

*Chayei Sarah*

November 26, 2016

גַּר־וְתוֹשֵׁב אֲנֹכִי בְּמַקְדָּם תָּנוּ לִי אֶחֱזֵית־קֶבֶר עִמָּכֶם וְאֶקְבְּרָה יַמְתִּי מִלְּפָנַי:

Genesis 23:4 *I am a foreign resident among you, sell me a burial site from your midst so I can remove my dead for burial.*



Amulet depicting the Cave of the Machpelah

The opening verses of the portion Chayei Sarah depict the first purchase of land for the earliest Israelites. Sarah has died and Abraham wishes to bury his wife in the hill country of Judah, identified in this portion as both Kiriath Arbah and Hebron. Abraham requests to purchase land from the resident people for Sarah's grave. Abraham negotiates openly in Genesis 23:4. He asks for a particular site, the cave of Machpelah. Throughout the negotiations, the residents attempt to gift the land to Abraham, but the patriarch refuses, intent on purchasing the land at a fair price. In numerous instances, the text states that he negotiates in the presence of others (v.10, 12, 16, 18), underscoring the transparency of Abraham's dealings. He succeeds in purchasing the land (Gen. 23:17-20) and the property becomes his own, to include the burial cave and the trees. This same site of Sarah's grave later becomes the burial place of Abraham himself, as well as that of Isaac and Rebekah, Jacob and Leah.

Discussions and studies of Zionism and modern Israel about land ownership and purchase are challenging. The data available for who owned which land in Palestine in the late 1800s is sketchy at best. During the late Ottoman period, the government in Istanbul asked residents to register their lands so that title deeds could be issued and revenue collected for the registration process. Taxes could then be estimated for land ownership. Not all land in Palestine, or for that matter in much of the Middle East that was under Ottoman control, was registered. Many peasants seeking to avoid taxes often let urban notables register their lands on the peasant's behalf. With agricultural incomes precariously inconsistent, peasants who once used lands outright, often found themselves exchanging their rights to work certain lands for plough animals or seeds for the coming crop year. When the British took control of Palestine at the end of WWI, documenting ownership was made more difficult, since records had been destroyed in the war. Jews, upon immigrating to Palestine in the late 19<sup>th</sup> century, acquired small plots of land by purchasing it directly from Arab landowners residing nearby or from Arab landlords residing in distant cities such as Beirut, Damascus, Alexandria, and Cairo.

As part of the Zionist effort to build a national home and state, the World Zionist Organization created the Jewish National Fund in 1901, and along with other institutions aided in the purchase of land and settlement of new immigrants. Until 1939, fully two-thirds of the land that Jews purchased from Arabs was purchased by individual Jewish immigrants and not by the JNF or other organizations. This suggests an individual commitment by the early settlers or pioneers to invest their own savings in their new Zionist

adventure. During the period of British rule in Palestine, 1918-1948, almost no lands were given to the Zionists. Rather the lands upon which Jews built *kibbutzim* or *moshavim*, as well as land acquired in urban areas, were purchased and registered in the British administration's various land registry regional offices throughout Palestine. Without Jewish land purchase during the Mandate and before, the Jewish national home would not have had a geospatial nucleus for a state; which means that Arabs residing in Palestine and living elsewhere willingly cooperated with the Zionists in their effort to acquire lands for Jewish settlement and development.

After the state was established and Arabs abandoned lands, the Israeli government confiscated these areas and often made them available to newly arriving Jewish immigrants. Today more than 90 percent of the land in Israel is owned directly or indirectly by the state or church, with individuals and businesses leasing tracts on a long-term basis from the Israel Lands Authority (ILA). Certain areas, including the land on which the Knesset is built, is owned by the Greek Orthodox church. In the neighborhoods where the church owns the land (about 10% of the Israel) residents lease their property from them.

Complicated disputes regarding land ownership in Israel go back to the end of the 1800s. It is often taught that scores of Palestinian Arab agricultural workers in early pre-state days were displaced from their land. However, studies show that this process of displacement had begun in Ottoman times and was ongoing due to the impoverishment of the peasantry, with little of that early displacement having to do with Zionist intentions. Conclusive data for actual land deals and ownership are not readily available. Much like the torah depicts Abraham's purchase, pre-State ownership and leasing of the lands is a narrative. And, as is often the case, this narrative can be told in a way that supports any number of platforms. There was a growing sense that Palestinian farmers and peasants were being unfairly displaced, providing a political excuse for the [Arab riots of 1929](#). British politicians attempted to understand and intervene, with deleterious results for the Zionist cause. As for the history of Zionism, the subject of land acquisition and rightful ownership is key to understanding context and deflecting anti-Zionist sentiment.

Whether debating the rights of Palestinians to receive restitution for lands from which they consider themselves to be displaced or whether standing up to the growing cries of BDS and SJP groups and their supporters, it is crucial that the lens through which history is told be as accurate as possible. That does not negate multiple significant narratives; nor is it to be unsympathetic to a group of people that is noticeably weaker in their economic and social well-being. Rather, honesty in the telling the history regarding the complexities of land acquisition and the context in which it occurred can only help as all sides move forward with diplomacy and empathy for "the other."

### **Discussion Questions:**

In what ways does it serve and harm the parties involved in land disputes to ignore historical evidence?

Why do you think little or nothing is taught about Israeli land acquisition and ownership in Jewish education settings? Who should be responsible for teaching the history and current events in this area? What would be the best approach to teaching these topics?

### **Additional Resources:**

Hillel Cohen, *Army of Shadows: Palestinian Arab Collaboration with Zionism, 1917-1948*, University of California Press, 2008.

Zionism and Israel - Encyclopedic Dictionary: [The Land Question in Palestine](#)

Haim Katz, Sam Katz, [Legal Ground: The Amazing Maze of Israeli Property](#), jpost.com, May 16, 2013.

"The Jewish National Fund: Land Purchase Methods and Priorities, 1924-1939." Middle Eastern Studies 20, no. 4 pp. 190-205. April 1984.

<http://ismi.emory.edu/home/documents/stein-publications/website%20docs%202011-2004/website%20docs%202000%20and%20earlier/JNF-Stein1984.pdf>

"Conclusions." In Kenneth W. Stein,, The Land Question in Palestine, 1917-1939, Chapter 7, 212-221. University of North Carolina Press, 2nd hardcover printing 1985; paperback edition 1987; reprinted 2003.

<http://ismi.emory.edu/home/documents/stein-publications/lqpconclusion.pdf>