The Road not Taken: The Development Authority (DA) and Israel’s emerging planning system 1950-1960

Abstract: From 1950 to 1960, the Development Authority (DA) was responsible for management and allocation of land for Israel’s urban space. This article focusses on the DA’s aspiration to be central to the evolving planning system, while maintaining its lead role in land management and allocation. Previously overlooked episodes concerning the history of the Israeli planning system cast new light on power struggles over the system’s formation and the DA’s role. Unsuccessful, the struggles of the DA expose “the road not taken” - a road which might have led to a more defined and structured relationship between planning and management of Israeli land.

Keywords: Development Authority (DA), Israeli planning and land systems, planning policy, land management policy.

Introduction

This article discusses the early days of the Israeli Land Development Authority (“Development Authority” - “the DA”), which, under the auspices of the Ministry of Finance, was responsible for the management and allocation of land for urban development between 1950 and 1960. The DA stood at the crossroads between the expropriation and nationalization of Palestinian land and its transfer to state and local authorities or to the Jewish National Fund (JNF). A central player in the allocation of urban land to the private and commercial sectors (including semi-public bodies, such as political parties, corporations, cooperatives, and associations), it was critical in shaping the physical space and social fabric of Israel.

Although the DA also filled other significant functions, this article focuses on its aspiration to serve as the arm of the state in the field of planning and development, alongside its lead role in the management and allocation of land.[[1]](#endnote-1)

The DA was established toward the end of 1950, at the beginning of the nation-building process and during the formation of state institutions. This period saw the consolidation of the Israeli land regime and the shaping of the system responsible for the management of Israel’s lands, i.e., land controlled by the DA, state land, and JNF land (“the land system.”)[[2]](#endnote-2) The central role of the DA ended in 1960 with the establishment of the Israel Lands Administration (ILA), to which its powers were transferred.

During the same period, the planning system in the Ministry of Interior, adapted from the British Mandate, was also consolidated. The DA attempted to integrate itself into this system and to develop interfaces connecting planning activities to management and allocation of land.

The planning system eventually became an independent entity almost completely disconnected from the land system, under provisions of the Planning and Building Law (PBL) of 1965[[3]](#endnote-3). Conventional research on the subject assumes that formation of the planning system and its attending institutions was a “natural” development based on legal and formalistic considerations. From the outset, the Ministry of Interior was defined as the inheritor of powers delegated under the Mandate’s Towns Ordinance and responsible for the municipal sector.[[4]](#endnote-4)

Ernst Alexander argues that the formal claim supporting this move was the need for inter-institutional coordination among planning institutions and municipalities, facilitated by having both under the jurisdiction of the Ministry of Interior. However, he claims that the true motivation was political coalition-building maneuvers. With the Labor party dominant at the time, the Ministry of Interior was awarded as a “consolation prize” to a junior partner in the coalition.[[5]](#endnote-5)

The literature also discusses the proposal raised in July 1950 by Arieh Sharon (then head of the Planning Administration) to establish a dedicated Ministry for Planning – a proposal ultimately rejected.[[6]](#endnote-6) This paper discloses aspects of this story heretofore neglected and highlights the DA’s role in the power struggle over the consolidation of the planning system, including efforts to strengthen its status in both the planning and land systems.

The level of public land ownership in Israel is 93 percent, considered exceptionally high among developed nations.[[7]](#endnote-7)

Alterman claims that much international research on public land ownership takes for granted that the body responsible for land management also determines planning, without the need for additional planning regulations. Presumably, due to this assumption, there is little theoretical discussion regarding the desirable relationship between public land ownership and planning decisions regarding its usage.[[8]](#endnote-8)

In Alterman’s view, the Israeli experience demonstrates that the issue of unified public ownership and planning is not trivial. The State (including the land system) must be subject to planning laws that will reinforce the power of voters (national institutions must request building permits from elected municipal officials). In her opinion, the Israeli case exemplifies a situation whereby public landholdings are large, intended for private and public development, public services or special initiatives. As a developed state, Israel cannot eliminate planning regulation by granting absolute authority to the body responsible for land administration.[[9]](#endnote-9) ‎‎‎‎‎

This article is divided into four sections which present a historical description of the DA, emphasizing its character and functions in the fields of planning and development, particularly during Israel’s nation-building period. Section One is devoted to a clarification of relevant concepts and a methodological explanation. Section Two briefly discusses national “planning policy” and the planning system prior to the establishment of the DA and then details the background to its establishment. Section Three presents findings from primary sources that underpin the story of the DA in the relevant areas. Section Four summarizes the findings and discusses their significance, particularly with regard to the relationship of land management to planning. ‎‎‎‎‎

Section One: Conceptual and Methodological Clarification

The primary sources for this article, including protocols of the discussions in the DA plenum, are from the Israel State Archives (SA), Central Zionist Archives (CZA), Knesset Archives (KA), and the D. Ben-Gurion ‎ Archives (BGA). Additionally, in-depth interviews were conducted with individuals involved with the land system at the time.[[10]](#endnote-10) Secondary sources provide background and context for understanding the findings.

The Israeli land system activities include marketing and allocating property rights for development or other needs, providing services for lessors, protecting land, and registering rights.[[11]](#endnote-11) The Israeli planning system focuses on “designation of land uses” (zoning), regulating general planning prescriptions relating to the establishment and/or expansion of locales, infrastructure, conservation areas, etc. On a local level, the system’s responsibilities include overseeing outline plans or urban building plans (UBPs) that define rights and planning restrictions, division diagrams, and building permits. Development is often subject to competing needs and entails complex and conflictual decisions.[[12]](#endnote-12)

Although planning policies and land policies are intended to guide separate systems, the distinction between them is blurred in much of the research literature. According to Dan Stav the separation between land and planning policies are only discernable at the level of the individual development site, and disappears when we examine communities, regions, or the nation.[[13]](#endnote-13) Rachel Alterman presents a similar view.[[14]](#endnote-14)

We refer to planning policy as that which determines land use/zoning and the building rights therein. We distinguish between statutory (regulatory) planning policy, and developmental planning policy of other players or bodies, including the DA, regarding land within ‎‎‎‎‎and outside their possession.

Section Two: The Development Authority - background, mandate and vision

Prior to the establishment of the State of Israel, the Jewish community’s “national institutions” (the Jewish Agency for Israel [JAFI] and JNF) in Mandate Palestine concentrated on planning and guiding agricultural settlement in strategic areas, with the goal of influencing the delineation of the borders of the future state.[[15]](#endnote-15) Following the establishment of Israel in 1948, planning institutions, ill-prepared for the scope of mass Jewish immigration, were unable to implement procedures for regulating land uses or formulating housing policy on the national level. Immigrants were housed in homes abandoned by Palestinians who either fled or were forced out ‎‎‎‎during the 1948 War, in former British army camps, and later in transit camps. The difficulties encountered during this period reinforced the need for comprehensive and regulated planning to promote the development of the young state.[[16]](#endnote-16)

Until 1965, the legal basis for the Israeli planning system was the British Mandate ordinance, which regulated planning on two levels: local and district.[[17]](#endnote-17) Powers granted to local (or municipal) committees included the granting of building permits in accordance with approved UBPs, while district committees approved detailed UBPs and parcellation plans. The system was headed by an office/department of the “Town Planning Advisor” (TPA), established in 1935, which oversaw all aspects of planning including initiation, consultation, and inspection. The Mandate government, the high commissioner, the TPA and, later, the State of Israel – were not subject themselves to the ordinance.[[18]](#endnote-18)

