

October 11, 2015.

To:
Regional Construction Committee South
4 Hatikva Street, Be'er Sheva

Objection to Construction Plan TML/1006

1. This objection is submitted by *De-Colonizer*, an organization that studies collective memory and historical denial in Israel. The main author, Eitan Bronstein Aparicio, wrote and submitted before objections to four other construction plans in sites occupied by Israel in 1948: Lifta, Hittin, Yahudiyya, and Summayl. Gideon Sulimani, an archaeologist, formerly of the Antiquities Authority and the Jerusalem District archaeologist in 2000-05, also participated in the writing of this text. 324 people from Israel and elsewhere joined the objection.
2. The core of our objection is the fact that the Palestinian town Hamama is not mentioned in the construction plan, despite the fact that part of its built-up area is included in the planned construction site, TML/1006.
3. We first request that the planning committee compiles an initial documentation file in accordance with the instructions of the planning administration in the Interior Ministry from 4th March 2008 (<http://moin.gov.il/SubjectDocuments/shimur/shimur02-tiud.pdf>). A condition for the approval of the plan is the preparation of a documentation file that will be brought to the municipal conservation committee of Ashkelon, and after approval will be added as an annex to the plan. The conclusions of the documentation file will be incorporated into the suggested plan. The file must incorporate the existing information on Hamama's history (we would be happy to help with the collection of such informations, including testimonies by former residents). Based on these documents, the construction plan must include a conservation annex that respects and conserves the heritage of the area on all its layers, together with the flora.
4. In addition, we request that the museum - to be established - includes a display about Hamama, and that the conservation of agricultural areas include signs about Hamama's history.
5. The construction plan involves the building of a new neighbourhood, 9500 housing units for 35,000 residents. According to the plan, "archaeological findings in 'the city of wine' park will be preserved, interpreted presented to the public, forming an active part of the daily life of residents and visitors" ("A new town in Ashkelon: thousands of apartments and areas of employment and commerce", Bizportal, 22 July 2014). This plan suppresses the fact that there were other archaeological layers on the site, such as Hamama.
6. The plan notes "the proximity of 'the city of wine' park, which includes impressive relics of a wine plant" (p. 2), and it "emphasizes the historical legacy of Ashkelon as a wine capital". It refers to "conservation of the site and its archaeological findings" (p. 15).
7. In addition to preserving archaeological findings inside the park, the construction plan specifies the establishment of a museum on areas 982-983 (p. 21). In our objection we request that the plan specify that the museum should present the town of Hamama as well.
8. In an annex on environment and landscape, the museum is defined as an "oil and wine museum", presenting Ashkelon as a 'wine empire' during the Byzantine era (p. 19). In the annex on archaeology and conservation it is noted that the wine industry was booming during the Byzantine era in the years 324-638AD. The findings include many structures for making wine and oil,

warehouses, fish ponds, a bath house and a large cemetery. This makes it clear that the museum is intended to display Byzantine history, and perhaps also Roman, Persian and Hellenist histories.

9. The plan applies the Antiquities Law regulations of 1978 to the area marked as a declared site. Although TMA 39 notes Hamama as an archaeological site, plan TML/1006 does not refer to Hamama in that way. In fact, Hamama was declared by the British as an archaeological site in 1944. It was surveyed by British archaeologists in 1882-87 and by Israelis in "Archaeological Survey of Israel", Nitzanim East map, sites 148-149 (Antiquities Authority web site). The Survey refers to the Roman, Byzantine, early Islamic, Mameluk and Ottoman periods. Hamama represents then continuous settlement over a period of 2000 years. All the relevant archaeological information should be attached to the documentation file.

10. The ICOMOS Charter for the Protection and Management of Archaeological Heritage of 1990, defines the need to protect archaeological heritage in the context of land use and development. In addition, the indigenous population must be part of the planning. In the Hamama case, the former population lives not far from the site and can provide useful information about it.

CHARTER FOR THE PROTECTION AND MANAGEMENT OF THE ARCHAEOLOGICAL HERITAGE (1990)

"Policies for the protection of the archaeological heritage should constitute an integral component of policies relating to land use, development, and planning as well as of cultural, environmental and educational policies. The policies for the protection of the archaeological heritage should be kept under continual review, so that they stay up to date. The creation of archaeological reserves should form part of such policies. The protection of the archaeological heritage should be integrated into planning policies at international, national, regional and local levels.

Active participation by the general public must form part of policies for the protection of the archaeological heritage. This is essential where the heritage of indigenous peoples is involved. Participation must be based upon access to the knowledge necessary for decision-making. The provision of information to the general public is therefore an important element in integrated protection."

11. Conservation conventions commit the State of Israel to expressing historical continuity and all past communities. Hamama and its Palestinian community were the last settlement in the area and therefore must be given expression in the plan alongside other periods. It cannot be skipped over without being mentioned.

12. The relics of Hamama are visible, in the vegetation, agricultural areas, as well as a few built-up relics, though not directly in the area of the plan. An aerial photo from 1949 shows that some of the houses of Hamama were found within the plan's area (p. 13 in annex on environment and landscape). At least part of the existing vegetation must have been planted and tilled by the residents of Hamama: olive trees, pomegranate trees, citrus, carob, prickly pears, sycamore fig trees, and so on. The prickly pears bushes visible in various photos are not mentioned as in need of conservation, notable in that prickly pears have come to symbolize the Palestinian villages destroyed by Israel in 1948. We request that the annexes on landscape be modified and that prickly pear bushes be conserved accordingly.

