Ramallah—Al-Bireh—Betunia Metropolitan Plan (RABM)

In 2009 there was an initiative to create a unified master plan for the entire Ramallah, Al-Bireh and Betunia metropolitan area. This initiative was carried out by the MOLG, MOP and the concerned Municipalities and Local Councils in what came to be known as the Ramallah—Al-Bireh—Betunia Metropolitan Plan (RABM). The RABM—in addition to the three main municipalities—included six surrounding villages (Figure 14). An area referred to by the MOLG as the Ramallah, Al-Bireh, Betunia Metropolitan Area (RABMA). The idea was to reactivate planning on the regional level in the West Bank which has been promulgated, but not actually implemented, during the Jordanian era in 1966 when regional planning level was cancelled by the Decree Concerning the Organization of Towns, Villages and Buildings in the West Bank in 1971.

The Palestinian Territories, including the West Bank, is divided into Governorates. According to the Jordanian law number 79 of 1966, each Governorate forms a planning region or district. Regional planning committees should plan on the governorate level. However, the RABM defines a different region (Figure 15). The RABM defines its own boundaries that include cities and villages within two Palestinian governorates, Ramallah and Jerusalem.

Scholars and planning practitioners have defined regions on the basis of historic, social, economic, and geographic considerations (Ehrenfeucht 2002, Soja 2014). Social and economic considerations might change with the development of the society, or changes in the global or local economy. The definition of a region is thus subject to change, even if it may prove difficult to change the perception people have of a region they have lived within for decades. Under the Israeli occupation the expansion of urban areas has been considerably limited, or channeled into Israeli politically desirable directions, due to Israeli planning policies discussed earlier. However,
some villages and cities, over time, have developed urban and spatial relationships. These cities and villages have grown so interdependent that they formed an urban cluster that cannot be ignored while selecting the boundaries of a planning region. These cities and villages, therefore, might be located in more than one governorate. Moreover, planning for the Ramallah Governorate or the Jerusalem Governorate as a whole might appear to be a difficult task. Ramallah Governorate, for example, has more than a hundred communities that are separated by Area C land, Illegal Israeli settlements, Israeli bypass roads, the separation wall and military check points.

By starting work on the RABM, the MOLG has for the first time in the West Bank prepared a master plan for an area that is larger than one city. The metropolitan area includes a considerable amount of Area C land between the villages. The RABM is a positive step that the PNA institutions have decided to take to draw future Palestinian planning policies in Area C without waiting for approval from the ICA. The RABM addresses many important issues relevant to the planning process in the targeted communities. It presents growth recommendations regardless of Israeli measures on the ground in Area C, illegal settlements, and the separation wall (Ministry of Local Government and Ministry of Planning 2009: 47-49).
Figure 14: Ramallah—Al-Bireh—Betunia Metropolitan Plan

(Map created by researcher based on data layers obtained from the MOLG)
Figure 15: Metropolitan Plan Relation to Governorates

(Map created by researcher based on data layers obtained from the MOLG)
The RABM also addresses conflicts among Palestinian master plans, such as the one in the Ramallah industrial area. Ramallah's master plan includes an area zoned as industrial to the southwest of the city. This industrial area is currently in-between Ramallah residential areas to the northeast and Betunia residential areas to the southwest. As the two cities grew, the residential uses spread towards the industrial zone. Currently, small factories and industrial workshops are surrounded directly by residential areas. This is causing many environmental problems such as pollution, noise, and traffic congestion problems caused by large trucks transferring goods to and from the industrial zone. In an attempt to resolve this problem, the RABM proposes a new location for the industrial zones that can service the three cities together. (Ministry of Local Government and Ministry of Planning 2009: 51). It proposes an infrastructure development plan and a unified transportation master plan for all of the villages falling within its purview. The authors of the RABM created a metropolitan council in charge of its administration, a council made up of representatives of the targeted municipalities and local council members, members from the MOLG and a member from the MOP.

The RABM, unlike individual local master plans, includes a Palestinian vision for connecting the three cities with the surrounding villages. It includes Palestinian plans for areas categorized as C. This vision for Area C lands, the included transportation, shared infrastructure and orientation of future community growth is developed based upon a Palestinian assessment of needs. This vision is totally different from that of the ICA oriented towards serving the Illegal Israeli settlements and enhancing the occupation’s control. Thus, when evaluated in terms of theories of planning against power (Forester 1989), theories of advocacy planning (Davidoff 1965), and the concept of counter-planning (Friedman 1969, Krieger 1971, Roos 1974), the RABM can be viewed as a type of counter-planning to Israeli top-down planning policies.
Although a step in the right direction towards a Palestinian counter-planning process, the RABM has its drawbacks. The RABM was completed in 2009 after the approval of the Ramallah and Betunia master plans. At the same time, it did not include any modifications or mechanisms for altering those master plans to comply with issues addressed and recommendations proposed in the RABM. The RABM specifies that it does not supersede any master plans and it is an informal plan only (Ministry of Local Government and Ministry of Planning 2009, 71). This creates discrepancies in the implementation process. Municipal councils might not find provisions of the RABM in their own city's interest. For example, relocating Ramallah's industrial zone will be highly costly for the Ramallah Municipality, while the beneficiaries are actually residents of Betunia. It is therefore understandable why Ramallah Municipality's planners and council members are not too enthusiastic about relocating its industrial zone.

Moreover, Metropolitan Planning in Palestine does not have a legal regulatory framework as per the current implemented Law 79 of 1996. The metropolitan region is part of two governorates and thus cannot be considered under the effective Jordanian planning law of 1966 to be a regional planning process. On the other hand, the municipalities consist of publicly elected members and have a clear legal framework and the power to plan and implement these plans, by the force of law if necessary, within their municipal boundaries.

The RABM is based on the Palestinian Regional Plan of 1998 (Ministry of Local Government and Ministry of Planning 2009: 32). The Regional Plan of 1998 was funded by the Norwegian government but was never implemented. Accordingly, the plan is rarely taken into consideration by local planners when preparing local Palestinian master plans. This plan was superseded by the Palestinian Reservation Plan in (2004). Currently the Palestinian National Plan is being developed by a dedicated team of planners associated with the MOP. Neither the
Palestinian Reservation Plan nor the Palestinian National Plan is even mentioned in the Metropolitan Plan report. At the same time the Metropolitan Council has a low representation from the MOP; only one member, as compared to four members of the MOLG and multiple members of the Municipalities. Furthermore, the RABM has a weak connection to national-level planning in Palestine.

Finally, there was not any direct public participation during the RABM planning process. Workshops conducted through the RABM preparation process were inclusive to municipality members, planning staff, and official stakeholders from the ministries. This can act as an additional obstacle in the implementation of the RABM, as municipal elections are supposed to be held every four years. New council members and new mayors will not necessarily agree with previous members' policies, especially since these policies were not based on any significant public input.

4.6.3 Regional Strategic Development and Investment Plans (SDIP)

In 2009, the MOLG started implementing a new policy in the planning process. The MOLG has made it a requirement for every community to prepare Strategic Development and Investment Plans (SDIP). Master plans are expected to follow the recommendations of the SDIPs. SDIPs follow a public-participation approach by conducting workshops and interviews with local citizens and relative stakeholders. The main objective of the SDIP is to define the needs of a community and the required key projects in order to develop that specific community. A Ramallah—Al-Bireh—Betunia SDIP was developed in 2011. This SDIP does not in any way mention the RABM. There is also no association between the SDIP and the National Spatial Plan that is currently being prepared. Although this SDIP has a more obligatory form for the
municipalities, as per the requirements of the MOLG, there is still a lack of coordination within the planning process, especially between the national and regional planning levels.

There is no clear mechanism for projecting plans created on the national level, such as the national plan on the regional level. It is also worth mentioning here that the relationship in the other direction is also uncoordinated. Very little if any feedback from the regional level is sent to the national level.

4.7 Conclusion

Planning in Ramallah has gone through multiple historical stages, from the Ottoman Empire period in the eighteenth and nineteenth centuries to the present day. Planning in Ramallah has traditionally been a top-down approach, similar in many ways to the modernist/high—modernist planning ideology. The first attempt to involve input from the public within the planning process was initiated by the Jordanian Planning Law Number 79 of 1966. This law divided the planning process into three hierarchical levels: a national level, a regional or district level and a local level. The law created the institutional structure responsible for these planning levels. The Jordanian Higher Council on Planning was responsible for planning on the national level. The Regional Planning Committee was responsible for the regional level and the municipality was responsible for the local level. Municipalities were directly elected by the public and thus were considered to represent the public's needs. According to this law, members of the public were also given an opportunity to object to planning decisions if their properties were directly affected by the planning process. The Higher Council on Planning was responsible for drawing an upper level planning framework. Regional planning committees were responsible for coordinating between the local level and the national one; making sure local plans complied with national planning policies and conveying local needs to the Higher Council on Planning to
ensure they are taken into consideration in the national planning policies. Unfortunately, this law was approved one year before the Israeli occupation of 1967. Israel changed this law four years after the occupation, in 1971. Israel abolished the regional planning committees and transferred all the authorities of the Higher Council on Planning to an Israeli planning council that followed the Israeli Military Governor of the West Bank. In so doing, Israel controlled the planning process in the West Bank and used it to promote its plans of control. Limited planning authorities were given to existing municipalities, including Ramallah. The Israeli Supreme Planning Council imposed planning boundaries. Municipal authorities' plans were limited to areas within these boundaries. Palestinian municipalities had no input whatsoever outside those boundaries. The public had no input in the preparation of regional and national plans that were serving the Israeli policies of control and separation.

After the formation of the PNA in 1993, the Jordanian Planning Law Number 79 of 1966 was reactivated and became the official planning law of the PNA. Regional Planning Committees were reactivated and the Higher Council on Planning was reestablished from members from several Palestinian Ministries. Despite the fact that the regional planning committees were reestablished, the Palestinian planning institutions found themselves able to plan locally only within areas A and B due to the limitations imposed by the Oslo Accords. As a result regional planning committees had been paralyzed and once again the Area B-Area C boundary was very similar to previously imposed Israeli plans. In this way national planning policies were alienated from local-level planning processes. Area B-Area C boundaries served to limit the areas within which Palestinians are permitted to plan. As a result, planning for many local communities was carried out without reference to the surrounding metropolitan
environments and neighboring communities, which is evident in the planning of Ramallah and the adjacent cities.

Two major themes are associated with the Ramallah case study. The first involves legal and planning issues and the second is the lack of coordination in the planning process, both horizontally and vertically. The current legal system in the West Bank does not support a regional planning level. This combined with the existence of the occupation and the limited capabilities of the PNA in Area C fundamentally affects the planning process on the regional level. Planning on the regional level is nearly absent and in any event regional plans are only informational and not legally binding on municipalities.

The second theme is the lack of coordination. There is a considerable coordination problem within the planning process in the West Bank, both among planning institution and regional plans, a logical outcome of the first theme. The lack of a Palestinian legal framework for the regional level made all regional plans non-binding. Thus, multiple regional plans could include a single area without coordination, or even sometimes with conflicts. The absence of the regional planning level also made the coordination between the national planning level and the local one almost impossible.

The regional planning level in the West Bank is missing. No official institutions exist that are responsible for planning on the regional level. On the other hand, the national planning level vision currently is based upon the Preservation Plan, which only delineates, as suggested by its name, the agricultural and cultural heritage areas that should be preserved. According to interviewees working in Regional Planning Committees and the Higher Council on Planning this plan lacks accuracy because it was based upon inaccurate satellite images. Nonetheless, even if it is accurate, it does not provide a vision of the planning future for the whole Palestinian State, nor
the West Bank. The National Plan on the other hand is still in the preparation process and cannot yet provide a reference per se.

However, in the last few years, the PNA has begun to carry out some planning initiatives on the regional and national levels that incorporate Area C land, including the RABM and the Ramallah—Al Bireh—Betunia SDIP. Such an orientation is the result, at least in part, of the belief that the peace process is not going anywhere and that possibilities are extremely low, at least in the foreseeable future, for transferring authorities in Area C to the Palestinians.

These initiatives represent attempts at counteracting Israeli plans for Area C. They are drawing a vision of the indigenous local citizens that defies the Israeli one. From this point of view and projecting these actions on previous relevant literature (Krieger 1971, Friedman 1969, Roos 1974, Forester 1989, Davidoff 1965), these Palestinian planning initiatives on the regional and national levels, that incorporate Area C land, can be looked at as counter-planning acts. However, these acts of counter-planning are still immature. They lack a general, legal regulative framework that transfers them from isolated projects into a planning-institution policy. These projects lack a clear mechanism for approval even from Palestinian official institutions. The lack of a clear, regulative framework is causing some redundancy in such counter-planning acts. The discrepancies between the Ramallah master plan, the RABM, and the SDIP is a good example of this overlap. It highly probable that if regional planning policies in Area C were assigned as an official task to all Regional Planning Committees, this will save much duplication in work and discrepancies in the results.
5 Chapter 5: Fasayil

5.1 Background

Fasayil is a Palestinian village located in the Jericho Governorate approximately 20 kilometers north of the city of Jericho and 26 kilometers from Ramallah (Figure 16). Fasayil lies in the western side of the Jordan Valley at the bottom of the western slopes, approximately 200 meters below sea level. The western slopes limit any development to the west of the village. Israeli authorities have always paid special attention to the Jordan Valley in terms of policies of occupation. Most of the Jordan Valley area is allocated as Israeli closed military areas with a relatively greater number of Illegal Israeli settlements scattered across it compared to the other parts of the West Bank (Figure 17). The special attention be due to the fact that the Jordan Valley forms the Palestinian borders of the West Bank with Jordan and also be due to the fact that the Jordan Valley lands are fertile (Haddad, Erakat and Saba 2013). Most Illegal Israeli settlements in the Jordan Valley are agricultural ones that produce vegetables and citrus fruits (B'Tselem 2011). Small clusters of Palestinian semi-nomadic Bedouin communities are scattered along the valley; some have been settled for a long time. For example the Bedouins in Upper Fasayil have been settled there for over 30 years (International Peace and Cooporation Center 2011). Most of the land in the Jordan Valley is classified as Area C. Four exceptions exist: a relatively large region of Area A that covers the city of Jericho in the South, and three smaller islands of Area B covering four small Palestinian communities: Marj Na’jah, Marj Al Ghazal, Al-Zubeidat and Fasayil. Some of the largest Illegal Israeli settlements located in the Jordan Valley are Mizpe Jericho and Ma’ale Efrayim. The closest Israeli settlements to Fasayil are Peza’el and Tomer (Figure 17).
Figure 16: Fasayil Location Map
Figure 17: Jordan Valley
Fasayil’s built up area is divided into two parts: Upper and Lower Fasayil. A settled Bedouin group forms the majority of the population in the Upper Fasayil region (established in the 1970s) and a more urbanized group in the lower one (International Peace and Cooperation Center 2011). The majority of Lower Fasayil lies in Area B while the Upper Fasayil lies completely in Area C. In line with Israeli policies, discussed earlier, many of the buildings in Upper Fasayil have been subject to demolition and demolition orders from the Israeli Civil Administration (ICA). Very few if any of the buildings built in Upper Fasayil had licenses because of the complicated and expensive licensing process from the ICA in Area C, as discussed in Chapter 4.

5.1.1 The Current Planning Situation

Fasayil’s population in 2013 is estimated at 1,224 (PCBS 2012). Approximately 40 percent village residents resides in Upper Fasayil with the remaining 60 percent in Lower Fasayil (International Peace and Cooperation Center 2011).

In 2007 50 percent of Fasayil's residents were younger than 14 years old and only 1.5 percent of village residents were over 65, indicating a young population that is candidate for a high growth rate (PCBS 2012). In 2007, Fasayil was comprised of 182 housing units. Of these, 69 percent were single houses, 21 percent apartments and 8 percent tents (the tents being mainly located in Upper Fasayil) (International Peace and Cooperation Center 2011). Currently 31 percent of households in Fasayil contain more than eight individuals— much higher than the West Bank average of 21 percent — attributable to previous demolitions of structures in Fasayil and thus to the residents’ reluctance to build more houses for fear of demolition (PCBS 2012).
Fasayil's main access is through Road 90 that connects the southern and northern parts of the Jordan Valley. However, Palestinian access to this road is controlled by a series of checkpoints, such as the Hamra checkpoint in the north and Jericho checkpoint in the south.