Following the establishment of the State, a “Planning Division” was formed in the Ministry of Labor, headed by Arieh Sharon. The Mandate Planning Department was affiliated with this division. The Planning Division was intended to serve as a central authority for national planning, and to coordinate the executive and inspection divisions under a single ministry providing a uniform direction, with an emphasis on proactive physical planning. The establishment of the division was consistent with the approaches defined independently during the pre-state period.[[19]](#endnote-19)

Given the perception of planning as an interdisciplinary activity entailing inter-ministerial responsibility, it was proposed that a three-tier planning system be established to operate at local, district, and national levels, headed by a “National Planning Council” (responsible for guiding the economic and physical planning of the state and often referred to as the Supreme Council or Supreme Planning Council in the protocols).[[20]](#endnote-20) The council was not established at this stage, however, due to restructuring within the Ministry of Labor. In March 1949, following the first elections to the Knesset, Golda Meir entered the Ministry and divided the Planning Division. The section responsible for planning housing projects remained in the Ministry of Labor and was annexed to the Housing Division; the section responsible for regulatory planning was annexed to the Ministry of Interior (“the Urban and Rural Construction Division”); and the section responsible for proactive planning was transferred to the Prime Minister’s Office (“the Planning Division.”) The Planning Division operated in the Prime Minister’s Office until December 1951, when it merged with the Urban and Rural Construction Division in the Ministry of Interior.[[21]](#endnote-21)

The DA was established at the end of 1950 as the result of a legal arrangement permitting the long-term use of millions of dunam of land appropriated from Palestinian refugees in 1948. Most of the refugees were defined as “absentees,” and their land and property transferred to the Custodian of Absentee Property (“CAP”) in accordance with the Absentee Property Law, 1950 (“the APL”).[[22]](#endnote-22) However, the CAP’s powers were limited to temporary uses, which Israeli decision makers perceived as effectively blocking development plans and hindering response to the state’s urgent needs. The establishment of the DA to facilitate the nationalization of absentee lands was inspired by similar measures taken in countries such as Turkey, Greece, Bulgaria, Czechoslovakia, India, and Pakistan.[[23]](#endnote-23) The discussions regarding the APL and the DA were based on the Evacuees Property Ordinances in Pakistan first enacted on ‎‎‎‎‎October 18, 1948.[[24]](#endnote-24)

The DA was empowered to acquire land for development from *any* entity, and to allocate and transfer land for lease or sale, thereby removing the obstacles to the “unrestricted” use of the absentee lands, including the retroactive approval of uses.[[25]](#endnote-25) This established ‎‎‎‎‎the DA as a new type of landowner, along with the state, the JNF, local authorities ‎‎‎‎‎and private individuals. On February 15, 1950, alongside the discussions of the APL, the government decided on the composition of the “Land Development Authority” (“plenum of the DA.”) The government’s authority to determine its composition was formalized in section 2(A) of the DA Law. It included representatives of the Prime Minister’s Office, the Ministries of Finance, Labor, Agriculture, Trade and Industry, Justice, and Internal Affairs, as well as the JAFI and the JNF. The composition of the plenum changed periodically.[[26]](#endnote-26) The plenum was empowered to determine the DA’s land and planning policy and to serve as an inter-ministerial committee for management and allocation of the DA’s land. The DA Law, enacted on August 9, 1950, differentiated between *two* types of land in regard to their transfer to individuals and other private or at least non-public entities (such as cooperatives): agricultural, which “could only be leased,” and “urban,” which could also be sold. Any sale transaction required the approval of the government (in addition to the DA plenum). Sale to individuals was subject to additional conditions: A) The total area was restricted to 100,000 dunam; B) A waiver was required from the JNF.[[27]](#endnote-27) The Finance Minister was given responsibility for implementing the DA Law.[[28]](#endnote-28)

Prior to the establishment of the DA, there were a large number of bodies with their hands in the “land cauldron,” resulting in a system riddled with ‎‎‎‎‎instability, decentralization, and competition for power. At least ten government ministries were involved, with center of gravity and control gradually emerging in the Ministry of Finance, headed by Eliezer Kaplan. The CAP, the Custodian of Enemy Property, the Custodian of Germans’ Property, the State Properties Department and the “Standing Committee,” and the Housing Projects Desk all operated under the Ministry of Finance.[[29]](#endnote-29) A committee in the Ministry of Agriculture was responsible for unfarmed land.[[30]](#endnote-30)

Following its establishment, the DA received the powers of both the CAP and the “Standing Committee” relating to land allocation for development. The committee in the Ministry of Agriculture continued to process allocations for agricultural uses for short periods the JNF continued to be involved primarily in the management and allocation of land for agricultural settlement. However, since it also owned urban land (acquired before and after the establishment of the DA), it was involved in the allocation and management of land in the urban domain. The DA, which absorbed state land and land held by the CAP intended for development, became the dominant body in the management and allocation of land for the private/commercial sector in the urban domain, and the mechanism continued to function in this manner until 1960.

The Vision of Development and Planning

The DA Law was initially proposed as the “Transfer of Properties to the Development Authority Law, 1949,” but during the legislative process this was changed to the Development Authority Law (Transfer of Properties), 1950.[[31]](#endnote-31) The emphasis thereby shifted from “the transfer of properties” to “development,” suggesting that development was its central focus. [[32]](#endnote-32) Even then, there were those who argued that the law’s chief purpose was to “disconnect” the absentees from their properties and to transfer these to Jewish hands, and alleged that the name “Development Authority” was intended as camouflage.[[33]](#endnote-33)

The law granted the DA extensive powers in the field of development, but the exercising these powers was subject to land policy and to budgetary limitations. The DA’s primary financial foundation was based on the potential profit inherent in the land, as is apparent from Prime Minister David Ben-Gurion’s diary entry detailing his discussion with Dov Shafrir (CAP) on July 18, 1950:

… 3.5 million dunam of abandoned property, with the orchards on this land, are worth around 80 million lira. Urban property is estimated in Wergo [i.e. “Werko” – governmental property tax] at 25 million lira, but Shafrir estimates that it is five times this figure, i.e. 125 million lira. If urban land is sold to the Development Authority, it is only necessary to pay 25 million liras to the Custodian, as the Arabs estimated in Wergo. Thus, the Development Authority will receive surplus assets of one hundred million*.*[[34]](#endnote-34)

Following this conversation, Shafrir set down, at Ben-Gurion‎’s request, a vision for the Development Authority, comprising 11 items that “translated” the text of the law into practical language and outlined the DA’s proposed functions:

1. The DA is empowered to act in any manner it sees fit regarding the development of the country.

2. The DA will serve as the executive arm for the government’s development plans.

3. The guideline for the DA should be the government’s declared program: *“The rapid and balanced population of sparsely-populated areas of the state and prevention of excessive concentration in the large cities.”*

4. As long as JAFI is responsible for agricultural settlement activities, the DA will focus on development of new urban areas in both existing and ‎‎‎‎‎new cities … This, in addition to execution of special enterprises like construction of a port in southern Israel, irrigation plants and electricity.

5. For the purpose of implementing specific projects, the DA may establish special bodies, such as the “Ashkelon Authority” …

6. Almost all the land in Israel available for development – of absentees, of Germans, and of the government – will be transferred to the DA. Since all the government ministries and the national institutions (JAFI and JNF) that have an interest in agricultural and rural planning of land are part of the executive of the DA, it is possible (in terms of composition) and desirable (substance), to charge the DA with also serving as a national authority for land planning.

