

Antiquities Sites and their Incorporation in the Development of Palestinian Localities in Area C – the South Hebron Hills as a Test Case

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Background

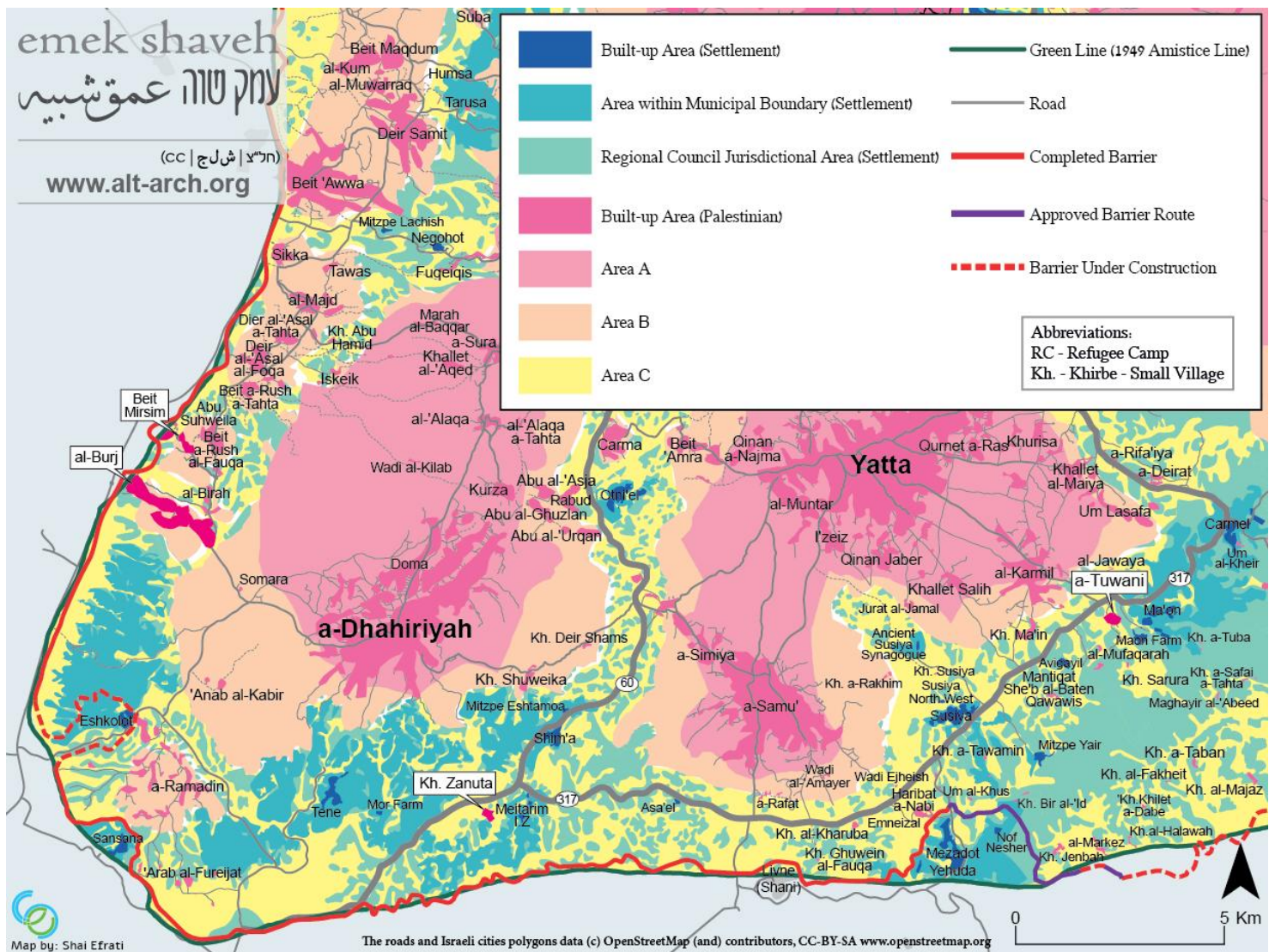
The planning and development of localities in the West Bank requires dealing with antiquities sites and archaeological areas. Often, under such circumstances, the question arises: is it possible for construction to be combined with the welfare of the residents, while also preserving and safeguarding the historical remains? Below, we focus on four villages in Area C in the South Hebron Hills that are built on antiquities sites, examining the manner in which the authorities conduct themselves in this realm.

