תוקיעים עפרונות בקרקע: התחפושת של המאבק על החינוך בייצור המרחב בנגב-ג'יב

hibur zo mahuqot hakol mahdirushot lekoolat hoter "mosem kl mediuy horah (M.A) hathbara"

מאז: מיכל רותם
בנהניהם: פרופ' ניב גורדן

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תורכיז עפרונות בכרקע: הנפקד של המאבק על החינוך בינוור המורחב בנגב-יגב

ביור הז מחוז ה克莱 מחדרישות לכסבת התוכן "موسפי למאבק ה克莱"
(M.A)-

חתימת הסטודנט: תאריך: 
חתימת המנהלה: תאריך: 
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התחדשות הקונפליקט הקירעי המתרחש בגביגת הקהילות תודSortable ולברית ישראל על ידי מתן
חיות עיסוק ושיפורים, בתוכניתו המשמעותיים של הקונפליקט, הקשר היחסיםית ובו היא
מקימה והמאמבים הפוליטיים סבבים. עבורה זו מסייעת נדבך נוסף לספרת ההיסטוריה
בחיות השפעות של המאבק על תחושת הזכות על התפקידים höロה המרחב בבנגב (עוברות: בק). זה
ויתשת ההובלה באית המדכף מפגש התחום באוזני המחבר.

הכוננות של התסבכנית מעל המאבק על תחושת לוחם הפך לכל מרכז בديل של המודרנית המגמת
מאמריםigation של התסבכנית על קרקע הבודואים בבג. עז בר הזע הזרחי בר מאמץ ממושט ומפותה
אות השלום של wooווסי המבוססים לוחם על מתן לוחם יסודק, כמי גם המתים
זכות לוחם המבוססים על הקהילה תודSortable על תחושת לוחם להחזרה לוחמי צבא
_interaction בין מושוכת מאבק של הקהילה תודSortable על תחושת לוחם להחזרה לוחמי צבא.

עבורה זו מתארת את האופן בו שייתוסבキים, על קרקע לוחם, לעבדה זו光泽ת שעון.

הטיעון העניין שלושה חלקים תђבעדווז והשאלה של פנים התשיטה, המאבק המתרחש על
הحصر, הנחה להשאלה עבורה זו והשאלה של פנים התשיטה, הטיעון העניין שלושה חלקים
חקל בחלק מדנג המאבק הקירעי מים.ricane חוכם לוחם תוכנה אווניברסבלים שלפוף
הישראלי העבירהים, אسفر על הקהילה תודSortable על עטת המאבק על תחושת לוחם הקשים
הקירוע ישובן על תכניות חברתי מוכרים, בקארט אוoyer, מודול ישראל, שוחרים את השיווק
ה subur שמייצת הקהילה תודSortable לוחם, חוכלת תเผยแพรות ביכולת לוחם משלו, על מתן לוחם
וללוחם הקהילה, בכדי לארון את המרחב בחובות התודSortable. תפיכ, מאבקים אלה, פמי
שואטא, לא רק בשתי קומי, אלא שמסיפים המשמשים בויר ברמאבק על הקירוע במקל

שנות ה-1990–2000. הנחקרת השטחית-

ንוגב.
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1. Introduction

Since 1948, the state of Israel and the Bedouin community in the Negev desert have struggled over land. While both sides claim to be the sole owner of the disputed territory, the complex question of land ownership in the Negev remains open. On the one hand, the state of Israel has deployed a variety of legal and extra-legal mechanisms that have allowed it to take control of large swaths of land. On the other hand, the Bedouin community has adopted its own means of struggle, including the practice of ṣumūd, political organizing and alternative planning.

This ongoing conflict over land has been studied by a number of researchers. Scholars have examined its legal aspects (Shamir, 1999; Kedar and Yiftachel, 2003; Yiftachel, Kedar and Amara, 2012; Kram, 2013), the historical context in which it has unfolded (Yiftachel, 2013), and the ongoing political struggles spurred by this conflict (Meir, 2005, Yiftachel, 2009). While there is a general consensus that the Negev as we know it today has taken shape through an ongoing struggle over the production of space in which both the state and the Bedouin community have played significant roles, the roles played by each party remain contested.

Yiftachel, who developed the concept of ethnocracy (Yiftachel, 2006), explains the ongoing land conflict as a struggle between a settler state and an indigenous people in which the state attempts to minimize Bedouin control over land (Yiftachel, 2003). Meir (1988) sees the Bedouin and the state as opposing
centrifugal and centripetal forces; while the state aims to concentrate the Bedouin community according to its political interests, the community attempts to deepen its hold on the land according to its internal social structures. Focusing on the Bedouin community, Abu-Rabia (2013) highlighted the significant role of land in the formation of Bedouin and Palestinian identity, emphasizing the dramatic impact of changes in land ownership upon the Bedouin community.

Some scholars tend to embrace the state’s approach towards this struggle. Claiming that the Bedouin community was nomadic until the state’s establishment, its members never had land belonging to them in the region. Accordingly, Yahel (2006) maintains that all Bedouin villages are illegal and did not exist prior to the state (see also: Yahel, Kark and Frantzman, 2012). Tackling the perception of the Bedouin community as an indigenous people, Frantzman, Yahel and Kark (2011) claim that the Bedouin are not an indigenous people, stressing that academics, NGOs and activists struggled to create an indigenous identity for the Bedouin community. In another shared article, Yahel, Kark and Frnatzman (2012) assert that the Jewish people can be identified as the area’s indigenous people, and were in the Negev well before the Bedouin community.

In addition, scholars have utilized a variety of theories in order to understand this ongoing process of spatial production. Some aim to locate the conflict on a scale between globalization and localization. Understanding the policies and mechanisms employed by the state as global forces and the Bedouin culture and narratives as local forces, scholars tend to classify this conflict as a ‘glocal’ one.
Yiftachel (2009) advances a theory of ‘Gray Spaces’, a process by which a community is positioned between lightness (i.e., legality and safety) and darkness (i.e., eviction and destruction). Yiftachel claims that the State of Israel, by ‘gray spacing’ the Bedouin community, encourages a radicalization of the Bedouin struggle. Karplus and Meir (2014) examined the production of space among Bedouins in the Negev in light of the Lefebvrian framework. They identified the rapid changes in the Negev as an opportunity to understand the dynamic nature of spatial production, focusing on Lefebvre’s idea of social spatiality. Examining a couple of economically distinct Bedouin communities, they found the production of space to be manufactured through socio-spatial dialectical processes.

Conceptual frameworks also vary among scholars. Some study the conflict through the prism of indigenous people and indigeneity (Yiftachel, 2003; Noach, 2009). Others have utilized a human rights-based approach (Nevo, 2003) or a gender framework (Meir and Gekker, 2011). Still others have studied the conflict in light of planning practices (Meir, 2005). While the literature dealing with the conflict over land in the Negev is insightful, in this thesis, I propose a novel approach. By focusing on the struggle for education, which has not been examined in the context of spatial production in the Negev, I hope to shed light on yet other forces that have shaped the Negev region. In what follows, I demonstrate that by examining only policies relating to land or the myriad legal aspects of this dispute, one might overlook additional processes that have had
significant impact on the production of space. One such process is the formation of the Bedouin educational system in the Negev desert.

The right of every child to education is guaranteed in a litany of international conventions, as well as in Israeli domestic law. Even though Israeli law mandates compulsory education for all children from three years of age through the 12th grade, among the Bedouin community, there remains a gap between the letter of the law and its practical implementation. Among the Bedouin, place of residence—whether in planned governmental towns, newly recognized villages or unrecognized villages—has significant impact on a child’s ability to actualize the right to education.

Through an assemblage of case studies, I endeavor to explicate how the state of Israel has leveraged the right to education—along with a variety of other means—to evict Bedouin citizens from their ancestral lands. Serving as a tacit and oblique means of displacement, the right to education has become a state instrument to relocate the Bedouin community into planned governmental towns. From a different perspective, however, education has been wielded as a tool of the Bedouin community striving to remain on its traditional lands. Identifying the universal wording of Israeli educational laws, as opposed to planning and construction laws that simply outlawed all villages, education became the proper front to strengthen the connection to the ground by bringing governmental services into the villages and facilitating life within them.
While one might wonder why Bedouin residents of the unrecognized villages have been refusing to move into the governmental planned towns although such a step would grant their children with better education as well as a better studying environment, I argue that this question cannot be answered separately from the broader context of the ongoing land struggle in the Negev. The struggle for education and the ongoing land dispute are entwined, and therefore, in order to comprehend both struggles, they must be studied together, within a unified analytical framework. Therefore, I aim to expose the firm connection between the ongoing land dispute and the struggle over the right of education. I will demonstrate how the ongoing struggles for land and education overlap, illustrating their mutual effects and outcomes thus far.

Starting with a brief review of the land dispute in the Negev as well as of the evolution of the various types of Bedouin settlements—a product of both state policy and Bedouin resistance—I lay the foundations for a deliberate examination of the connection between the conflict over land and the right to education. I then present an overview of the right to education in international law followed by Israel’s domestic education laws, which supposedly extend the right to education to all Israeli citizens. I then describe the ongoing struggle to actualize the right to education in the Negev, as well as the state’s unique policies of facilitating and obstructing the education of particular citizens.

By so doing, I expose the ties between the struggle over land and the struggle for education, showing how the two combined forces are producing the Negev’s
space. While the struggle over land began already in 1948, I aim to expose the ways in which the struggle for education, initiated in the mid-1990s, became a vital part of and played a significant role in this ongoing land conflict. In order to validate this argument I intend to show that the struggle for education was never isolated from the Bedouin struggle to remain on the land. In accordance, I aim to demonstrate that such understanding pertains among the state as well. I argue that state authorities are aware of the significant role of education in this ongoing struggle, and therefore, utilize this knowledge to remove the Bedouins from their ancestral lands by withholding as well as withdrawing the educational system from the Bedouin unrecognized villages.

This research is based primarily upon fieldwork, including dozens of interviews, meetings, tours and visits to planned governmental towns, newly recognized Bedouin villages and unrecognized villages across the Negev. In addition, I analyze legal and governmental documents, including High Court of Justice rulings, government resolutions and planning committee protocols, as well as data collected by the Israeli Central Bureau of Statistics. My encounters with dozens of personal stories, urgent problems faced by the Bedouin community, and a variety of local struggles have granted me a novel perspective on the ongoing struggle for land and education in the Israeli Negev.
2. The Ongoing Conflict over Land

The ongoing land conflict between the Bedouin community and the State of Israel began immediately following the state's establishment in 1948. While Israel made an effort to concentrate the Bedouin community in a small area and to register their lands as state lands, the Bedouins relied on their own traditional legal system, which recognized their land ownership rights. However, powerful state apparatuses allowed Israel to accomplish most of its targets in terms of land registration and planning. Such mechanisms included legislation pertaining to land, planning and construction, the establishment of special governmental bodies and police units, and the concentration of Bedouin citizens under a military regime.

Since 1948, Israeli policy towards Bedouin citizens has been based on two practices: the concentration of the Bedouin community, first in the Siyāj area and later in planned governmental towns, and the registration of Bedouin lands as state lands (Shamir, 1999: 525). According to the Ottoman land code of 1858, most of the Negev region was classified by Israel as mawat, or 'dead' lands that were not cultivated (Yiftachel, 2003: 31). Based on a complex legal tapestry, many scholars have questioned the state's use of this practice (Shamir, 1999; Yiftachel, Kedar and Amara, 2012). Under a series of new laws—principally the Absentees’ Property Law (1950) and the Land Acquisition Law (1953) (Porat, 2009: 84)—almost all Arab lands in the Negev have since been expropriated by
the state (Yiftachel, 2003: 32; Yiftachel, 2009: 244). In the majority of cases, Bedouin owners were not even aware of their lands being taken.

The Bedouin residents of the Negev did not accept such losses and throughout the 1970s submitted thousands of ownership claims for their ancestral lands (Yiftachel, 2003: 33). As Israel did not recognize the traditional Bedouin legal system (Kram, 2013: 133-135), a variety of state mechanisms allowed the confiscations to proceed. To this day, no Bedouin have reclaimed full ownership of their lands. Nonetheless, a meaningful linkage endures between the Bedouin community and their lands (Abu-Rabia, 2013: 187-188; Shamir 1999: 529-530). Therefore, as will be elaborated in this section, Israel’s efforts to concentrate the Bedouin, appropriate their lands and reorganize the Negev region according to the state’s national interests have not proved particularly successful.