7. If due to other considerations the government finds it undesirable for the DA to serve as a national planning authority, it is essential to establish such a body immediately with the appropriate involvement of the DA.

8. The DA will be a financial and administrative enterprise separate from the general governmental budget.

9. The following will serve as a financial foundation: A) The urban properties to be transferred to the DA, and differentials received from their sale and development; B) Loans in return for the subjugation of its assets and of the projects it develops; C) Income from the enterprises it establishes.

10. Full remuneration for the land in accordance with the Werko books will be forwarded to the Treasury and will serve for compensation of absentees, settlement of refugees, and other purposes.

11. The DA’s budget will be approved by the government and also, if the Knesset so decides, by the Knesset.[[35]](#endnote-35)

In anticipation of the establishment of the DA, Yosef Gurion, director of the Rehabilitation and Settlement of Demobilized Soldiers Division in the Ministry of Defense, was approached to take on the task of forming the Authority and implementing its vision. Gurion agreed after a personal meeting with Ben-Gurion‎ and Kaplan in which he understood that the DA would serve as both the government’s development arm and the supreme body in the field of planning.[[36]](#endnote-36)

The DA Sets out on Its Way – Will the Vision Become Reality?

Gurion did everything in his power to realize the vision and to extend the Authority’s operations beyond the mere “transfer of properties.” He sought to consolidate the DA as a guiding, influential, and crucial body in all aspects of development and planning in Israel. Several members of the plenum shared this vision, while others held different opinions and interests.

 David Horowitz (chairman of the DA plenum and director-general of the Ministry of Finance at the time) opened the first meeting of the DA on 15 November 1950. He noted that the DA was a statutory body with broad executive functions, which bore responsibility for the development of “enormous areas,” including the absentees’ land, now available to the state. The Authority would determine land uses and prices, set and implement allocation policy, and decide how remunerations from land sales should be used, while taking into account security considerations and the need for population dispersal.[[37]](#endnote-37)

Moshe Porat (CAP) clarified that, in his opinion, the DA would be a key regulatory body in land policy in Israel. Gurion claimed that the law was vague but created an extensive basis for activities, particularly in the field of development. He maintained that the DA was an independent institution not subject to outside authority, except for the Finance Minister, who oversaw the implementation of the law. Although, it was still too early to determine the areas in which the DA would be active, he advocated taking action to ensure coordination with government ministries and other bodies. [[38]](#endnote-38)

Of the members who opposed Gurion’s vision, the most dominant was Asher Rosenblum (director-general of the Ministry of Interior), who sought to concentrate planning powers within his ministry. Rosenblum was chairman of the National Planning Affairs Committee (“the Rosenblum Committee,”) which was preparing the draft PBL to replace the ordinance and which also discussed the character and composition of the planning system.[[39]](#endnote-39) Rosenblum contended that the DA’s powers as defined in the DA Law were optional rather than compulsory. The Ministry of Agriculture, for example, should continue its development of farmland and forestry and retain the budgets earmarked for those purposes. He maintained that the DA should focus mainly on the acquisition and transfer of land, though even here coordination was required with the Planning Division, which examined needs from an overall perspective.[[40]](#endnote-40)

The doubts and dilemmas regarding the character and function of the DA only worsened during its first months of operation (see table 1 for examples from meeting protocols).

Table 1: Positions regarding the integration of the land management and planning regimes and the centrality of the DA role in planning

The plenum failed to reach consensus regarding the DA’s functions, particularly in the field of planning. While most of the members were relatively neutral, Rosenblum, supported by Shimshoni and Sharon, sought to create a decentralized infrastructure that would support the proposed PBL, including a planning system headed by the supreme council. Porat, desiring to strengthen the Ministry of Finance to which he belonged, supported Gurion. The support of Eilam (Finkelstein) suggests that the Ministry of Labor was satisfied with the DA’s functioning in the realm of planning.

The DA’s Activities in the Field of Planning during the Period prior to the Establishment of the National Planning Council

Prior to the establishment of the National Planning Council in December 1951, the DA plenum devoted numerous discussions (and field trips) to planning issues and disputes.[[41]](#endnote-41) Sharon presented principles for national planning as early as the ninth meeting.[[42]](#endnote-42) In the tenth meeting, policy details were presented relating to the country’s target population of 2,500,000. “Population dispersion” was established as the key policy line, to stall increasing urbanization and facilitate the settlement of sparsely populated areas. For example, in the “Northern Sub-District” (north of Rosh Pina), Khalisa (Kiryat Shemona) was identified as the location for a sub-district city with a population of 12,000-15,000. In the “Safed Sub-District,” it was decided to define Hatzor as the regional city, while Safed, which it was argued could not accommodate a population of more than 30,000 and could not function as a regional agricultural center due to its topographical height, would serve as a national city for tourism and leisure.

The plenum members raised various reservations and alternatives. Weitz, for example, proposed that the main city in the Northern Sub-District be located at Nabi Yosha’ (a Palestinian village in the Galilee seventeen kilometers northwest of Safed), on the grounds that Khalisa was too close to the border and was topographically better suited to agriculture. It was also surrounded by kibbutzim that sought to manage themselves independently and so would be difficult to consolidate as a main city. Weitz raised similar arguments regarding Hatzor, and argued that, a city in the vicinity of Nabi Yosha’ would meet the needs of both the northern and southern parts of the region with regard to topographical profile and potential employment sources. The fascinating discussions that ensued are beyond the focus of this article.[[43]](#endnote-43) What these discussions emphasize however, is the serious and thorough approach of the plenum members to planning policy and determining settlement loci and land uses.

The DA plenum discussed other planning issues, including coordination, mediation, and decision making in the event of disagreements relating to both local and regional issues. The mayor of Holon, for example, complained that the JNF was allocating the land it received from the DA to various institutions and bodies without taking local planning into account. Dilemmas concerning the directions of development of Nahariya and the location of appropriate land for Kibbutz Sa’ar also sparked protracted discussions at several plenum meetings.[[44]](#endnote-44) The same was true regarding proposed housing projects on the dunes in Rishon Lezion, over which a decision could not be reached after more than a year of discussions.[[45]](#endnote-45)

The DA was also responsible for discussing and granting approval of plans proposed by the Housing Division to respond to the waves of mass immigration. This was a particularly important function of the DA since government bodies, including the Housing Division, were not subject to the procedures required by the Town Planning Ordinance.[[46]](#endnote-46)

Figure 1: Planning and land system (1950-1952) prior to the establishment of the National Planning Council

As the establishment of the National Planning Council approached, the DA began to refrain from taking planning decisions with the understanding that these would be transferred to the Council.[[47]](#endnote-47)

The Establishment of the National Planning Council

On 14 August 1951, the government decided to establish the National Planning Council.[[48]](#endnote-48) However, Ben-Gurion‎ continued to have doubts on the subject, as can be seen from comments he recorded in his diary on 27 October 1951: “Zeev Sharf ]Cabinet Secretary] came to me in the evening… The Planning Division is now divided between the Interior Ministry and the Prime Minister’s Office, and Sharf believes that this division has not proved justified. The two sides do not cooperate and should be coordinated under the Ministry of Interior*.*”[[49]](#endnote-49)

