

RECORD EXPLAINER August 21, 2026

What Did Israel's 1950 Absentee Property Law Do to Palestinian Land?

The two 1950 statutes, the absentee definition, the 1.2 million dunams expropriated in 1953, and why no agreed total exists.

LAND AND PLANNING Absentee Property Law Land Registration Knesset Legislation 1948 Refugees Compensation



2 statutes, not one, moved absentee land into state hands: the Knesset enacted the Absentee Property Law in March 1950 and the Development Authority (Transfer of Property) Law in July 1950, as Forman and Kedar recorded in their archival legal history in Environment and Planning D in December 2004. The first empowered the Custodian of Absentee Property to sell land to the Development Authority alone, and the second empowered the Development Authority to sell land to the state and the Jewish National Fund. That study covers 1948 to 1960 and stops there, and it states that no one agreed-upon figure exists for the land that moved from Arab hands to the state after 1948.

Figure	What it counts	Who published it	Period
1.2 million dunams	Land expropriated under the 1953 Land Acquisition Law, first year of operation	Forman and Kedar, 2004	First year of the law's operation, from 1953
311,000 dunams	Part of that 1.2 million taken from private ownership, 304,700 of it from Arab owners	Forman and Kedar, 2004	Same first year
704,000 dunams	Part of that 1.2 million taken from the Custodian of Absentee Property	Forman and Kedar, 2004	Same first year
64,500 dunams	Land for which compensation had been paid, relayed from Liskovski (1959)	Forman and Kedar, 2004	By 1959
198,000 dunams	Cumulative land for which compensation had been paid, relayed from Kretzmer (1990)	Forman and Kedar, 2004	By 1988
16,324 square kilometres	Abandoned land estimated to have passed to Jewish hands, on	United Nations Conciliation	Estimate of September 1951,

Figure	What it counts	Who published it	Period
	the Refugee Office's own definitions	Commission for Palestine	published 2 October 1961
£P100 million	Total value of that abandoned land, valued as at 29 November 1947	United Nations Conciliation Commission for Palestine	Estimate of September 1951, published 2 October 1961

The Knesset enacted two laws in 1950, not one

Forman and Kedar recorded a two-statute mechanism rather than a single transfer law, and each statute conferred a different power. The Custodian of Absentee Property could sell only to the Development Authority; the Development Authority, described in that study as a body legally defined as extragovernmental, could sell only to the state and the Jewish National Fund. Their account runs to a fourth phase closing in late July 1960, when the Knesset enacted the Israel Lands legislation and consolidated state, Development Authority and Jewish National Fund holdings into one category under a single administration.

Instrument	Enacted	Power conferred
Absentee Property Law	March 1950	The Custodian may sell land to the Development Authority alone
Development Authority (Transfer of Property) Law	July 1950	The Development Authority may sell land to the state and the Jewish National Fund
Land Acquisition (Validation of Acts and Compensation) Law	1953	Expropriation, with compensation

Instrument	Enacted	Power conferred
Israel Lands legislation	Late July 1960	Consolidation of holdings as "Israel Lands" under one administration

Source: Forman and Kedar, 2004.

Who counted as an absentee under the 1950 law?

Forman and Kedar record the definition as turning on 29 November 1947, the date of the United Nations General Assembly resolution to partition Palestine. Those authors place the definition in the 1948 Absentee Property Regulations, which the 1950 statute replaced and carried forward, so the date belongs to the regulations before it belongs to the law. An absentee was anyone who, on or after that date, had been:

- a citizen or subject of one of the Arab countries at war with Israel;
- in any of these countries, or in any part of Palestine outside the jurisdiction of the regulations;
- a citizen of Palestine who abandoned his or her normal place of residence.

Tens of thousands of Arab citizens became present absentees

The third limb reached people who were inside the state. Forman and Kedar state, in their own words, that “practically no Jewish

Israelis, but tens of thousands of Arab Israeli citizens, were classified as absentees, assuming the paradoxical legal identity of ‘present absentee’.”

- The share of Israel’s Arab citizens holding present-absentee status is given in that study as roughly 15%, relayed from Cohen (2000) rather than measured by its authors.
- Of approximately 850,000 Palestinian Arabs before 1948, 160,000 remained afterwards, figures the study relays from Kamen (1985) without subtracting one from the other.
- 250,000 dunams were protected by Section 125, relayed from Palmon (1952).

The 1953 Land Acquisition Law expropriated 1.2 million dunams

Forman and Kedar recorded that some 1.2 million dunams were expropriated in the first year the 1953 Land Acquisition Law operated. Within that total, 311,000 dunams came from private ownership, of which 304,700 dunams came from Arab owners, and 704,000 dunams were taken from the Custodian. The authors state that it is not clear how much of the 704,000 was present-absentee land.

Component	Dunams	Relationship to the total
All land expropriated, first year	about 1,200,000	The total
Taken from private ownership	311,000	A subset of the total
Of that, taken from Arab owners	304,700	A subset of the 311,000

Component	Dunams	Relationship to the total
Taken from the Custodian	704,000	A subset of the total

Source: Forman and Kedar, 2004, first year of the law's operation.