2.1 The 1948 War, the Military Regime and the Siyāj Area

The origins of the ongoing land struggle between the State of Israel and its Bedouin citizens dates back to 1948. During the 1948 war, a majority of the Bedouin community in the Negev fled or was expelled by the Israeli military from the region. Despite the efforts of Bedouin sheikhs to safeguard their communities and remain in place, most ended up in the Gaza Strip, Sinai Peninsula, the West Bank or Jordan (Morris, 1991: 327-329; Porat, 2009: 149). While about 90,000 Bedouins resided in the Be’er-Sheva District in 1947, after the war, only 11,000 Bedouins remained in the Negev, situated within the borders of the nascent

The concentration of the Bedouin community in a restricted area far from the Egyptian border had already been determined by the beginning of 1949 (Porat, 2009: 35). During the early 1950s, Israel began concentrating the remaining Negev Bedouin within a restricted, 1,500 square kilometer area, between Dimona, Arad and Be’er-Sheva (Yiftachel, 2003: 31; Meir, 2005: 204; Porat, 2009: 149, Yiftachel, Kedar and Amara, 2012: 15). Over the years, this area became known by the name, ‘al-Siyāj’ (سياج), meaning ‘fence’ in Arabic. Many Bedouin were transferred from their lands to the Siyāj area, where their movements were severely restricted under an Israeli military regime (Yiftachel, 2003: 31; Porat, 2009: 12-13). The Siyāj comprised only 20 percent of the lands held by the Bedouin before the 1948 war (Porat, 2009: 13).

By the time the military regime had ended in 1966 (Yiftachel, Kedar and Amara, 2012: 15), Israel had already confiscated the majority of Bedouin lands in the Negev. Israel extended state ownership over the territory, disregarding land rights afforded to the Bedouin under the preceding Ottoman and British regimes. The Bedouin faced a novel situation whereby they were required to prove land ownership. Their forcible relocation to the Siyāj area left many afraid that should they agree to settle, they would be left without their lands in the northern Negev (Porat, 2009: 17-18).
2.2 The Urbanization Process

In the late 1950s, the state began planning the urbanization of the Bedouin community. By concentrating the Bedouin in delimited urban areas, Israel aimed to strengthen its control over the community, prevent the Bedouin from spreading onto additional state lands, and cut infrastructure costs (Porat, 2009: 151). In 1966, when the military regime came to an end, the urbanization process began in earnest (Yiftachel, Kedar and Amara, 2012: 15). First, Bedouin were transferred to Arab towns in the center of Israel such as Ramla, Lod and Jaffa. Later, the State established seven Bedouin towns, mostly within the Siyāj area, that promised residents modern services in return for their settlement in organized urban lots (Meir, 2005: 204; Yiftachel, Kedar and Amara, 2012: 15).

The first Bedouin town, Tal as-Saba‘, was established in 1969. It was soon apparent that Tal as-Saba‘ was a failure; the Bedouin community had not been afforded time to adjust to an urban way of life, and the town itself suffered from severe lack of income, basic services and public institutions (Porat, 2009: 165-166). In 1971, a second town, Rahat, was built. The idea was to establish a school, paved road, and small lots for low cost construction (Porat, 2009: 172-173). While Rahat was more successful than Tal as-Saba‘, all seven of the Bedouin towns established in the Negev by the 1990s are characterized by deprivation, high unemployment, crime and social tension, as well as insufficient services (Yiftachel, 2003: 35). Until the mid-1990s, Israeli policy had endeavored to
concentrate the entire Bedouin community of the Negev within these seven towns (Yiftachel, Kedar and Amara, 2012: 15).

Importantly, the tension between the Bedouin community and the state, already palpable by the 1950s, stemmed from the Bedouins’ refusal to recognize the right of the Jewish state to expel them from their ancestral lands in order to be resettled among Jewish immigrants (Porat, 2009: 76). To encourage people to move to the newly established towns, Israeli authorities promised that Bedouin rights over expropriated land would be maintained (Porat, 2009: 173). Yet, the very plan to urbanize the Bedouin community was premised upon the concession of such claims (Porat, 2009: 151). The allocation of lots in the towns was therefore conditioned upon Bedouin capitulation in land disputes (Yiftachel, 2003: 35).

The forced urbanization of the Bedouin thereby achieved two goals. First, the process managed to concentrate more than half of the Bedouin community in dense towns on very limited space. Second, many Bedouin were compelled to relinquish their lands in return for lots. Yet the success of this process was only partial; nearly half of the community refused to move into the towns, keeping hold of their claimed ancestral lands (Yiftachel, Kedar and Amara, 2012: 15).

2.3 Resisting Urbanization: Unrecognized and Recognized Villages

Since 1948, one of the key instruments of the Bedouin struggle over lands and against forced urbanization has been the practice of şumūd (Arabic: صمود).
Ṣumūd, meaning steadfastness, is a means of resistance in which Bedouins hold on to their lands and refuse to move (Yiftachel, 2009: 249). About half of the Bedouin community practice ṣumūd by living in unrecognized villages. While these villages have existed for years, Israel refuses to recognize them, provide them with civil services, or grant them municipal status (Yiftachel, Kedar and Amara, 2012: 15). In the state’s discourse, these villages are referred to as the 'dispersed' or 'illegal villages'.

In the late 1990s, the Israeli government initiated a process of ‘recognizing’ some of the unrecognized Bedouin villages. In a series of government resolutions between 1998 and 2006, eleven unrecognized villages gained official status. After three decades in which the government’s only policy towards the Bedouin community had been forced urbanization, the change was perceived as an improvement.

2.3.1. Unrecognized Villages

While over the years more than half of the Bedouin community moved into the planned governmental towns, some 70,000 Bedouin citizens continue to reside in approximately 40 villages not recognized by the state (For a map of the unrecognized villages see: Appendix, Figure 3). These include villages that had already been in place prior to the establishment of the state of Israel in 1948, as well as villages moved to their present locations by the military regime in the 1950s (Yiftachel, 2003: 37). The state never recognized these villages and refers to them as the 'dispersed' (Meir, 2005: 204-205). The implication is that Bedouin
settlement in the Negev is sporadic, and that such settlements do not comprise genuine villages.

One of the consequences of the urbanization process was that the Bedouin community began to lose control over its land (Meir, 2005: 204). While the majority of Bedouin who moved into the towns had been 'landless', those who remained in the unrecognized villages were mainly dwelling on land they owned (Yiftachel, 2003: 35; Meir, 2005: 204-205). By refusing to recognize these villages (Meir, 2005: 205), the state denies them even basic services, including education, development, planning and infrastructure (Yiftachel, 2003: 34; Yiftachel, Kedar and Amara, 2012: 11).

Over the years, Israel has employed a variety of mechanisms to displace residents of the unrecognized villages into planned towns, including the establishment of special government authorities for this purpose. Planning policies have ensured that villages remain unrecognized and are subjected to house demolitions and legal penalties, and that basic infrastructure and services continue to be denied to these localities (Yiftachel, 2003: 37). While these policies have proved successful to some extent, many unrecognized villages remain.

As the unrecognized villages are situated in areas not designated for residence by state plans, building permits are uniformly denied in these localities. All construction there is therefore illegal, even if a village has existed for centuries (Yiftachel, 2003: 37). It is noteworthy that the 'illegality' of these villages is not an historical fact, as the laws 'outlawing' them are ex post facto.
Such laws have transformed the Bedouin from citizens demanding their rights into criminals (Shamir, 1999: 540, 542).

Since the 1980s, Israel’s house demolition policy has comprised a core practice to compel residents of unrecognized villages to relocate into towns (Shamir, 1999: 539; Yiftachel, 2009: 244). As all houses in unrecognized villages are considered illegal structures according to the Israeli Planning and Construction Law (1965), they are under risk of demolition (Shamir, 1999: 539-540). In a recent study evaluating the impact of the home demolition policy, residents of unrecognized villages described the demolition process itself as a military invasion: bulldozers, accompanied by a large police force, arrive in the early morning to carry out demolitions (Gottlieb and Feder-Bubis, 2014: 149).

To this day, the unrecognized villages have almost no state-provided infrastructure and governmental services there remain sparse. Nevertheless, residents persist in their practice of şumūd, refusing to move in the ongoing struggle for land ownership.

2.3.2. Newly Recognized Villages

In the late 1990s, a new process of state recognition of Bedouin villages was initiated. In a series of resolutions, the Israeli government recognized select unrecognized villages. For the first time, the state allowed its Bedouin citizens an alternative to the planned governmental towns. Despite being characterized by the state as having been ‘established’, all of the newly recognized villages had
already existed on the ground for years. Over the past decade, a number of additional villages have been mentioned in a series of government resolutions, but formally, only eleven villages have been officially recognized.

**Table 1: Bedouin Recognized Villages in the Negev**

<table>
<thead>
<tr>
<th>Village</th>
<th>Year of Recognition</th>
<th>Government Resolution</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarābīn aṣ-Ṣāni‘</td>
<td>1998</td>
<td>3402</td>
<td>The specific location has changed a couple of times since this resolution.</td>
</tr>
<tr>
<td>Umm Batīn</td>
<td>1999</td>
<td>4824</td>
<td></td>
</tr>
<tr>
<td>Bīr Haddāj</td>
<td>1999</td>
<td>4824</td>
<td>Referred to as Be’er Hail</td>
</tr>
<tr>
<td>Abu Grīnāt</td>
<td>1999</td>
<td>4824</td>
<td>Referred to as Beit Pelet</td>
</tr>
<tr>
<td>Gaṣir as-Sīr</td>
<td>1999</td>
<td>4824</td>
<td>Referred to as Hawashlah – Sorer</td>
</tr>
<tr>
<td>Makḥūl</td>
<td>1999</td>
<td>4824</td>
<td>Referred to as Mar’it and intended to include three villages (Makḥūl, Kuḥlih and Drijāt) but later was split into three distinct localities</td>
</tr>
<tr>
<td>Drijāt</td>
<td>1999</td>
<td>4824</td>
<td>First recognized as part of Mar’it, in 2000; became an independent village according to Government Resolution 2561</td>
</tr>
<tr>
<td>Kuḥlih</td>
<td>1999</td>
<td>4824</td>
<td>First recognized as part of Mar’it, later became an independent village according to Change 19 to the District Plan in 2000</td>
</tr>
<tr>
<td>Mūlada’ḥ</td>
<td>2000</td>
<td>2561</td>
<td></td>
</tr>
<tr>
<td>as-Sayyid</td>
<td>2000</td>
<td>2561</td>
<td>First recognized as a neighborhood of Ḥūrah, its municipal designation was later changed (in 2003)</td>
</tr>
<tr>
<td>Abu Tlūl</td>
<td>2006</td>
<td>4707</td>
<td></td>
</tr>
</tbody>
</table>

Table 1 summarizes the Bedouin villages recognized by Israel in the Negev. In January 1999, the government decided to establish five new Bedouin villages (Government Resolution 4824). In the following years, the government decided to establish an additional six villages, and to relocate the village Tarābīn aṣ-Ṣāni‘.
to a new location (Government Resolutions 2561, 4707). In addition, the
government established a Bedouin regional council for these villages, Abu-
Basmah, which was later divided into two councils: al-Kasum and Neve Midbar.

Despite the alleged 'establishment' or recognition of some villages, the
conflict over land ownership within their jurisdictions remained unsolved.
Therefore, the situations of most of these villages remained similar to that of the
unrecognized villages in the Negev. With no solution to the land disputes, the
Israeli planning authorities remain unwilling to undertake civil planning for these
localities. Furthermore, the lack of detailed plans served to revive the
construction conundrum, as without plans, the houses in the villages are still
deemed illegal (Yiftachel, Kedar and Amara, 2012: 11). Building permits remain
sparse, hence these villages continue to be subjected to the demolition policies of
the Israeli government.

In addition, more than a decade after their recognition, the villages remain
without infrastructure and receive only partial services. Other than in the
reestablished village of Tarābîn aṣ-Ṣāniʿ, the recognized villages have virtually no
paved roads. Houses have no direct connections to the public water system and
are not connected to the state’s electrical grid. Education, health and other public
services are partial.
2.4 The Struggle Continues

Many scholars argue that Israeli policy towards the Bedouin community in the Negev desert is driven by the Zionist ambition to Judaize space (Yiftachel, 1998; Baumel, 2007; Ghanem, 2011; Amara, 2013). This process involved the simultaneous concentration of Arab citizens and a diffusion of their Jewish counterparts (Yiftachel, 2003: 34). The idea to concentrate the Bedouin and relocate them within towns stems from the Zionist perception of the Negev as an empty space yet to be redeemed (Shamir, 1999: 525). By the 1950s, the state had already concentrated the Bedouin community, clearing fertile lands for cultivation by Jewish settlers (Porat, 2009: 18). To date, the state’s development plans for the Negev mainly involve the establishment of additional Jewish settlements.

