



NATIONAL HERITAGE SURVEY

**National Heritage sites in Judea and
Samaria: Archaeological current state of
affairs and way of action Survey**

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SUMMARY

The land of Israel has been the epicenter of the world since the dawn of history. It has been the site of great and transformative historical events from the dawn of history through the days of the great empires and kingdoms of Israel to the modern period. A significant portion of these events- first and foremost among them those that comprise the history of Israel, took place in what are often referred to in modern parlance as "beyond the Green Line." The lands of Judea and Samaria are the heart of the Land of the Bible and the richness of the physical record of the Biblical narrative lies in the earth of this territory, providing incontrovertible evidence that connects the Jewish nation and its historical national heritage to this land. This physical record is almost equally important to world religious and political heritage as it is to Judeo-Christian heritage.

Unfortunately, in recent years we have witnessed systematic and unprecedented destruction of archaeological sites in Judea and Samaria. Walls and fortifications are being destroyed day by day, archaeological sites are being eradicated, priceless artifacts are being stolen and antiquities thieves are making a killing from their brutal plunder. In many cases, we are unable to venture even a guess as to what has disappeared and what has been lost forever.

This disturbing reality led us to conduct the "National Heritage Survey," the first survey of its kind, in order to take a "snapshot" and provide an accurate picture, as far as possible, of the level of preservation and damage to the archaeological sites of Judea and Samaria.

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The survey was conducted during the first half of 2020 by "Preserving the Eternal" and Israel's Heritage Preservation Center, as part of a comprehensive project initiated by the Shiloh Forum to map Area C and the Palestinian activity there. The survey selected 365 archeological sites in Judea and Samaria that bear the greatest significance for national and world cultural heritage. The study documented and mapped each of the selected sites according to the level of damage, the type of damage, the cause of the damage and the reason behind it. The survey was conducted by senior archaeologists and skilled field explorers, and various means of photography were used, which were then augmented by data from the relevant Civil Administration research literature and databases. The survey placed particular emphasis on heritage sites that are "important to the history and culture of the Land of Israel and even in world culture and constitute a cornerstone of the history of all religions."¹ We therefore chose to use the term "heritage sites" over the term "archeological sites."

The survey divides these sites into four groups, according to their importance and accessibility. Group A covers 24 sites, group B 54, group C 49 and group D 240 sites. 74% of the surveyed sites surveyed are in area C, 17% in area B and 9% in area A.

The survey's findings indicate serious and unprecedented deterioration of the condition of these heritage sites in recent years: ancient walls and structures were destroyed, pits and shafts were dug to facilitate antiquities theft, and many archaeological remains have disappeared. Unfortunately, we found that 80% of the survey sites - 289 in number - were damaged: 41% moderately and 39% severely. Among the sites that were damaged, most are dated to the Second Temple period (83% of all the damaged sites) - probably due to the prominence of the remains and the monetary

Not only does the Palestinian Authority fail to maintain or protect heritage sites, it is responsible for some 90% of the damage that has been caused.

¹ As per the definition of the objectives of the unit of the Chief Archeology Officer in the Civil Administration. See the website of the Coordinator of Government Operations in Judea and Samaria (Archaeology).

value of the finds. Only 72 sites - 20% of all survey sites - were found to be well-preserved; these are usually sites located near Israeli settlements or in central locations in Area A, where conservation and development activities are carried out with European assistance and enforcement is carried out by the Palestinian Authority. The extent of the damage is enormous in archeological terms: all 24 sites in Group A have been damaged in recent years, and the extent of their damaged area is 5.1 square kilometers, constituting 42% of the total area of the sites surveyed. Nearly half of the sites in the survey (40%) are in immediate danger of total eradication. Surveyors documented an unmistakable trend of acceleration in the rate of devastation in the last two years at 48% of the sites. The survey's findings also indicate a relationship between the location of the site and the level of damage: The most severely damaged sites are those in Area B (87%); next on the list are the sites in Area C (78%); and finally the sites that are in Area A (74%). Apparently, this variability stems from the complete lack of governance that exists in Area B, which has become the no-man's land where there is no law and no enforcement.

The survey's findings indicate that these catastrophic results can be attributed to three distinct causes: internal Israeli factors, Palestinian factors and international factors.