On 9 December 1951, the government decided to transfer the Planning Division from the Prime Minister’s Office to the Ministry of Interior, where it was unified with the Urban and Rural Construction Division. The National Planning Council was also established simultaneously under the auspices of the Ministry of Interior.[[50]](#endnote-50) In a 1987 interview, Rosenblum took credit for initiating the unification of the two divisions and convincing Sharf and Shapira to agree to it.[[51]](#endnote-51)

The Council began operating at the beginning of 1952, and the DA adapted to the new reality.[[52]](#endnote-52) However, Gurion continued to resent the formation of the new body, arguing that there was no distinction between its composition and that of the plenum of the DA, apart from the fact that the Interior Minister headed the Council.[[53]](#endnote-53) Rosenblum responded by noting that the new law was about to be published:

The National Planning Council is intended to address all matters relating to national planning, the establishment of new cities, agricultural settlement points, national roads, parks, etc., and will serve as a supreme appeals institution for government ministries and local authorities. Among other tasks, it also has many other functions, including security. The Development Authority could not have discussed all these matters due to its constitutional status*.*[[54]](#endnote-54) ‎‎‎‎‎

Rosenblum added that the intention was to abolish the local committees and replace them with sub-district committees, each of which would include several local jurisdictions, which would eradicate “local patriotism” and corruption and ensure public propriety and proper administration in matters of planning. Gurion objected to the fact that the DA, and in essence the state itself, was becoming no more than a “regular customer” of the Planning Council. He regarded the DA as a development institution, and not merely a body responsible for transferring properties.[[55]](#endnote-55)

Rosenblum left his position in September 1952 and did not complete preparation of the PBL. The National Planning Council continued to function without any legislative backing until 1965.[[56]](#endnote-56)

Figure 2: Planning and land systems (1952-1953) after the establishment of the National Planning Council.

Cooperation and Conflict between the DA and the Planning Divisio*n*

The DA and the Planning Division cooperated and coordinated their work regarding the preparation of properties for allocation (defining zoning and/or finding solutions to related planning issues), and senior representatives of the DA and the Division held regular meetings to clarify issues.[[57]](#endnote-57) However, disagreements emerged, particularly in relation to the role of economic considerations (which the DA encouraged and the Planning Division opposed). As Gurion put it:

If the Planning Division were part of the Development Authority, its approach would surely find the coordination and merger between these two perspectives. The government has indeed identified the remedy to this problem by appointing a National Planning Council, but this Council, too, disconnected from the economic side of the issues, and thus I fear that it will not change the existing situation significantly.[[58]](#endnote-58)

The Planning Division’s disregard for economic considerations impaired the DA’s influence on planning and development, and put it in a position where it was obliged to invest resources in “wars” to determine the usage of land under its control.

Cooperation and Disagreements with the Local Authorities

The DA was also required to coordinate planning with local authorities. In this context, Gurion noted: “Extensive negotiations and considerable work were invested in coordinating our interests with existing planning in the local authorities…”[[59]](#endnote-59) The complexity of the DA’s relations with the local authorities, is apparent in the example of the Tel Aviv municipality which demanded the DA transfer to the city all the absentee properties within the city limits and in the immediate environs (some 13,000 dunam in total), claiming that this land was required for public needs and development of poor neighborhoods. Gurion opposed the demand, arguing that the JNF had requested some 7,000 dunam of this land, and if the DA met the request from Tel Aviv it would not retain a single dunam in the area. The DA agreed to grant Tel Aviv priority after the JNF, but only in areas intended for public needs, and only after the areas were planned. The municipality was asked to submit details concerning public needs and the poor neighborhoods earmarked for immediate development.[[60]](#endnote-60) The municipality refused to accept a method whereby it would only be allocated planned land at the DA’s discretion, and furthermore subject to an examination of its ability to develop the transferred areas immediately. Tel Aviv began to freeze planning within its area in an attempt to force the DA’s hand.[[61]](#endnote-61) An impasse ensued, and Tel Aviv Mayor Israel Rokach appeared in person before the members of the DA.[[62]](#endnote-62) He detailed the problems facing the city, including congestion and land shortages, and argued that the municipality was best acquainted with its residents’ needs and should provide solutions in all fields. Rokach emphasized that the municipality was not a private client, and deserved to receive land to develop at its discretion and at a lower price. Sharon responded: “The picture painted by Mr. Rokach is correct… Planning takes time… In other countries the initiative for solving the housing problem rests with the municipalities, who in some cases have even managed to create planning by acquiring extensive areas…”[[63]](#endnote-63)

On May 26, 1952, Gurion announced that following the DA’s decision that the Tel Aviv Municipality would only receive areas that it could develop and exploit immediately, Mr. Rokach appealed to the Finance Minister, who had decided to appoint a committee to determine areas for public needs in cities. In accordance with Gurion’s suggestion, the committee members were appointed from among the members of the plenum.[[64]](#endnote-64) The disagreement with Tel Aviv continued and Gurion’s successor, Avraham Akavia continued to oppose the municipality’s demands and to insist on the need for planning regulation.[[65]](#endnote-65)

The Development Component (or lack thereof) in the DA’s Activities

The government’s decision to establish the National Planning Council led Gurion to wonder about the future role of the DA. However, the final provocation was the granting of development powers to the Ministry of Agriculture (where a Development Administration was formed), which from Gurion’s perspective meant“that the Development Authority was denuded of its content and left as an office for the transfer of properties and for real estate transactions, sporadically related to the development affairs of municipal areas, and particularly the allocation of areas for industry.”.[[66]](#endnote-66)

Gurion resigned in June 1952. His decision may have been rash, however, since at the same time Levy Eshkol, who had until then served as Agriculture Minister, replaced Kaplan and took with him the development powers of his former ministry when he moved to the Ministry of Finance.

Following his resignation, Gurion wrote a letter to Ben-Gurion‎ explaining the circumstances behind his decision.[[67]](#endnote-67) Ben-Gurion‎ replied, expressing his shared disillusionment: “I admit that I was also mistaken. I was of the opinion that this was a Development Authority, with the emphasis on development and not on authority, and I can understand – and indeed justify – your leaving this authority after the development enterprise was removed from it.”[[68]](#endnote-68)

Gurion’s replacement, Akavia, attempted to motivate the plenum members and to redefine the DA’s functions beyond the “transfer of properties.” Given their prior experience most members were pessimistic, although Sharon argued that the DA could initiate development (planning, attending to UBPs, and seeking developers) in areas where no other body was available to “redeem” the land. Haim Gvati ‎‎‎‎‎(director-general of the Ministry of the Agriculture) ‎‎‎‎‎proposed that the DA address the transfer of development powers to the Ministry of Finance and request clarifications from the Finance Minister.[[69]](#endnote-69)

 Weitz argued that the discussion of the matter in the plenum was pointless. Instead, the DA should turn to the government “for the Development Authority is only what is written in parentheses [transfer of property] in the name of the law. Any attempt to move beyond the parentheses has failed.” ‎‎‎‎‎Eilam (Finkelstein) (Ministry of Labor) agreed, but argued that decisions over transfer of property also influenced development: ”If we make mistakes in the zoning of land, then clearly we will not be fulfilling our function. We can be those who influence development, and we should have ideas about development, but we cannot be a decisive body….” Weitz sought to clarify the issue: “The time has come to account for why we are sitting here… We have been charged with the matter of the transfer of land, and even from this the main aspect that could constitute a factor in development – determining the price – has been removed from us.” ‎‎‎‎‎Fishman claimed that if Gurion – who possessed unbridled energy – had not been successful, then the parenthetic function must indeed reflect the true intention. Akavia tried to pacify the members, pointing out that the DA was the deciding and guiding body on the issue of prices, and that it was empowered to decide on land allocations in certain locations or instances.[[70]](#endnote-70)

Despite Gurion’s resignation and the plenum’s frustrations, during its tenure the DA had significant influence on the field of planning and development.[[71]](#endnote-71) Gurion, and later Akavia, acknowledged this in their periodical reports.[[72]](#endnote-72)

Section Four: Discussion and Conclusions

This study of the establishment and initial vision of the DA and the path that led to its collapse makes two principal contributions to the research on Israeli land development: it uncovers hidden chapters in the history of the state’s land system; and it contributes to a deeper understanding of the process of nation-building and developing state institutions in Israel’s formative first decade.