Yet, as mentioned, the Bedouin community had a different perception of the Negev and how it should be organized. Over decades of struggle, the Bedouin have stymied efforts to Judaize the region. The Bedouin have held onto their lands, demanding the right to determine how and where they will live.

Over the past decade, the state was looking for ways to move the Bedouin unrecognized villages. In October 2007, according to a government resolution, the Goldberg Committee was appointed to “propose a policy for the regulation of Bedouin settlement in the Negev” (Government resolution 2491). The “Goldberg report”, searching for a solution for the Bedouin unrecognized villages, was submitted in January 2008, yet it was never accepted by the government. In
January 2008, the government decided to appoint a new team, for the implementation of the Goldberg report (Government resolution 4411). That decision consisted two major changes, one, that instead of a retired Supreme Court judge, the new implementation team was led by the head of the policy planning department of the National Security Council, handling the Bedouin settlement as a security issue instead of a civic one. The second major change was that instead of implementing the Goldberg report, the implementation team submitted a new report that did not have much in common with the previous one.

While the Goldberg report suggested “to recognize as much unrecognized villages as possible” (Goldberg, 2008: 32), the new report, the “Prawer plan” (May 2011) named after head of the team, Ehud Prawer, turned over most of Goldberg’s recommendations. A map of this plan was never published, and experts estimate that if implemented about 30,000 Bedouins will be removed and tens of villages will be destroyed according to the team’s recommendations. The main suggestion of the Prawer plan was to resolve the land ownership conflict in the Negev by setting a low compensation calculus for claimed lands, aiming at settling all claims within five years (later were reduced to only three years).

In September 11, 2011, despite Bedouin objection to the plan, the government accepted the Prawer plan in resolution number 3707. It is stated in the resolution that the government prefers to act expeditiously towards the implementation of the report. While at the beginning of resolution 3707 it is stated that the plan
should be realized in cooperation with the affected community, article 6 declares the establishment of a new enforcement entity “for the coordination of the enforcement of land laws” (Government resolution 3707), revealing the dissembling approach of the government towards the Bedouin issue. As demanded by the government, the legislation process was fast and in January 2012 the first memorandum of the Prawer law was published. Disregarding Bedouin protest against the law, the bill for the regulation of Bedouin settlement in the Negev was published in May 2013 and was accepted in first reading in June 24, 2013. Yet, following protest from right wing parties (claiming that the plan offers the Bedouin community too much) as well as the Bedouin community, Benny Begin, the appointed minister in charge of the Prawer plan, shelved the plan in December 2013.

Despite the state’s efforts to compel the Bedouin community to relinquish their lands and relocate into planned towns, unrecognized Bedouin villages continue to exist. In light of the recognition of eleven villages, ṣumūd has to some extent proved to be a worthwhile practice.

In the preceding section, I presented the evolution of the conflict over land in the Israeli Negev. I outlined state policy and described Bedouin reactions to a range of mechanisms employed by the state. As shown above, the production of space in the Israeli Negev is not a unilateral process in which the state has accomplished all of its goals. Rather, it is an outcome of an ongoing struggle shaping the landscape every day.
3. The Struggle for Education

After years of neglect, the Bedouin education system in the Negev had fallen into disarray. The community’s few existing schools operated in deprivation with only basic infrastructure and had insufficient teaching staff and other trained personnel. A new struggle for education, led by members of the community, parents’ committees and local NGOs, was launched in the mid-1990s. This struggle has rendered some positive change in terms of infrastructure improvements, budget allocations, and even the establishment of new schools. The struggle is driven by a movement that appeals to state authorities, organizes strikes, and even files petitions to the High Court of Justice. By the end of the 1990s, education had emerged as a key arena in the broader struggle for Bedouin civil rights. Relying on international and local interpretations of the right to education, the Bedouin community started a struggle for equality seeking immediate remedies to the dire situation of their educational system.

Although focused on educational issues, in this section I aim to substantiate the argument that this struggle was never separated from the ongoing land struggle in the Negev. While on one level, the Bedouin community indeed struggled for the improvement of the system that educates its children, on the deeper level, this struggle was a struggle over the existence of Bedouin villages. As stated by Dr. Awad Abu Freich, one of the leaders of the struggle:

“Every time we said 'recognition' they [the state] became irritated. So we found the key, education. We took advantage of the Israeli law that applies
for every child, in order to advance the Bedouin education system, [...] as education is not dependent on where one resides” (interview with Awad Abu Freich, 16.10.2014).

Understanding that bringing education into the villages will strengthen Bedouin adhering to the land, as well as serve to conceal the main struggle of the Bedouin community yet will reinforce it, the successful struggle for education became in retrospect one of the key components of the land struggle during the 1990s.

3.1 The Right to Education

The right to education is guaranteed to every child according to Israeli domestic law, as well as according to a variety of international covenants ratified by Israel. Compared to various other communities throughout Israel in general and in the Negev region in particular, Bedouin access to education is partial and limited. While the right to education is recognized as a human right, it is not fully guaranteed to Bedouin children in the Negev. This knowledge was vital for the Bedouin education struggle that erupted during the 1990s. Understanding that the Israeli education laws fully apply for Bedouin children, the leaders of the struggle identified the crack in the wall to start a struggle that takes place within Israeli legal framework. As Israeli land and ownership laws outlawed the Bedouin community, the wording of the right to education, in Israeli as well as International law, allowed the community to commence a struggle. With the law by their side this time, this was, as will be elaborated below, a relatively successful struggle.
In the following section, I present Israeli laws pertaining to the right to education as well as how it appears in international law, emphasizing that by and large, Bedouin demands for education lie within the purview of Israel’s local legal system and its international commitments. In this section I aim to substantiate the argument that the struggle for education took place within Israeli legal framework, utilizing the broad wording of the right to education by Israeli laws, as well as by the International law.

3.1.1 The Right to Education in international law

The right to education is recognized as a human right of every person according to a series of United Nations covenants. Article 26 of the 1948 Universal Declaration of Human Rights states that “Everyone has the right to education” (UN General Assembly, 1948: Art. 26 (1)). In 1966, the United Nations General Assembly adopted the International Covenant on Economic, Social and Cultural Rights (CESCR), which further elaborated the intent of the right. The covenant explicitly refers to the implementation of the right to education as a long, multistage process, asserting that “Primary education shall be compulsory and available free to all” (UN General Assembly, 1966: Art. 13 (2a)); “Secondary education ... shall be made generally available and accessible to all by every appropriate means” (UN General Assembly, 1966: Art. 13 (2b)); and “Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means” (UN General Assembly, 1966: Art. 13 (2c)). While the covenant appeals for the immediate implementation of universal primary
education, it acknowledges that the implementation of secondary and higher education cannot happen overnight, demanding, rather, that these be made generally available and free to all within a reasonable period. In addition, Article 13 demands that all state parties develop a system of schools, establish an adequate fellowship system and improve the material conditions of teaching staff (UN General Assembly, 1966: Art. 13 (2e)).

In 1989, the United Nations General Assembly adopted the Convention on the Rights of the Child. Articles 28 and 29 of the convention refer explicitly to the child’s right to education, accepting the terms of previous treaties, yet adding several specifications to the general phrasing of its antecedents. Though both articles concede that the development of a free and universally accessible educational system is an ongoing process not to be achieved on the day of ratification, they nonetheless demand further support for children. Article 29 sets a unified global objective for the right to education, demanding that all signatories agree that the education of the child shall be directed to the child’s development, development of respect for human rights and fundamental freedoms, and development of respect for the child’s parents’ cultural identity, language and values (UN General Assembly, 1989: Art. 29 (1)). In contrast to earlier treaties, the Convention on the Rights of the Child stipulates that countries not only provide education, but ensure that children actively attend schools, are kept informed of the various educational options available, and maintain the right to study in a school of their choosing. According to this convention, a state’s
educational apparatus is compelled to play an active role in fulfilling the rights of children to education.

In December 1999, the United Nations Committee on Economic, Social and Cultural Rights (ESCR) published General Comment 13. General Comment 13 notes that implementation of the right to education requires states to fulfill the obligations of the convention to all citizens under their sovereignty. The realization of the right to education as an essential human right appears in the first sentence of the general comments, stating that “Education is both a human right in itself and an indispensable means of realizing other human rights” (CESCR, 1999: Art. 1). Hence, the implementation of the right to education is vital to ensure the implementation of a wide set of other human rights. And even though the right to education is to be implemented incrementally, “States parties have a specific and continuing obligation “to move as expeditiously and effectively as possible” towards the full realization of article 13” (CESCR, 1999: Art. 44). Therefore, like all human rights, the right to education “imposes three types or levels of obligations on States parties: the obligations to respect, protect and fulfill” (CESCR, 1999: Art. 46). While the development of the education system and, by extension, protection of the right to education is considered progressive, discrimination in education is prohibited outright. According to the general comment, this prohibition is “subject to neither progressive realization nor the availability of resources; it applies fully and immediately to all aspects of education and encompasses all internationally prohibited grounds of discrimination” (CESCR, 1999: Art. 31).
Hence, according to a variety of international conventions, the right to education must be guaranteed for every human being. As all of the aforementioned conventions emphasize, the universal right to education is not expected to be fulfilled overnight, yet progress must be made towards full implementation of the conventions. Israel has a fully developed education system, including dozens of higher education institutions; as a signatory to these conventions, the state is obligated to provide primary and secondary education to all its citizens, including the Bedouin community in the Negev. Furthermore, the right to education must be ensured without discrimination, hence another question arises in light of the conditions of the Bedouin educational system. As it is clearly stated that implementation of the right depends on the state, the right to education is guaranteed to a large extent within the Israeli domestic law as will be shown in the next section.

3.1.2. The Right to Education in Israeli Domestic Law

Since the establishment of Israel in 1948, three education laws have been legislated: the Compulsory Education Law (1949), the State Education Law (1953), and the Pupil Rights Law (2000). According to each of these individual laws, and even more according to these three laws together, every child and teenager in Israel is entitled to education regardless of ethnicity or place of residence.

The Compulsory Education Law (1949) was the first Israeli legislation pertaining to the state's educational system. The law defines compulsory
education as “learning designated for children and youth, given in 15 years of schooling, three in kindergarten at the age of three to five, inclusive, and 12 years of schooling, from first to twelfth grade, for children and youth” (Knesset, 1949: clause 1). According to the law, “Compulsory education will include every child and teenager” (ibid: clause 2), to be provided by the state free of charge. According to the law, every parent is obligated to register his/her child from the age of five in an educational institution (ibid: clause 3a). It is the parents’ responsibility that their child attend school and study (ibid: clause 4a). If a child does not attend school regularly, parents are liable to a fine or imprisonment (ibid: clause 4b). The law explicitly states: "the state is responsible to provide compulsory education according to this law" (ibid: clause 7a).

In 2000, Israel passed the Pupil Rights Law, which states that “Every child and teenager in the State of Israel is eligible for education according to the provisions of the law” (Knesset, 2000: clause 3). In addition, the law prohibits discrimination against pupils on the basis of ethnicity, country of origin, socio-economic background, and political views. It lays out conditions for the permanent expulsion of pupils and explicitly forbids any educational institution from preventing the realization of a pupil’s legal rights therein (Knesset, 2000).

Hence, according to domestic Israeli law, the state is obliged to provide education to every child within its boundaries. The right to education is universal and independent, and, therefore, the state cannot condition access to education. As will be shown below, despite progressive legislation that ostensibly ensures
every child in Israel access to education, the situation within the Bedouin education system is exceptional. The decision to struggle for education in the Negev, aiming to secure the right to education among the Bedouin community was brilliant as well as sophisticated, as it is based on firm legal foundations.

3.2. The Bedouin Educational System

The Bedouin educational system in the Negev has encountered a myriad of obstacles and in the past two decades, has undergone something of a revolution. Yet with the highest dropout rate and the lowest student achievement levels in Israel, the Bedouin education system remains leagues behind the state’s other educational systems.

Since its foundation during the British Mandate, the Israeli educational system has been characterized by subdivisions and segregation according to various social groupings. Currently, one finds segregation between Jewish and Arab pupils, as well as among secular, religious and ultra-orthodox Jews, thus creating four sub-systems in operation under the Ministry of Education (Levi, 2006). The Bedouin educational system is part of the Israeli Arab Education System, yet as will be shown below, it has for years been subjected to a unique administration, the Authority for Bedouin Education in the Negev.

Although the Compulsory Education Law was already legislated by 1949, at that time, the Bedouin educational system was not yet in development. During the period of military rule, only a handful of schools operated in the Bedouin
community, and few students were sent to study outside the Siyāj area in Arab villages in the center or north of Israel. The students were still subjected to the military rule’s restrictions, as described by Alian a-Sani:

“We had a joint ‘pass’ to leave the Siyāj area and travel to school in Kufur Kassem, for all the kids from my family. One day, we forgot the pass at home. A police officer saw us getting on the bus, and asked to see our pass, but we did not have it, so he took me, the oldest kid in the bunch, to the military regime headquarters in Be’er Sheva. I was sentenced and found guilty, and had to pay a fine of 50 Liras. As I did not have any money, they took my schoolbag with all the textbooks inside. When I finally collected the amount of the fine I paid it, and received my schoolbag back” (Alian al-Sani, Meeting, 18.09.2014).