First and foremost among the factors that have resulted in the catastrophic damage to archaeological sites in Judea and Samaria is the inaction of the State of Israel, which has failed to live up to its responsibility to preserve and protect these sites. For example, the study found that contrary to the provisions of the law, in half of the sites surveyed, the Civil Administration's Archaeology Officer had not marked the boundaries of archaeological or other heritage sites; of the 167 sites that were marked, in 34 cases the demarcation does not include the entire area, leaving significant portions of the sites' findings outside

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the marked area.² One important factor that accounts for this widespread failure to demarcate sites properly is a direct result of the capitulation of the Israeli government to the Palestinian Authority's systematic takeover of Area C through extensive illegal construction and agricultural projects. In what can only be described as a bizarre policy decision, adopted unilaterally by the Civil Administration despite the fact that it violates the law, Palestinian structures built on heritage sites are excluded from the site's boundaries. This results in the continued shrinking of heritage sites and the tacit acceptance of illegal Palestinian construction that is destroying artifacts and changing the map of Israeli jurisdiction. Needless to say, this Civil Administration directive violates Israel's Antiquities Law and would be unthinkable within the Green Line.

A second aspect of government inaction is the lack of enforcement against crimes involving antiquities. This failure is manifested in the fact that until recently only one inspector was assigned to law enforcement involving heritage sites, which has given thieves and unscrupulous antiquities dealers free reign. The survey's findings indicate that while damage within the Green Line is characterized by a isolated, "hit and run" pinpoint episodes, 70% of the damage to heritage sites in Judea and Samaria are ongoing, carried out over long periods of time, using heavy machinery .

Another aspect of Israeli inaction in preserving the heritage sites of Judea and Samaria is the lack of clear policy guidelines. There is no clear directive regarding the Civil Administration's jurisdiction in matters pertaining to protection of heritage sites in Judea and Samaria – in areas that are under shared jurisdiction. In the absence of clear directives, policy is determined by the Attorney General of the Civil Administration, which limits the activities of the Civil

Foreign state entities directly and indirectly fund the damage to archeological and heritage sites, and an international academic boycott is imposed on researchers working in Judea and Samaria.

2 The quality of the marking was examined in depth in only 65 of the 167 marked sites.

Administration exclusively to Area C. Among the prominent heritage sites in Area B that are subject to continuous and severe damage are the altar on Mount Ebal (Joshua's Altar), the Hasmonean fortress at Tel Aroma, and large sections of ancient Samaria, the capital of the Kingdom of Israel (Sebastia). The prevailing legal interpretation of the Oslo Accords rests upon the definition of heritage sites as a "civil" area; because jurisdiction over civilian affairs in Area B was placed in the hands of the Palestinian Authority under the Oslo framework, the State of Israel is believed to have no authority to act to protect these sites. The result of this interpretation of the accords is that the Civil Administration leaves the heritage sites of Area B at the mercy of the Palestinian Authority.

As noted above, not only does the Palestinian Authority fail to maintain or protect heritage sites, it is responsible for some 90% of the damage that has been caused. The Palestinian Authority's stated goal is to undermine the historical connection of the Jewish people to the provinces of Judea and Samaria and to take over the territory; in order to do so, the PA encourages, or at least allows, massive damage to heritage sites that are important to the Israeli narrative and Jewish heritage, in blatant violation of its obligations under the Oslo Accords. Moreover, at the archeological sites it is interested in developing, the Palestinian Authority conducts itself in a manner that is contrary to accepted international standards of site preservation.

Systematic, institutional Palestinian Authority efforts to destroy heritage sites in Judea and Samaria are supported by an international network of foreign state entities, which directly and indirectly fund destructive activities. The financing of active damage to these sites is coupled with an international academic boycott against researchers working in Judea and Samaria, which prevents theoretical and applied academic research on the archeological sites of Judea and Samaria and indirectly encourages their neglect and eventual destruction.

The survey outlines our practical recommendations, which call upon the State of Israel to take responsibility for all the heritage sites in Judea and Samaria and to adopt a national emergency plan

that includes: (1) Proactive steps to stop the ongoing damage to sites; (2) documentation and preservation of exposed findings; (3) The transfer of administrative responsibility for the heritage sites in Judea and Samaria from the Civil Administration to the Israel Antiquities Authority. (4) At the international level, we propose direct and indirect action against bodies that are involved in damaging or funding projects that damage heritage sites. (5) At the academic level, we call for diplomatic activity against perpetrators of the academic and scientific boycott and proactive steps to international research at heritage sites in Judea and Samaria.