Agriculture serves as a major source of income for Palestinian communities located in the Jordan Valley. Fasayil also provides educational and health care facilities to surrounding Bedouin communities. For hospital care, higher education and solid waste disposal, Fasayil residents depend on the regional major cities of Jericho and Ramallah. Fasayil is also facing a serious lack of infrastructure and public services.

Development in Lower Fasayil follows a grid-like pattern, whereas building allocation in Upper Fasayil is sporadic with a higher number of barracks. This can be explained by the Bedouin traditions of keeping livestock close to their homes. The buildings in Fasayil are mainly single story, with a large number of temporary structures in Upper Fasayil.

5.2 Land Confiscation and Demolition Activities

5.2.1 Land Confiscation

Since the first years of the occupation in 1967, several square kilometers of village land has been confiscated by the Israeli Military Governor and the ICA. Most of the confiscated land, about 3.3 km², were confiscated for the construction four Illegal Israeli settlements (Table 4). Israel also confiscated 67,000 m² for the purpose of establishing a military base. Other village land was confiscated for the construction of Israeli bypass roads (Road 90 and Road 505) in order to connect the four Illegal Israeli settlements with other nearby ones and for the establishment of other Israeli military bases. The real threat of bypass roads lies in the buffer zone formed by the Israeli Forces along these roads, extending to approximately 75 m on both sides of the road.
Table 4: Illegal Israeli settlements around Fasayil

<table>
<thead>
<tr>
<th>Illegal settlement Name</th>
<th>Year of construction</th>
<th>Area confiscated (1000 m²)</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilgal</td>
<td>1970</td>
<td>858</td>
<td>172</td>
</tr>
<tr>
<td>Tomer</td>
<td>1978</td>
<td>1,049</td>
<td>233</td>
</tr>
<tr>
<td>Nativ HaGdud</td>
<td>1979</td>
<td>215</td>
<td>102</td>
</tr>
<tr>
<td>Peza’el</td>
<td>1981</td>
<td>1,242</td>
<td>54</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>3,363</strong></td>
<td><strong>561</strong></td>
</tr>
</tbody>
</table>

Source: (The Applied Research Institute – Jerusalem 2012)

5.2.2 Demolition

The ICA demolished 21 structures in Fasayil between the years 2006 and 2010. The ICA's declared reason for these demolitions was the lack of a building permit.

Fasayil's problem surfaced with local and international NGOs and human right organizations in 2007 when the Israel Defense Forces issued a demolition order for the village primary school for being built without a permit. Residents of Fasayil, with the help of some local NGOs, petitioned the Israeli Supreme Court. The Jerusalem Legal Aid and Human Rights Center16 (Jerusalem Legal Aid and Human Rights Center 2011), for example, raised six petitions and was able to obtain interim injunctions against demolition, which temporarily froze the demolition orders. Unfortunately, the Israeli Supreme Court ruled in favor of the ICA demolition orders and on June 13, 2011, 20 structures were demolished, displacing resident families. The decisions of the Israeli Supreme Court are final as it is the highest judicial authority in Israel. Accordingly, there was no legal recourse left for these families. The Israeli Supreme Court again approved the demolition of two additional structures on July 14, 2011. The Supreme Court’s decisions are legally significant because they are likely to influence a similar outcome for the

16 A Palestinian human rights organization whose objective is to render legal aid to vulnerable Palestinian communities in combating human rights violations.
remaining petitions, threatening about another 40 families. Between 2009 and 2011 the ICA issued 44, stop-work\(^{17}\) and demolition orders against structures in Fasayil (International Peace and Cooporation Center 2011, Jerusalem Legal Aid and Human Rights Center 2011, Jordan Valley Solidarity 2011).

Israeli Authorities are exercising the very same policies of enhancing occupation control in Fasayil that I pointed to in Chapter 2 of this dissertation. Fasayil is built on lands that are classified as \textit{Miri} agricultural land under Ottoman law. Although Ottoman regulations permitted the conversion of agricultural land to residential use, Israel uses the Ottoman law selectively. It orders the residents to evacuate because these are agricultural \textit{Miri} lands and ignores the fact that the Ottoman law permits its conversion for residential use. Israel is therefore implementing the Ottoman land-use laws selectively to control more land. It is trying to evacuate indigenous Palestinian villagers from their homes to gain more land either for expanding Jewish illegal settlements, or maybe for other economic or security reasons. To reiterate, Fasayil is located in the Jordan Valley, an area of strategic importance to Israel, as per Israeli claim. Israel is benefitting from the agricultural potential of the Jordan Valley and also considers the area, due to the border with Jordan, important for its security.

The Jerusalem Legal Aid and Human Rights Center argues that Israel is seeking to evict Fasayil Bedouins from the land in order to make way for Israel illegal settlement expansion:

Israel’s actions are neither justified by security or military necessity, nor carried out with the safety of the Bedouins in mind. Instead, Bedouin families are evicted from their ancestral lands to make room for the expansion and benefit of Jewish settlements, . . . [these actions are] usually accompanied by violence and confiscation of livestock and

\(^{17}\) A stop-work order is an administrative order against any construction built in "Area C" without a permit
equipment, and completed without compensation. (Jerusalem Legal Aid and Human Rights Center 2011, 2).

Fasayil provides a good example of how Israeli policies in the West Bank serve to enhance the occupation’s control over land, which is in direct conflict with the Palestinian residents planning and daily-life interests.

5.2.3 Previous Plan

Fasayil has an existing master plan that only covers Lower Fasayil (Figure 18). This plan was prepared by the Israeli planner, Shlomo Khayat, who was hired in the 1980s by the Israeli Military Government to create master plans for many Palestinian communities in the West Bank, including Fasayil. The Israeli plan of Fasayil was approved by the Israeli Supreme Planning Council in 1988. Before this plan, as there was no Palestinian planning body, no other master plans existed for the locality. The 1988 plan has been the only planning vision for Fasayil since its approval and until the year 2011 when the International Peace and Cooperation Center (IPCC) presented a new master plan. I will discuss the IPCC master plan in a subsequent section of this chapter. As with other plans prepared by Israeli planners during the same period, such as the Ramallah 1987 master plan discussed in the previous chapter, the Fasayil 1987 plan did not take into account any public input.
The plan only includes Lower Fasayil and covered a total area of 0.147 km$^2$ out of the total village lands area of 46.826 km$^2$ (About 0.5 percent) (The Applied Research Institute – Jerusalem 2012, Jerusalem Legal Aid and Human Rights Center 2011).

According to this plan about 10 percent of the total planned area was allocated as public facilities, while the rest was designated as residential. The 1988 master plan's preparation process was merely office work, a top-down process that is enforcing the occupation’s policies over village inhabitants. Not only were the boundaries of this plan very tight around the existing built-up area, but they even excluded houses and structures already built. These buildings were later subjected to demolition orders from the Israeli military. Moreover, the upper part of the village, which is only about 500 meters away from the lower part, was entirely excluded. Further, structures in the Upper Fasayil have existed since the 1970s (International Peace and Cooperation Center 2011, The Applied Research Institute – Jerusalem 2012). As a result of Israeli plans, these structures were considered by the ICA as illegally built and were thus threatened with demolition. Unlike the planning process for Fasayil that resulted in the 1988
plan, a democratic urban plan would have taken into account the local residents' needs prioritized organizing the building process for the community and ensured the required level of services for residents, instead of regarding the whole community as illegal and subject to demolition.

5.3 Israeli Proposal

In 2007 and under the pressure of the Quartet\textsuperscript{18} represented at that time by the British Prime Minister Tony Blair, Israel agreed to a planning process for 14 Palestinian communities in Area C, including Upper Fasayil. At that time the Palestinians had no planning vision or maps for the 14 communities. As the Palestinian planning institutions were preparing to start working on the plans for the 14 communities, the ICA had, within a few weeks, plans prepared for all of them. The fast response from the Israeli side can be explained by two reasons. The first is that Israel policy makers already have made plans for the West Bank. The overriding objective, as discussed at the beginning of this dissertation, are to control as much land as possible and through that control to enhance the occupation's power. The second reason is that Israeli planners could not care less what the local residents' needs are. They had to create plans for these Palestinian communities under Quartet Committee pressure and that is exactly what they did. Boundaries were assigned to these communities by Israeli official planners in a way that not only precludes future expansion of the municipalities but even leaves parts of the communities outside the planned area and subject to demolition as I pointed out earlier.

\textsuperscript{18}Sometimes called Diplomatic Quartet or Madrid Quartet was established in Madrid in 2002, recalling the Madrid Conference of 1991. It consists of a foursome of the United Nations, the United States, the European Union, and Russia. Its main purpose is mediating the peace process in the Israeli-Palestinian conflict. Tony Blair is the Quartet's current Special Envoy.
Upper Fasayil represents a good example of Israeli planning for West Bank communities. The ICA defined a boundary line of development for the community (Figure 18) that includes some buildings of the village but excludes others. The development boundary covers an area of 0.108 km². The total built-up area in Fasayil is 0.171 km² thus 0.063 km² of Upper Fasayil was located outside the proposed planned perimeter. As a result, 45 buildings located in this area outside the blue line plan will remain illegal and subject for demolition. Although the new development boundary legitimatizes, from an Israeli perspective, many of the structures in Area C, these boundaries at the same time do not meet future needs of growth for these communities. Additionally, as it leaves many existing structures outside these boundaries, Palestinian acceptance of this plan would mean accepting the demolition of buildings that lay outside the development boundaries. Accordingly, the plan of Fasayil, as was the case in other plans for the rest of the 13 communities, was rejected by the Palestinian negotiating team, and thus by the official planning institutions.

Figure 19: Israeli Proposed Plan
(IPCC, 2011)
5.4 Palestinian Counter-planning Actions

After the Israeli plans for the 14 communities in Area C were rejected by the Palestinians on the political level, the Minister of Local Government, as the head of the Palestinian Planning Higher Council, ordered the creation of a committee of Palestinian planning officials from the Ministry of Planning (MOP) and the Ministry of Local Government (MOLG). The sole purpose of this committee is to create urban plans for Palestinian communities in Area C which can provide for local needs of growth, sufficient infrastructure and socio-economic services while at the same time legalize structures built in these areas to protect them from Israeli demolition.

The first problem faced by the committee is legal. As I have discussed earlier, Palestinian planning institutions do not have the legal authority to plan in Area C, as per the Oslo Accords. Thus the Palestinian planning institutions cannot submit plans to the ICA for approval, as they have no legal status to do so. Trying to find a way around this, the committee decided to cooperate with the local councils of these communities and to plan through them. The local councils, at the end, are elected bodies and derive their legitimacy from the public. According to the planning committee plan, the MOLG will provide financial and technical support to local councils of these communities. In return the planning process will be carried out in close coordination with the Palestinian Higher Council on Planning. When plans are ready and approved by the planning committee and the local council, local councils will then have the responsibility of taking these plans to the ICA for approval.

For planning in Upper Fasayil and other Area C Palestinian communities, the MOLG contracted the International Peace and Cooperation Center (IPCC) to carry out the planning efforts. The IPCC is a planning institution that is owned and operated by Palestinians who reside...
inside Israel. The planning committee thought that hiring an Israeli-based planning organization would make interaction with the ICA easier. However, interviews conducted with planners from the IPCC reveal that being an "Israeli" office had no effect on the Israeli acceptance of the proposed plans. At the end Israeli officials at the ICA knew that this institution is working for the benefit of Palestinian planning institutions to counter their proposed plans.

5.4.1 Fasayil Master Plan 2011

Fasayil's local council hired the IPCC, as per the MOLG request, to carry out a new master plan of the community. Financial and technical support was provided by the MOLG. The main objective of the IPCC plan was "[T]o provide tools for legal and sustainable development of the Fasayil community" (International Peace and Cooperation Center 2011: 1). The IPCC started the planning process by collecting documented data from existing institutions and conducting field visits and surveys to collect undocumented data. Data regarding all demographic, social, economic and infrastructure were collected, documented and analyzed. The community was planned based on a projection of the current population for the next 20 years. Population projections were conducted on the basis of historic population growth ratios and PCBS data. Contrary to the ICA master plan of 1988 that left many buildings outside planning boundaries subject to demolition orders, the current master plan will accommodate all existing structures and a population growth projection for the next 20 years. Moreover, the IPCC plan treated both parts of Fasayil as a single community and used the area in-between to accommodate for future urban growth (Figure 20 and Figure 21).

---

19 Palestinians who remained in their hometowns after the Catastrophe war in 1948. Palestinians inside Israel have a unique political situation.
Figure 20: IPCC Proposal to Connect Upper and Lower Fasayil

(International Peace and Cooperation Center 2011)
Figure 21: IPCC Master Plan of Fasayil

(International Peace and Cooporation Center 2011)
Following the data collection and analysis phase, development goals for the master plan were defined. Development goals were defined by the IPCC planning team on the basis of the results of the data analysis and discussions among the planning team, the local council and the MOLG planners. Planning goals as explained in the IPCC master plan report are:

- Legalizing homes and preventing demolition orders from being issued.
- Allocating enough area for expansion of the locality based on the 2030 projection needs.
- Developing a road network to ensure effective mobilization of the residents in Fasayil and ensure the existence of a clear road hierarchy to ease traffic.
- Allocating more land for public places to meet the needs of the residents of Fasayil based on a 2030 needs prediction for the population.
- Preserving the rural character of the locality and, at the same time, develop the locality to ensure urbanized social culture.
- Integrating the two communities of Upper and Lower Fasayil through shared services and infrastructure (International Peace and Cooperation Center 2011: 17).

Until this stage of the planning process, no real public participation activities such as public meetings or workshops were conducted by the IPCC planning team, which one might consider a drawback to the plan in its potential capacity as a counter-plan to Israeli planning for the area. Theories of counter-planning and planning against –mainstream power define counter–plans as plans that are prepared by the local community to counter plans of –mainstream planning institutions that do not meet the local communities' needs and aspirations. When I asked them about why relatively few public participation activities were conducted, planning team members
and MOLG planners stated that planners needed to advance with the planning process quickly to try to protect structures threatened by demolition. Therefore, circumstances left no time for any public participation. While this might not appear be a very convincing reason, it is also the case that a minimal amount of public participation existed through the publicly-elected members of the local council.

After the main goals of the project have been agreed upon by the planning team — made up of the local council and MOLG planners—public input was elicited and taken into account by the planners. Two public workshops, five months apart, were conducted with local residents to discuss the development framework (Figure 22). Feedback from the first workshop was used by the planners to develop a planning framework that was discussed in the second workshop. Both workshops led to a final development framework for the anticipated master plan.

Taking into account the planning process for Fasayil that I just described, the IPCC master plan is significantly more democratic and meets more of the local citizens' needs than the Israeli plan proposed earlier by the ICA. The ICA plan was created in a top-down fashion in support of the policies of the occupation, regardless of the needs of the local residents. On the other hand, the intent of the IPCC planners was to protect the interests of the local residents and their buildings and involved a significant amount of public participation. But did this plan really function as a counter-planning act? I will try to answer this question in the following section.
5.4.2 A Counter-planning Act?

The next step in implementing the IPCC master plan was approval. Here the Palestinian National Authority’s (PNA) institutions faced a legal problem again. There were two options available for action. The first option for the PNA was to practice its right, as a state, on the ground and approve the plan unilaterally. However, following this course of action will have consequences. First of all, it will open the door to a confrontation with the Israeli Authorities and perhaps with extra-regional parties like the Quartet Committee. Secondly, along with authority comes responsibility. The question here is, Can the PNA take the responsibility of issuing such an approval? In other words, if building licenses or infrastructure construction permits were

\[\text{Footnote: On the 29th of November, 2012 the United Nations General Assembly voted for to accord Palestine a non-member-state status in United Nations.}\]
issued by the Palestinian institutions according to a unilaterally Palestinian approved master plan and if the Israeli authorities issued demolition orders for what it considers illegally-constructed buildings, would the PNA be able to reverse the demolition orders or even offer the affected individuals or institutions any compensation for their losses? The answer is definitely no. The PNA cannot confront the Israeli military and does not have the financial resources to offer support or compensation to those Palestinians who might be affected by demolition orders.