When the military regime ended, the Ministry of Education founded new schools throughout the Negev. The first high school in the region was established only in 1969, over two decades after the establishment of the state, and served as a regional school for students from the entire area (Abu-Saad, 2013). Abu-Saad (2013) emphasizes that since the establishment of the Bedouin planned towns, the majority of educational investment was directed to the schools therein; the schools of the unrecognized villages were deliberately neglected. Even by the mid-1990s, educational achievement in the Bedouin community was extremely low (as shown in Figure 1 below), with only 11.3% of 15-34 year olds holding a matriculation certificate or above (Israeli CBS, 1995).
Figure 1: Highest Certificate Received by 15-34 year old\textsuperscript{1} Residents of the Be’er-Sheva Sub-District – 1995 Census

(Source: Israeli CBS, 1995)

Figure 1 displays the highest certificate received among 15-34 year old Bedouin\textsuperscript{2} and Jewish residents of the Be’er-Sheva sub-district in 1995. Focusing only on Bedouins’ achievements, one can state that they are extremely low. With only 11.5\% of the Bedouin community holding a matriculation certificate or above, the shortcomings of the Bedouin education system is evident in every part of the figure. Data reveals that such shortcomings did not prevail among the Jewish community of the sub-district. In 1995, 45\% of the Jewish community held at

\textsuperscript{1} The decision to sample only 15-34 year-olds is based on the high rates of older Bedouin residents who did not study at all. Hence, focusing on this age group, the data is more accurate while aiming at assessing educational achievements.

\textsuperscript{2} The statistical data collected by the Israeli CBS contains the variable of “population group”, including Jews, Arabs and others. Focusing on the Be’er Sheva sub-district only, the Arabs sampled are the members of the Bedouin community.
least a matriculation certificate, constituting a gap of 33.5% among the Bedouin and Jewish communities.

**Figure 2: Highest Certificate Received by 15-34 year old Residents of the Be‘er-Sheva Sub-District – 2008 Census**

![Graph showing highest certificate received by 15-34 year old residents of the Be‘er-Sheva sub-district in 2008. The graph displays the percentage of Jews and Bedouins who received different education certificates.](image)

(Source: Israeli CBS, 2008)

Figure 2 displays the highest certificate received among 15-34 year old Bedouin and Jewish residents of the Be‘er-Sheva sub-district in 2008. Data reveals a significant increase in education certificates earned by members of the Bedouin community. Yet, while comparing the achievements of both Bedouin and Jewish communities, among the Jewish community, 61.9% held a matriculation certificate or above, yet among the Bedouin community only 22.6% held such certificates. These numbers yield a 39.3% gap among these communities. Looking
back at the gap from the 1995 census that was 33.5%, the gap among Jews and Arabs increased as it is now situated on 39.3%.

The comparison of data from both the 1995 and 2008 censuses reveals that while the Bedouin education system made a significant progress, it did not manage even to maintain the high gap from the Jewish community that as noted above, increased over the years. Therefore, even in light of the ongoing struggle for education, the Bedouin education system was still left behind and has a long way to go.

**Table 2: Size of Population and Number of School by Type of Settlement**

<table>
<thead>
<tr>
<th></th>
<th>Governmental Planned Towns</th>
<th>Newly Recognized Villages</th>
<th>Unrecognized Villages</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approximate Population</strong></td>
<td>≈120,000 (54%)</td>
<td>≈40,000 (18%)</td>
<td>≈60,000 (27%)</td>
<td>222,400 (100%)</td>
</tr>
<tr>
<td><strong>Number of Schools</strong></td>
<td>76 (67%)</td>
<td>28 (24%)</td>
<td>10 (9%)</td>
<td>114 (100%)</td>
</tr>
<tr>
<td><strong>Number of Settlements</strong></td>
<td>7</td>
<td>11</td>
<td>40</td>
<td></td>
</tr>
</tbody>
</table>

(Sources: Israeli CBS, 2014; Ministry of Education, 2014)

As displayed in table 2, currently, the Bedouin education system in the Negev includes 114 regular schools; 76 schools are located in the seven planned

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3 As the official numbers are not consistent, and many of the residents of recognized and unrecognized villages registered as residents of the towns, the numbers presented are an assessment based on data collected by the author from the popular committees of the villages.

4 According to the Israeli CBS (2014), 222,400 Muslims reside in the Be’er-Sheva sub-district. The only Muslim community in the Negev is the Bedouin community; therefore, this is an accurate number.

5 The number of schools is taken from the Ministry of education. Yet, as the Ministry of Education does not publish the data by type of settlement, especially not concerning the unrecognized villages, the data was analyzed and divided according to the institution’s name and location by the author.
governmental towns, 28 are located in newly recognized Bedouin villages (20 primary schools and eight high schools; see detailed list: Appendix, Table 5) and ten in unrecognized Bedouin villages. In the unrecognized villages, there are only primary schools (from first to ninth grade; see detailed list: Appendix, Table 4). While only about 54% of the Bedouin population reside in governmental planned towns, 67% of the schools are located in these localities. In addition, approximately 18% of the population reside in the newly recognized villages, where 24% of the schools are located. These numbers serve as evidence of the state’s policy, declining to open schools in unrecognized villages despite the urgent need for such institutions. With about 27% of the Bedouin population residing in the unrecognized villages, only 9% of the schools of the Bedouin education system are located in these villages 6.

The principal remedy prescribed by the state in response to the lack of schools in the unrecognized and recognized villages is the transportation of students from their place of residence to the most proximate school (see section 3.2.2). Among all schools, there is a shortage of classrooms, yielding a high number of students per class. The abstention from the opening of new schools and from allocation of resources is part of the state’s struggle to concentrate the Bedouin community on less amount of land in the Negev. Hence, aware of the problematic aspects of the transportation solution, the state utilizes access to

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6 Considering that the median age among the Bedouin community is significantly low, with about half the community below the age of 13, and therefore a large amount of educational institutions is needed (Israeli CBS, 2008).
education in order to pressure its citizens to move from their villages into the planned towns.

3.2.1. The Katz Report

In 1997, the Minister of Education, Zvulun Hamer, appointed a new committee to examine the Bedouin educational system in the Negev and draw up a five-year plan for its improvement. The establishment of this committee was an outcome of the Bedouin community's struggle for education. The committee was named after its chair, Yaakov Katz, and included seven additional members, including three from the Bedouin community. Hamer instructed the committee to focus on "the level of educational achievements, quality of teaching, teaching methods, the teachers and their training, technologic and scientific education, special education, and educational services – assistance formation, construction and development of education institutions" (Hamer, 14.05.2014).

The Katz Report was submitted in January 1998 to Hamer’s successor at the Ministry of Education, Yitzhak Levi. The report, describing the situation of schools both in Bedouin planned towns and unrecognized villages, laid bare the distressing condition of Bedouin education in the Negev. As stated by the committee, "the Bedouin schools in the Negev encounter a variety of difficulties that prevent them from improving the services they provide" (Katz Committee, 1998: 7). Insufficient budgets, lack of facilities and basic equipment, and a critical dearth of classrooms, teachers and other trained personnel culminated in high dropout rates and low achievement among Bedouin pupils (ibid: 7-12).
While mentioning the problems of schools in planned towns, the committee also referred directly to the problems encountered by the few schools located in the unrecognized villages.\textsuperscript{7} The committee found that these schools, which receive comparatively lower budgets, operate in inferior facilities with a lack of buildings and furnishings. Supplementary teaching materials are almost nonexistent in these locales. In addition, the committee pointed out that these schools, though in some cases located in proximity to the national electric and water grids, remain without connections to these basic utilities (ibid: 7-8).

The Katz Report also exposed the existence of the Authority for Bedouin Education in the Negev, tasked with the supervision of schools located in the unrecognized villages. Established by the Ministry of Education in 1984, the authority was comprised of a Jewish chair and a consultant committee of five Bedouin Sheikhs (ibid: 8). Until then, central activists and leaders among the Bedouin community were not fully aware of the existence of such authority. The committee stated that whilst subservient to the Ministry of Education, a conflict of interests between the needs of the Bedouin community and the policies of the establishment prevented it from carrying out its duty.

Though schools in the planned governmental towns were comparatively better off than their counterparts in the unrecognized villages, their situation was still problematic. While better equipped, situated in modern buildings and connected to water, electricity and a phone line, they still suffered from

\textsuperscript{7} The Katz Committee was operating in 1997-1998 and preceded the recognition of some of the villages. Therefore, in these years there were only schools in towns or unrecognized villages.
overcrowding, as well as a lack of labs, teaching accessories and additional rooms and offices. The development of these institutions was not keeping pace with the local population growth (ibid: 8).

In its conclusions, the Katz committee recommended that the Bedouin educational system receive human and collateral resources equivalent to the Jewish educational system. The committee recommended further that the Ministry of Education, Culture and Sport meet the crucial needs of the Bedouin education system by, inter alia, establishing adequate facilities, training young Bedouins to become certified teachers, stemming the alarming dropout rate, developing enrichment programs, and recruiting Bedouin leaders and members of the community at large to the Authority of Bedouin Education (ibid: 13).

As mentioned throughout and reiterated in the report’s conclusion, the principal recommendation for the improvement of the Bedouin education system was the training of personnel from the community. The committee asserted that as long as the Bedouin education system was dependent on external personnel, it would not develop. The committee asserted that, due to the deprivation suffered by the Bedouin community since the establishment of the state, improvement of Bedouin educational attainment should be of the utmost priority to policy makers in Israel. The committee emphasized that without the recommended investment, no change should be expected on the ground (ibid: 16-17). In summary, members of the committee stated,
"The state of Israel, who raised the banner of the principle of equal opportunities in education, cannot disregard the severe problems and distresses that characterize the Bedouin education system in the Negev, and it should act immediately to redress these issues"
(ibid: 17).

Upon publication of this report, a new struggle—for the implementation of its recommendations—began.

While the Katz Committee was appointed only to assess the situation of the Bedouin education system, its assertions, conclusions and consequences positively affected the ongoing land struggle of the Bedouin community in the Negev desert. Some of its recommendations did pertain directly to strengthening the educational system, including the training of personnel from the community and improvement of Bedouin educational attainment. Yet, other recommendations that were directed towards the improvement of the educational system were indirectly supporting the land struggle as well. For instance, stressing the lack of connections of schools to basic utilities as electricity and water, that later yielded in the establishment of such connections, made it easier for the Bedouin community to demand such services for the entire villages as well, improving the situation in the villages and making it easier to remain on the land and practice ṣumūd.
3.2.2. The Daily Commute

The absence of educational institutions in recognized and unrecognized Bedouin villages, combined with the state’s refusal to open new schools in the unrecognized villages as part of the ongoing land struggle, has led to improvisation on behalf of the state. In the past, there were no solutions for the children who resided far from schools, as described by Atia al-Athamin:

“When I was a child we used to ride to school on a donkey. Every morning we were taking the donkey and starting the long journey to school. It was a very long ride so the girls of the village were not allowed to come with us, so they did not study at all” (Atia al-Athamin, meeting, 28.10.2014).

Yet since the late 1980s, in order to avoid opening schools in unrecognized Bedouin villages, the state offered a transportation solution. Every day, the state transports thousands of students from the ages of 5 to 18 to schools throughout the Negev. Though the state does not typically pay the full cost of transportation of students elsewhere in Israel, in the case of the Bedouin education system, the state bears the full financial burden. While many claim it would be cheaper and more sustainable to simply open schools in the unrecognized villages, this would contradict state designs to remove or relocate these villages altogether.

In its directive for the transportation of pupils, the General Manager of the Ministry of Education (2013) states that, “Although High Court of Justice ruling that 'the right to free education does not include the right for funding of school transportation’ (DCA 1761/12), the ministry participates in funding expenses to
compulsory nursery schools and official schools." Yet the directions explicitly assert that transportation of pupils is authorized only in legal settlements (Ministry of Education, 2013: 2.2). Therefore, by supplying transportation in unrecognized Bedouin villages, the Ministry of Education is in violation of its own regulations. It appears the ministry is willing to tolerate this inconsistency in the defense of state interests.