The shift of emphasis during the legislative process that established the DA from “transfer of properties” to “development,” ostensibly extended its range of functions far beyond the initial objective to provide a legal solution to the problem of the ownership, use, and development of absentee land by transferring the land from the CAP to the DA, and then on to other bodies as required. The founding vision encompassed not only development, but also issues of planning at the national level. However, high expectations ended in disillusionment, as the DA was unable to significantly influence development, let alone planning. Other bodies were engaged in development, and the center of power in planning crystallized in the Ministry of Interior – not the Ministry of Finance - as the body responsible for both statutory planning and municipal government. The DA’s vision for planning and development lacked practical foundations and sufficient political support, particularly from the Finance Minister, who was responsible for the implementation of the DA Law. The idea of creating one body combining the management, allocation, and planning of land for the state dissipated. This led to an institutional separation between the control and ownership of land and the planning of land in Israel, and later to the subjugation of the land system to the statutory planning system.

The study reveals the prevailing attitudes and vacillation among the plenum members, who devoted considerable efforts to implementing the dual vision for the DA. The protocols reveal discussions devoted to the Authority’s essence and functions, its land and planning policies, the desirable and actual structure of the Israeli planning system, the issue of decentralization or centralization of planning powers, the need for a National Planning Council, and the suitability (or otherwise) of the DA to serve as such a council.

In discussions of the DA’s role in planning, the plenum members were divided into three groups, whose interests extended beyond the DA. The Ministry of Finance group sought to promote development with maximum efficiency, to meet the urgent needs of the young state, while addressing economic considerations in planning. Representatives of the Planning Division in the Ministry of Interior spoke about the separation of powers, and planning design independent of ownership and/or economic considerations (which they considered short-term interests) and/or other considerations related to real estate management. They supported a PBL to establish a multi-tiered planning system, with multiple institutions functioning within the Ministry of Interior, which would “solve” problems of corruption at local level and ensure coordination among local authorities. The third group was neutral regarding the ministerial affiliation of the DA, but together with the group from the Ministry of Interior supported the DA’s involvement in planning, suggesting an advisory role (partly, but not solely, to alleviate tensions).

The conventional narrative regarding the concentration of planning powers in the Ministry of Interior emphasizes the legal and formalistic dimensions of the issue. However, others[[73]](#endnote-73) claim that the true motivation relates to political processes and the formation of coalition governments. Conversely, Nurit Alfasi and Yuval Portugali understand the Israeli planning system as an inheritance from the British Mandate, which considered planning a tool for control, and of the Zionist approach to planning as a means for realizing national goals.[[74]](#endnote-74)

Our understanding combines these two narratives and adds to them. We see the path of dependency as pointed out by Alfasi and Portugali but show that there was a viable alternative, ultimately defeated by political coalitions.

The National Planning Council was established without dedicated legislation, on the basis of government decision and coalition agreement, which bolsters Alexander’s contention. The DA could have fulfilled this function, had it enjoyed the necessary political support. The direction of land development and planning systems and the separation of these systems appear to reflect a political balance of power, rather than value-based decisions.

The government’s failure to define the DA’s objectives in the field of planning and development significantly impaired its chances of establishing dominance in these fields.[[75]](#endnote-75) Accordingly, and despite the dignified composition of the DA plenum and the extensive powers defined in the DA Law, its discussions concerning land or planning policy that did not relate directly to allocations (or the “transfer of properties”) remained theoretical.

However, DA policies shaped important foundations organizing the interface between land policy and planning policy. For example, the plenum’s decision that land usage be planned and determined prior to the stage known as “the transfer of properties” (i.e. allocations). It also established that planning and development should be considered when estimating the price of land (upon allocation).

With hindsight, the inclusion of economic concerns supported by the DA and opposed by the Planning Division, have proved extremely pertinent to planning proceedings and not merely in the short-term. In overlooking economic implications, the Israeli planning system “wasted” substantial reserves of land. Only toward the turn of the century was the importance of saving land resources acknowledged, as manifested in National Outline Plan 35 (approved in 2005), which for the first time established minimum building densities. The historic disregard for economic facets may have contributed to outcomes that, in some cases, do not meet needs, and combined with other factors, may even have contributed to Israel’s current “housing crisis.” This article’s contribution lies in its “revelation” of the approach taken by the DA, which was defeated, but which delineated an alternative for the development of a different planning system, one more closely connected to the land system.

The findings are presented as faithfully as possible, without unnecessary interpretations. Our objective is descriptive and historical. We do not claim to analyze or judge the arguments and positions or to determine whether their course of development was right or wrong. This is a broad subject related to formative processes for nation building and should be undertaken in a separate framework. Yet, the debate surrounding integration or separation of land management and planning systems which arises from the empirical data is one of conceptual importance.

The quality of the discussions in the DA plenum on planning and development (prior to the establishment of the National Planning Council) were both profound and substantive regarding both planning ‎‎‎‎‎and ‎‎‎‎‎land policies. The story of the DA exposes “the road not taken” – a road which might have led to more declarative, defined, structured (and perhaps even statutory) cooperation between the planning and management of Israeli land. The example of the DA, the systemic separation created, and the subjugation of the land system to the statutory system constitute an exceptional case on the international level, presenting a challenge for future studies and more detailed discussion.

‎‎‎‎Table and Figures

Table 1: ‎‎‎‎‎ Positions regarding the integration of the land management and planning regimes and the centrality of the DA role in planning