As a result, the PNA finds itself with no choice but to act according to the second option, which is trying to seek Israeli approval of this master plan. But again, how could Israel approve a plan that is actually counteracting its own plans for the area?

It is common sense that Israel would probably not approve such a plan. However, the point here is the rigidity of the master plan and how much is it grounded in the needs of the local citizens. At the end, it is totally different for the Palestinian local councils, or local citizens, to argue that they reject the Israeli plans for no documented reason than it is to argue that the plans are our plans designed with our community needs in mind and that the Israeli plan is stripping us of these basic essential needs. Chomsky (2010) argues that Israel is constantly in need of convincing the world that it is a democratic country and respects human rights. From this point of view, Israel will have much more difficulty in demolishing buildings that are within a Palestinian master plan, rather than demolishing structures that are only outside planned areas — even if the boundaries of the planned areas are, in the first place, proposed by the Israeli Authorities.

I argue that this is exactly the case here. The PNA's decision was to apply for approval from the ICA. The master plan for Fasayil was able to stand for itself. At least the ICA could not reject it from a technical point of view. Once the plan was submitted to the ICA and accepted for
consideration, the area that the master plan included is by law declared an area under planning. Consequently, all demolition orders were frozen. Until this moment, the IPCC urban plan was never approved. However, the IPCC master plan was submitted to the ICA on May 2011, since then and for more than two years now, no structures were demolished. Freezing the demolition orders for two years, by itself, is a gain for the residents.

Considering the IPCC master plan of Fasayil in conjunction with theories of counter-planning (Davidoff 1965, Forester 1989, Friedman 1969, Krieger 1971, Roos 1974) discussed in chapter two of this dissertation, I would argue that the plan is an act of counter-planning. The plan depended, if only partially, on public participation. Planners took the input of local citizens into consideration by involving the elected local council in the entire planning process and by conducting public workshops for input and discussing options. The plan was also created to counteract an existing Israeli plan that was prepared by the ICA which conflicts, as a plan of the Occupation, with the interests of the local citizens. Not only was it in conflict, many buildings owned by the citizens, as a result, were subject to demolition orders. The new IPCC master plan was successful in preserving the local buildings from being demolished at least for two years. The new plan, contrary to the Israeli one, took into consideration future growth and the socio-economic services needs for the community. Forester argues that a planner is an interactive player whose responsibility extends beyond creating plans that respond to the powerful class's needs. According to Forester (1989) and Krumholz (1982), the planner should seek to acknowledge the needs of the powerless, those who cannot get their voices heard. This is what the planner was seeking, the interest of the locals and not the interest of the state or an occupying authority. The planner here is trying to plan to counteract the plan of the state. The plan thus is in
Counter-planning can act on different levels. Although this plan is an act of counter-planning on the local level, the question remains: Does it also function as an act of counter-planning on the regional and national levels? Taking into account that the regional planning level in the West Bank is practically missing and the fact that the national planning level still depends on the unfinished and inaccurate Preservation Plan, discussed think one could certainly argue that the IPCC plan for Fasayil was created without looking at the surrounding communities, Jericho Governorate, or a national vision for the West Bank. Although the IPCC plan is working as a counter-planning act on the local level, it is not doing the same on the regional and national levels because of the lack of a regional and national vision.

5.4.3 Countering the Counter-Plan!

As discussed earlier, it is not always easy for Israeli authorities to argue for a vision for West Bank communities that conflicts with the local Palestinian citizens' interests, if there was/is an existing Palestinian planning vision. The ICA neither approved nor rejected the IPCC plan. Actually, the Israeli response was interesting. The ICA, after receiving the IPCC plan, issued a work tender for private-sector planners for the purpose of creating master plans with defined boundaries for several Palestinian communities, including Fasayil. The ICA defined the very same border it proposed before the IPCC created a plan for Fasayil. According to the ICA, this border cannot be exceeded in any planning process and under any circumstances.

The ICA here is counteracting the IPCC plan! In a sense the ICA is acting in the same manner as the IPCC did, but according to its own perceived interests. The ICA is trying to create a new master plan for Fasayil that responds to the interests of the occupation of control. The ICA
wants to be able to argue for the illegality of structures outside the boundaries of this plan and thus implement its plans of demolition and land confiscation for the benefit of Illegal Israeli settlements. However, it is going to be difficult if not impossible to argue that a plan with the boundaries found in the Israeli-authorized plan responds to the needs of the local citizens. The occupation is in effect countering the local citizenry's act of planning. What is very interesting is that the private company that won the planning job is a Palestinian engineering and architecture company. This act from a Palestinian company can, and I would argue, should be considered an act against the Palestinian interest. When official planners in the MOLG and MOP were asked why this company was not stopped from acting, the answer was that there is no law against it. Once again, the issue of legal framework is mentioned again, but from a different perspective this time. No Palestinian planning regulation or law exists that can stop private-sector planning institutions from coordinating with the ICA and planning against the Palestinian orientation, or vision. Currently planning regulations fall short from more than one perspective in responding to the challenges facing the current planning reality in the West Bank.

5.5 Conclusion

A relatively recent orientation — among PNA decision — makers is to begin planning in Area C. Consequently, planners are attempting to respond to the needs of the local residents and at the same time provide support for residents to better withstand Israeli plans of separation and control. As seen in the Fasayil case, Israeli plans not only aimed at limiting the urban growth of the community, but also left a considerable number of buildings outside the planned area as a way of legitimating the demolition of many Palestinian-owned structures.

The Palestinian response, by providing alternate Palestinian point-of-view plans, countered the Israeli plans by providing a different scenario within which already-built community
structures are conserved and areas for future urban development are provided. In the Fasayil case study, all demolition and stop-work orders issued by the ICA were frozen as a result of Palestinian plans. In a worst-case-scenario, Israeli authorities will reject these plans. In Fasayil the IPCC plan was submitted two years earlier and the Israelis have not completely rejected it yet. In the worst case scenario, the IPCC plan has bought time for the inhabitants of threatened buildings before their properties are demolished. The Palestinian plans acted as counter-plans to Israeli ones. Buying time before the demolition takes place can be essential in such a politically unstable situation, as demolition orders may be reversed if areas are transferred to the PNA under an interim or final agreement.

Other forms of counter-planning are the SDIPs whether local, such as single—community SDIPs, or regional SDIPs such as the Salfit and Jericho Governorates. SDIPs opened the door for a wider public participation process. Joint—council plans represent another form of counter—planning. Joint—council plans include more than one adjacent community that might, or might not, be separated by C areas. Metropolitan Plans are also considered to be a form of counter—planning as they include, in many cases, a Palestinian vision for Area C lands such as the RABM.

However, Palestinian counter-planning faces many challenges. The first challenge is a legal one. In order to find a way around this legal deficiency, the PNA has adopted criteria for planning in Area C that will provide support to local councils to create master plans based on public participation and solid information for the needs of local residents and for a stronger position acquiring ICA approval. Israel would then have to provide reasons to reject such plans to representatives of the European Union, the United States, and the Russian Federation. Israel
will always need the sympathy of the world’s countries and this might be one of the very few methods the Palestinians can use to accomplish their national rights (Chomsky 2010).

Signs on counter-planning activity by Palestinian institutions are found. These counter-planning activities are still facing many challenges, such as the deficiencies of Palestinian planning institutions and the lack of a comprehensive vision.
6 Chapter 6: Rawabi

6.1 Introduction

Rawabi is the first newly-planned city in Palestine's modern history. Rawabi is nine
kilometers north of Ramallah and 25 kilometers south of Nablus (Figure 23). From the hilltops of
Rawabi there is a panoramic view of the Mediterranean's eastern coast line, located 40
kilometers to the west. The Jordanian capital, Amman, is 70 kilometers to the east of Rawabi.

6.1.1 Why discuss Rawabi?

Rawabi is being promoted as a national, patriotic project that aims at resisting the
occupation and thus contributes to the building of the Palestinian state. Mr. Bashar Al-Masri, a
key figure in implementing the project, has asserted, "Building a city is, in a way, fighting the
occupation. It is the more progressive way, it is the professional way, it is the human way and it
is the modern way" (Purkiss 2013: 1, Tan 2013: 1). Amir Dajani, Deputy Managing Director of
Rawabi, also asserts that the new city "is seen as an iconic project in the Palestinian vision of
statehood" (Purkiss 2013: 1). Even some international scholars argue the same way. Sak asserts
that, "I see a new phase of Palestinian resistance in Rawabi. It will still be hard, but it has
promise" (SaK 2013: 1). Many, then, are arguing that Rawabi is a project that is resisting the
occupation. In other words, it is seen as an urban project that counters the occupation. This
concept is very close in principle to the counter-planning concept that I have described in this
dissertation. I therefore believed it important to include a chapter on Rawabi City in this
dissertation and to try to assess if is the city really is a counter-planning project.
6.1.2 Background

The land area of the city, approved by the Palestinian Higher Council on Planning in October 2008, is 6,300,000 m$^2$ (1556 acres). The city is being built on phases. The current phase extends to a land tract of 760,000 m$^2$ (about 12 percent of the total allotted area). It includes 23 neighborhoods, a commercial center and a range of public facilities. When construction expands in the subsequent phases to the full area of the city’s municipal boundaries, Rawabi is projected to accommodate a population of 40,000 (Rawabi 2011).

Plans for Rawabi include about 5,000 housing units and a central, mixed land-use area with retail shops, office area, restaurants, banks, medical facilities, a hotel, movie theaters, and cinemas (Rawabi 2011).

The idea of building Rawabi was first proposed by Bashar Al-Masri, a Palestinian businessman, and the founder and managing director of Bayti Real Estate Investment Company (Bayti). Bayti is jointly-owned by Qatari Diar Real Estate Investment Company and Massar International, of which Al-Masri serves as the general director and chairman.

Rawabi now is being marketed by the Bayti Real Estate Investment Company as an environmentally friendly sustainable city that provides a place for young Palestinian families to live, work, and grow. Rawabi is also being marketed as a national project of the foreseen future Palestinian independent state (Rawabi 2011).
Figure 23: Rawabi Location Map

(Map created by researcher based on data layers obtained from the Ministry of Local Government)
Rawabi was first announced during the Jenin Economic Conference held in the city of Jenin in 2008. Consequently, a public-private partnership agreement has been signed between Bayti Real Estate Investment and the Palestinian National Authority (PNA). As per the agreement, the PNA guarantees governmental support for an enhanced business environment for the development of Rawabi by providing taxation and infrastructure subsidies to the investors. According to the agreement, the public sector is also committed to contributing to the provision of infrastructure and public services through donor funds. The public sector was committed as well to facilitate the granting of necessary licenses and permits. For its part, Bayti Real Estate Company committed to an investment of at least $850 million and the construction of at least 5,000 housing units (Rawabi 2011).

6.2 Rawabi: A Controversial City

Since 2008, when the city project was first announced at the Jenin Economic Conference, Rawabi has been the subject of much debate. While the founders of the city argue that it is a great step forward towards a future independent Palestinian state, many Palestinians argue that this city is more or less occupation-friendly: it is a city that looks like an Israeli settlement, very easy controlled by occupation forces and thus welcomed by the Israeli authorities.

Bashar Al-Masri, as mentioned previously, argues that building Rawabi is a way of fighting the occupation (Tan 2013: 1). Al-Masri's argument is at the very core of the concept of counter-planning; Rawabi, according to Al-Masri, is a modern and civilized way to fight occupation or, in other words, resist occupation plans—a Palestinian urban development countering Israeli plans. Therefore, in this view, development of Rawabi is a Palestinian counter-planning act against the occupation’s policies. In the following sections of this chapter I will consider the merits of this argument.
Supporters of the city argue that the considerable amount of employment opportunities and economic benefits it creates is one of the largest investments made by and for Palestinians in the history of the West Bank. It is also a key factor in supporting the Palestinian economy and is an essential component of the future state. They argue the city is also a green and environmentally-friendly one that embodies concepts of sustainability. Among the plans for making Rawabi green include harvesting rainwater from roofs, a pedestrian-only city center, wind energy turbines, and electric car charging stations (The Hidden Transcript 2013).

While many might agree with this pro-Rawabi assertion, many others do not. They argue, for example, that Rawabi is a city designed to fit Israeli occupation requirements (Abunimah 2012, Yehya 2012). First of all, from an architectural standpoint Rawabi is a city that looks like an Israeli illegal settlement. It is located on the top of a hill with geometrically designed curved wide roads, and a unified architectural style, a style that is very different from traditional Palestinian cities that have grown organically over long periods of time (Figure 24, Figure 25 and Figure 26).

---

21 Palestinian cities and villages have usually organic (not designed) patterns of roads and buildings that have grown naturally over decades or centuries which is very different from the geometrical design of Israeli illegal settlements built within significantly shorter periods of times.
Figure 24: 3 Dimensional Image of Rawabi (Rawabi 2011).

Figure 25: Abu Ghnaim Israeli illegal settlement (Illean 2012)

Figure 26: Rawabi Near-by Palestinian Village of Bir Zeit

(Wikimedia Commons 2011)
Opponents of the city also argue that the development of Rawabi is in line with the policies of the Israeli Prime Minister, Benjamin Netanyahu (Abunimah, 2012; Yehya, 2012). When Benjamin Netanyahu first became Prime Minister of the Israeli government, he announced a policy of "economic peace", a policy based upon creating a better economic climate for the Palestinians and especially for those living in the West Bank. The policy was based at the same time on ignoring the political aspect of the Palestinian-Israeli struggle and ignoring Palestinian demands for a livable independent state. Accordingly, the policy was rejected by both Palestinian officials and the general Palestinian public. Abunimah (2012) and Yehya (2012) argue that Rawabi is in line with this Israeli policy and does not accomplish anything towards a foreseen future Palestinian state. Yehya (2012) takes this even further when he argues that the city plan itself is designed in a way that makes it easy for the Israeli Defense Forces to control the city quickly.

However, Rawabi's opponents are not only Palestinians. Al-Masri argues that the project is facing objections from what he calls "radicals on both sides" (Tan 2013). Israelis from nearby illegal settlements have rallied and protested against the Rawabi project claiming it is threatening their security (Ma'an News Agency 2010).

Given the pros and cons associated with the development of Rawabi, can city be considered an act of counterplanning, or is it consistent with the occupational policies? In the following sections of this chapter I will try to answer this question.

6.3 Rawabi, Neoliberalism and the Growth Machine

Rawabi is a highly controversial project. As I have pointed out, proponents of the city's development argue that the city provides a tangible public benefit and is a step towards a hoped-for Palestinian state, while opponents conceive it as a Israeli-settlement-like project that utilizes
Israeli resources as well as Palestinian ones and facilitates Israeli control over the Palestinian people. So, which of these contradicting views is more accurate in light of the theory and practice of counter-planning? Can Rawabi be considered an example of counter-planning? Or is it an Israeli-occupation friendly city, as some of the city's opponents argue?

6.3.1 Planning and Neoliberal Policies

Policies associated with the term "neoliberalism" were implemented in Chile under the Augusto Pinochet regime that came to power after a military coup in 1973 (Mirowski and Plehwe 2009). In the late 1980s, US President Ronald Reagan and UK Prime Minister Margaret Thatcher re-introduced the thought of neoliberalism more widely on an international scale. Neoliberalism is based on capitalist concepts, but it limits even more the role of government in all socio-economic aspects of life and thus gives the private sector and open-market policies greater role and influence. Whether neoliberal policies have been possible to implement in their entirely or not, it is clear that since the early 1970s the public sector has increasingly retreated from the planning process in place of profit-driven businesses. Within the context of the United States, Hackworth (2007) argues that national cutbacks in urban expenditures required cities to find new sources of revenue, revenue that has increasingly become available only through private-sector investments. According to Hackworth, neoliberal policies have increased the power of private-sector businesses which became more influential in the urban development process. Public cutbacks in urban expenditures force cities to compete for resources in the private capital market. The point is those profit-driven financial institutions (commercial banks, thrifts, institutional investors) and their intermediaries, such as bond rating agencies, replaced public sector regulatory agencies as overseers of urban development.
In Rawabi as in US cities, the private sector is guiding the development of an urban area, and for similar reasons. the PNA, is currently in greater need of financial resources than many American cities were in the 1980s and 1990s.