Yet, as Israel is obligated to grant its citizens education (see section 3.1.2), the Ministry of Education has assumed responsibility for the daily transportation of thousands of pupils around the Negev. Although a seemingly reasonable compromise, the transportation solution produces a range of problems. The main problem lies in the security of the children and youth. First, the lack of paved roads in the Bedouin unrecognized villages presents a serious hazard to school buses teeming with children. This lack of paved roads in the Bedouin unrecognized villages works in both directions, as neither the roads to the pupils’ places of residence nor the roads to many schools are paved. According to a government resolution from 2009 (Government Resolution 724), it was decided to pave all roads to existing service hubs in the unrecognized villages (i.e. centers with schools and health clinics). Yet, for instance, though scheduled for completion in 2011, the access road to the three schools in the unrecognized village of Wādi an-Na‘am remain unpaved. The road to “Al-Amal” school in the village of Khirbit al-Watan is still not paved despite works scheduled for completion by 2013. The road to the “Ein Ovdat” school, located in the Bedouin unrecognized village of ‘Abdih, was scheduled to be finished in 2013, yet
construction was only begun in mid-2014. Many other villages that mentioned in the government resolution, including newly recognized locales, are completely without access roads to their schools. According to the state’s vision these villages are not supposed to exist in the future, and therefore it has no interest in investing resources to develop infrastructure in these localities. Yet, from the Bedouin point of view, the development of infrastructure actually strengthens their grasp to the ground and reinforces the existence of their villages.

Second, as most of the unrecognized villages are only accessible via main transportation arteries, the absence of safe intersections along the freeways constitutes a serious hazard. Entrances to the vast majority of the Bedouin unrecognized villages thread directly from main transportation arteries. In the best case scenario, there may be an arranged turn to the village, or even an intersection. In most cases, however, vehicles must veer from the main road without an intersection. Such turns are particularly dangerous for a bus carrying some 50 children. Yet, with no other option, every morning and afternoon, school buses throughout the Negev navigate the hazardous turns to and from the villages. In some cases, local residents have pressured authorities to establish an intersection. After a petition filed in 2005 by parents from the village of al-Fur‘ah, a secured intersection was arranged at the entrance to the schools’ access road (HCJ 6773/05). Similarly, the parents’ committee of Wādi an-Na‘am lobbied for a traffic light at the entrance to the schools’ access road from route 40. Three years ago, after repeated appeals to state authorities went unheeded, the parents blocked route 40 leading to the Neot Hovav Industrial Council at the place where
a traffic light was needed. Shortly thereafter, a traffic light was installed. Yet again, the arrangement of intersections and turns to the villages reinforce their existence as well as increase their visibility. Therefore, aiming at relocating these villages, the state is not willing to establish intersections and traffic lights at their entrance, a stand that sometimes serves as yet another leverage to compel the residents to move.

Third, though the Ministry of Education pays the cost of transportation, it contracts private bussing companies to transport the children each day. Concerned foremost with profit, such companies have little incentive to supply broad capacity according to school schedules. Rather, the companies prefer to spread their itineraries over a matter of hours, leaving young children waiting outside the gates of their schools in the morning and again late into the afternoon. As described by the spokesperson of the municipality of Ksīfih:

"Every morning on my way to work, I pass by the schools in the town and see these little kids, waiting for the schools’ gates to open" (Salem al-Srur, meeting, 13.08.2014).

This picture is rather common, as local youths take the latest bus in the morning and the earliest in the afternoon, leaving the younger children to wait for the next bus. Though the companies are allegedly at fault for this situation, it is the responsibility of the Ministry of Education to be aware of such problems and to find proper solutions.
Finally, another problem arises amid the heavy winter rains. Many villages in the Negev are located near streams that tend to overflow in storms and cannot then be crossed, presenting a serious safety hazard. During such weather, student attendance falls sharply, with some schools left totally empty. It is noteworthy that as there are no bridges, these stream beds are often difficult to cross even in the dry season. Yet again, the state could pave these roads and build bridges above those streams but it contradicts its own interest to relocate the unrecognized villages.

As the only solution presented to the residents of the majority of the unrecognized villages involves transporting children to schools outside their village, often tens of kilometers away, a number of Bedouin families decline to send their daughters to school at all. Likewise, given the variety of security issues, many parents do not send their young children to compulsory nursery schools. Furthermore, the Ministry of Education only provides transportation for children from the age of five, so despite amendments to Israeli law obligating the state to provide education from the age of 3 (Knesset, 1984), many 3-4 year-old Bedouin children residing in villages are denied education.

Though the publically funded transportation of students was originally perceived as a step forward when it was introduced by the state in the late 1980s, the practice has since belied state motivations to simply avoid building needed educational facilities in the unrecognized Bedouin villages. A stop-gap measure
has become permanent, and even in the eyes of the High Court of Justice, represents a valid compromise in the service of state priorities.

Hence, Israel is willing to finance the transportation of Bedouin children insofar as it suits the land and planning interests of the state. While establishing schools within villages could provide considerable savings at the long term, Israel acts according to other interests, often in contravention of the state’s own regulations. On a deeper level of the ongoing land struggle, this solution is problematic for both parties. The state would prefer to keep withholding educational services from the villages like it did in the past, in order to pressure their residents to move to the planned towns, instead of financing transportation from ‘illegal’ villages, helping their residents to stick to the land. The Bedouin community, on the other hand, would prefer that the state establish actual schools in the villages that will allow their children to study within the village and in this way tighten their hold to the land.

3.3. Different Fronts for Struggle

First led by the Education Coalition, the struggle for education in the Negev desert was later expanded to other groups and NGOs. The movement unfolded on multiple fronts, most prominently the civil struggle, which included submitting demands to state authorities, demonstrations and strikes. The struggle was also taken to the juridical front, where various groups have petitioned the High Court of Justice to intervene in a variety of educational issues. Dating back to the mid-
1990s, this struggle has managed to improve the Bedouin educational system, as well as contribute to the ongoing land struggle.

3.3.1 The Education Coalition

By the mid-1990s, a new struggle over the Bedouin educational system had erupted in the Negev desert. The struggle was led by the Coalition of Parents’ Committees and Organizations for the Improvement of the Education System in the Negev (herein the Education Coalition), a partnership of local NGOs and parents’ committees from around the Negev. The Education Coalition worked in two main directions. One path was directed inward towards the Bedouin community, aiming to increase awareness of the importance of education. The second path, directed toward state authorities and the broader Israeli public, comprised a civil struggle employing correspondence with state authorities, demonstrations, strikes and press releases (Awad Abu Freich, interview, 16.10.2014).

In 1996, the parents’ committees sent a general review of the situation of the Arab educational system in the Negev to the Knesset’s Education Committee. They stressed the severe physical and pedagogical shortcomings of the system and emphasized the high dropout rates, lack of health services and informal education programs (Parents’ Committees in the Negev, 01.11.1996). The parents' committees demanded the establishment of a professional and independent committee tasked to formulate the revitalization of the Bedouin education system in the Negev.
Picture 1: Press release of the Education Coalition: “The children of Abu Queider will not start to study as there are no 2nd grades in their village”.

The establishment of the Education Coalition empowered members of the community to demand government action to improve the Bedouin educational system. In September 1998, the chair of the local committee of Rahat asked the director of the southern district of the Ministry of Education to visit the “Ibn Khaldun” school, stressing the urgent need for renovations, including a variety of safety hazards (Abu Freich, 15.09.1998). Parents’ committees also solicited the involvement of the Education Coalition in local struggles. For example, in September 1998, the representative of the local committee of the village of Kuhlih informed the Education Coalition of a planned strike in the local school.
The representative explained that the chair of the Authority for Bedouin Education had announced that a 7th grade was not to be opened in the school and that pupils would be required to travel to the nearby town of Ksīfīh (Abu Rabia, 08.09.1998).

The Bedouin community’s ongoing struggle, which included dozens of letters, reports and meetings with government officials, eventually led to the appointment of an investigative committee to assess the situation of the Bedouin educational system in the Negev (Awad Abu Freich, interview, 16.10.2014). The establishment of the Katz Committee was one of the most notable successes of the struggle for education that comprised a major turning point in the struggle, and would dramatically alter Bedouin education in the Negev desert. In its report, the Katz committee reinforced the claims of the Education Coalition, referring explicitly to the Bedouins’ demand for equality in education as "fundamental" (Katz Committee, 1998: 17). Furthermore, the report concurred that "the Bedouin society should not allow its education to be developed sporadically as it had been developed in the past" (Katz, 1998: 13).

While the conclusions of the Katz Committee (see section 3.2.1) bolstered the Bedouin community’s ongoing struggle for education, the Education Coalition now faced a battle for implementation of the report’s recommendations. In a letter sent in September 1998, six months after the submission of the report, the Education Coalition spokesperson, Dr. Awad Abu Freich, asked the Minister of Education for an immediate implementation of the Katz recommendations, as
educational gaps only continued to widen. Abu Freich concluded by pledging that the community would not rest until the recommendations were implemented and adequate resources were invested in the Bedouin education system (Abu Freich, 02.09.1998).

Pictures 2, 3: Resignation letters submitted by Sheikhs formerly serving as members of the consulting committee of the Authority for Bedouin Education in the Negev. Sent to the head of the authority, June 1997.

As the Katz report had exposed the existence of the Authority for Bedouin Education, the Education Coalition started looking into this authority. The coalition identified the Sheikhs serving as members of the authority in order to request their resignations (Awad Abu Freich, interview, 16.10.2014). The Sheikhs agreed, and in their resignation letters (pictures 2, 3) asked the head of the
authority to appoint young, educated Bedouins able to invest the time and effort needed to improve the Bedouin education system (As-sayyed and al-Atauna, 20.06.1997; Abu Muamar, 30.06.1997).

The Education Coalition tallied significant achievements. They succeeded in raising awareness among the Bedouin community and elsewhere throughout the country. Petitions to the High Court of Justice regarding the lack of basic infrastructure had opened the gates to subsequent legal action and widely exposed the harsh conditions endured by the Bedouin educational system (see section 3.3.2). Perhaps most importantly, educational attainment in the Bedouin community had expanded rapidly. In addition, the Authority for Bedouin Education in the Negev, an institution that had failed to fulfill its obligations to the Bedouin community, was dissolved. Though the Education Coalition was dispersed in the early 2000s, many NGOs and parents’ committees have carried on with the struggle, including filing many more petitions to the High Court of Justice.

The struggle of the Education Coalition was never separated from the general Bedouin struggle over land. As explained by Dr. Awad Abu Freich:

“The struggle for education was the best choice of a struggle as it united all forces among the Bedouin community. Young and old, religious and secular, Islamists and communists, everyone supported this struggle” (Awad Abu Freich, interview, 16.10.2014).
Searching for a front for struggle with high probability of success that will gain the broadest support from the community and the different political forces operating amongst it, the struggle for education was the favored front. Yet, as Abu Freich explains:

“The central and most significant achievement of the struggle for education was that it started a process of recognition of villages, including villages that already had schools gaining recognition, and the establishment of new schools” (Awad Abu Freich, interview, 16.10.2014).

Therefore, as stated by one of the Education Coalition leaders, the struggle for education was never isolated from the ongoing struggle for land. The Education Coalition might on the ground struggled for education and sincerely aspired to improve the education system in the Negev, yet it always bared the land struggle in the deeper level, understanding that education can serve as a mean to remain on the land.

3.3.2 The Judicial Arena

As the struggle for education expanded, the High Court of Justice emerged as an important arena for promoting the right to education among the Bedouin community. Since the late 1990s, the struggle has become increasingly litigious, with several villages demanding the High Court of Justice to uphold their rights. Many petitions have been filed over the years, demanding additional schools, new and improved infrastructure such as paved roads, utilities, and more. Such
petitions came only in response to the repeated rejection of Bedouin appeals to state authorities. While these petitions were filed over educational issues, the subtext was well known among the Bedouin petitioners, the state and the High Court of Justice.