|  |  |  |
| --- | --- | --- |
| ‎‎‎‎‎ Neutral | Opposed | Supportive |
| Minutes of meeting 7 ‎‎‎‎‎(Feb. 16, 1951), ‎‎‎‎‎SA, C-2706/8. |
| Weitz (JNF) ‎‎‎‎‎DA should grant official approval for development issues by determining land zoning, since there is no national plan as yet. The DA should plan first, and only afterwards embark on the task of land transfers (and allocations)… The DA should not engage in direct development activities, since it is an “institution of thought” and not of implementation.Yizchak Chizik (Prime Minister’s Office) agreed with this position. | Sharon (Planning Administration) insisted that planning must come first, and emphasized that the price of the land must be based on its planned zoning value. However the DA could not make decisions on planning since: “It has immediate interests and cannot be objective regarding planning.”Rosenblum stressed that only an independent body could address planning from an academic standpoint, and the “supreme planning committee" - the National Planning Council, which would be established under the PBL , would provide the solution.Shimshoni (Urban and Rural Construction Division) suggested that three separate functions were involved in development: planning – to be relegated to the Planning Division; decision-making – relegated to the planning committees; and implementation – which should be the DA’s role. | Gurion (Finance, head of the DA) argued that the DA should serve as a coordinating and decision-making body in disagreements between the Planning Division and other bodies. |
| Minutes of meeting 9 ‎‎‎‎‎(March. 23, 1951), ‎‎‎‎‎SA, C-2706/8. |
| Weitz argued that the DA should serve as a promoting body facilitating development. | Rosenblum took the position that the DA could only play an advisory role in planning; otherwise, a special law would be required for this purpose. | Gurion: The government does not have an institution responsible for coordinating planning and development needs. ‎‎‎‎‎The DA should therefore discuss and reach decisions on all proposals relating to planning. |
| Minutes of meeting 10 ‎‎‎‎‎(March 30, 1951), ‎‎‎‎‎SA, C-2706/8. |
| Weitz concurred that the DA has a strong connection to national planning, and that development begins with planning. Suggested the DA serve as a consultative committee positioned between the Planning Division and the Supreme Planning Council.Yizchak ‎‎‎‎‎Eilam (Finkelstein) ‎‎‎‎‎(Labor). The DA would play a subordinate function, holding land for purposes defined by another body.Binyamin Fishman (Justice) emphasized that damage would ensue if a planning institution operated without coordination with the DA. DA functions should be integrated into the PBL, and it should be ensured that the DA enjoy a decisive opinion within the supreme institution to be established. | Rosenblum clarified that the new PBL Law would propose a system of planning institutions. A distinction would be made between national and local planning. He claimed that the local authorities, through town planning committees, had a tendency to disregard the law due to local interests.Shimshoni argued that there must be a decision-making body, and this body would require two arms: one for ‎‎‎‎‎thinking and the other for implementation. The Planning Division was the thinking body, while the DA should play the role of implementation. The DA could not play the roles of initiation and thought, since it was influenced by immediate interests that would dissipate over time. The DA attended to state land, but there was also land not owned by the state, and accordingly only a neutral body could attend to this matter.Fishman (Justice) agreed that the DA could not serve as the national-level planning institution. | Gurion again emphasized that “… the government’s intention was to empower the Development Authority to coordinate planning matters and to decide and determine any matter relating to planning and subject to disagreement…” - ‎‎‎‎‎thus, “‎‎‎‎‎there was no body better suited than the DA to serve as a National Planning Council.”Eilam (Finkelstein) ‎‎‎‎‎noted that were the PBL to which Rosenblum was referring be adopted, planning questions would be determined outside the DA. The DA would play a subordinate function, holding land for purposes defined by another body, in contrast to government intention. ‎‎‎‎‎Gurion argued that the DA should turn to the government and propose itself as the determining institution in the case of disagreements between the Planning Division and other bodies. Representatives from the DA must participate in preparing the PBL. Porat (Finance) saw the DA plenum as the national-level body (supreme council) to resolve planning problems; he feared that there was a desire by some to create a new body and empty the DA of its content.  |

Figure 1: Planning and land system (1950-1952) prior to the establishment of the National Planning Council



Figure 2: Planning and land systems (1952-1953) after the establishment of the National Planning Council



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Figure 1: Planning and land system (1950-1952) prior to the establishment of the National Planning Council‎‎‎‎‎

Figure 2: Planning and land systems (1952-1953) after the establishment of the National Planning Council