Rawabi is one outcome of the Jenin Economic Conference. Khalidi and Samour (2011) strongly criticize the PNA for trying to apply a neoliberal strategy in such a politically and economically-unstable area of the world at a time when the neoliberal system is facing huge challenges in great capitalist economies such as the United States and Europe. They even argue that "[T]he only clear economic outcomes of [neoliberal Policies] have been the steady erosion of Palestine’s development potential, the degradation of its human capital and the gradual depletion of its natural resources" (Khalidi and Samour 2011: 7). Khalidi and Samour (2011) argue that the *Palestinian National Plan 2011* and the *2008 Palestinian Reform and Development Plan* (PRDP) it incorporates are incorporating an economic policy agenda set forth in the so-called "Washington Consensus" orthodoxy advanced by the World Bank and the International Monetary Fund (IMF) since at least the late 1970s. The neoliberal orthodoxy is based on four main principles regarding an independent Palestinian state:

- Assuring public security and the rule of law
- Commitment to building accountable institutions
- Effective service delivery; as a means of gaining legitimacy from citizens and investors
- Private-sector growth

The first three principles can be viewed as necessary for the success of the fourth. In other words, the four principles can be viewed as a strategy for a successful private-sector investment environment more than a successful statehood building strategy (Khalidi and Samour 2011).
Due to open market policies of neoliberalism the increasing power of financial institutions will probably result in urban development policies that are compatible with a business-oriented vision. Such urban development policies will most probably ignore and even act against the interests of the working class, the distressed, and the powerless poor. Hackworth (2007) argues that the deterioration of public housing and the gentrification of low-income and working-class neighborhoods are results of the warm relationship between city governments and private investors as a result of the neoliberal era in urban governance in the United States.

During the neoliberal era, the public sector has stepped back from the urban development process, but only to allow for more influence from the private sector. Scholars such as Friedman (1987) and Healey (2006) argue that the public sector should interfere in markets to empower socially-embedded institutions that better reflect the interests of the poor. Other scholars argue for a lesser amount of influence from the middle — and upper — class business and public-sector elites (Davidoff 1965, Forester 1989). In the neoliberal era, the public sector steps back to open up opportunities for the private sector, which as a result has developed a much stronger influence on development policies as the interests of the less powerful are increasingly marginalized.

It is hard to discuss urban development strategies in the neoliberal era without discussing globalization. Globalization is a parallel phenomenon to the free market policies of neoliberalism. With the growing power of transnational business firms and financial institutions in the neoliberal era, local businesses find it extremely difficult to compete with the enormous financial power wielded by transnational corporations.

Khalidi and Samour (2011) argue that the PNA is being pressured to apply such open-market policies by the United States, the European Union, and the World Bank. The very limited financial resources of the PNA are facilitating the utilization of financial aid as a pressure tool
towards this end. The PNA finds it very difficult not to comply with international economic
trends if the PNA wants the foreign (Western) financial aid to continue.

However, globalization can have a devastating effect on local economies, even though it
might seem promising at the beginning. Free market policies means that local governments step
back from their responsibilities of supporting local economies. As a result, local businesses find
themselves forced to compete with large-scale international companies and industries. In many
cases, this results in the deterioration of local economies, businesses and industries. As a result of
neoliberal policies, the rich become richer and the poor are left poorer. A quick glance at living-
standard indicators in the West Bank might suggest the same. Palestinian official statistics show
that, while the average expenditure by capita has more than doubled between the years 1998 and
2011, the poverty rate increased by more than 3 percent (PCBS 2012) (Table 5).

In other words neoliberal policies have caused economic elites to gain more power relative
to the poor and the middle class. Rawabi represents a similar case. Rawabi is mostly owned by
an international Qatari company that can utilize huge financial resources. The Qatari company
acquired all the land from private landowners necessary to build the city in 2007, prior to the
announcement of the city. Local businesses and even the PNA find themselves in a position
where they are unable to compete. Consequently, the Qatari company finds itself in a powerful
position where other parties have to comply with their policies. Therefore, it is likely that neither
the PNA nor local planners will have the ability to influence the decision-making process within
Rawabi. Decisions then will instead be made by Bayti Real Estate Company officials who will
be more concerned with a better economic return of the project than responding to the public's
planning needs.
Table 5: Poverty and living standard indicators in the West Bank

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Year 1998</th>
<th>Year 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average expenditure per capita WB.</td>
<td>427 NIS</td>
<td>959 NIS</td>
</tr>
<tr>
<td>Poverty – WB</td>
<td>14.5%</td>
<td>17.8%</td>
</tr>
</tbody>
</table>

(PCS 2012)

Other scholars are in agreement with Khaldi and Samour's position regarding the PNA's neoliberal policy. Israeli and Western policies in the West Bank are based on supporting the implementation of a neoliberal policy and supporting the political and economic elite in Ramallah without any guarantees for ending the occupation, or reaching a solution. In a conference in Vienna, Adam Hanieh (2013) asserts that the whole Middle East has been "struck hard" with impoverishment as a result of Western-oriented neoliberal policies implemented in the region. To Hanieh neoliberal policies in the Middle East are being supported by the West, mainly the United States and the European Union. Hanieh (2013) argues that increasing intra-regional capital flows, especially, from the Gulf region is a Western neoliberal policy whose aim is to encourage relationship normalization between Israel and Arab countries. Ironically, Rawabi is mainly funded by a company that has its headquarters in Qatar, one of the rich Gulf countries. Hanieh argues that neoliberalism is supporting the international economic elite and the Gulf state’s domination in the region.

Israeli scholars argue that the influences of neoliberal policies of the West in the region have affected Israel as well. Plitnick (2012) argues that Israeli Prime Minister Benjamin Netanyahu is implementing a neoliberal policy under the pressure of global recession and high levels of inflation. According to Plitnick, neoliberal policies work to deprive the poor of needed services and thus widen the gap between the rich and the poor in Israel. Plitnick goes further to attribute violence against minorities in Israel and against Palestinians to this widening gap:
"under these circumstances, the violence against Africans and Palestinians is far from surprising. Indeed, it seems likely that the conditions inflaming that violence are likely to continue. And so will such incidents" (Plitnick 2012).

Rawabi can therefore be strongly linked to neoliberal policies in the region. The Rawabi project can be seen, in fact, as part of those neoliberal policies pushed by the West and the global economy. If I am correct then the question remains: Can neoliberal policies in any way counteract Israeli policies? Khaledi and Samour (2011) answer this very question. To them neoliberalism cannot in any way replace the liberation of occupied lands. On the contrary, open market policies can only mean more domination by the Israeli occupation over the Palestinian economy and thus work to enforce the occupation. Under the Oslo Accords, the PNA does not have a local currency and cannot abide to commercial agreements with international parties without Israel’s approval. Hanieh (2013) agrees. To Hanieh neoliberal policies can only promise better economic conditions, but are highly likely unable to keep this promise! One of the main outcomes of these regional policies is the creation of the so called "Qualified Industrial Zones" (QIZ). QIZs are intra-regional industrial zones that, accompanied by increased capital flow from the Gulf region to the Palestinian Territories, aim at facilitating commercial relations between Israel and the surrounding Arab countries. Thus, both Hanieh (Hanieh 2013) and Khaledi and Samour (2011) view the neoliberal policies as part of a normalization process Israel is attempting to bring about in order to facilitate normal commercial and diplomatic relationships between Israel, the Palestinians and the surrounding Arab countries, a process viewed by many (Hanieh 2013, Khalidi and Samour 2011) as one that legitimizes the occupation. Neoliberal policymaking, in this view, is converting the Palestinian-Israeli struggle from a political one —
as an issue of right for the Palestinian people — to an economic one. It is, in other words, the exact opposite of a counter-planning process.

6.3.2 The Growth Machine

Logan and Molotch (1987) authored what is perhaps one of the most comprehensive scholarly works to elaborate on the effect of private-sector influence on urban development. The book expands on Molotch's original scholarly work (1976) which introduced the concept of the growth machine. Governments mostly look at the development process of cities from a growth point of view. Growth creates more jobs and contributes to a better economy, government officials argue. Logan and Molotch (1987) explain that a major reason that drives governments to address growth is the influence private-sector elites. Real estate in general and specific parcels of land parcels in particular are viewed by investors as opportunities to secure considerable profits. Land parcels have values and these values can increase greatly by directing growth or development towards the areas where these lands are located. To put it simply, Logan and Molotch (1987) argue that private investors try to and actually do affect urban development policies by attempting to raise land values and thus maximize their profits. It is here that Logan and Molotch (1987) distinguish between two types of value: "value of investment" and "value of use." Whereas the value of investment is a major concern for private-sector investors, value of use is the main concern of the general public who just need land to build a home and make a living. Logan and Molotch (1987) argue that because of the increasing impact of the private sector elites on governments, governmental development policies are more directed towards the value of investment and ignore the value of use. As a result, the needs of working and middle class- families are largely ignored. A legitimate question therefore is: If the public sector is so
affected by higher-income and business interests, then how can planners make sure the interests of other people in society are met?

Rawabi is an example of the growth machine concept Logan and Molotch discuss (1987). In Rawabi, the private sector has taken over the public sector's role and responsibility for urban planning. The city’s location was proposed by the city's owners and developers, without any input from Palestinian planning agencies or planners. The lands necessary to build the city were all purchased by Bayti Real Estate Company before the project was announced in 2007 (Rawabi 2007). These lands, before the city project was announced, were considered remote, outside the planning boundaries of any city's or village's master plan. Thus these lands were purchased at very cheap prices compared to land prices in surrounding areas. Currently, land prices surrounding Rawabi, despite the fact that they are in Area C, have more than doubled since the announcement of the Rawabi City project, a development in line with the concept of the growth machine advanced by Logan and Molotch:

Place entrepreneurs form pro-growth coalitions with governmental units and other economic interests to focus infrastructure and urban development in areas that intensify the profitability of their own interest." (Logan and Molotch 2005: 110).

6.3.3 Public-Private Partnerships

Although Rawabi is a privately-owned project, the Palestinian Government has offered it a considerable number of subsidies, such as tax exemptions and infrastructure funding. It is thus legitimate to question the feasibility of providing these subsidies out of public money towards a private project, which leads to a discussion of private-public partnerships. Public-private sector partnerships are one way the public and private sectors cooperate in the urban development process. Local governments—as financial resources are shrinking in current economic distress
periods—are increasingly turning to public-private partnerships for redevelopment assistance. This is enabling private-sector institutions to exercise functions typically performed by the public sector. Rawabi, as previously stated in this section, is a product of such cooperation of the public and private sectors. While public-private partnerships can enhance project funding, they can also direct public money, such as taxes, toward private purposes (Erie, Kogan and MacKenzie 2010).

Fainstein (2001) argues that governments should carry out extensive research before a decision to participate in a public-private partnership is made. Subsidies offered by the public sector can simply outweigh the public benefits expected to be gained from these projects. Fainstein (2001) supports public-private partnerships provided that the public sector performs adequate research to ensure that the subsidies it offers are really worth the public benefits. Critics of public-private partnerships claim public money is diverted to the private sector through incentives and that the subsidies are greater than the benefits received. If a government is seeking private partners to help facilitate urban development, the decision to do so should be thoroughly considered to make sure the incentives offered to the private sector are worth the benefits to the community.

The Rawabi project has made use of many governmental subsidies, including tax cuts and donor funding. Many international donor agencies have funded the implementation of the infrastructure of the project. For example, the United States Agency for International Development (USAID) has financed the road infrastructure of the project. While donor grants are not paid to Rawabi directly from the PNA, the fact remains that this money is considered as financial aid to the Palestinian people. Many local planners argue that all of the subsidies provided to the developers by the Palestinian government is, in effect, converting taxpayer funds
into huge profits for the benefit of a private-sector investment company, Bayti Real Estate Company.

6.4 Planning of Rawabi

Rawabi is the first planned-from-scratch city in the West Bank and in Palestine. Although, a new concept to Palestine, newly designed and planned cities similar to Rawabi feature prominently in the Western planning literature.

Perhaps one of the most critiqued planners of newly-designed cities is Le Corbusier. Le Corbusier followed a modernist / high—modernist, top-down, approach to planning, an approach that has resulted in planned cities that represent, in extreme cases, only the vision of the planner/architect. As in the case of Brasilia in Brazil or the earlier example of Chicago (Hall 1998), the planning vision of the middle and upper classes dominate and ignores most of the working class.

Brasilia's urban plan, prepared by Lúcio Costa, was based on modernist / high–modernist planning principles associated with Le Corbusier. Strong geometrical grid lines form the base of the design. Wide, vehicle-oriented streets represent the transportation network with minimum space for pedestrian circulation. High-rise concrete and glass rectangular blocks form the city’s buildings. The plan ignored public places for social interaction. Public participation was minimal. Hall (1998) argues that the city was a huge failure and, like other scholars, offered a strong critique of Le Corbusier: "The remarkable fact about Le Corbusier is just how phenomenally unsuccessful he was in practice " (Hall 1998: 211). Unfortunately, as Hall claims, "[T]he evil that Le Corbusier did lives after him" (Hall 1998: 204).

In another example of a newly planned city, Peattie (1987) similarly argues, in the context of her study of Ciudad Guyana, that planning and urban design of the city served as an instrument of control and as a tool for shifting power and resources toward large corporate
bodies and toward an economic elite. The city was planned by *La Corporación Venezolana de Guayana* (CVG). Peattie focuses her analysis on the different perspectives of the planning process, differences that stemmed not only from the different disciplinary backgrounds of team members but also from team—members' differing positions in the political and economic structure of Venezuelan society. Peattie points to the tendency of the CVG, which was allocated away in the capital Caracas, to focus more on design and the architectural image of the final product rather than to think of the final outcome as continuation of the past and present history of the city. The resulting city was one that responded to the vision of the planners, but not to the aspirations of its inhabitants. To Peattie the newly planned city, as a result, was full of urban problems and did not meet the requirements of its inhabitants.

The Indian city of Chandigarh is another good example of the failure of newly-planned cities to meet their planners' expectations (Sarin 1982). Sarin explains how the planning process in Chandigarh has failed to respond to the needs of the poor. Ironically, Sarin discusses how alien, imported concepts of development and urban planning were used by the city's planners — along with local Indian professional support — to benefit local elites and respond to the local elites' own vision and conception of progress.

Sarin (1982) also discusses other cities in the developing-world such as Tema in Ghana, Cuidad Guyana in Venezuela and Brasilia. Sarin argues that they all share a similar problem, the ignorance of the needs of poorer social groups. Of course the problems facing planners and other professionals trying to design a prestigious new town are in many important aspects very different from the needs and aspirations of the poor local inhabitants. Planning for Rawabi shares the owners' interests in designing a prestigious new town as was mentioned in the case of the other cities discussed by Sarin.
The actual master plan of Rawabi was created mainly by AECom, an international engineering company that is headquartered in the United States. Planning experts from local Palestinian universities were invited to participate in the planning process (Rawabi 2010). However, interviews I conducted with planning professors reveal that plans for Rawabi were almost complete when they were invited to participate. The plans were ready apart from minor last-minute modifications. The location, boundaries, and most of the land-use planning were already done. AECom is a prominent and massive engineering company. However, AECom knows very little, if anything, about the planning needs of Palestine, a view shared by most interviewees.

The planning of Rawabi shares many similarities with that of the examples of newly-planned cities discussed in the previous paragraphs. Rawabi was designed and planned by AECom, an international firm located abroad in the United States. It is hard to imagine that Western planners and designers working for AECom could adequately understand the needs of local citizens in Palestine. Similar to above—discussed examples, Rawabi was designed according to imported planning and architectural concepts that reflect more a vision of an elite class than the requirements of local residents.

The building process of Rawabi has not been finished yet. However, the planning process of the city is, to a great extent, following the trend of these foreign-planned cities that have failed to meet the needs of the locals as documented by many urban scholars (Burnham and Bennette 1908, Hall 1998, Peattie 1987, Sarin 1982) to have failed as cities.