The mountain south of the city of Hebron is characterized by a scattered rural settlement. The largest locality in the South Hebron Hills is the village of Yatta, which is under complete Palestinian rule (Area A). Yatta is surrounded by many villages, with populations ranging from the dozens to the thousands. Almost all of the Palestinian localities are built on antiquities sites. In most of the cases, the ancient part of the village is the heart of the antiquities site, and the village itself developed in various directions which are less saturated with antiquities. One of the challenges facing village residents and planners who work with them is to integrate the needs of the residents while fulfilling requisite obligations to the legal authorities, and at the same time, to protect the antiquities and ensure their preservation.

In the first part of this document, we will concern ourselves with two localities that have an outline plan, which enables building and development – the villages of Beit Mirsim and al-Burj. In the second part, we focus on two sites that lack a proper outline plan: the village of At-Tawane, where a process of preparing an outline plan vis-à-vis the Civil Administration is underway, and Khirbet Zanuta, where residents who desire to remain on their lands are waging a struggle against the Civil

Administration, which is calling for their eviction on the grounds that they are residing on an antiquities site.¹

To our understanding, the test case is those localities in which an outline plan was approved, since they can and should serve as an example for integrating building with the proper protection of antiquities sites.



¹ A Hass, [Civil Administration calls for demolition of West Bank Palestinian village built on archaeological site](#). Haaretz, July 26, 2012.

1. Beit Mirsim

Beit Mirsim is located approximately 20 kilometers southwest of Hebron, in the West Bank, near the Green Line. The residents, numbering approximately 300, make their livelihood from agriculture and working in Israel. The separation barrier between the Occupied Territories and Israel was erected several years ago in the western part of the village. There are a number of antiquities sites on the village lands. West of the village, to the west of the separation barrier is an archaeological mound known as "Tel Beit Mirsim," whose remains were excavated and dated from the 22nd c. BCE (Early Bronze Age III) - 6th c. BCE.² Within the present-day village limits, near the separation barrier, salvage excavations were carried out that unearthed remains of a church, a burial structure, industrial buildings and pottery from the Byzantine Period through the Ottoman Period. Shards from the Ottoman period as well as... a modern cola can, were found in the church crypt, testifying that the location is in use to this day.³

The historical core of the village is located at the top of the mountain, just a few hundred meters from where the church was exposed. The ancient houses can be identified by the chiseled brownish building stone, secondary use of stones gathered in the area, and arched doorways. Alongside the residences, the remains of walls, portions of columns, and arches were found, as well as many shards scattered around the area. A paved access road and dirt paths service the residents. A grinding stone from an ancient olive press stands in the center of the paved road.

The village of Beit Mirsim developed to the east, and a considerable portion of the houses were built in recent years on these hills. The village's urban plan includes construction on known and apparently central archaeological grounds, as well as

² W.F. Albright, "Beit Mirsim, Tel," from *Ha-Encyclopedia ha-hadasha le-hafiroi arkhaeologiyot b-eretzi yisrael* [Heb.], E. Stern (ed.), vol. I, 192-195.

³ M. Ein Gedi and K. Golan, "Tell Beit Mirsim," [Heb.], *Hadashot Archaeologiyot* 119, 2007.

construction on the nearby hills which are distanced, albeit barely, from the heart of the antiquities site. The decision to neither evacuate nor destroy buildings in the historical core area of the village makes it possible to protect the antiquities and allow life to continue alongside them. In the case of Beit Mirsim, the outline plan recognizes the right of the residents to continue living in their homes on the Tel, and enables them to expand to the direction of the antiquities site.



Beit Mirsim – archaeological remains and village homes today



Beit Mirsim – square in village center (and most ancient portion) – millstone

2. Al-Burj

Al-Burj, located approximately two kilometers south of Beit Mirsim, is home to 2,000 residents. Like Beit Mirsim, most of the residents earn their livelihood from agriculture or work in Israel. The ancient remains are located in the western part of the village on three contiguous hills. The most significant remains are located on the central hill. In addition to the remains of walls, parts of buildings and water cisterns, a central building as been preserved that is approximately one hundred meters long, several dozen meters wide, and approximately five meters high. The structure was identified as a Crusader fortress.⁴

⁴ M. Kokhavi, "Eretz Yehudah," in M. Kokhavi (ed.), *Archaeological Survey in Judea, Samaria and the Golan, 1967-1968*, Jerusalem 1972, site 203.

The ancient structures of the village are characterized by a brown-beige color, and some are in secondary use. Alongside the central structure and above it, village residences were erected, which are in use to this day. The entire area is populated and includes dirt paths. The main road in the village is located some 20 meters from the Crusader fortress and faces East-West.