According to the education laws in Israel, Bedouin children retain their right to education irrespective of their place of residence. Yet, as will be shown in the following section, while some petitions brought about positive change, others were rejected, leaving many students in the Negev without adequate solutions. Hence, while the judicial struggle has often proved an effective instrument to actualize the rights of the Bedouin community, it has also yielded problematic precedents. By and large, the main reason for the dismissal of education petitions was the ongoing land struggle between the state and the Bedouin community. Understanding that the opening of schools strengthens the Bedouin connection to their lands, makes it easier for the community to remain in the unrecognized villages, as well as substantiates the existence of these villages, the state invested many resources in order to win these cases.
Table 3: Petitions Filed to the High Court of Justice 1998-2013

<table>
<thead>
<tr>
<th>HCJ Cases</th>
<th>Subject of the Appeal</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>4671/98</td>
<td>Connect Bedouin schools in unrecognized villages to electricity</td>
<td>The petition was dismissed as the Ministry of Education connected all schools to electricity.</td>
</tr>
<tr>
<td>5221/00</td>
<td>Establish kindergartens and elementary schools in Bīr Haddāj and ʿAbdih</td>
<td>The petition was dismissed as the educational institutions were established by the state.</td>
</tr>
<tr>
<td>7383/01</td>
<td>Audit the Authority for Bedouin Education and replace its director</td>
<td>The petition was dismissed as the director was dismissed and the state dissolved the authority.</td>
</tr>
<tr>
<td>6671/03</td>
<td>Appoint counselors to reduce drop Bedouin out rates</td>
<td>The petition was dismissed as the Ministry of Education pledged to increase the number of counselors.</td>
</tr>
<tr>
<td>3757/03</td>
<td>Open kindergartens in two Bedouin unrecognized villages</td>
<td>The petition was rejected.</td>
</tr>
<tr>
<td>5108/04</td>
<td>Add educational psychologists to the Bedouin education system</td>
<td>The petition was dismissed as the Ministry of Education pledged to increase the number of psychologists.</td>
</tr>
<tr>
<td>10030/05</td>
<td>Establish a high school in Abu Tlūl</td>
<td>The petition was dismissed as the high school was eventually established.</td>
</tr>
<tr>
<td>4177/04</td>
<td>Pave the road to the school in the village of al-Pur'ah and establish a safe intersection</td>
<td>The petition was dismissed as the road and intersection were constructed.</td>
</tr>
<tr>
<td>2848/05</td>
<td>Pave the road to the school in the village of as-Sayyid</td>
<td>The petition was dismissed as the state pledged to pave the road.</td>
</tr>
<tr>
<td>7562/09</td>
<td>Connect the schools in Abu Tlūl to the public electricity grid</td>
<td>The petition was dismissed as the schools were connected.</td>
</tr>
<tr>
<td>9057/10</td>
<td>Open an elementary school in the village of Şwāwīn</td>
<td>The petition was rejected.</td>
</tr>
<tr>
<td>5247/13</td>
<td>Connect Bedouin schools in recognized villages to the public electricity grid</td>
<td>The petition is still under discussion; some of the schools have been connected.</td>
</tr>
</tbody>
</table>
Table 3 presents 15 petitions filed to the High Court of Justice over the course of 15 years. Twelve of these petitions demanded improvement of infrastructure and services in existing schools, as well as the opening of new schools in recognized and unrecognized villages. While the vast majority of the petitions spurred action by state authorities, the High Court of Justice rejected three important petitions: two appeals by the Abu Juda family (HCJ 5108/04; HCJ 10030/05) for the opening of kindergartens in the unrecognized Bedouin village of az-Za’arūrah, and an appeal to open a school in the unrecognized Bedouin village of Ṣwā̀wīn (HCJ 9057/10). All three petitions illuminate the link between to the struggle over the right to education and the ongoing land dispute between the Bedouin community and the State of Israel.

In 1998, a group of Bedouin residents of the Negev, including the head of the Education Coalition, petitioned the High Court of Justice. The petitioners, represented by the Clinical Center for Civil Rights at Tel Aviv University, demanded that the 12 Bedouin schools located in the unrecognized villages, in which some 6,000 students studied, be provided with electricity. To that point, all of the schools established and operated by the Ministry of Education in those villages had remained without connections to electricity. In the discussions, the court demanded a response from the Authority for Bedouin Education and the Ministry of Education, whose replies were deemed insufficient. Ultimately, the judges dismissed the petition, as by that time, the authorities had connected all schools to electricity. Nevertheless, that Bedouin schools had dwelled for fifty
years without access to electricity services, the court argued, was unacceptable and a badge of shame upon the State of Israel (HCJ 4671/98).

The petition had drawn considerable attention, including extensive media exposure. Headlines quoted Judge Aharon Barak, then Chief Justice, threatening jail time if the individuals responsible failed to connect Bedouin schools to electricity (see picture 4). Coverage quickly spread to newspapers around the country, as the vast majority of the population of Israel had not even been aware that in 1998, there remained schools in the country operating without electricity. Furthermore, High Court of Justice criticism of the Ministry of Education was so harsh that the newspapers simply could not ignore it. Journalists interviewed
scores of officials in the Ministry of Education inquiring as to why authorities had waited for a petition to the High Court of Justice to connect the schools to electricity. Media coverage soon delved into other problems facing Bedouin education, such as the lack of proper buildings, equipment, and skilled teachers (Globes, 23.08.1998; Haaretz, 24.08.1998; Ma’ariv, 24.08.1998; Sheva, 28.08.1998; Yedioth Ahronoth, 24.08.1998).

This petition, demanding better infrastructure and services for the schools in the unrecognized villages had a firm connection to the ongoing land struggle. While the state deliberately neglected these schools, aiming at pressuring the residents of the unrecognized villages to move (Abu Saad, 2013), the petition managed not only to improve the schools’ basic infrastructure but by connecting it to the electricity grid it also rendered the school more affixed to space, more permanent.

In 2000, residents from the villages of Bīr Haddāj and ‘Abdih filed a petition to the High Court of Justice demanding that the Ministry of Education open kindergartens and elementary schools in their villages (HCJ 5221/00). Represented by two NGOs, Adalah – The Legal Center for Arab Minority Rights in Israel and The Association for Civil Rights in Israel (ACRI), the residents claimed that the lack of proximate schools compelled pupils to travel 30-40 km to school each day. The schools were established, and in November 2002, the villagers withdrew their petition. In its ruling, however, the High Court of Justice explicitly noted that “The problem was solved as a result of the petition” (HCJ 5221/00,
In addition, the respondents were levied expenses of NIS 10,000 each. This petition constitutes another success for the ongoing land struggle, bringing more services into the villages, where the state did not want to open new schools. The establishment of the schools strengthened the residents’ hold to the ground, producing more prominent connections to the land.

In 2001, a petition was filed in the High Court of Justice demanding an investigation into the Authority for Bedouin Education and dismissal of its head, Moshe Shohat (HCJ 7383/01). The petition was filed following an interview with Shohat published in the journal, *The Jewish Week*. In the interview, Shohat referred to the Bedouins as “bloodthirsty people who commit polygamy, have 30 children and continue to expand their illegal settlements on state land.” He added, “In their culture, [Bedouins] take care of their needs outdoors [...] they don’t even know how to flush a toilet” (Haaretz, 24.07.2001). The petitioners, who included parents and children from a number of unrecognized villages, parents’ committees and NGOs, represented by Adalah, demanded the dismissal of the head of the Authority for Bedouin Education and the appointment of a new head to be drawn from the Bedouin community. The petitioners also demanded the authority’s practices and budgets be placed under scrutiny until Shohat was replaced. The petition details many of the authority’s shortcomings, including the compromised integrity of its head, who had espoused racist sentiments about the Bedouin community.
In its ruling from 2004, the High Court of Justice dismissed the petition, as the head of the authority had been dismissed by the Ministry of Education in 2002. However, the state attorney announced that the Authority for Bedouin Education was to be dissolved and replaced by the regional council of Abu Basma by January 2005 (HCJ 7383/01). The decision to dissolve the Authority for Bedouin Education was a real success for the struggle for education, managing to dissolve an authority that was mainly busy with the preservation of the harsh condition of the schools in the unrecognized villages. Furthermore, in terms of the ongoing land struggle, this was yet another step towards the improvement of the Bedouin education in the unrecognized villages, supporting the long practiced ṣumūd and strengthening the connection to the land.

In 2003, a group of parents and NGOs petitioned the High Court of Justice to require the Ministry of Education to appoint additional counselors in order to reduce drop-out rates in Bedouin schools. In its ruling, the High Court of Justice acknowledged the disparity in the number of counselors among Jewish and Arab schools. As with previous legal motions, the Ministry of Education responded that it would provide allocations to support the hiring of counselors and the petition was dismissed (HCJ 6671/03). In 2004, another petition involving the lack of educational staff was filed. This time, the focus was the relative lack of educational psychologists in Bedouin municipalities in the Negev, in comparison to Jewish municipalities. The petitioners, including parents, parents’ committees and NGOs, demanded that the allocation of psychologists be made according to standards of equality. Again, the Ministry of Education moved to increase the
number of psychologists in Bedouin localities and the petition was dismissed (HCJ 4177/04). While these broad petitions addressed the whole Bedouin education system, it managed to bring more staff and support to the schools of the unrecognized villages as well. Strengthening the education system in the villages served once again, to enforce their residents firm hold to the land.

In 2003, 2004, and 2005, respectively, another three petitions were submitted to the High Court of Justice (HCJ 3757/03; HCJ 5108/04; HCJ 10030/05), emphasizing the lack of kindergartens in Bedouin unrecognized villages. The first two petitions were submitted on behalf of 43 children from the Bedouin unrecognized villages az-Zaʿarūrah and Bīr al-Mšāš. In light of the absence of kindergartens, the petitioners demanded the Ministry of Education open kindergartens for children aged 3-4 in the villages. The petitioners withdrew their first petition, as the state claimed that the law that enabled the opening of new kindergartens had been shelved and no additional kindergartens were to be built. Upon discovering that the Ministry of Education had in actuality opened new kindergartens regardless of this assertion, the petitioners filed again.

In response to the second petition (HCJ 5108/04), the respondents stated that “the petitioners’ parents broke the law when they established their village without legal planning” (HCJ 5108/04 (CR): 2). “In this situation,” the state claimed, “the petitioners cannot demand the state to provide them with services in every place they have built houses” (HCJ 5108/04 (CR): 3). These arguments against providing education in unrecognized villages clearly tie the struggle for
education and the production of space. According to the state, education will be fully provided only in legal settlements and therefore, it is logical to withhold it from people residing in the unrecognized villages. Disregarding the historical context in which these villages became unrecognized, the state justifies the prevention of education by the illegality of the villages. Particularly, both az-Zaʿarūrah and Bīr al-Mšāš existed before the state’s establishment. Hence, education becomes a clear weapon in the hand of the state, using it as an instrument to remove the residents of the unrecognized villages into planned towns. Simultaneously, it is a weapon in the hands of the Bedouin which uses it inter alia to strengthen their hold on the land.

Accepting the state’s claim that it was impossible to establish kindergartens in the villages without civil planning, the High Court of Justice dismissed the petition and suggested that the sides continue to explore transportation of the children to nearby Bedouin towns (HCJ 5108/04). While the judges emphasized in their ruling the importance of the right to education as a fundamental human right, they opted in favor of the state. They stressed that the petition had raised two central questions: whether the court should contravene the state’s position that a kindergarten cannot be established in an area without civil development plans, and whether the Ministry of Education is meeting its obligation to fulfill the educational needs of these Bedouin children.

In light of the first question, the court determined that in the absence of a civil master plan, it would not intervene. To the second question, the court
acknowledged that educational services were indeed inaccessible by these children, yet “granting transportation to villages that are not recognized,” it stated, “might undermine state interest by expanding these villages” (HCJ 5108/04 (CR): 7). These assertion made by the judges reveals the subtext behind the struggle for education. Stressing that granting the unrecognized villages with more educational services might lead to their expansion, court understand the consequences of ruling in favor of providing services for these villages in terms of the production of space in the Negev. While on the ground it was a discussion about the right to education, as the discussion advanced it delved into the real question – the existence of the unrecognized villages. In their final ruling, the judges prioritized state planning interests over the right to education. The petition was thus rejected.

The third petition, filed in 2005, was only on behalf of children from the village of az-Zaʿarūrah. With a new school that included kindergartens established in the unrecognized village Bīr al-Mšāš in July of that year, the residents of az-Zaʿarūrah found themselves alone and without solutions. The petitioners demanded, yet again, that the Ministry of Education either open kindergartens in the village or provide transportation for the children to kindergartens outside their village. In 2006, the High Court of Justice rejected the petition on the grounds that the Ministry of Education did not provide transportation of any kind for such young children, and that it would be impossible to sanction construction of kindergartens in “illegal settlement clusters” (HCJ 10030/05).
This petition further exposed the state’s priorities. Israel’s land interests were to be granted clear precedence over Bedouin children’s right to education. While the petitioners claimed that “the right to education should be accessible, regardless of the lack of recognition of the village” (HCJ 10030/05 (CR): 2), the main claim made by the respondents, who included a variety of governmental entities, was that the Ministry of Education did not provide transportation to any children of such young ages. Furthermore, “Particularly because the matter here is of clusters of illegal construction, [...] a response to the petitioners’ request will in practice be backing this construction and will harm the efforts made to regulate the Bedouin settlement” (HCJ 10030/05 (CR): 2). While the respondents claimed on the one hand to be attempting to regulate Bedouin settlement in the Negev, they acknowledged the need to grant Bedouin residents of the ‘dispersion’ with vital services in the interim. The High Court of Justice surmised that all of the problems would be solved when Bedouin settlement in the Negev was regulated. Until then, residents should seek creative alternatives. This statement made by the court clearly connects education and land, stressing that when the process of production of space according to state interest will be fulfilled, every child will be granted proper education. Until the end of this process, education can serve as an instrument to advance it.