13. In a 2012 article titled "One place, different memories: the case of Ya'adMi'ar" Professor Tovi Fenster says: "Planning processes as took place in Ya'ad – erasing the memory of the Palestinian past – are part of routine planning in Israel". Shaping space in Israel "constructs space as Jewish by erasing the Palestinian past, oppressing and discriminating against Palestinian citizens of Israel. Spatial planning is used as a tool in applying such ideologies and expressing the wish of the Jewish collective to establish spatial hegemony by obliterating evidence from the recent past and imposing ethno-national segregation". We request that plan TML/1006 be modified to prevent it from being such a tool of erasing and obliterating historical evidence.

14. Hamama was relatively large settlement, in which 5810 people had lived before it was occupied in October 1948 by Israel, and its residents were expelled to Gaza. It was identified with the Byzantine settlement Peleya (meaning “dove”) from the 5th century. With the Arab occupation in the 7th century the name was changed to Hamama, retaining the same meaning. The famous scholar Ahmed al-Shafi’i was born and lived there in the 15th century. In 1517, with the beginning of Ottoman rule, 461 residents were registered in the village, paying taxes on income derived from goats and beehives. It appears on the Jacotin map prepared as part of the Napoleon invasion of 1799. French explorer Victor Guerin visited in the 19th century, noting that the Hamama mosque was built with the use of ancient materials. During the British period Hamama had two schools, for boys and girls. The 1922 census counted 2731 people in the settlement, 9 of whom were Christians. The 1931 census counted 3405 residents, living in 865 houses. In 1945, the British survey found 5010 people, of whom 60 were Jews, referring to members of the Nitzanim kibbutz built on land bought from Hamama. The settlement area was 41,366 dunams, of which 1356 used for citrus and bananas, 4459 for irrigated crops, 28,890 for cereals, and 167 for buildings. In 1946 there were 338 boys at school and 46 girls. Residents engaged in fishing and cultivated cereals, citrus, apricots, almonds, figs, olives, watermelons and melons. They planted trees in the northern part of the settlement to prevent soil erosion of sandy dunes. There were two mosques with marble pillars and decorations.

Violent clashes started in January 1948 when dozens of residents were injured from Jewish attacks. The residents fled or were ordered to leave in October 1948 due to an Israeli attack as part of Operation Yoav. Two years later Israel demolished the buildings in order to prevent residents from returning. ON the land new Israeli settlements were established: Nitzanim, Nitzan, Beit Ezra and the Nitzanim youth village (sources: Benny Morris, *The Birth of the Palestinian Refugee Problem*, 2004; Walid Khalidi, *All That Remains*, 1992; *Palestine Exploration Quarterly* Jan-Apr 1944. Jacotin's Map of Palestine. D.H.Kellne; Hadawi, Sami (1970). *Village Statistics of 1945: A Classification of Land and Area ownership in Palestine*).

15. Most of the Hamama refugees still live today a few kilometres away from their demolished houses, waiting for recognition of their right to return. Building on their land without referring to their legacy will be a continuation of the famous words of Moshe Dayan in his eulogy for Roi Rotberg in April 1956: “For eight years now, they have sat in the refugee camps of Gaza and have watched how, before their very eyes, we have turned their land and villages, where they and their forefathers previously dwelled, into our home.” Ignoring the Palestinian lives that were destroyed due to the establishment of Israel will result in deepening hatred and entrenching the conflict. On the other hand, honouring their memory will send a message of recognition of their tragedy and open the road to eventual reconciliation. The right of return will remain an open issue until such time.

16. As far as we know only one family from Hamama remains in Israel, living in Ramla. They also, as Israeli citizens, deserve recognition of their ancestors’ legacy.

17. Hamama means “dove” in Arabic. The name is mentioned in various places and it is time to resurrect it from the depths of the repressed and repressing Israeli consciousness, so that it could serve again as a symbol of peace.

18. The documentation and conservation file must be prepared before the construction plan is executed. Israel has a duty to conserve the memory of the settlement it destroyed in 1948. We are not opposed to new construction but rather to the erasure of the memory of Hamama. In another case, that of Lifta (plan 6036), the court decided in February 2012 to halt the issue of tenders and instructed the state to conduct a survey of the existing structures in the village. Hamama’s case is different because no structures remain there, but the case for documenting and conserving the evidence is equally valid.

19. The decision by the Antiquities Authority to conserve only the Byzantine wine production area and the warehouses, and ignore other historical periods is illegal, unethical and unprofessional. It gives up on the chance of recovering historical relics through rescue excavations without even trying. Hamama is a declared archaeological site with well-known history, having been surveyed by British and Israeli researchers. It is not clear why this decision was taken and according to which set of priorities.

20. A museum in the new neighbourhood is an opportunity for presenting the entire history of the area, including the one of Hamama. We request that the museum mounts a permanent exhibition of the ruined Palestinian settlement and whatever can be found in new excavations. We will be happy to help with collecting relevant information and material for the exhibition.

21. We request that, as part of the conservation of agricultural areas, clear sign should be posted about the heritage of Hamama. We will be happy to help in collecting the relevant information, including testimonies by former residents.

22. Hundreds of people, Israelis, Palestinians and others, support this public appeal, which must not be ignored with the excuse it is political. We are aware of the political aspects of planning and construction. Ignoring the legacy of ruined Palestinian settlements on which new construction is being built in Israel is politically destructive for the prospect of peaceful coexistence of all residents of the country and its refugees.

23. We hereby request to be invited to present these objections in the planning committee. We reserve the right to expand on our arguments in the discussion.

24. This objection is supported by the affidavit of Eitan Bronstein Aparicio signed below.

Eitan Bronstein Aparicio