### 6.4.1 Rawabi Master Plan

The Rawabi master plan encompasses a total area of about 6,300,000 square meters. The part of the plan currently being implemented — which may be referred to as the phase one —
extends to over 760,000 square meters. Phase one is associated with a detailed master plan with construction drawings for all buildings. The master plan details a mixed-use economic activity center surrounded by residential buildings of different apartment areas and types. Social, economic, and religious services are provided for in the plan along with green areas (Figure 27).

The entire master plan area of Rawabi extends over Area A and Area B territory (Figure 28). The city is built on non-Area C land in the Ramallah Governorate (Figure 28). It therefore appears that Israeli policies were instrumental in determining where the city was eventually located. Taking into account that the city of Ramallah is the economic hub of the West Bank, it is likely that the location of the project was selected because it existed in a Palestinian-controlled area closest to the economic center of the West Bank. Looking at Figure 28, one can also notice that the southwestern boundary of the master plan is the same as the boundary of Area B. Accordingly planners appear to have been careful not to include any Area C land in the master plan of the new city (Rawabi Home 2010).

Rawabi can therefore hardly be seen as countering any Israeli plans. A Palestinian urban plan countering Israeli plans should at least be placed in an Area C where there are Israeli plans to be countered.
Figure 27: Rawabi Master Plan

(Rawabi Home 2010)
Rawabi's location was selected by Bayti Realestate Company to be completely located within Area A. Even the projected 16–20 year expansion plan lies totally in Area A (Figure 28). The location of the city could have been predicted for any profit-driven, private-sector project. Any action that might facilitate the implementation of the project, reduce work time, or cut costs would have been welcome. One of the main concerns for investors would have been acquiring the required licences and permits in the shortest period of time and with the least resistance. Area A development needs no approval from the Israeli side, providing evidence that the location of Rawabi was selected because it is entirely in an Area A in the Ramallah and Al-Bireh Governorate.

Another implication is that the location may not have actually been chosen because it was found to be the best place for developing a new city. I am not arguing here that the location is not suitable for building a new city. I am simply arguing that the location of the city may not have been studied beyond the fact that it is the only categorized A area in Ramallah and Al-Bireh Governorate large enough for a city such as Rawabi to be built, an argument raised by many Palestinian urban planners I interviewed within the course of this dissertation research. "If this was a project built to resist occupation, as Al-Masri claims, then why was it all built in Area A?" a planning professor stated during one of my interviews. "Rawabi's location was selected by Bayti Company as it is closest to Ramallah, the economic hub of the West Bank and at the same time easiest to obtain permits for" another local professional planner added.
Figure 28: Rawabi and its Surroundings

(Map created by researcher based on data layers obtained from Ministry of Local Government)
How does the building of Rawabi affect surrounding villages? Would these villages be dependent on Rawabi or Ramallah? Are there other villages in the West Bank that are in more need of a new city that can act as an economical, social and service center for them? These questions were not addressed when the location of the city was decided.

6.5 Conclusion

The new Palestinian city of Rawabi is a controversial project. Supporters of the city claim it is a national project and a step towards the future independent Palestinian state. Rawabi is probably the largest construction project ever built in Palestine. It provides a great number of employment opportunities both directly by onsite job opportunities and indirectly through the purchase of resources and services from existing businesses.

On the other hand, opponents of the project view the city as an Israeli–settlement-like project. The city is sited on a top of a hill and features apartment buildings as the main type of housing. Its streets drive parallel to contour lines, without taking parcel boundaries into consideration, a practice that is very similar to the design of Israeli roads inside illegal settlements (Figure 24 and Figure 25). Opponents of the project also point out that the construction of the city is making use of Israeli as well as Palestinian resources which, at least for them, undermines the claim that it is a patriotic national project.

Bashar Al-Masri, the main figure behind the project once stated that "radicals" from both sides (Israeli and Palestinian) do not like the city. Promoting the project in this way, as a peaceful moderate city, is not without merit. Rawabi is, after all, a private-sector, profit-driven project. Rawabi is a project that is compatible with neoliberal open market and private-sector-enabling policies. Rawabi was first announced at the Jenin Economic Conference, in 2008. Therefore, Rawabi can thus be best understood as a profit-driven project.
The PNA is exercising an open market, neoliberal policy through its National Plan, the Statehood Plan, and the 2008 Palestinian Reform and Development Plan (PRDP). It is beyond the scope of this dissertation will to assess whether neoliberal policy is a good choice for the PNA or whether the PNA finds itself forced to comply because of international pressure. However, neoliberal policies are directed at supporting an attractive private-sector investment environment and such policies have consequences. Rawabi is a large private-sector investment and the Palestinian government is openly supporting such a project.

Rawabi is a product of a public-private partnership. The private sector, represented by Bayti Real Estate Company and Bashar Al-Masri, are investing in this project and in return the Palestinian government is providing subsidies that will help the project succeed. Governmental subsidies include the allocation of donor funding for project infrastructure implementation and facilitating and accelerating processes of obtaining the required permits and licenses. The Rawabi developers have also taken advantage of purchasing real estate at very low prices. Most of the land required for the project was purchased from local Palestinian citizens by Bayti Real Estate Company before the announcement of the project in 2007. It is highly debatable whether or not the national benefits of the project are worth the investment of tax-payer funds expended on it. Many planners believe that all of the subsidies provided accrue to the owners as profit. This argument can also be supported when the planning process of the project is reviewed.

Rawabi's master plan was prepared by AECom, an international engineering company. Very little input was acquired from Palestinian planners and came at very late stages after the location boundaries were already selected and the master plan was almost finished. City planners sited the city entirely in Area A, which is consistent with a profit-driven type of thinking as the licensing process is easier. It can also be more attractive for international financing agencies.
other words, because it is in Area A the project will advance more smoothly and thus is more attractive from a capitalist point of view. I did not find any studies of the relationship of the project to its existing surrounding Palestinian villages. Some surrounding villages are very close, yet no studies were conducted on how they will benefit from the new city's development. Additionally, this research did not find any studies that address whether this area of the West Bank is most suitable and in need of a new city. The only reason that could be found for selecting this location is that it is the largest Area A land area in the Ramallah and Al-Bireh Governorate, where most of the Palestinian economic activity is located. Moreover, the economic benefits of the project to the public are debatable, given the amount of subsidies it has been awarded by the PNA.

In the end, I conclude that Rawabi is not countering any Israeli plans. Although it might bring some economic benefits, such as employment opportunities and natural resource demand, it cannot be viewed as a Palestinian counter-planning act. After all, the entire project is located in Area A. The Israeli government recognizes in accordance with the Oslo Accords that all planning responsibilities in Area A are under the jurisdiction of the PNA.
Chapter 7: Discussion of Main Themes

After the formation of the PNA in 1993, the Jordanian Planning Law Number 79 of 1966 was reinstated and became the official planning law of the PNA. Despite the fact that regional planning committees were reestablished, Palestinian planning institutions found themselves able to only plan locally within areas A and B, due to the limitations of the Oslo Accords. This fact has paralyzed the regional planning committees. As a result, national planning was alienated from local-level planning and the planning of local communities was carried out without taking account of surrounding areas. In many cases, this has resulted in isolated urban plans of local communities that do not integrate and in many cases conflict each other.

In the following sections of this chapter I will discuss main themes gleaned as a result of the analysis of case studies as well as the interviews I conducted during the course of this research. As mentioned in the methodology chapter, interviews were conducted with key planners in both the public and private sectors. Themes are the results of information that were found repeatedly in the answers provided by the interviewees. Other themes consistent with case study findings will also be discussed hereinafter in this chapter.

7.1 Legal and Political Issues

Most interviewees, particularly those working within the Palestinian Higher Council on Planning and within the Regional Planning Committees, stressed that the current legal framework is too problematic to be implemented in the West Bank, specifically on the regional level, due to current political situation and agreements. As I stated earlier, the current legal framework stems from previous Jordanian laws. The inability to activate this law, mainly on the regional planning level, was underlined by planners as a major planning problem. According to most, if not all interviewees, the regional planning level in Palestine is notably absent. The
Jordanian Law Number 79 of 1966 explicitly provides for the foundation and responsibilities of the regional planning committees. The most important among the responsibilities is the preparation and approval of regional plans. Regional plans require final approved by the Palestinian Higher Council on Planning. According to interviewees, a new legal framework establishing a regional planning level is necessary, as the Jordanian Planning Law Number 79 of 1966 has been adopted as the implemented planning law at the PNA.

Currently in the West Bank, the planning responsibility in Area C is appointed to the ICA. Palestinian planning institutions, according to the Oslo Accords, cannot approve any plans in Area C. Regional plans, by definition, include open areas between cities and villages. Most open areas in the West Bank are classified as Area C and thus are not within the Palestinian planning institutions responsibilities.

Accordingly, when the PNA’s institutions were first formed, governorates were structurally organized with no departments that were capable of preparing regional plans. Governorates, according to the Palestinian institutions' organization structure, do not have planning departments. Regional Planning Committees are only miniature forms of the Palestinian Higher Council on Planning. They are formed from members of the same Ministries' offices of a specific governorate. According to the Jordanian law, Regional Planning Committees function to prepare and approve regional plans through the governor's office, which is not the case with the PNA’s institutions. Being a miniature form of the Higher Council on Planning, regional planning committees function only to make sure local plans meet the technical requirements of the Higher Council on Planning. Accordingly, Regional Planning Committees are not responsible for creating or approving regional plans. In fact, no specific institution or department is responsible for planning on the regional level.
The existence of the institutional structure I have just described can also be attributed to Israeli Occupation planning activities in the West Bank before the PNA era. When Israel first occupied the West Bank, it abolished the regional planning committees that were functioning during the Jordanian Era and created the Israeli Regional Planning Committees that were the "arms" of the Israeli Supreme Planning Council. The Palestinian institutional planning structure can be viewed as an extension of the Israeli structure. However, this structure might not be suitable for planning according to a Palestinian vision as it was supposed to be planning as per an occupation agenda of control and annexation during the Israeli Era!

Why didn't the Palestinian decision-makers or official planners pay attention to this point? The reason is not obvious. But if we take into account the Palestinians lack of planning experience at the beginning of the PNA’s formation and the inherited attitude that we can only plan what the Israelis allow us to and we combine them with the large number of Palestinian communities in Area B and A that needed to be planned after twenty-seven years of an Israeli-dominated planning process, it is conceivable that planning in Area C was not a priority at that time. It did not become a priority until much later, the middle of the 2000s, when Palestinian planners began to see the need for regional planning.

Regional planning involves creating master plans for communities located in Area C, in addition to areas A and B. Area C lands form about 60 percent of the West Bank. Unilateral plans for Area C are problematic for the PNA. By signing the Oslo Accords, the PNA agreed that they have no control over Area C at least during a transitional stage working towards a future Palestinian state. In the first few years after signing the Oslo Accords the PNA would have been accused of violating the accords if it had even tried to create plans for Israeli-controlled areas. Now that the transition period has extended to nearly twenty years, more people are demanding
planning in Area C territories. Their voices are now even louder and bolder after the United Nations General Assembly's recognition of Palestine as a state on the 29th of November 2011. Legitimacy for Palestinian planning can now be seen as deriving from rights of a state over its lands rather than from an international agreement (the Oslo Accords).

Authority is necessarily accompanied by responsibility, or at least should be. Planning in Area C is still legally problematic for the PNA’s institutions. PNA institutions can easily take the decision to create plans for Area C and approve them through their institutions, but does the PNA have the ability to implement those plans on the ground? The answer is no. If a Palestinian urban plan is approved unilaterally for an Area C territory, then Palestinian local councils will be issuing building permits there. However, Palestinian institutions will have no means of protecting these buildings from Israeli demolition orders nor will they have the ability to compensate the owners. Therefore, the PNA finds itself with no other alternative then to try to seek Israeli approval of its plans. Since Israel will most likely approve Palestinian Area C plans that are compatible with their own plans for Area C, Israeli-approved Palestinian plans for C areas are highly questionable as counter plans.

In order to seek Israeli approval for the plans of Palestinian communities in Area C, Palestinian planning institutions find no legal framework again to represent these communities. The Israelis do not recognize any authority for the PNA in Area C. Trying to find a way around that, the PNA offers technical and financial support for Palestinian Area C communities in return for being closely involved in the perpetration of a master plan process. The ICA recognizes the elected local councils as representatives of the local citizens of these communities. Palestinian master plans are being prepared as an attempt to counteract Israeli plans accordingly. Fasayil is a very good example of these plans. These plans had demonstrated limited success, such as
delaying and freezing demolition orders. But to what degree will they be a success? This is a question yet to be answered, as the orientation to plan Palestinian communities in Area C is still relatively new within the PNA. Very few, if any, plans were actually approved by the ICA.

There were other attempts by the Palestinian Planning institutions to prepare regional plans for some areas. Regional plans were prepared by the MOLG for some Governorates such as Salfit and Jericho. Again the regulatory framework has proven to be a problem. There was no specific official Palestinian institution or department that could approve regional plans. A decision had to be taken by the Council of Ministers on the political level. Other regional plans such as the RABM remain non-binding as they were not approved by any state institution.

The legal framework of the planning process, especially on the regional level, remains highly problematic as many conflicting issues come into play. The implemented Jordanian law, the previous Israeli planning structure, the Palestinians' authority in Area C according to the Oslo Accords, the Palestinian rights as a people and a state and the Israeli occupation all interact and in many cases conflict in a very complicated planning environment. The absence of the regional planning level within the Palestinian planning process leaves a huge gap in the Palestinian planning system. This leads to the next point of discussion: lack of coordination among Palestinian planning levels and institutions.

7.2 Lack of Coordination

Another theme that surfaced from the interviews was the lack of coordination. Coordination is lacking both horizontally and vertically. Planning on the local level did not take into consideration the higher planning levels. At the same time and in many cases, there were multiple plans targeting the same communities without any coordination among them. The deficiency in the legal system may be considered a major reason for the lack of coordination.
The non-mandatory nature of regional plans left the door open for multiple, overlapping and sometimes conflicting plans for the same areas. The absence of the regional planning level contributes strongly to the lack of planning coordination as well.

On the horizontal level, multiple plans might exist for the same community. For example, Salfit Governorate has a Strategic Development and Investment Plan (SDIP) for the whole Governorate, including Area C. On the other hand, the city of Salfit (the main city in the governorate) has an SDIP specifically for the city. The irony is that both plans were prepared by different work teams and were funded by different donors but are not integrated. In fact, neither plan even mentions the other nor acknowledges its existence. The same can be discussed about the Ramallah Governorate. There is the RABM that includes 9 communities, there is the Ramallah–Al Bireh–Betunia SDIP, there is an SDIP for each of the three cities and there is a master plan for each city. Coordination among all of these plans is very limited, if exists at all.

Vertically, the coordination is also almost non-existent. The absence of the regional planning level is a major factor here. According to the Jordanian Planning Law Number 79 of 1966, the regional planning committees are responsible for creating plans based upon feedback from the local level that are compatible with the Higher Council on Planning's policies. In other words, the regional planning level is supposed to function as a coordination mechanism both upwards and downwards to ensure an integrated planning process. The absence of the regional planning level has disconnected the national from the local level.

Further, the national planning vision is still pre-mature. The only approved national level plan is the Preservation Plan of 2004. This plan, other than the fact that it only marks areas that should be preserved from urban expansion, suffers from inaccuracy issues, as indicated by official planners from both the regional and national levels. The Spatial National Plan is still in
its primary phases and may take years to finalize. Therefore, the local planning level is functioning with very little if any coordination. The lack of coordination on the local planning level was a major issue I observed during many years of working as a planner in the West Bank and was the main reason that triggered the idea for this research: planning without a vision of integration towards a Palestinian goal of a contiguous Palestinian State.