On the eastern hill is part of the core of the historical village, characterized by a brown-beige color with arched doorways. The character of the building recalls that found in the historical core of Beit Mirsim. The historical homes still serve the residents, and are part of the heart of the village. Building in the village is developing mainly towards the east, beyond the center of the antiquities sites, but in al-Burj, like Beit Mirsim, a certain integration of residences with antiquities can be discerned.



Al-Burj – historical core



Al-Burj – house built alongside and atop ancient remains



Al-Burj – village homes in the area of the fortress

3. At-Tuwani

The village of at-Tuwani is located approximately 15 kilometers south of the city of Hebron. Some 300 people reside there, most of whom (90%) make their livelihood through agriculture. In the summer of 2011, salvage excavations were conducted by the Archaeological Staff Officer of the Civil Administration. The excavation took place among the houses of the locality in various areas. The results were not published in an academic journal, but media reports related that remains of buildings from settlement during the Early Roman Period (Second Temple Period) were discovered, while the majority was from the Byzantine and Muslim Periods.⁵ Excavators at the site suggested that one of the buildings was a synagogue from the Second Temple (Early Roman) Period. This structure is located at the heart of the village of Tuwani, immediately adjacent to village homes. In the opinion of the excavators, the ancient locality served the Jewish population in the 1st-2nd century BCE, and a Byzantine Church exposed at the site testifies, they believe, to a change in the composition of the population.⁶

The archaeological excavation was carried out with the goal of preparing an outline plan to examine where the antiquities sites in the village were concentrated. Following the excavation, the Archaeological Staff Officer of the Civil Administration recommended the advancement of an outline plan for areas outside of the ancient core. The houses of the village built on the area of the historical core will not need to be destroyed or harmed, and residents can continue living in them.⁷ The Civil Administration was thus aware of the need to prepare an outline plan, and it

⁵ "Synagogue from the Second Temple Days," from *Tsafona ve-Negba – Shevu'on ha-Gar'inim ha-Toraniyyim*, vol. 44, 2012,

⁶ B. Har-Even, "[The a-Tuwani Ruins: Locality during the Second Temple, Roman-Byzantine, and Early Muslim Periods](#)," Preliminary Survey of the 2011 Excavation Season, from website of Susiya – An Ancient Jewish Town [Heb.].

⁷ Higher Planning Council, Oppositions Sub-Committee, Decision of June 17, 2012, pursuant to protocol 3.7.2009 9/5, Inquiry of Staff Officer for Archaeology, Par. 54.

appears that there is agreement that the main archaeological remains will be preserved and remain outside of the construction plan.

The plan is currently in preparation and until now has not been deposited with the Central Planning Office of the Civil Administration.



At-Tuwani – view towards the historical core of the village.



At-Tuwani – archaeological excavation near a house in the village.



At-Tuwani – archaeological excavation area near village homes.

4. Khirbet Zanuta

Khirbet Zanuta is a Palestinian village in the southwest Hebron Hills, near the Green Line. The 60 residents of the locality live in tents and in temporary structures on the grounds of the archaeological site. Almost all of the residents work in agriculture, and they use the remains of the antiquities as auxiliary buildings and animal pens. According to archaeological surveys conducted at the site and its surroundings, it appears that the site dates originally to Iron Age II (7th-8th c. BCE) and was later resettled during the Byzantine Period and until today.⁸ Khirbet Zanuta is the smallest of the sites surveyed in this overview. The majority of the archaeological remains are spread over an area of some 8.5 acres.

⁸ The site was surveyed by Kokhavi in an emergency survey (1968), by Guttman in 1969, and by Avi Ofer in the Mt. Judea Survey (1982). לא מצאתי את השמות לאמת את האיות בלועזית.

In 2007 and 2012, the Civil Administration issued demolition orders for the village houses and facilities. Residents of the village and the Association for Civil Rights in Israel petitioned the High Court of Justice. Among the reasons given for the demolition orders and the threat of eviction was the claim that the residents are occupying an antiquities site, and their residences cannot be properly regulated.⁹ The petitioners presented an opinion claiming that it was possible to create an outline plan that incorporated the antiquities site.¹⁰ The discussion on Khirbet Zanuta is still underway, and the parties are in mediation.



Khirbet Zanuta – structures and facilities of the residents, atop the antiquities.

⁹ H. Levinson, "HCJ to State: Solution Found for Residents of Village Slated for Demolition," *Haaretz*, July 30, 2012.

¹⁰ N. Daquar, N. Shalev, M. Bendel, "[Cancellation of Demolition Orders and Recognition of Village in Area C – Khirbet Zanuta](#)," [Heb.] Association for Civil Rights in Israel, October 13, 2013, and also A. Hass, "[West Bank village inhabited for 3,000 years faces eviction](#)," *Haaretz*, October 11, 2013.