Compensation was paid for 64,500 dunams by 1959

Compensation under that mechanism reached 64,500 dunams by 1959, about 170,000 dunams by 1970 and 198,000 dunams by 1988. Forman and Kedar record each of those three totals as relayed from other work, and the figures count dunams compensated rather than sums paid or claims settled.

Cumulative dunams compensated	As at	Relayed from
64,500	1959	Liskovski (1959)
about 170,000	1970	Bauml (2002)
198,000	1988	Kretzmer (1990)

Source: Forman and Kedar, 2004.

No agreed total exists for the land that moved

Forman and Kedar state, verbatim, that “There is no one agreed-upon figure for the land that moved from Arab hands to the state in the wake of 1948,” and then relay the estimates below without adopting one. No published total for the land that passed specifically through the absentee-property system is recorded in

either of the records used here, and neither body supplies one. The United Nations Conciliation Commission for Palestine reported in 1961 that its Refugee Office estimated in September 1951 that 16,324 square kilometres of abandoned land had passed to Jewish hands, of which 4,574 square kilometres were cultivable, with a total value of £P100 million; that office built the extent from the Mandatory government's Village Statistics 1945 rather than from the records of the Custodian of Absentee Property, and called its estimates approximate ones. On the earlier ownership baseline, that same 2004 study records 1.5 million of Mandate Palestine's 26.3 million dunams as Jewish owned by 1948, with about 13.5% of the 20.6 million dunams inside Israel's borders under formal state or Jewish ownership, a stock question distinct from [registration of title under Ottoman categories](#).

Estimate of land abandoned	Source, as relayed by Forman and Kedar
16.3 million dunams	UNCCP, 1951
just over 7 million dunams	UNCCP, 1964
5.7 million to 6.6 million dunams	Arab researchers and organizations
19 million dunams	Hadawi
4.2 million to 6.5 million dunams	Israeli officials and researchers

Which figures on this page may not be added together?

The 311,000 and 704,000 dunam figures are subsets of the 1953 total of about 1.2 million dunams, not additions to it. The 16,324

square kilometres is land abandoned on the Conciliation Commission's own definitions, not land transferred through the absentee-property system, and the two are different objects. The compensation totals are cumulative dunams, so 64,500, 170,000 and 198,000 form one running series and may not be summed. Figures written with "about" or "some" stay as approximations. Forman and Kedar document 1948 to 1960 and support nothing after 1960, including the Absentees' Property (Compensation) Law, 5733-1973.

Questions about the Absentee Property Law

Which body held absentee property?

The Custodian of Absentee Property. Forman and Kedar record that the Absentee Property Law of March 1950 empowered the Custodian to sell land to the Development Authority alone.

Could the Custodian sell to private buyers?

Not under the power those authors describe. The single permitted purchaser was the Development Authority, which in turn could sell only to the state and the Jewish National Fund.

What date does the absentee definition turn on?

29 November 1947, the date of the United Nations General Assembly partition resolution, as recorded by Forman and Kedar.

What is a present absentee?

A person classified as an absentee while inside Israel. Forman and Kedar state that tens of thousands of Arab Israeli citizens holding that status, which their study calls a paradoxical legal identity.

How much land was in Jewish ownership before 1948?

Forman and Kedar record 1.5 million of Mandate Palestine's 26.3 million dunams as Jewish owned by 1948, and about 13.5% of the 20.6 million dunams within Israel's borders as under formal state or Jewish ownership.

How much land passed through the absentee-property system in total?

No total is published in the records used here. Forman and Kedar state that no agreed total exists, and the Conciliation Commission built its estimate on a different basis.

Why did the Conciliation Commission not use the Custodian's records?

The Refugee Office worked instead from the Mandatory government's Village Statistics 1945, as set out in the Commission's working paper of 2 October 1961.

When was the abandoned property valued?

As at 29 November 1947, which the Commission's working paper describes as the last date before the exodus when land values in

Palestine were reasonably stable.

What did refugees in Jordan state they had left behind?

A sampling survey prepared for the Conciliation Commission on 12 April 1951 extrapolated 3,508,540 dunams claimed by 55,400 claimant families, from claims stated on a relief agency's fact-sheets and sampled in batches of 400.

Do the 1951 survey's own figures agree?

Its text gives 49,500 families claiming houses and its summary table gives 49,000, a difference of 500 families that the working paper does not resolve.

Sources

- Forman, G., and Kedar, A., 2004. From Arab Land to "Israel Lands": The Legal Dispossession of the Palestinians Displaced by Israel in the Wake of 1948. *Environment and Planning D: Society and Space*, 22(6), 809 to 830. DOI 10.1068/d402. Peer-reviewed journal.
- United Nations Conciliation Commission for Palestine, 1950. General Progress Report and Supplementary Report. A/1367/Rev.1. Official and primary record.
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- United Nations Conciliation Commission for Palestine, 1961. Historical Survey of Efforts to Secure the Implementation of Paragraph 11 of General Assembly Resolution 194 (III): Question of compensation. A/AC.25/W/81/Rev.2. Official and primary record.

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