The other issue that I will discuss here is that of timing. Many planning projects, especially on the regional level, seem to have been conducted simply because funding was available, or because a new requirement of the Palestinian planning institutions has been implemented. For example, the RABM was prepared at a time when Ramallah already had an approved master plan. A Metropolitan Plan trying to act as guidance for the master plans of cities within the region were developed while some cities already had approved master plans. The master plan is mandatory for the local councils by law; however, the Metropolitan Plan has no Palestinian legal reference and therefore is a directional plan. The question here is How can a directional plan affect a pre-approved master plan? The Metropolitan Plan can hardly affect the pre-approved master plan, except in regards to future expansion issues. The same can said of cities for which new SDIPs were prepared, despite the fact that these cities had pre-approved master plans. The SDIP is supposed to act as guidance for the master plan but the master plan is already approved. Examples of these cities are Jericho and Salfit. The inadequacy of the legal framework surfaces again here. The lack of an efficient legal framework for the regional planning level is minimizing the effect of regional plans as directional-only plans. Regional plans are not binding on municipalities. They are, in other words, optional or informational only. This inefficiency is also encouraging an overlapping of regional plans covering the same area. In conclusion, all of this is
contributing to a very weak coordination process horizontally between various regional plans and vertically between national and local planning levels.

7.2.1 Attempts at Enhancing the Planning Coordination Process

Given the lack of coordination, it is also important to mention here that there are now some attempts for enhancing the planning coordination process between the different planning levels and institutions. Although these attempts are still in their preliminary stages, their very existence can be considered as evidence of awareness of this deficiency and thus the need for actions that will enhance integration of the planning process.

One attempt for enhancing the coordination process between planning levels is an endeavor to link SDIPs to the National Plan that is prepared by the Palestinian government. The National Plan should not be confused with the National Spatial Plan that is still being prepared to reflect a spatial vision of planning in the West Bank and Gaza. The National Plan is primarily an economic plan concerned with national development as sectorial development. The National Plan proposes key projects to be implemented for the development of these sectors. Budgets for these projects are estimated by the Palestinian ministries and as a result the total financial aid required from international donors, or from local income, is calculated. An SDIP is a development plan that can be prepared for the local or regional levels. An SDIP basically follows a public participation approach to result in a set of key projects that trigger development in that specific community, or region. Thus it acts as a guide for the preparation of the master plan.

Until recently, the National Plan was completely isolated from other levels of planning. No form of coordination existed. Beginning in 2011, the MOLG has requested from planners to stem development projects proposed in SDIPs from the projects proposed in the National Plan. It is still a one way, top-down relationship. Development projects in the National Plan are proposed
by the government. There is no mechanism for the National Plan to take into consideration key projects that result from public participation processes in SDIPs. In other words, there is no bottom-up coordination process. SDIPs can only specify that this proposed project is using an allocated budget from the National Plan.

An orientation in the Palestinian Higher Council on Planning for joint planning areas can be viewed as another attempt for enhancing planning coordination efforts. The Higher Council on Planning has required many adjacent Palestinian communities to have joint local councils and thus to prepare a single SDIP and master plan for all the adjacent localities. Many examples in the West Bank exist, such as the Bani Zaid Joint Local Council, Baqa Al-Sharqeyya and Nazlat Joint Local Council. This sort of horizontal coordination on the local level between adjacent communities can minimize, or even eliminate, planning conflicts between adjacent communities, such as the case of Ramallah and Betunia’s master plans.

In 2011 the Planning Coordination Committee was formed by a decree from the Council of Ministers. The responsibility of the Planning Coordination Committee is to enhance planning coordination in Palestine. The Planning Coordination Committee is responsible for linking the National Plan to the SDIP and endorsing joint local councils planning. Thus, its formation can be considered a step forward in enhancing coordination on more than one planning level.

Coordination within the planning process in the West Bank can be considered very weak both horizontally and vertically. This weakness is negatively affecting the planning process. A lack of horizontal coordination between various planning projects is resulting in multiple plans for the same areas and can be considered a waste of time and resources. On the other hand, the lack of vertical coordination is leading to the planning of Palestinian communities in isolation of
their surroundings and thus unintentionally contributing to the Israeli policy of isolation and impeding the Palestinian vision of a contiguous state.

7.3 Deficiency of Palestinian Planning Institutions

Interviewees noted that much of the official planning in the West Bank suffers from weaknesses in three separate areas; deficiencies in planning personnel is one, financial weakness is another and the weakness of implementation mechanisms is a third. In what follows I will discuss planning institutions' weaknesses from each of these three perspectives.

When the PNA was first formed, planning institutions had to be created or reactivated. The new institutions depended on new employees who had very little if any planning experience, largely because the planning process during the Israeli Era was essentially Israeli military planning geared toward enhancing the occupation’s control over territory as discussed earlier. Even if there were Palestinian employees who had worked with the Israeli planners, they were used to working with the ICA within a totally different planning environment and thus planning process. The same may also be said about private-sector planners, who were also used to dealing with an occupation force. When dealing with an occupation force, one's planning attitude is different. First, planners were limited to planning only those areas permitted by the Israeli Military Governance, or Israeli Civil Administration as it was, later on, renamed. On the other hand planners would try to include as much lands as possible within their plans, regardless of the future needs of the community being planned. The more lands they can include, the more lands they protect from Israeli colonization. Second, the standard for acceptance of master plans was not related to the needs of local citizens on the basis of a logical estimation of future needs. Rather, the standard for acceptance was the requirements of the ICA. This attitude to plan only in
areas where the Israelis permit you to plan, when continued in the PNA era, may very hinder counter-planning activities, or planning based on the needs of local residents.

After nearly nineteen years of experience, planners in Palestinian planning institutions have acquired a significant amount of experience. The same may also be said of private-sector planners. However, the Palestinian planning institutions were forced to function initially with a lack of experience as they prepared many master plans for Palestinian communities, many of which are still in effect. Now planners have more experience but have to deal with planning problems that were caused by master plans that were produced by inexperienced planners.

From a financial point of view, Palestinian institutions had and still have deficiencies that are no less harmful to the planning process than that concerning a lack of experienced staff. Palestinian institutions depend mainly on international donors for their financial resources. Being part of the Palestinian institutions, the same is true of planning institutions, local councils and municipalities. Funds can be acquired from the United States, Europe, Japan or Arab countries.

Depending mainly on outside financial resources can, in many cases, hinder planning projects. International donors prefer to allocate their money to projects that are acceptable to all parties which in many cases may serve to exclude projects concerned solely with local residents' needs or that may contribute to a Palestinian future vision of a contiguous state. After all, it is very hard to convince a donor to allocate money to a project that might be rejected by the Israelis and thus never come to fruition. Thus, for many years prior to 2007, the PNA had failed to convince donors to invest in planning projects that include Area C. In 2007, during the Jenin Economic Conference Israel accepted, under pressure from the Quartet Committee, to allow some Palestinian planning in Area C. It was not until then that some donors expressed an interest in investing in projects undertaken in Area C.
Accordingly, it is therefore probable that the dependence of Palestinian planning institutions on external funding has affected decisions to implement Palestinian planning projects likely to be rejected by Israeli authorities and therefore has precluded the Palestinian ability to counter-plan. Because by definition a counter-plan is a plan that counters the plans of those in power, which in this case is the Israeli occupation’s plans, any Palestinian attempt to counter-plan will most probably not be welcomed by Israel. Thus, it will not present an attractive opportunity for foreign donors.

Deficiencies in Palestinian planning institutions are also evident from an implementation— or "on-the-ground" point of view. When the West Bank was divided into A, B and C areas, the PNA possessed law enforcement forces only in Area A. Area A mainly formed the built-up areas of the major cities in the West Bank. This means that even though the PNA have the authority to plan in Area B, the PNA do not have the means to force these plans on the ground in these areas. Therefore, trespassing on road rights-of-way, not committing to floor area ratios, or building setbacks and building more stories than allowed in the master plans are common practices in Area B and Area C among local citizens. There is no force on the ground, other than the local councils, that can follow up on the implementation of master plans in Area B and Area C. Local councils do not have any law enforcement authority.

As a result of the unregulated and unplanned activities of local citizens that conflict with master plans, master plans become impossible to implement and thus unusable. One result is the formation of built-up and largely unplanned areas with very high population densities, areas in which people suffer from many social problems resulting from overcrowding. Examples of such areas are Al-Ram and Kufr Aqab, north of Ramallah.
7.4  Lack of Readiness or Vision

An important theme that was repeated in many of the interviewees' responses across the three case studies is the lack of an overall planning vision. Whenever there was a need for plans or urban solutions for communities, especially in Area C, the Palestinian planning institutions did not have it. At the same time, the ICA was ready with plans that supported Israeli political policies of occupation and control. In many cases, this has left the PNA in a weak position in the peace negotiations. It is harder to reject Israeli plans when a Palestinian vision for the targeted areas is missing. The basis for rejecting Israeli plans could be much stronger if based upon a study of the needs of the locals—an urban plan. In many cases when a Palestinian vision was needed, it could not be provided because the Palestinian planning institutions were not ready. An example of this –unpreparedness is when Israel agreed, under the Quartet Committee’s pressure, for plans to be prepared for 17 communities in Area C. The Palestinian Higher Council on Planning, or any other Palestinian planning institution, did not have any vision for these communities, nor did it have any strategy for developing urban plans in those 17 communities. The ICA, however, in a very short period of time provided plans for the 17 communities. Because the Palestinian planning institutions did not have anything prepared, the Israeli plans were very hard to dispute and the Palestinian planning institutions wasted a chance to legalize and plan according to a Palestinian vision for those targeted communities.22

The lack of a future vision can be attributed to many factors. First of all, the National Spatial Plan that is supposed to provide a comprehensive planning vision for Palestine is still being prepared. There are no signs that it will be ready soon, as it is facing many problems such

---

22 Another example of this predicament occurred in Gaza, when Israel unilaterally pulled out of the Gaza Strip in 2005 and evacuated the Israeli illegal settlements there. The Palestinians found themselves with no planning vision for these evacuated illegal settlements. The lands for the evacuated Israeli illegal settlements remained vacant for years, in a very highly populated area like Gaza, due to the lack of a planning vision.
as the capacity of the planning staff and the availability of financial resources. The Preservation Plan that is currently in use cannot serve as a basis for a vision as it only delineates the areas that should not be built on and that should therefore not become part of the country's urban expansion. (The Preservation Plan cannot serve as the basis for a vision even if we ignore the fact that it contains many inaccuracies.)

Moreover, the lack of vertical coordination among the three Palestinian planning levels that I discussed earlier is a major factor contributing to the lack of a Palestinian planning vision—particularly the absence of a mid-level-planning tier (i.e., the regional planning level). The Higher Council on Planning's role, on the other hand, is restricted to reviewing public appeals and making sure that master plans do not contain any technical-planning errors, such as over-sloped roads. Many argue that the Higher Council on Planning can play a more active role in coordinating different communities' master plans.

Another reason for the lack of a planning vision is the lack of plans for Palestinian communities in Area C. There are about 150 Palestinian communities in Area C. Until the year 2008, the Palestinian planning institutions ignored these communities apart from a few cases such as the case of Aqaba village /Tubas. The act of incitement that drew the PNA's attention to the importance of planning in Area C was the previously discussed incident when Israel announced, at the Jenin Economic Conference, its approval to have plans ready for the Palestinian communities when the Palestinian planning institutions found themselves with no strategy or preparedness to do so.

As a result of this incident, the Minister of Local Government decided in 2008 that the Ministry should start creating master plans for all Palestinian communities in Area C. Although this might have been envisioned late, it can also be viewed a step in the right direction for
forcing Palestinian planning institutions to be ready with plans that can respond to the Israeli ones the moment a confrontation is needed. Over the past five years, master plans with a Palestinian vision have been created for Area C Palestinian communities. Many planners interviewed claim that Palestinian planning institutions are today much more prepared to confront Israeli plans than they were in the past. The case study of Fasayil can be a good example of this preparedness.

Palestinian planning institutions ignored planning in Area C for about 15 years after the Oslo Accords were signed. During this 15-year period the Palestinian planning institutions had no ability to respond convincingly to Israeli plans for these communities. Despite the fact that it came late, the decision to begin preparing maps for Palestinian communities in Area C was a step in the right direction as the Palestinian planning institutions today, five years after this decision, are arguably better prepared to plan for Palestinian communities in Area C. Palestinian planning institutions also lack a vision that might explain the relationships between Palestinian cities in a contiguous Palestinian state.

Nevertheless, no matter how few counter-planning efforts there have been, what counter-planning activity that has existed has proven to benefit local citizens in many cases. The case of Fasayil is one example. Although the International Peace and Cooperation Center (IPCC)-proposed plan in Fasayil has not been approved by the ICA, it was successful in stopping demolition and stop-work orders for four years and until this day. Locals have been able to live in their homes and use public facilities in the village since 2009 without any demolition actions from the Israeli army. Although this might be seen as a temporary benefit, in a highly unstable political environment it may be considered a measure that can keep the local residents in their homes until a permanent political solution is reached between the Palestinians and the Israelis.
In the Ramallah case study, proposed roads in Area C that are included in the latest urban plan provide an explanation for the planned roads in Area B and a future vision for contiguity between separated parts of Area B.

### 7.5 Counter-planning Actions

Until 2008, the planning process in the West Bank dealt only with master plans created for Areas A and B that had been under the planning authority of the PNA, plans that had very minimal, if any, counter-planning qualities. If counter-planning is a planning activity that meets the local citizens’ needs against plans of an oppressive state (Davidoff 1965, Forester 1989, Roos 1974), then these plans cannot be argued to have any counter-planning value. After all, the plans were applied to areas where the Israelis have approved them to be applied in the first place. The master plans in question were merely land-use plans applied within borders approved by Israel. From that perspective, the plans could not have any effect on current Israeli plans in Area C that aim at isolating Palestinian communities from each other and enhance the control of the military occupation.

Over the last five years this situation has begun to change. The first step was a decision in 2008 made by the PNA’s Minister of Local Government to start planning in Area C from the perspective that these are Palestinian lands according to international law and Palestinian planning institutions need to provide better living conditions for their inhabitants. Since then some enhancements to the Palestinian planning system have been applied. Some of these enhancements can be looked at as forms of a counter-planning activity.

Strategic Development and Investment Plans (SDIP) can also be viewed to be a form of counter-planning. Counter-planning activity is discussed by many scholars as a form of public-based democratic planning that responds to the needs of the local citizens in the face of
mainstream power (Davidoff 1965, Forester 1989, Friedman 1969, Krieger 1971, Roos 1974). SDIPs represent a planning framework for the master plan. The SDIP is prepared through a series of local public meetings and workshops with relevant stakeholders in order to provide a vision for the local community prioritize key projects and define a planning orientation for the master plan. By 2010 SDIPs began to be required by MOLG for Palestinian communities. The only public input, before SDIPs were proposed, was the right to appeal after the master plan was almost complete and advertised. SDIPs have, therefore, enhanced the public participation component in the planning process and provided a framework for the master plan. From this point of view, SDIPs can be viewed as a counter-planning action. SDIPs, however, are limited in that they are required for the local community and basically provide a planning framework for Area A and Area B only that does not affect Israel's plans in Area C. Looking at it from this perspective, SDIPs have a minimal amount of counter-planning.

Some SDIPs have been created for entire governorates, such as Salfit and Jericho. These SDIPs come into direct contact with Area C land and thus with Israeli plans. Bearing in mind that governorate SDIPs have positively affected the democratization of the urban planning process, these SDIPs can be viewed as counter-planning activities because they are creating a Palestinian vision for areas that previously had only been planned according to a vision of occupation. However a major drawback remains; these SDIPs lack a legal framework that can make them obligatory. They also lack the ability to be implemented as the PNA does not have any jurisdiction in Area C. However, these plans remain as visions for these areas which the Palestinian planning institutions and decision makers can use to counter ICA plans.

Following the decision made by the Minister of Local Government in 2008, a conceptual document for planning in Area C was issued in 2010 by the Higher Council on Planning. The
document emphasizes the importance of planning in Area C. It drafted the orientation of the Higher Council on Planning for creating plans for Palestinian communities in Area C. The first concept delineated emphasized that the Palestinian Planning Council and MOLG should make every effort possible to create master plans for Area C communities that respond to the requirements of the local citizens without taking into account any boundaries proposed by the ICA. The planning of Fasayil by the IPCC is one good example of this orientation within the Palestinian planning institutions.