1. . Additional functions included processing compensation in accordance with the Land Acquisition Law, 1953 (LAL), executing land confiscation, etc. [↑](#endnote-ref-1)
2. . Alexandre (Sandy) Kedar, “*Zman shel Rov, Zman shel Mi’ut*: *Qarqa, Leom, ve-Dinei ha-Hityashnut ha-Rokheshet be-Yisrael*” *Iyunei Mishpat* 21, no. 3 (1998): 681–87; Geremy Forman and Alexandre (Sandy) Kedar “From Arab Land to ‘Israel Lands:’ The Legal Dispossession of the Palestinians Displaced by Israel in the Wake of 1948,” *Environment and Planning D: Society and Space* 22 (2004): 809-30. [↑](#endnote-ref-2)
3. . SB 467. The land system is subject to other laws. [↑](#endnote-ref-3)
4. . Yonatan Fein, *Kakh Nolda: Haqamat Ma'arekhet ha-Mimshal Be-Yisrael 1947-1951* (Jerusalem: Carmel, 2009), 93–101; Shalom Reichmann and Mira Yehudai, *Peraqim be-Toldot ha-Tikhnun ha-Fisi be-Yisrael: Seqer Tikhnun Fisi-Yozem 1948-1965* (Jerusalem: *Minhal Ha-Tikhnun*, 1984), 17. [↑](#endnote-ref-4)
5. . Ernst Alexander, “*Haavarat Ma'arekhet ha-Tikhnun le-Misrad ha-Otsar: Ha-Omnam Ma'aseh Navon*?” *Tikhnun* 12, no.2 (2015): 4. [↑](#endnote-ref-5)
6. . Reichmann and Yehudai, *Peraqim*, 19–20; Avital Schechter, “*Metakhnenim, Politiqa’im, Byuruqratim: Ha-Nisayon ha-Yisra’eli be-Tikhnun Fizi be-Shenot ha-Medina ha-Rishonot*,” Master’s thesis, (Technion: Haifa, 1990), 51–52. [↑](#endnote-ref-6)
7. . Rachelle Alterman, “*Ha-Ba’alut ha-Le’umit al ha-Meqarqa’in: Ha-Et le-Bḥina me-Ḥadash*,” in *Neturei Qarqa*: *Ha-Arakim ve-ha-Shikulim me-Aḥorei ha-Medini’ut ha-Qarqa'it be-Yisra'el,* ed. Ravit Hananel and Rachelle Alterman (Tel Aviv: *Hakibbuts Ha-Meu’ḥad*, 2015), 415-80; Alexandre (Sandy) Kedar and Oren Yiftachel, *"[Land Regime and Social Relations in Israel](http://ssrn.com/abstract%3D906336%22%20%5Ct%20%22_blank)"* in Hernando de Soto & Francis Cheneval (ed.), "Realizing Property Rights," Swiss Human Rights Book Vol. 1, (Ruffer & Rub Publishing House. Zurich, 2006); Elia Werczberger and Eliyahu Borukhov, "The Israeli Land Authority: Relic or Necessity?," *Land Use Policy*, Vol. 16 (1999): 129–38. [↑](#endnote-ref-7)
8. . Alterman, *“Ha-Ba’alut ha-Le’umit*,” 422–26. [↑](#endnote-ref-8)
9. . Ibid. [↑](#endnote-ref-9)
10. . Sadly, most of those involved during the relevant period are no longer living. Interviews were conducted with Attorney Avraham Halali, who served as the legal advisor to the JNF; Mr. Eliyahu Babai, who was employed in the Land Registration Department in the Absentee Properties Division, and later moved to the DA and the ILA (where he became deputy director-general); and Mr. Yosef Kesar, who worked in the Rural Department of the Absentee Properties Division, and later in the DA and ILA. [↑](#endnote-ref-10)
11. . ILA website: <http://www.land.gov.il/static/odot.asp> (Hebrew) [↑](#endnote-ref-11)
12. . Ministry of Interior website: <http://ww.moin.gov.il/OfficeUnits/PlanningAdministration/Pages/About.aspx> (Hebrew) [↑](#endnote-ref-12)
13. . Dan Stav, “*Qarqa ve’Merhav*,” in *Tahzit Qayamut le-Yisrael 2030* (Jerusalem: Van Leer, 2012), 4–5. [↑](#endnote-ref-13)
14. . Rachelle Alterman, *Bein Hafrata le-Hemshekh ha-Ba’alut ha-Le’umit—Medini’ut Qarqa Atidit le-Yisra’el* (Jerusalem: Floersheimer Institute of Policy Studies, 1999), 9, 27, 55. According to Alterman, the concept of “land policy” refers to “public policy” concerning the definition of the scope of individual and institutional land rights, including various means for intervention in rights and in the free market with the goal of advancing public objectives. [↑](#endnote-ref-14)
15. . For example: Yossi Katz, *Partner to Partition: The Jewish Agency’s Partition Plan.* (London: Frank Cass, 1998), 163–77. [↑](#endnote-ref-15)
16. . John Forester, Raphael Fischler and Deborah Shmueli, eds. *Israeli Planners and Designers*. (Albany: SUNY Press, 2001), 6. [↑](#endnote-ref-16)
17. . Deborah Fae Shmueli, “Is Israel Ready for Participatory Planning? Expectations and Obstacles," *Planning Theory & Practice* 6, no. 4 (2005): 491; See also Manal Totry-Jubran, “*Shituf ha-Tsibur be-Ḥoq ha-Tikhnun ve-ha-Bniya: Ha-matsuy ve-ha-Ratsuy—Wadi Nimnam ke-Miqre*,” *Mishpat U-Mimshal* 10 (2007): 706. [↑](#endnote-ref-17)
18. . Reichmann and Yehudai, *Chapters in the History*, 4–7; Anat Bar-Cohen, “*Ḥaqiqa be-Merhav Qoloni’ali: Bituy ha-Medini’ut ha-Mandatorit be-Ḥaqiqat ha-Tikhnun ha-Fizi be-Erets Yisra’el*,” *Qarqa ‎‎‎‎‎*63, (2007): 69; Alterman “*Ba’alut ha-Le’umit*,” 423. [↑](#endnote-ref-18)
19. . Fein, *Kakh Nolda*, 169–172; Reichmann and Yehudai, *Peraqim*, 10–11. [↑](#endnote-ref-19)
20. . Rinat Cohen, *Hitgabshut Herkev Mosdot be-Yisra’el be-Hadgama al Mo’atsa ha’Artsit le-Tikhnun u-Bniya,* Master’s thesis, Hebrew University, 2008 , 54–56. [↑](#endnote-ref-20)
21. . Arie Hershkowitz, *Tikhnun Merhavi be-Yisra’el—Politiqa Me’ugenet be-Qarqa,* (Haifa: *Hamerkaz le-Ḥeqer ha-Ir ve-ha-Ezor*, 2009), 43; Fein, *Kakh Nolda*, 169–772; Schechter, “*Metakhnenim*," 52. [↑](#endnote-ref-21)
22. . The APL was published in SB No. 37 dated March 20, 1950, 86. It was preceded by the Emergency Regulations (Abandoned Properties) - 1948; Forman and Kedar, “From Arab Land". [↑](#endnote-ref-22)
23. . After 1953 the DA became the owner of Palestinian land confiscated by force of the LAL. See also Forman and Kedar, “From Arab Land." [↑](#endnote-ref-23)
24. . SA, GAL-1390/11: “Confidential” memorandum to the Prime Minister, Foreign Minister, Finance Minister, and Justice Minister. See also Arnon Golan, *Shinui Merḥavi—Totsa’ot Milḥama* (Ben-Gurion ‎University Publishers: Sde Boker Campus, 2001), 16–18; Geremy Forman and Alexandre (Sandy) Kedar “From Arab Land,” 809–30); Alexandre (Sandy) Kedar, “Expanding Legal Geographies: A Call for a Critical Comparative Approach,” in *The Expanding Spaces of Law: A Timely Legal Geography*, ed. Irus Braverman et al. (Stanford: Stanford University Press, 2014), 95–119. [↑](#endnote-ref-24)
25. . Knesset Proceedings: Minutes 93, 5 December 1949, 226–8 and Minutes 172, 31 July 1950, 2370–88. See also the minutes of the Knesset Economics Committee: 6/2, 4 January 1950; 7, 17 January 1950; 9/2, 24 January 1950; 10/2. 30 January 1950; 13/2, 14 February 1950; 15/2, 27 February 1950; 20/2, 28 March 1950; 21/2, 8 May 1950; 35/2, 10 July 1950; 36/2, 7 July 1950; 37/2, 17 July 1950; 38/2, 19 July 1950, KA. [↑](#endnote-ref-25)
26. . BGA, Ben-Gurion ‎’s diary, 18 July 1950. For details of the de facto members of the plenum, see Appendix in Ella Trachtenberg, Alexandre (Sandy) Kedar and Deborah Shmueli, forthcoming 2016, “The Development Authority and the Formative Years of the Israeli Land Regime,” *Journal of Israeli History* 35, No. 2, (2016). The composition of the plenum changed periodically. [↑](#endnote-ref-26)
27. . Sections 1, 3, and 6 of the DA Law, published in [SB No. 57](http://www.nevo.co.il/Law_word/law14/LAW-0057.pdf), 278. [↑](#endnote-ref-27)
28. . Section 8 of the DA Law. [↑](#endnote-ref-28)
29. . Ruth Kark, “*Nitstanei Itsuv Reshuyot, u-Mediniyut ha-Qarqa ha-Mamlakhtit be-Medinat Yisra’el* (Part 1),” *The Journal of the Hebrew University* 3 (1993): 39–40. [↑](#endnote-ref-29)
30. . These are the important bodies for our purposes; additional bodies also functioned alongside them. See Trachtenberg, Kedar, Shmueli, “The Development Authority." [↑](#endnote-ref-30)
31. . [SB No. 25](http://www.nevo.co.il/Law_word/law17/PROP-0025.pdf), 23. [↑](#endnote-ref-31)
32. . Interview with Attorney Halali, 16 April 2012. [↑](#endnote-ref-32)