As far as we understand, the claim of “damage to the antiquities site” arises from ignoring the right of the residents there and the possibility of integrating development of the locality with the antiquities, as has been achieved in many sites in the West Bank and in Israel.



Khirbet Zanuta – settlement among the archaeological remains

Archaeological Sites in Villages in Area C and the Political Context

The localities of Kfar Mirsim and al-Burj are located in the western part of the South Hebron Hills, very close to the separation barrier. These localities are close to additional Palestinian villages, and are not close to any Israeli settlement (the closest settlement is Negohot, approximately ten kilometers from the Palestinian villages). It appears that their convenient location enables residents to build in and develop their village with relative ease.

In contrast, the village of At-Tawane borders on the settlements of Maon and Havat Maon. The village suffers constantly from harassment by the settlers. Attacks on farmers, fruit trees and livestock are an inseparable part of village reality.¹¹ Upon exposure of the antiquities, Israeli archaeological tours began showing up in the village. The tour groups had armed IDF chaperones. These tours, focusing on remains identified as a synagogue and graves from the Second Temple, take place without coordinating with the residents, and arouse hostility and tension in the village.¹²

These tours make a clear political statement, declaring the right of Israelis at the location. Despite this, the Civil Administration supported the preparation of an outline plan for the village, and archaeological excavations were conducted as part of this plan. To date, the outline plan has not been deposited and certainly has not been approved.

The possibility of eviction looms over Khirbet Zanuta. This Palestinian locality is isolated and close to the Green Line from the south, and surrounded by settlements and Israeli industrial areas. To the best of our understanding, the Civil Administration's struggle against the residents of Zanuta arises from the desire to create a contiguous Israeli area, free of Palestinians to the extent possible. Eviction of village residents will facilitate future annexation of the area to Israel.

¹¹ A. Itieli, "[Some 100 Olive Trees Vandalized South of Hebron](#)," [Heb.] NRG, May 10, 2013, and also "[Archive for the tag A-Tuwani](#)," [Heb.] *Ha-hem*.

¹² See, for example, videos from an Israeli tour in the village on October 25, 2013; <http://www.youtube.com/watch?v=zzyLFKiGPxM>, <http://www.youtube.com/watch?v=cQ01ZhAabds>, <http://www.youtube.com/watch?v=HrdLueB4wU>, <http://www.youtube.com/watch?v=S7h9ROOAbVs>

Summary and Conclusions

The four examples presented in this document illustrate that the authorities lack a unified procedural policy for the villages and how to approach the challenge of integrating them optimally with the antiquities sites within their limits. While outline plans have been approved for some villages (Beit Mirsim and al-Burj) alongside or incorporating antiquities, the village of At-Tawane has been undergoing a protracted approval process. On the other hand is the extreme case of Khirbet Zanuta, in which the antiquities serve as a pretext for eviction of the residents from their homes. Remains from the past are presented as a threat to the community rather than as potentially serving as part of their heritage and a vehicle for strengthening their connection to the location.

In the reality of the Southern Hebron Hills, one cannot ignore the political considerations that have weight in decision-making for the advancement of outline plans. Archaeology is not an exact science, and the archaeologists rendering their professional opinions are often employees of the Civil Administration. One can see that the professional considerations to protect, excavate or develop an archaeological site in a Palestinian village are colored by political motivations and ultimately used as a means for tightening Israeli control.

Every archaeological excavation necessitates the destruction of antiquities and layers of settlement, and therefore it is recommended to refrain from excavating an historical village. Incorporating existing houses together with the prevention of archaeological excavations preserves the antiquities in the best fashion. Archaeology in general and ancient remains in particular are not merely an obstacle to construction – they constitute part of the landscape. The examples that we have presented illustrate that it is possible and necessary to integrate the protection of antiquities sites with residents' needs. It is desirable to advance construction plans at

the extremities of the core of the archaeological site, such that the area of the site will include the area of the locality as a layer in the history of the location. The sites and the localities cannot be separated, and therefore, damaging a residential area or evicting its inhabitants will harm the antiquities site itself.

Antiquities sites and archaeological areas constitute an inseparable part of the landscape and heritage and are thus inseparable from the identity of village residents. Any solution that does not integrate preservation needs with the residents' benefit generates animosity and is likely to cause harm both to the resident and to the antiquities. The Civil Administration is obligated to preserve and protect the antiquities sites, while maintaining dialogue and cooperation with the communities. The outline plans are an excellent opportunity for enabling the preservation of ancient remains while strengthening the local community.