In orientation similar manner, master plans for many Palestinian communities in Area C were prepared by Palestinian planners, in support of the MOLG, during the previous three years. Abdullah Alyounis, Al Walaja, Al-Nabi Sumuil, Al Ramadin, and Abu Farwa villages are all examples. Most of the master plans for these communities have not been approved by the ICA, although they were submitted to the ICA. Despite their current status, however, the master plans submitted to the ICA can still counteract Israeli plans by providing a Palestinian vision and documentation outlining the needs of local residents.

The 2010 conceptual document concerning planning in Area C provided and clarified the duties of the Higher Council on Planning led by the MOLG. The first duty is to raise funds for planning projects. Funds can be obtained from the Ministry of Finance (locally), or from international donors such as the USA, the European Union, or Arab countries. Secondly, the document defines the role of the MOLG for planning Palestinian communities in Area C as primarily one of advocacy. Advocacy here should not be confused with the Davidoff concept of advocacy planning (1965). An advocacy role of the MOLG means simply that the MOLG will not be officially involved within the planning process. The Ministry will only advise a planner to be contracted by a local community council. The advised planner shall be known to the MOLG
and familiar with the Ministry's approach to planning. The Ministry will also monitor the planner closely during the whole planning process to ensure local citizens' needs are adequately assessed. The 2010 conceptual document specifies that the MOLG should focus on developing the health, education, transportation, electric power and water sectors.

To sum up, the counter-planning activity of the Palestinian planning institutions is relatively stronger on the local level than it is on the regional one because of the current practice of creating master plans for all Palestinian communities in Area C, a planning process involving a joint effort through close coordination among planners, the MOLG, local councils, and the larger community. Public participation is facilitated through public meetings and stakeholders' workshops. On the regional level, governorate SDIPs can also be viewed as a form of counter-planning even if the non-mandatory nature of the SDIPs limits their effectiveness. Counter-planning efforts on the regional level are therefore generally much weaker than those on the local level.

On the national level, there are no serious counter-planning efforts. No national vision exists to guide Palestinian communities and regions — and the Palestinian planners that serve them — towards a coordinated planning process that could lead to a contiguous future Palestinian state.
8 Conclusion

This dissertation is about the planning process in the West Bank/Palestine in an attempt to assess whether planning there is serving a counter-planning function against Israeli urban policies. Counter-planning is viewed by a number of scholars as a type of planning directed against the dominant system of institutionalized power (Davidoff 1965, Forester 1989, Friedman 1969, Krieger 1971, Roos 1974). Counter-planning as I have defined it in this dissertation similarly means Palestinian planning activities that defy dominant Israeli-occupation planning. Within the course of this dissertation I considered three case studies: Ramallah city, Fasayil and Rawabi.

I found that there is currently very little counter-planning activity in the Palestinian urban planning process. Counter-planning is only occurring in the context of the Palestinian National Authority's (PNA) recent decision to support planning in Area C where Israel, in accordance with the Oslo Accords, is in control and has the authority to plan. The support of planning in Area C may be considered counter-planning because the planning counters Israeli plans for Area C. The Area C plans are, to a certain degree, responding to the needs of the indigenous local citizens, stopping Israeli demolition orders, and attempting to provide for the basic needs of the citizens that the Israeli plans totally ignore and even contradict. From this perspective and in light of relevant scholarly literature on counter-planning (Davidoff 1965, Friedman 1969, Forester 1989, Krieger 1971, Roos 1974), planning in Area C may be viewed as counter-planning acts. However, such acts of counter-planning are minimal and remain relatively undeveloped.
8.1 Reasons for the Relative Lack of Counter-planning in the West Bank/Palestine

The relative lack of counter-planning in the West Bank/Palestine is attributable to several factors that I refer to as: legal reasons, lack of coordination, deficiency within Palestinian planning institutions and the lack of readiness or vision.

8.1.1 Legal Reasons

Currently, the planning law that is being implemented in the West Bank is the Jordanian Law Number 79 of 1966. Despite the fact that this law addresses the planning process on the national, regional and local levels, regional-level planning is underdeveloped in the West Bank. Regional planning level was abolished by the Israeli Authorities after the occupation of 1967. Now after nearly 20 years since the formation of the PNA effective regional planning is still lacking. The regional planning level, according to the Jordanian planning law, acts as the link between the national and local planning levels to ensure that the local plans take national policies into account and vice versa. That stated, it is clear that local plans are being created for Palestinian communities that do not include any vision of those communities' relationships to their surrounding environment and how they fit in to overall national policies and Palestinian aspirations for an independent contiguous state.

The absence of the regional planning level can be attributed, in part, to the nature of authorities (powers) delegated to the PNA in accordance to the Oslo Accords. "Natural" regional-level planning areas actually consisted of—largely-undeveloped—areas in between Palestinian communities, areas that are most likely classified as Area C where the PNA has no power to plan. Thus, a regional planning institution, if existed at the early stages of the PNA, would not have had any work to do at that time because areas of regional planning are within
Israeli planning authority in Area C. However, this is likely to indicate a short vision of the PNA’s planning institutions. If planning institutions were more future-directed, they would have worked harder on activating the regional and national planning levels to make sure they are ready for the end of the occupation.

Equally important, no legal cover can be found under the Oslo Accords that neither legitimizes nor permits the PNA's to plan in Area C. Thus the PNA does not have any authority to approve and authenticate any regional or national plans. However, the recent acknowledgement of Palestine as a State by the United Nations General assembly on the November 29, 2011 may act as a basis for the PNA to demand its right as a state to plan in these areas. Further, Area C land should have been transformed to Area B or Area A by now, according to the timeframe of the transitional period of Oslo Accords.

8.1.2 Lack of Coordination

In spite of the legal obstacles that face the planning process on the regional and national levels, there have been some attempts to create regional plans in different areas of the West Bank. A national spatial plan is also under creation, although it is not known yet when and how it will be accomplished.

Many of the regional and National planning attempts, and especially those on the regional level in particular, lack proper coordination. In the Ramallah case study it is clear that there are different urban plans on different levels carried out by different planning teams without coordination on either the horizontal or vertical level. On the horizontal level, local and regional planning activities occur more or less independently and without reference to one another. At the same time there are multiple regional plans for the same geographic area. The Ramallah—Al-Bireh—Betunia Strategic Development and Investment Plan overlap with the Metropolitan
Plan for the same area. None of the plans have taken the findings or the recommendations of the other into consideration. Scarce public funds were expended to do the same job twice.

There is a similar lack of vertical coordination of planning activities. For example, the Ramallah—Al-Bireh—Betunia SDIP and the Metropolitan plan (regional level plans) were both created after the master (local level) plans for the major cities were finished and approved by the Palestinian Higher Council on Planning. Thus it is very hard to modify any of the local plans to comply with the recommendations found in the two regional plans. In many cases, the municipalities themselves were not ready to modify the master plan. After all, the regional plans are not mandatory due to the existing legal framework for planning I discussed earlier.

8.1.3 Deficiency of Palestinian Planning Institutions

Many of the official planning institutions in the West Bank suffer from deficiencies on more than one level. Specifically, deficiencies were identified in three areas; deficiencies of planning staff, financial deficiencies and deficiencies in implementations mechanism.

When the Palestinian National Authority was first formed the Palestinian planning process depended on new employees who had very little, if any, experience in the planning process. Private sector planners, on the other hand, who were used to dealing with an occupation force did not have any experience in planning under the Palestinian National Authority umbrella. Planning standards, to most private-sector planners, were the requirements of the Israeli authorities. This attitude: to plan only in areas were the Israelis permit you to, continued to be active during the PNA era, and can be considered a main reason to hinder any thoughts to counter-plan, or plan based on the needs of the local community.

After about twenty years of functioning, Palestinian planning institutions have built a significant amount of experience within its planning employees. The same can also be discussed
about private sector planners. However, Palestinian planning institutions were forced to function during the first years with this lack of experience and prepare a considerable amount of master plans for Palestinian communities. Many of these plans are still in effect. Now the more-experienced Palestinian planners and planning institutions have to deal with planning problems that were caused by master plans that were produced earlier by inexperienced planners.

From a financial point of view, Palestinian institutions, including planning institutions, depend mainly for their financial resources on international donors. International donors prefer to allocate their funds in projects that are acceptable from all sides, including the Israeli authorities. This can in many cases exclude projects that have a high possibility to be rejected by Israeli authorities, such as urban plans that might counter-act some Israeli ones. It wasn't until 2007, during the Jenin International Economic Conference, when some donors, in specific European donors, expressed interest to invest in planning projects that target C categorized areas. The dependence of the Palestinian planning institutions on external funding, due to lack of local financial resources, highly jeopardizes the Palestinian ability to plan in disputed areas, and thus the ability to counter Israeli plans.

Deficiencies in Palestinian planning institutions can be observed from an implementation ability point of view, as well. The Palestinian Authority has no executive power that can follow up the implementation of plans is Area C and Area B. Examples of areas that suffer urban chaos are Al-Ram and Kafr Aqab, South of Ramallah.

Palestinian planning institutions are vulnerable from more than one perspective. These institutions have to deal with urban plans prepared during the first years of the Palestinian Authority when it lacked planning experience, dependence on external funding hinders the
Palestinian Authority's ability to counteract Israeli plans and the Palestinian Authority lacks the executive force that can follow up on the implementation of urban plans in Area C and Area B.

8.1.4 Lack of readiness or vision

Palestinian planning institutions weren't ready whenever there was an urgent need for plans or urban solutions for communities, especially in Area C. Contrary, and at the same time the Israeli Civil Administration was most of the time ready with planning solutions that reflect Israeli political policies of occupation and control, when such plans were required. This has weakened the Palestinian Authority's position in the peace negotiations. It is harder to reject Israeli plans when a Palestinian vision for targeted areas is not present. The instance, that occurred during the Jenin International Economic Conference, when Israel agreed, under the pressure of the Quartet, for plans to be prepared for 17 Palestinian communities in Area C, and the Palestinian side weren't able to get them ready in time, is a good example of the lack of readiness of Palestinian planning institutions.

Palestinian planning institutions lack also a vision that might explain the relationships between Palestinian cities in a contiguous Palestinian state. This lack of future vision can be attributed to many factors, such as the absence of a National Spatial Plan, that is supposed to provide a comprehensive planning vision for Palestine. Moreover, the absence of the regional planning level, discussed earlier, hinders the coordination between the local and national planning levels and therefore is a major factor contributing to the lack of a Palestinian planning vision.

Another reason for a lack of planning vision is the lack for plans for Palestinian communities in Area C. Until the year 2008 the Palestinian planning institutions totally ignored these communities except for some shy attempts, such as Aqaba village/Tubas. Palestinian
planning institutions ignored planning in Area C for about fifteen years after the Oslo Accords were signed. During this period Palestinian planning institutions had no ability to respond convincingly to Israeli plans for these communities. However, although late, the decision to begin preparing maps for Palestinian communities in Area C is a step in the right direction. Palestinian planning institutions today, after five years of this decision, are better prepared concerning plans for Palestinian communities in Area C.

8.2 Significance of being under occupation

Planning problems identified above; legal/ legislative, lack of coordination, deficiencies of planning institutions and the lack of future vision can all be found in many other places of the world, not necessarily only in areas under conflict. However, in a place such as Palestine, with the presence of the Israeli military occupation, the effect of such problems on the urban environment and thus on the ability to peruse the Palestinian vision of an independent contiguous state, can be greatly magnified. Israeli policies have always been aimed at enforcing facts-on-the-ground to enhance Israeli control on the occupied lands (Abdelhamid 2006, Abdulhadi 1990, Al-Gerbawy and Abdulhadi 1990, Bauer 2012, Bollens 2000, Coon 1992). The deficiencies in the Palestinian planning process can facilitate the implementation of these Israeli plans. That might have a devastating effect on the future of the Palestinian urban environment and the Palestinian vision of an independent contiguous state.

Israeli policies aim to change unilaterally the geo-political landscape of Palestine by enforcing facts-on-the-ground (Abdelhamid 2006, Bollens 2000, Coon 1992). The lack of a Palestinian counter-planning policy due – partially at least – to the above found deficiencies in the Palestinian planning process is hindering counter planning activity and thus, making it much
easier and quicker for Israeli Authorities to enforce their plans of control and separation on the ground.

Palestinian counter-plans can help highlight the Palestinian planning needs and clarify conflicts between these needs and the Israeli policies. Chomsky (2004) discusses that one way the Palestinians posses to try to enforce their plans is to educate the "international community" on the importance of these plans to the Palestinian people. Palestinian counter-plans can be of great help in clarifying the very negative effects of Israeli policies on the local Palestinians through highlighting the conflict between Palestinian needs and Israeli policies. International support of Palestinian counter-plans can hinder, or at least delay, the implementation of Israeli on-the-ground policies. This can of great importance taking into account that it is occurring in a conflict, politically highly-unstable, environment where a political agreement can be reached at any point of time.

Planning of Fasayil is an example of the great importance of Palestinian counter-planning policies. The Palestinian plan for the village (International Peace and Cooperation Center 2011), although never approved, has stopped the demolition of many homes and buildings for a considerable period of time. Although the demolition orders have been stopped temporarily, but if at any time a political agreement is reached, these structures would have been spared demolition permanently. This

Israeli policies of separation (Bauer 2012, Chomsky 2010, Gordon 2008, Halper 2008) are in direct conflict with the Palestinian vision of a contiguous independent state. The more Israel is successful in enforcing facts-on-the-ground towards its policies of separation, the more it is harder for the Palestinians to accomplish the Palestinian vision of a contiguous state. Palestinian counter-plans can push Israeli plans back and — if not stop—delay them. The least facts-on-the-
ground implemented by Israel, the better the chance Palestinians will have in achieving their political and planning vision!

Planning deficiencies within the Palestinian planning process are magnified by the fact that they are occurring under occupation. Israeli plans that are rapidly being implemented are making the Palestinian vision harder to achieve. If the deficiencies within the Palestinian planning process were to be addressed by Palestinian planning officials then the Palestinian planning process could be made more efficient in countering Israeli plans of separation and control, and thus stop, or at least delay, Israeli plans that are in direct conflict with the Palestinian ones. For Palestinians this can mean the difference between being able to, or not being able to, achieve their vision of an independent contiguous Palestinian State.

8.3 Newly Planned Neighborhoods

As a newly planned city, Rawabi is claimed by those who developed it to be a major planning act that is resisting the Israeli occupation. This concept of resisting occupation through the construction of a new urban area is very similar to the concept of counter-planning, or planning to resist a powerful authority's plans. However, Rawabi is a profit-driven project undertaken in the context of a neoliberal policy framework. These policies are most likely intended as an economic policy that replaces the tendency towards liberation. Although some claim that the neoliberal policies in the region are part of a strategy of normalization between Israel, the Palestinians and the surrounding Arab countries, other scholars (Hanied 2013, Khalidi and Samour 2011, Plitnick 2012) believe a neoliberal policy framework conflicts with the Palestinian struggle to end the occupation and build an independent Palestinian state because it releases Israel from the possibility of international pressure to comply with UN resolutions and international laws to end its occupation.
Therefore, neoliberal policies in the region are in conflict with counter-occupation policies. The establishment of Rawabi, itself a result of neoliberal policies, is arguably in conflict with planning policies countering the occupation and thus cannot be considered a counter-planning act.
8.4 Recommendations

As per the findings of this dissertation, discussed in the previous section, the following actions are recommended for the Palestinian planning process in order to enhance its role as a counter-planning policy and thus meet the needs of the locals and the Palestinian vision of an independent state more efficiently.

- **Developing a Planning Legal Framework that Legislates Planning Outside Area B**

  As it develops an overall planning vision, or even as local planners deal with issues pertaining to planning in Area C, the PNA is faced with the fact that there is no legal framework for adopting national/ regional plans. What is needed is a Palestinian law that legislates and organizes planning in the entire Palestinian lands on the basis of international law, UN resolutions and the fact that all Area C land was supposed to be transferred to Area A ten years after the signing of the Oslo Accords in 1993. This calls for action on the political level, to be undertaken by such authorities as the Palestinian Government or the Palestinian Legislative Council.

