

3.3 Land Tenure

3.3.1 The Disintegration of *Musha'a*

At the time of the British occupation of Palestine in 1918, *musha'a* was still the most prevalent form of land tenure. No figures based on actual surveys are available, only the estimate of 70 percent on the eve of WWI.⁶⁶ What is clear, however, is that the breakdown of *musha'a* proceeded at a much faster pace than the very slow pace of the pre-WWI period.⁶⁷ This faster breakdown can be explained by the intertwined processes of the accelerated further integration of Palestine into the world market as mediated by the British colonial government and European Jewish settlement on the one hand, and the nature of and developments within the Palestinian Arab rural areas on the other. More specifically, the breakdown can be seen as an outcome of the spread of a market economy to the extent it did, with the concomitant increase of peasants' debt; but equally important was the issuance of government regulations for the registration of land in individual holding enacted in 1928, namely the Land (Settlement of Title) Ordinance.⁶⁸ Besides claiming "better development from greater security of title,"

⁶⁶Gabriel Baer, *Fellah and Townsman in the Middle East* (London: Frank Cass, 1982), 136. Baer does not explain how he derived this estimate; the same figure for 1917 is given by Raphael Patai, "Musha'a Tenure and Cooperation in Palestine," *American Anthropologist* 51 (1949): 441.

⁶⁷Ya'akov Firestone, "The Land-equalizing *Musha* Village: A Reassessment," in *Ottoman Palestine*, ed. Gad G. Gilbar (Leiden: E. J. Brill, 1990), 94.

⁶⁸*Survey I*, 233-4; actually the registration of land was initiated in 1920, but the 1928 ordinance was based on the Torens system (used in Australia and other British colonies) that was more precise.