In 2005, NGOs supported 35 9th-12th grade Bedouin students living in the area of Abu Tlūl in a petition to the High Court of Justice demanding the Ministry of Education establish a high school in the village. The petition preceded the recognition of Abu Tlūl by the Israeli Government in 2006. According to the
petition filed by Adalah, approximately 750 high school students in the area of Abu Tlūl were transported each day to schools in the Bedouin towns of Şgīb as-Salām and ‘Ar’arah an-Nagab. The commute, Adalah argued, had contributed to a very high dropout rate, especially among girls. The petition claimed that the respondents, including the Ministry of Education, the District Planning and Construction Committee and others, were in violation of the obligation to grant compulsory education, free of charge, to the entire population. Furthermore, the situation comprised a violation of the principle of equality, and of the petitioners’ right to equal opportunities. The Ministry of Education ordered the establishment of the requested high school and the petition was dismissed in January 2007 (HCJ 2848/05).

By September 2009, however, the promised high school of Abu Tlūl had still not been built. The petitioners appealed again to the High Court of Justice, demanding the issuance of a *decree nisi*. In the wake of the second filing, the high school was finally opened on August 27, 2012. The High Court of Justice dismissed the now redundant petition, but again stressed in its decision that the petition had contributed, if only partially, to the eventual establishment of the school (HCJ 7562/09). When the high school was opened, the village of Abu Tlūl was already recognized by the state. While in terms of the land struggle, this petition had less significance, in terms of the educational struggle, the opening of the high school dramatically changed the lives and education of the residents of Abu Tlūl and its surroundings.
In 2005, residents of the Bedouin village of al-Fur‘ah, represented by Adalah, filed a petition to the High Court of Justice demanding a paved access road and the establishment of a safe intersection leading from the main road to the school. The High Court of Justice recognized the need to pave the road and criticized state authorities for the fact that the residents had been required to file a petition in order to obtain it. In addition, despite claims by the state that significant budget allocations would be needed for the establishment of an intersection, the High Court of Justice demanded its prompt and immediate construction. State authorities relented and the petition was dismissed. Yet by 2011, road-works had still not been carried out. The petitioners reapplied to the High Court of Justice, asking for a contempt of court order and significant penalties against the responsible authorities. Not until 2013, when the road was finally paved and a secured intersection established, was the petition finally dismissed (HCJ 6773/05). In 2008, residents of the recognized Bedouin village of as-Sayyid petitioned to the High Court of Justice on a similar issue. The petitioners, represented by Adalah, demanded a paved access road to the village’s school. Again, the respondents agreed to pave the road and the petition was dismissed (HCJ 9817/08).

Both petitions managed to bring actual infrastructure to the villages. While the village of as-Sayyid is one of the newly recognized villages, the recognition of the village of al-Fur‘ah was halted in early stages. These paved road, besides improving the quality of life in the villages, yet again reinforce the ongoing Bedouin struggle to remain on the land, managing to force the state to invest
large budgets in infrastructure in the villages. While a paved road cannot guarantee the future existence of a village, it is for sure strengthens its present existence.

In 2010, Adalah represented 70 parents and children from the Bedouin unrecognized village of Ṣwāwīn in their appeal to the High Court of Justice. The petitioners demanded an elementary school in Ṣwāwīn, a village of some 1,200 residents. They claimed that the state’s offer to transport young children each day to the schools in the village of Abu Tlūl was problematic and insufficient. In a short ruling by the High Court of Justice, the judges stated, “Sadly, in the current condition, among others the issue of planning statutes, there is no better solution” (HCJ 9057/10 (CR): 1).

Thus, the Ministry of Education, charged with the implementation of Israeli education laws (see section 3.1.2), argues against their fulfillment in the unrecognized Bedouin villages. In its defense, the Ministry of Education claims that it would like to open kindergartens and schools, but that it is prevented from doing so by the Ministry of Interior, who will not allow construction in villages without civil master plans. The lack of master plans is a part of the Israeli policy of unrecognizing the already unrecognized villages. Within this ongoing struggle, the use of planning laws in order to justify the decision not to open a school in Ṣwāwīn is a clear win for the state, winning two battles in one, the struggle against the opening of new schools and struggle over land, by preventing basic services from its residents. As made explicit by the High Court of Justice judges,
the state has clear interests at stake; a ruling in favor of the petitioners would undermine state effort to move these villages.

In response to the original petition to connect Bedouin schools to electricity (HCJ 4671/98), schools were connected to generators, rather than to the public utility service. In 2009, residents of the village of Abu Tlūl appealed to the High Court of Justice, requesting the Ministry of Education and other authorities be compelled to connect the village’s schools to the national electricity grid. The respondents agreed to connect the schools and the petition was dismissed (HCJ 5475/09). In 2013, Adalah filed another petition to the High Court of Justice on behalf of parents from three recognized villages demanding seven schools be connected to the public electricity grid. The petitioners claimed that generators could not provide electricity in sufficient quality, quantity or continuity for the operation of the schools. The petition remains under discussion by the High Court of Justice, but some of the schools mentioned therein have since been connected to the national grid (HCJ 5247/13). As all of these schools are located in Bedouin recognized villages, the connection of the schools to electricity can serve to advance the connection of the residents’ houses as well.

A review of the 15 aforementioned petitions on behalf of Bedouin communities reveals that, over the past 17 years, the High Court of Justice has indeed served as a pivotal arena for the struggle for education in the Negev. Even though nine of the petitions were dismissed as they became redundant, it is clear that appeals to the High Court of Justice have been instrumental in compelling
state respondents to accede to the petitioners’ demands. In a number of rulings, judges explicitly stressed that changes had come about only in response to the petitions and even criticized state authorities for compelling citizens to apply to the court in order to receive basic services (HCJ 4671/98; HCJ 5221/00; HCJ 7562/09).

This set of petitions underscores the important role played by legal NGOs in the Negev, who were partners in 14 of 15 petitions. Trained attorneys providing pro bono consultation and litigation made possible the filing of so many petitions to the High Court of Justice. In addition, the presence of many other NGOs, who joined these appeals as petitioners, strengthened the chorus for change in the Negev. To this day, the judicial front remains of the main arenas in the struggle for education. With this proven instrument, many residents, backed by NGOs, are considering opportunities to petition the court on a range of outstanding issues concerning the Bedouin education system in the Negev.

While these petitions were in the level of the text concerned with a variety of educational issues, their subtext was clear. The meaning of providing unrecognized villages with proper educational services, including new kindergartens and schools, paved roads and electricity, was the strengthening of their existence. As evidenced by these petitions, the High Court of Justice tends to espouse state logic, preventing the establishment of new educational institutions in unrecognized villages. Yet in some cases, the Bedouin community managed to advance its own interests.
As Table 3 shows, the majority of petitions have concerned newly recognized Bedouin villages and managed to bring about change on the ground. In the case of the unrecognized villages, however, the High Court of Justice has proved yet another arena reluctant to alter the balance of power in favor of the Bedouin community. In these cases, the High Court of Justice tended to wholly accept the state’s argument that the establishment of new institutions would compromise its efforts to regulate Bedouin settlement in the Negev, proving the firm connection between the struggles for land and education.

3.4 Withdrawing Education to Relocate Villages: The Wādi an-Na‘am Case Study

With some 10,000 residents, the village of Wādi an-Na‘am is the largest Bedouin unrecognized village in the Negev. The village is located near the Neot Hovav industrial council, where a variety of factories dealing with hazardous materials operate. According to a petition to the High Court of Justice by the residents of Wādi an-Na‘am, the village had been moved to this location during the mid-1950s by the military regime, yet remained unrecognized (HCJ 1705/14). Wādi an-Na‘am therefore existed in the area prior to the establishment of Neot Hovav in the 1970s.

As the public health impact of the industrial council was yet unknown, the Ministry of Health ordered an epidemiological survey from 1995 to 2000 to examine whether the factories in operation in Neot Hovav posed a risk to the health of nearby residents. The results, published only in 2004 following a
petition to the High Court of Justice by Ramat Hanegev Regional Council (HCJ 5364/04), were mostly inconclusive. However, the Ministry of Health asserted that the local residents were in serious danger. One of the significant findings of the survey was that given their proximity and exposure to the industrial site, the local Bedouin community was highly vulnerable (Knesset, 2004).

Government resolution 2561, accepted in 2000, declared a new neighborhood for families of the al-ʿAzāzmih tribe to be established in the Bedouin town of Šgīb as-Salām. In August 2004, this plan was shelved due to the proposed site’s proximity to Neot Hovav. Recently, the plan to move the al-ʿAzāzmih tribe from Wādi an-Naʿam to Šgīb as-Salām has been placed back on the table. Formally, the Israeli planning authorities are considering an amendment to the district master plan (2/23/14/4) that includes a change of land designation at the southern part of Šgīb as-Salām. In reality, the discussions have largely concentrated on plans to move the village. In a 2013 meeting of the Deputy Committee for Fundamental Planning Issues’ (DCFPI), it was openly noted that the target behind the change of designation is to “settle the Bedouin population” (DCFPI, 2013: 12).

In all of the committee’s meetings, the key issue has been the plan to transfer the three schools of the village, al-ʿAzāzmih A, B and C, to Šgīb as-Salām. Although no agreement has been reached for the relocation of families, planners admit there are advanced plans to move the schools first. In the past two years, state authorities threatened shortly before the beginning of the academic year to remove the three schools to Šgīb as-Salām. In discussion of objections filed
against the amendment to the district plan, a representative of the town of Šgīb as-Salām confirmed that there is indeed a plan to relocate the three schools from Wādi an-Naʿam to the town (DCFPI, 2013: 100). The state’s comprehension that the first step in the process of moving the whole village of Wādi an-Naʿam should start with the relocation of the schools exposes the firm connection between the two struggles in the matter. Using education as a leverage to drag the residents into Šgīb as-Salām, the state takes advantage of governmental services in order to organize space according to its vision.

The firm opposition of the residents of Wādi an-Naʿam to be forcibly urbanized within Šgīb as-Salām is well known to all state authorities. In the DCFPI discussion from 2013, Labad Abu Afash, the head of the popular committee of Wādi an-Naʿam, stated, “The population does not want Šgīb as-Salām [...] in the last years they [state authorities] said that they want to move the three schools to Šgīb as-Salām. We objected, [...] we will not move to Šgīb as-Salām, by any means whatsoever” (DCFPI, 2013: 105). Abu Afash added, “We request an agricultural village that will suit our Bedouin way of life” (DCFPI, 2013: 106). In another discussion of objections to the plan, Musa Abu Bnayih, the head of the schools’ parents’ committee, asserted that “the state for years tries to move the village of Wādi an-Naʿam. The government ministries as well as the planning authorities ignore our outcry” (DCFPI, 2014: 79). Furthermore, in March 2014, the residents of Wādi an-Naʿam filed a petition to the High Court of Justice requesting cancellation of the district master plan (2/23/14/4) and initiation of fresh negotiations toward a mutually agreed solution (HCJ 1705/14).
During the objections discussion, a representative of the District Planning Committee explained that there was not yet a decision about the character of the settlement that was to be established, emphasizing that the discussion was simply a matter of land designation (DCFPI, 2013: 114). Yet, he also stated that the planned expansion of Šgīb as-Salām was for the al-ʿAzāzmih tribe (DCFPI, 2013: 119). Nevertheless, the representative of the Authority for the Regulation of Bedouin Settlement in the Negev (ARBSN) admitted that “for such a large population of 10,000-14,000 people, you cannot plan a community settlement or a family farm” (DCFPI, 2013: 128). Hence, the state advances its plans, disregarding the residents’ ongoing objections, pronounced in every available medium. Therefore, this case study serves as a current evidence of the ongoing struggle on the production of space in the Negev, with the state aiming at concentrating the residents of the village in a planned town, yet the residents demand to remain in place and be recognized as an agricultural village.

While the planning authorities claim that relocation of the schools is due to their proximity to Neot Hovav, the popular committee of Wādi an-Naʿam claims that it is the first step in the state’s plan to transfer the entire village into Šgīb as-Salām. In 2013, a representative of ARBSN claimed that the only reason for the rush concerning the planning of the al-ʿAzāzmih schools was a request from the Ministry of Environmental Protection and the Ministry of Education, who stressed the risks of leaving the schools in their present location (DCFPI, 2013: 126). Yet, the leaders of the village of Wādi an-Naʿam disagree. In a 2014 DCFPI meeting, while a large demonstration against the transfer of the al-ʿAzāzmih
schools was held outside, Abu Afash explained to the committee that “they [state authorities] try to move our children to Šgīb as-Salām in order to put pressure on us and move us to Šgīb as-Salām” (DCFPI, 2014: 78). Therefore, even if the state’s claim that the schools must be moved given a serious danger, it uses this problem in order to force its preferred solution on the residents of the village.