  A legal framework for adopting national/ regional plans should be accompanied by a campaign to educate international parties and the patrons of the peace process about the importance of Area C to the Palestinians and of their right to plan there as stated in the Oslo Accords and in accordance with their historic rights. Such a campaign might be the only way that would make it harder for the ICA to take unilateral actions (such as demolition orders) against Palestinian plans for Area C, or plans for Area A or Area B that involve Area C.

- **Enhancing Coordination Among Different Planning Levels**

  As the Ramallah case study made clear, a lack of horizontal and vertical coordination exists among planners and planning efforts. The coordination process should be enhanced to optimize
the use of public money. One possible way to achieve this is to make a specific ministry the sole party responsible for the planning process. The lack of coordination within the planning process is directly linked to the lack of an active legal legislative planning framework. Plans on the regional and national planning levels are not mandatory. If these plans could be approved legally by planning institutions, it will minimize the occurrence of duplicated or conflicting plans.

- **Development of a More Developed Planning Vision on Both the Regional and National Levels**

The Palestinian Physical National Plan is still relatively undeveloped and requires a considerable amount of work. A national plan would provide a vision for a more integrated planning process and provide a vision of the overall picture and the vision towards a future independent state rather than creating discreet plans for Area A and Area B without clearly and unambiguously taking the surrounding urban environment (Area C) into account. A national plan would provide higher-level guidelines for local-level planners so that the planning process at the local and regional levels can take account of the overall urban environment as one large unit rather than many discreet smaller units.

- **Adopting Brave Decisions**

Adopting brave decisions is actually linked to the development of a planning legal framework that legislates planning outside Area B. If such a framework were developed and adopted then the PNA should begin approving plans in Area C based on the previously mentioned rights to do so. The international community’s role here is essential. The PNA should educate international organizations and donors that these actions are part of the Palestinian’s right to plan and the fact that these Area C lands should have been transferred to the jurisdiction
of the PNA a long time ago. This could be one way to stop—or at least make it harder for—Israel to demolish or stop work and urban development in those areas.

### 8.5 Further Research

- **Palestinian planning process and counter-planning activity in the Gaza Strip.**
  
  This research has targeted the West Bank only. The planning environment in the Gaza Strip is different because, among other things, the Area A, Area B and Area C land categorization system does not apply there. Even though planning there is different, the Gaza Strip is an essential part of any future Palestinian State. Literature regarding the planning process in the Gaza Strip is very limited. Such research could be a valuable contribution to literature on planning in Palestine.

- **The neoliberal policy in the Middle East and its Effect on the urban planning process in Palestine.**
  
  Western neoliberal policies are affecting the practice and outcomes of city planning in the Middle East and in Palestine. More research is needed on the effects of neoliberal policies on the lives of citizens under occupation in Palestine.

- **Israeli urban plans in the West Bank and their effect on Palestinian communities.**
  
  Israeli authorities have plans for the West Bank that are probably contributing to its policies of control or separation, which I have pointed to during the course of this research. It would be very useful to analyze the Israeli plans in detail in an effort to see how the plans are affecting the growth of Palestinian communities and the day-to-day lives of the Palestinian citizens.
Bibliography


Bauer, Yehuda, interview by Talk to Al-Jazeera. Israel’s genocidal nationalists (January 08, 2012).


—. "Planning and Developing a New Palestinian Urban Core Underconditional Israeli Occupation: Ramallah City," *42nd INTERNATIONAL ISoCaRP CONGRESS*. Istambul, Turkey: The International Society of City and Regional Planners (ISoCaRP), 2006.


Appendices

Appendix 1: Semi-Structured Interview Protocol
Semi-Structured Interviews Protocol

Participant’s name: ______________________

Date & time: ____________________________

Location of the interview: ____________________________

Research introduction:

One of the most challenging problems facing planners in Palestine is that many Palestinian localities are isolated into islands, a result of Israeli policies since the year 2001 when Israel started building a wall that separates Palestinian communities from the larger areas of which they are a part. My research is designed to examine the Palestinian planning process on the regional and national levels in an effort to make policy recommendations on Palestinian planning actions that may be able to counteract Israeli policies of separation and thus contribute to the objective of a contiguous Palestinian state.

Question 1: From your point of view, How are master plans for Palestinian communities initiated?

Notes:

Question 2: What criteria exist to approve master plans of Palestinian communities?

Notes:

Question 3: What type of coordination currently exists between the different institutions concerned with planning in Palestine?

Notes:
**Question 4:** What plans exist to accommodate for population growth of Palestinian communities? How do these plans take into consideration the natural resources?

Notes:

______________

**Question 5:** How do master plans take into account the surrounding communities? Are there any strategies to ensure future contiguity, if needed? What are they?

Notes:

______________

**Question 6:** How are higher level services - hospitals, universities - planned? Is there any coordination between the distribution of high level services and the connecting transportation network on the other? How?

Notes:

______________

**Question 7:** What transportation plans, if any, do Palestinian planning institutions have to link Palestinian cities and communities? How do these plans take Israeli transportation network into consideration?

Notes:

______________

**Question 8:** How does the transportation network take into account the locations of economic, social and cultural main centers?

Notes:

______________
**Question 9:** Are there any plans for shared infrastructure or shared public services between communities? What are they?

Notes:

____________________

**Question 10:** Does urban plans take into account the conservation of natural resources? How?

Notes:

____________________

**Question 11:** What Palestinian process exists, if any, to approve Palestinian plans for areas currently under Israeli control?

Notes:

____________________

**Question 12:** How can these plans act as a reference for Palestinian politicians and decision makers?

Notes:

____________________

The researcher would like to thank the participant for his or her time and cooperation. All efforts will be made to convey this information accurately and will be employed with a view to improving the urban planning process in the West Bank / Palestine.

To follow up:
Appendix 2: Text of United Nations Security Council Resolutions that are Referred to in the Manuscript

In this appendix I reproduce the text of United Nations Security Council resolutions regarding Israeli settlement in the Palestinian territories. Resolutions 446, 452, 465, 471, and 476 all state that Israeli settlements or other "measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity." The assertion in this dissertation that Israeli settlements are illegal is based on these United Nations resolutions.

I have also included the text of United Nations Security Council resolutions 242 of 1967 and 267 of 1968. Resolution 242 of 1967 "calls upon Israel to reciprocate by withdrawing its forces from land claimed by other parties during the 1967 war" and resolution 267 of 1968 "censures in the strongest terms all measures taken [by Israel] to change the status of the City of Jerusalem.

---

Resolution 446 (1979)
of 22 March 1979

The Security Council,

Having heard the statement of the Permanent Representative of Jordan and other statements made before the Council,

Stressing the urgent need to achieve a comprehensive, just and lasting peace in the Middle East,

Affirming once more that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 1/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

1. Determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;


3. Calls once more upon Israel, as the occupying Power, to abide scrupulously by the 1949 Fourth Geneva Convention, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories;

4. Establishes a Commission consisting of three members of the Security Council, to be appointed by the President of the Council after consultations with the members of the Council, to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem;

5. Requests the Commission to submit its report to the Security Council by 1 July 1979;

6. Requests the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission.

7. Decides to keep the situation in the occupied territories under constant and close scrutiny and to reconvene in July 1979 to review the situation in the light of the findings of the Commission.
Adopted at the 2134th meeting by 12 votes to none, with 3 abstentions (Norway, United Kingdom of Great Britain and Northern Ireland, United States of America).
Resolution 452 (1979)  
of 20 July 1979

The Security Council,

Taking note of the report and recommendations of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in document S/13450,

Strongly deploiring the lack of co-operation of Israel with the Commission,

Considering that the policy of Israel in establishing settlements in the occupied Arab territories has no legal validity and constitutes a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Emphasizing the need for confronting the issue of the existing settlements and the need to consider measures to safeguard the impartial protection of property seized,

Bearing in mind the specific status of Jerusalem, and reconfirming pertinent Security Council resolutions concerning Jerusalem and in particular the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in that city,

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a peaceful solution in the Middle East,

1. Commends the work done by the Commission in preparing the report on the establishment of Israeli settlements in the Arab territories occupied since 1967, including Jerusalem;

2. Accepts the recommendations contained in the above-mentioned report of the Commission;

3. Calls upon the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;

4. Requests the Commission, in view of the magnitude of the problem of settlements, to keep under close survey the implementation of the present resolution and to report back to the Security Council before 1 November 1979.

Adopted at the 2159th meeting by 14 votes to none, with 1 abstention (United States of America).
Resolution 465 (1980)
Adopted by the Security Council at its 2203rd meeting on 1 March 1980

The Security Council,

Taking note of the reports of the Commission of the Security Council established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in documents S/13450 and Corr. 1 and S/13679,

Taking note also of letters from the Permanent Representative of Jordan (S/13801) and the Permanent Representative of Morocco, Chairman of the Islamic Group (S/13802),

Strongly deploring the refusal by Israel to co-operate with the Commission and regretting its formal rejection of resolutions 446 (1979) and 452 (1979),

Affirming once more that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Deploiring the decision of the Government of Israel to officially support Israeli settlement in the Palestinian and other Arab territories occupied since 1967,

Deeply concerned over the practices of the Israeli authorities in implementing that settlement policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Taking into account the need to consider measures for the impartial protection of private and public land and property, and water resources,

Bearing in mind the specific status of Jerusalem and, in particular, the need for protection and preservation of the unique spiritual and religious dimension of the Holy Places in the city,

Drawing attention to the grave consequences which the settlement policy is bound to have on any attempt to reach a comprehensive, just and lasting peace in the Middle East,


Having invited Mr. Fahd Qawasmeh, Mayor of Al-Khalil (Hebron), in the occupied territory, to supply it with information pursuant to rule 39 of the provisional rules of procedure,

1. Commends the work done by the Commission in preparing the report contained in document
2. Accepts the conclusions and recommendations contained in the above-mentioned report of the Commission;

3. Calls upon all parties, particularly the Government of Israel, to co-operate with the Commission;

4. Strongly deplores the decision of Israel to prohibit the free travel of Mayor Fahd Qawasmeh in order to appear before the Security Council, and requests Israel to permit his free travel to the United Nations headquarters for that purpose;

5. Determines that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

6. Strongly deplores the continuation and persistence of Israel in pursuing those policies and practices and calls upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;

7. Calls upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;

8. Requests the Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation, and to keep under close scrutiny the implementation of the present resolution;

9. Requests the Commission to report to the Security Council before 1 September 1980, and decides to convene at the earliest possible date thereafter in order to consider the report and the full implementation of the present resolution.
Resolution 471 (1980)
of 5 June 1980

The Security Council,

Recalling once again the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 27, which reads,

"Protected persons are entitled, in all circumstances, to respect for their persons... They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof ... ",

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also its resolutions 468 (1980) and 469 (1980),

Reaffirming its resolution 465 (1980), by which the Security Council determined "that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East" and strongly deplored the "continuation and persistence of Israel in pursuing those policies and practices",

Shocked by the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh,

Deeply concerned that the Jewish settlers in the occupied Arab territories are allowed to carry arms, thus enabling them to perpetrate crimes against the civilian Arab population,

1. Condemns the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh and calls for the immediate apprehension and prosecution of the perpetrators of these crimes;

2. Expresses deep concern that Israel, as the occupying Power, has failed to provide adequate protection to the civilian population in the occupied territories in conformity with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

3. Calls upon the Government of Israel to provide the victims with adequate compensation for the damages suffered as a result of these crimes;

4. Calls again upon the government of Israel to respect and to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, as well as with the relevant resolutions of the Security Council;

5. Calls once again upon all States not to provide Israel with any assistance to be used
specifically in connexion with settlements in the occupied territories;

6. Reaffirms the overriding necessity to end the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

7. Requests the Secretary-General to report on the implementation of the present resolution.

Adopted at the 2226th meeting
by 14 votes to none,
with 1 abstention (United States of America)
Resolution 476 (1980)

Adopted by the Security Council at its 2242nd meeting
on 30 June 1980

The Security Council,

Having considered the letter of 28 May 1980 from the representative of Pakistan, the current Chairman of the Organization of the Islamic Conference, as contained in document S/13966 of 28 May 1980,

Reaffirming that acquisition of territory by force is inadmissible,

Bearing in mind the specific status of Jerusalem and, in particular, the need for protection and preservation of the unique spiritual and religious dimension of the Holy Places in the city,


Recalling the Fourth Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War,

Deploring the persistence of Israel, in changing the physical character, demographic composition, institutional structure and the status of the Holy City of Jerusalem,

Gravely concerned over the legislative steps initiated in the Israeli Knesset with the aim of changing the character and status of the Holy City of Jerusalem,

1. Reaffirms the overriding necessity to end the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

2. Strongly deplores the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council and the General Assembly;

3. Reconfirms that all legislative and administrative measures and actions taken by Israel, the occupying Power, which purport to alter the character and status of the Holy City of Jerusalem have no legal validity and constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

4. Reiterates that all such measures which have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council;

5. Urgently calls on Israel, the occupying Power, to abide by this and previous Security Council
resolutions and to desist forthwith from persisting in the policy and measures affecting the character and status of the Holy city of Jerusalem;

6. Reaffirms its determination in the event of non-compliance by Israel with this resolution, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of this resolution.
Resolution 242 (1967)

of 22 November 1967

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;

(ii) Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

2. Affirms further the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

3. Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Adopted unanimously at the 1382nd meeting.
Resolution 267 (1969)
of 3 July 1969

The Security Council,

Recalling its resolution 252 (1968) of 21 May 1968 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, respectively, concerning measures and actions by Israel affecting the status of the City of Jerusalem,

Having heard the statements of the parties concerned on the question,

Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures tending to change the status of the City of Jerusalem,

Reaffirming the established principle that acquisition of territory by military conquest is inadmissible,

1. Reaffirms its resolution 252 (1968);

2. Deplores the failure of Israel to show any regard for the resolutions of the General Assembly and the Security Council mentioned above;

3. Censures in the strongest terms all measures taken to change the status of the City of Jerusalem;

4. Confirms that all legislative and administrative measures and actions taken by Israel which purport to alter the status of Jerusalem, including expropriation of land and properties thereon, are invalid and cannot change that status;

5. Urgently calls once more upon Israel to rescind forthwith all measures taken by it which may tend to change the status of the City of Jerusalem, and in future to refrain from all actions likely to have such an effect;

6. Requests Israel to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of the present resolution;

7. Determines that, in the event of a negative response or no response from Israel, the Security Council shall reconvene without delay to consider what further action should be taken in this matter;

8. Requests the Secretary-General to report to the Security Council on the implementation of the present resolution.

Adopted unanimously at the 1485th meeting.
Appendix 3: Institutional Review Board (IRB) Approval
University Committee for the Protection of Human Subjects in Research
University of New Orleans

Campus Correspondence

Principal Investigator: David Gladstone
Co-Investigator: Husni Qurt
Date: August 13, 2012
Protocol Title: “The exercise of power: Counter planning in the West Bank/Palestine”
IRB#: 03Aug12

The IRB has deemed that the research and procedures described in this protocol application are exempt from federal regulations under 45 CFR 46.101c, due to the fact that any disclosure of the human subjects’ responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects’ financial standing, employability, or reputation.

Exempt protocols do not have an expiration date; however, if there are any changes made to this protocol that may cause it to be no longer exempt from CFR 46, the IRB requires another standard application from the investigator(s) which should provide the same information that is in this application with changes that may have changed the exempt status.

If an adverse, unforeseen event occurs (e.g., physical, social, or emotional harm), you are required to inform the IRB as soon as possible after the event.

Best wishes on your project.
Sincerely,

Robert D. Laird, Ph.D., Chair
UNO Committee for the Protection of Human Subjects in Research
VITA

The Author was born in Jerusalem, Palestine. He obtained his Bachelor's degree from University of Jordan in 1996. He worked as a professional planner and architect for one of the regional engineering consultancy companies since then. He obtained his Master's degree in urban planning and design from Birzeit University in 2006. The author was awarded the Fulbright Scholarship to continue his doctoral studies in the United States. He joined the University of New Orleans graduate program as an urban studies doctoral student in 2009.