33. . Aharon Zisling (Member of Knesset for the Mapam party who served as Agriculture Minister in the provisional government). See Michal Oren-Nordheim, “*Gibush ha-Medini’ut ha-Qarqa’it ha-Hityashvutit shel Medinat Yisra’el me-Az Haqamata u-be-Shanim ha-Rishonot shel Minhal Meqarqa’ei Yisra’el* (1948-1965)” PhD diss., (Hebrew University of Jerusalem, 1999), 147–154; Alexandre (Sandy) Kedar, *“*On the Legal Geography of Ethnocratic Settler States: Notes Towards a Research Agenda,*"* *Current Legal Issue*s 5 (2003): 435–437. [↑](#endnote-ref-33)
34. . BGA, Ben-Gurion’s diary, 18 July 1950. Yosef Kesar(interview, 4 January 2012) explained that the minimum price for the sale of properties was derived from “the official value of the property,” as recorded in the Mandate tax books known as “Werko.” See also section 19(D) of the APL~~.~~ Ben-Gurionlater recorded in his diary that the abandoned property included some 3.2 million dunam of land in 371 abandoned villages; approximately 350,000 dunam of abandoned plantations; and approximately 100,000 dunam in 90 semi-abandoned villages. Urban plots comprised approximately 46,000 dunam, 34,000 of which were empty. According to other sources, the scope of abandoned property ranged from 4.2 to 5.8 million dunam. See Kedar “Majority Time, Minority Time,” 683; Forman and Kedar, “From Arab Land." [↑](#endnote-ref-34)
35. . SA, C-5404/12. [↑](#endnote-ref-35)
36. . Gurion’s comments in the DA meetings: 9 (23 March 1951) and 10 (30 March 1951). SA, C-2706/8. See also Gurion’s correspondence with Ben-Gurion ‎ following his retirement in the summer of 1952: SA, C-2706/8. [↑](#endnote-ref-36)
37. . Minutes of the first meeting, SA, C-2706/8. [↑](#endnote-ref-37)
38. . Ibid. [↑](#endnote-ref-38)
39. . The Rosenblum Committee was established at the end of 1950 (immediately after the formation of the second government), and included representatives of the following government ministries: Finance, Agriculture, the Prime Minister’s Office, Justice, Health, and Labor. The divided Planning Division sent two additional representatives: Sharon for the Planning Division and Zion Shimshoni for the Urban and Rural Construction Division. [↑](#endnote-ref-39)
40. . See note 35 above. [↑](#endnote-ref-40)
41. . See Figure 1, which describes the position of the DA within the planning and land systems (1950-1952) *prior* to the establishment of the National Planning Council. [↑](#endnote-ref-41)
42. . Minutes 9, SA, C-2706/8 (23 March 1951). [↑](#endnote-ref-42)
43. . Minutes 10 (30 March 1951), SA, C-2706/8. The discussions concerning the sub-districts and the location and position of the cities therein continued at subsequent meetings, relating to substantial parts of the country. See, for example, minutes: 11 (6 April 1951), 12 (13 April 1951), SA, C-2706/8, and 18 (10 July 1951), CZA S41-425,2. [↑](#endnote-ref-43)
44. . Minutes: 12 (13 April 1951), 30 (11 January 1952), SA, C-2706/8; 18 (18 July 1951), 22 (21 August 1951), CZA, S41-425,2; and 45 (30 September 1952), SA, C-2706/11. [↑](#endnote-ref-44)
45. . Gurion’s remarks at meeting 29 (26 December 1951), CZA S41-425,2. See also minutes: 30 (11 January 1952), SA, C-2706/8, and 51 (24 February 1953), SA, C-2706/7. [↑](#endnote-ref-45)
46. . From November 1950, efforts were made to apply the ordinance to governmental bodies. See Bar-Cohen, "Legislation," 129–136. [↑](#endnote-ref-46)
47. . For example, see the decisions at meeting 31 (11 January 1952), SA, C-2706/8. [↑](#endnote-ref-47)
48. . Reichmann and Yehudai, *Peraqim*, 27. [↑](#endnote-ref-48)
49. . BGA, Ben-Gurion ‎’s diaries, 27 October 1951. [↑](#endnote-ref-49)
50. . Reichmann and Yehudai, *Peraqim*, 21–22. They note that the transfer of the Planning Division to the Ministry of Interior was formalized in a coalition agreement signed just before the establishment of the first government (on Mar. 10, 1949). However**, ‎‎‎‎‎**Shapira(Minister of Interior) gave his tacit agreement to the suspension of implementation of this decision. [↑](#endnote-ref-50)
51. . Schechter, “*Metakhnenim*", 200. In return, Rosenblum offered to transfer the Information Division to the Prime Minister’s Office, an offer that was welcomed. [↑](#endnote-ref-51)
52. . See Figure 2. [↑](#endnote-ref-52)
53. . Gurion’s claim was inaccurate, since the Council also included representatives of the Ministry of Defense. [↑](#endnote-ref-53)
54. . Minutes 35 (26 March 1952), SA, C-2706/8. [↑](#endnote-ref-54)
55. . Ibid. [↑](#endnote-ref-55)
56. . Schechter, “*Metakhnenim*", 2000. Rosenblum stated that he left his position after important decisions were made “over his head” and “beyond any orderly practice.” ‎‎‎‎‎ [↑](#endnote-ref-56)
57. . For example, see the summaries of coordination meetings regarding planning problems dated 29 February 1952, 15 April 1952, and 26 May 1952, SA, C-2706/8. [↑](#endnote-ref-57)
58. . Gurion Report, SA, C-3093/61. [↑](#endnote-ref-58)
59. . Ibid. [↑](#endnote-ref-59)
60. . Minutes 5 (26 January 1951), SA, C-2706/8. [↑](#endnote-ref-60)
61. . See the discussion of Application 9 in the minutes dated 12 June 1951, SA, C-2706/8, in which Gurion notes that the municipality had frozen 2,500 dunam to the south of Jaffa following its demand regarding the absentee land in Tel Aviv–Jaffa. [↑](#endnote-ref-61)
62. . Rokach was also a Member of Knesset for the General Zionists party and the founder and chairman of the newspaper Haboker. In July 1951, Haboker published several reports criticizing the DA, including personal attacks against Gurion. See discussion in DA plenum, 24 July 1951, SA, C-2706/8. [↑](#endnote-ref-62)
63. . Minutes 21 (7 August 1951), SA, C-2706/9. [↑](#endnote-ref-63)
64. . Gurion argued that the committee would otherwise effectively be the one inspecting the DA’s decisions. Sharon, Weitz, Rosenblum, Chizik, and Gurion were appointed to the committee. See minutes 33, SA, C-2706/8. [↑](#endnote-ref-64)
65. . Akavia Report, 1953/1954, SA, C-3093/62. The affair damaged both sides. Tel Aviv “dropped” the matter after Rokach was appointed Interior Minister. [↑](#endnote-ref-65)
66. . Gurion Report (1 January 1952 – 31 March 1952), SA, C-3093/61. [↑](#endnote-ref-66)
67. . Gurion to Ben-Gurion ‎, 24 June 1952, SA, C-5443/20. [↑](#endnote-ref-67)
68. . Ben-Gurion‎ to Gurion, 2 July 1952, SA, C-5443/20. [↑](#endnote-ref-68)
69. . Minutes 41 (17 July 1952), CZA, S41-425,2. [↑](#endnote-ref-69)
70. . Minutes of meeting 42 (29 July 1952), SA, C-2706/8. [↑](#endnote-ref-70)
71. . According to Eliyahu Babai (interview, 19 January 2012), planning that served as the basis for allocations was sometimes no more than the marking of “patches of color” imprecisely representing the borders of the zoning determined, without parcellation. Babai also testified to cases when planning was undertaken retroactively in order to grant approval for unauthorized (illegal) trespassing or allocations. [↑](#endnote-ref-71)
72. . Gurion Report, SA, C-3093/61. The report includes numerous examples of projects in the fields of planning and development in which the DA participated and played a leading role. Akavia’s reports for 1952/1953 and 1953/1954 also noted the DA’s achievements in these fields: SA, C-3093/62. [↑](#endnote-ref-72)
73. Alexander, “*Ha’avarat*”*.* [↑](#endnote-ref-73)
74. . Nurit Alfasi and Yuval Portugali, *Mivneh Ḥadash le-Ma'arekhet ha-Tikhnun be-Yisrae'l* (Tel Aviv University: The S. Daniel Abraham Center for International and Regional Studies, 2009), 18. [↑](#endnote-ref-74)
75. . The government did not unequivocally define the division of authority, and therefore the DA and other bodies all dealt with development. [↑](#endnote-ref-75)