While there is no consensus between residents of Wādi an-Na’am and the state about the future of the village, state authorities have already determined its future through the planned transfer of the village’s schools to Šgīb as-Salām. State officials have made clear their intention to destroy the village and relocate its residents. Furthermore, despite residents’ ongoing refusal to move, state authorities have continued to advance their plans. In the SCFPI meeting from 2014, attorney Rawia Aburabia of ACRI asserted that the issues of the schools and the village’s future cannot be addressed separately (DCFPI, 2014: 89). Additionally, according to a public auction announced by the Ministry of Agriculture and Rural Development on December 29, 2014, about 2,000 families from Wādi an-Na’am are to be moved into Šgīb as-Salām (Ministry of Agriculture and rural development, 29.12.2014: 74). Aburabia’s stance exposes the firm connection between land and education issues. While the focus of the discussion is allegedly the schools, it is clear to all sides of this dispute that the main issue is the unrecognized village versus the town.

Hence, after almost 30 years of negotiation, the residents of Wādi an-Na’am have found themselves back at square one (DCFPI, 2014: 89). The right to
education is the first front in the state’s effort to move the village. As stated by Abu Bnayih:

“We care about our children’s destiny, it’s true that we need education, we need it and we encourage it, but not in coercion, and only within our village” (DCFPI, 2014: 79).

The parents of Wādi an-Na‘am want their children to receive education, yet they will struggle for their right to choose where and how they live their lives. As Aburabia explain, by transferring the schools, the state establishes facts on the ground that will advance relocation of the entire village against residents’ wishes (DCFPI, 2014: 89). Despite the impending closure and relocation of the schools, the head of the parents’ committee remains unequivocal, “The children of Wādi an-Na‘am will not study in Šgīb as-Salām” (DCFPI, 2014: 79).

In summary, the Wādi an-Na‘am case study is significant to this work for several reasons. First, it exposes the ways in which state prevents education from an unrecognized village yet is willing to grant it within a governmental planned town. Second, it uncovers the Bedouin residents’ stance, eager to receive the best education for their children yet prepared to conduct an ongoing struggle, even when education is at stake, in order to remain in their village and choose their way of life. Third, this case study reveals the ongoing struggle on the production of space in the Negev and the significant role education plays within it. In the particular struggle of Wādi an-Na‘am, the subtext moves to the surface, exposing that the struggle over education serves as means of struggle over space.
4. Conclusion

Since 1948, the Negev desert has been shaped by various forces aiming to organize space according to their own visions. While the state of Israel has endeavored to concentrate the Bedouin community within a few towns on a reduced amount of land, striving to Judaize the Negev and ‘make the desert bloom’, the Bedouin community has struggled to remain on its ancestral lands and to maintain its unique way of life. In this thesis, I focused on the seemingly distinct struggles for land and education in order to expose the firm connection between them, claiming that the struggle for education has been serving also as a part of the struggle over land.

As described above, in the 1990s, members of the Bedouin community identified the universal approach of the Israeli education laws. Applying to every child within Israeli boundaries, these laws allowed the Bedouin community to initiate a new struggle, within Israeli legal framework. Yet, this struggle was not concerned only with education. As the Israeli planning and construction laws outlawed the Bedouin villages already in the 1960s, education became a proper front to keep advancing the struggle to remain on the land, practice ṣumūd and fight over the organization of space in the Negev.

Even before the Bedouin community’s “discovery” of the right to education, the state utilized it to promote its interests. The state has wielded education to force residents of unrecognized villages into planned governmental towns since the late 1960s, claiming that such services can be allocated only there. Yet, in the
1990s, the struggle over education foiled this method by demanding education to be provided within the villages. State authorities have deliberately withheld services from these villages, stating that residents would receive the full range of public services if and when they move into a town, aiming at reorganizing space according to state plans. But the struggle for education managed to undermine this tactic by leveraging the state’s own laws to force authorities to supply services in the villages. With basic governmental services begun to be provided within the villages, the struggle for education ended up strengthening the hold of the Bedouin on their land.

The High Court of Justice petitions displayed above exposes the firm connection between access to education and the land struggle. The rulings in favor of Bedouin demands did promote the right to education as well as strengthened the unrecognized villages. The rulings in favor of the state exposed the state’s interests to be realized by withholding education from the villages. While reading the court’s rulings on these matters, one might assume that these petitions were concerning land issues instead of educational services. Directly addressing planning and construction laws while discussing the right to education, even the High Court of Justice joined the state in its struggle against the unrecognized villages. Thus, education has become a means in the hands of both the Bedouin community and the State of Israel in the struggle over the production of space.

The case study of Wādi an-Na‘am demonstrates how the state uses education
as leverage in its efforts to transfer an entire village. Understanding the
importance of education for local residents, state authorities acknowledged that
the relocation of the schools will drag the community into the nearby town. Yet,
the residents of the village, struggling to remain in place, uses education as well
in their struggle, as they already stopped the schools from working for long
periods in the past, and are willing to do so again if the schools will be relocated,
threatening that their children will not study if the schools will be relocated. Once
again, it is proven that the struggle for education cannot be understood out of the
context of the broader struggle over lands.

The mass daily transportation of Bedouin pupils exposes the willingness of
the state to damage educational outcomes in order to promote national land and
planning interests, as well as the high price paid by residents of the villages in
order to remain on their ancestral lands and maintain their traditional way of life.
The transportation solution can be considered as a partial service that is granted
for the unrecognized villages, not exactly within them, leaving both sides with
their interests fulfilled only to some extent. Yet, by paying the full expenses of the
school buses, the Ministry of Education violates its own regulation, willing to do
so in order to avoid the opening of new schools. Therefore, in order to weaken
the Bedouin land struggle and promote state plans, rules can be bent.

By and large, space in Israel is produced by state apparatuses. Yet, the
creativity, tenacity and willingness to sacrifice of the Bedouin community have
impacted these processes in the Negev desert. Through years of struggle, the vast
majority of the unrecognized villages continue to exist, and eleven have even gained recognition. Therefore, the ongoing struggle over the production of space in the Negev is a reciprocal one, with the Bedouin community managing to fight back while recruiting different methods of struggle.

The study of simultaneous struggles unfolding in a singular space can shed light on the ways in which the struggles shape one another and produce contested spaces. Many community-led struggles have unfolded in the Negev over the years and warrant further research. Such struggles include the struggle for recognition of unrecognized villages, the struggle against the Prawer Plan and the struggle against house demolitions.

The struggle over education, studied within the context of the ongoing land dispute in the Israeli Negev, was proved to be a significant instrument in this ongoing land struggle. Utilized by the state as well as the Bedouin community, education became a means of strengthening connections to the land as well as a right that can be leveraged in order to relocate communities. While at a first glance the struggle for education can be analyzed as a civil rights struggle, it was actually a part of a much broader struggle over the production space in the Negev desert.
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**Statistical Data**


Appendix

Figure 3: Map of the Bedouin Unrecognized Villages in the Negev

(Source: The Regional Council of the Bedouin Unrecognized Villages)
Table 4: Schools in Bedouin Unrecognized Villages

<table>
<thead>
<tr>
<th>Village⁸</th>
<th>Institution Name</th>
<th>Year of Establishment</th>
<th>Number of Pupils in 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>'Tal 'Arād</td>
<td>Tel Arad</td>
<td>1971</td>
<td>338</td>
</tr>
<tr>
<td>al-Furʿah</td>
<td>al-Furʿah Rosh Zohar</td>
<td>1975</td>
<td>870</td>
</tr>
<tr>
<td>Wādi an-Naʿam</td>
<td>al-'Azāzmih B</td>
<td>1976</td>
<td>818</td>
</tr>
<tr>
<td>Khirbit al-Watan</td>
<td>Al-Amal</td>
<td>1996</td>
<td>709</td>
</tr>
<tr>
<td>az-Zarnūg</td>
<td>Neve Midbar</td>
<td>2000</td>
<td>964</td>
</tr>
<tr>
<td>Wādi an-Naʿam</td>
<td>al-'Azāzmih A</td>
<td>2004</td>
<td>868</td>
</tr>
<tr>
<td>Bīr al-Mšāš</td>
<td>Bir al-Mashosh</td>
<td>2005</td>
<td>573</td>
</tr>
<tr>
<td>al-Furʿah</td>
<td>al-Furʿah B</td>
<td>2005</td>
<td>544</td>
</tr>
<tr>
<td>'Abdīh</td>
<td>Ovdat</td>
<td>2006</td>
<td>233</td>
</tr>
<tr>
<td>Wādi an-Naʿam</td>
<td>al-'Azāzmih C</td>
<td>2009</td>
<td>203</td>
</tr>
</tbody>
</table>

(Source: Ministry of Education, 2014)

⁸ The names of the unrecognized villages does not appear in the Israeli Ministry of Education's database and were added by the author.
Table 5: Schools in newly recognized Bedouin villages

<table>
<thead>
<tr>
<th>Village</th>
<th>Year of Recognition</th>
<th>Year of Establishment of First School</th>
<th>Number of Elementary Schools</th>
<th>Number of High Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Umm Batīn</td>
<td>1999</td>
<td>1961</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Abu Grīnāt</td>
<td>1999</td>
<td>1971</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Abu Tlūl</td>
<td>2006</td>
<td>1971</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Mūlada’ḥ</td>
<td>1999</td>
<td>1973</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Gaṣir as-SIRR</td>
<td>1999</td>
<td>1973</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>as-Sayyid</td>
<td>2000&lt;sup&gt;9&lt;/sup&gt;</td>
<td>1976</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Kuḥlih</td>
<td>1999&lt;sup&gt;10&lt;/sup&gt;</td>
<td>1996</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Drijāt</td>
<td>1999</td>
<td>2000</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Bīr Haddāj</td>
<td>1999</td>
<td>2000</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Tarābīn aṣ-Ṣāniʿ</td>
<td>1998</td>
<td>2005</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Makḥūl</td>
<td>1999</td>
<td>2012</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>

(Source: Ministry of Education, 2014)

<sup>9</sup> At first the decision was that as-Sayyid will become a neighborhood of the nearby Bedouin town of Hura, later it was decided that it will be recognized as an independent village.

<sup>10</sup> The government’s intention was to establish one village, named Mar’it, which will include Drijāt, Kuḥlih and Makḥūl, given the objection of their residents these three villages were recognized separately.
Pounding Pencils in the Ground: The Role of the Struggle for Education in the Production of Space in the Israeli Negev-Nagab

Thesis Submitted in Partial Fulfillment of the Requirements for the Master of Arts Degree (M.A)

Michal Rotem

Under the Supervision of Prof. Neve Gordon

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Ben-Gurion University of the Negev
The Faculty of Humanities and Social Sciences
Department of Politics and Government

Pounding Pencils in the Ground: The Role of the Struggle for Education in the Production of Space in the Israeli Negev-Nagab

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Signature of student: _______________ Date: _____________

Signature of supervisor: _______________ Date: _____________

Signature of chairperson
of the committee for graduate studies: _____________ Date: _____________

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Abstract

The land dispute between the Bedouin community in the Negev and the state of Israel has been studied by a variety of scholars in terms of the issue’s legal aspects, historical context and political struggles. This thesis adds another layer to the existing literature by examining how the struggle over access to education influenced the production of space in the Negev (in Arabic: Nagab) desert. In this way it exposes the significant role of education in the organization of space.

I aim to elucidate how the struggle over the right to education has become a key instrument in the state’s efforts to gain control of the Bedouin’s land. Presenting the ways in which the state grants and prevents Bedouin citizens’ access to education in order to expropriate land, as well as the ways in which the Bedouin community’s struggle to protect their right to education serves to strengthen their hold on the land, this thesis illustrates how struggles over land and education have mutually shaped one another.

The main argument I aim to substantiate in this thesis is that while on the surface, the ongoing struggle for education, which is being studied in this thesis for the first time, has indeed been a struggle over this basic human right, it has also been part of the struggle over land in the Negev. Identifying the right to education as a universal right within Israeli and international law, the Bedouin community utilized the struggle for education in order to tighten its connection to the land and to maintain the unrecognized villages. At the same time, the state of Israel, understanding the importance of education for the Bedouin community,
started using the access to education as a leverage, to strengthen and weaken communities, in order to organize space according to its own plans. Hence, these struggles, I argue, were not only connected, but the struggle for education was actually the most significant component of the ongoing land struggle during the 1990s and early 2000s.