



AN INVESTIGATION INTO THE TRANSFORMATION OF JERUSALEM AFTER 1967

By Dr. Daud Abdullah

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An investigation into the transformation of Jerusalem after 1967

Dr. Daud Abdullah

Israel's occupation of Jerusalem has for all intents and purposes strangled its Arab population. The restrictive policies enforced in; construction, planning, land appropriation, investment in infrastructure and services are all geared to force the flight of Palestinians and realize the Judaisation of the city. Consequently, every aspect of Palestinian life has been blighted by neglect, discrimination and deprivation.

With the construction of the Apartheid Wall, and its isolation of Jerusalem from the West Bank, the local economy has virtually collapsed. Encouraged by the silence of its Arab neighbours and complicity of its European backers, Israel has in recent years intensified its efforts to divest Jerusalem of its Islamic character. It has pursued a deliberate, well organized and systematic campaign to change the religious and demographic character of the city.

On another level, the occupation seeks to establish a city that would rival Al Quds. Since the occupation began the Israelis seized almost one-third of the area of the Old City, which was owned by the Palestinian Arab population. Today, 180,000 Jewish settlers reside in east Jerusalem. By the end of 2009, the Arab population is estimated at 270,000.¹

The suspension of negotiations on the status of the occupied city has given the occupation more time to expand its settlement and impose more realities on the

ground. Although the future of Jerusalem would be one of the most important issues to be discussed in any final status negotiations, the Israeli authorities have been pressing ahead with measures to completely change the identity of the city before the negotiations begin. The city has enormous religious, political and national symbolic meaning for Muslims, Arabs and the Israelis.

Israel's unilateral annexation of east Jerusalem contravenes international law and is not recognized by the international community. Hence successive UN Security Council and General Assembly resolutions have affirmed that all legislative and administrative measures taken by Israel to alter the character and status of Jerusalem, are null and void and must be rescinded. In spite of Israel's claims, East Jerusalem is still regarded as part of the occupied Palestinian territory.

CONSTRUCTION POLICY

Throughout history, Jerusalem has always been the cultural, administrative and commercial centre of the West Bank. Palestinians regard it as their capital city. In May 1948 the Zionist completed the occupation of the western part of the city, expelling 60,000 of its residents from the area around Maman Allah, Al Biqa'a al Fawqa, Al Biqa'a al Tata, Al Qatmun, Al Taibiya, Al Misrara and Lifta village upon

which the Knesset was built. At the time, the Palestinians owned 88.7% of the western part of the city. Soon after the 1967 War, Israel started to redraw the city's boundaries to complete its annexation and prevent its future repartition. On 10 June 1967, it carried out the first act by demolishing the entire Maghareba [North African] Quarter. The reason for this, they claimed, was to facilitate a plaza that extended from the Jewish Quarter and the Western [Wailing] Wall. During this early period, the Government of Israel unilaterally increased the size of the previous Jordanian municipality by roughly ten times and annexed 70 km² of the occupied area to Israel, including east Jerusalem, as well as 64 km² of the West Bank territory; all these were subsequently added to the Municipality of Jerusalem² and thereafter became subject to 'Israeli law', jurisdiction and administration. 35% of east Jerusalem's 70.5 km² of land has been expropriated for Israeli settlements. B'Tselem, the Israeli human rights organization, asserts that most of this expropriated land was privately-owned Arab property.³

The immediate period after the war saw the growth of the Jewish Quarter fourfold through the seizure of 29 dunums of land in the vicinity and confiscation of 700 homes.⁴ Under the cover of the 1953 Land Acquisition Law, the Israeli authorities seized 35% of the area of east Jerusalem to build settlements – in public interest.⁵ Fifteen settlements were built on this land containing some 47,000 housing units. This Land Acquisition Law was the most important piece of legislation used to seize peoples land. On 27th June 1967 the Israeli occupation announced its intent to unify both parts of the city under its administration.⁶

From the early days of the occupation Israel begun to seize the homes of Palestinians in

the city. They took the homes of those Palestinians who had fled during the war, under the guise of a law to administer refugee property and other similar legislation which allowed them to seize property. They also passed specific laws to seize the property of those who remained in the city. Under the 1950 Absentee Law the Israelis seized large tracts of land and used it intensively to judaize the city; this was particularly the case with the property that was seized in the Old City. One of the most sinister of these is the Green Land Law which is used by the occupation authorities to appropriate private property for public interests. Similarly, the tax laws and nature reserve laws have all been used to seize private land.

Under the Absentee Property Law No. 58 of 1967 after they conducted a census of the Arab residents of the city and demanded that within three months they should obtain Israeli identity documents. Those Jerusalemites who were not present were declared absent and their property and wealth were subsequently seized.⁷ An absentee under Israeli law is a person who left the West Bank region before 7th June 1967 or on that day, or after. Accordingly, all their property was transferred to the Custodian of Absentee Property who has the power to dispense with it by selling or lease. Through this means, Israel managed to take control of large parts of Jerusalem.

Although they declared 52% of the Old City as green reserves upon which no construction should take place, these areas actually became a strategic area for settlement construction. This occurred in Jebel Abu Ghuneim, which was renamed Har Homa.⁸ One natural consequence of the settlement expansion programme is that it significantly reduced the land and resources available for Palestinian construction and development. Since 1967,

Jewish construction in the city was equivalent to 88% of all construction carried out, while that of the Arabs was only 12%.⁹ Only 13% of the annexed municipal area has been allocated by the Israeli authorities for Palestinian construction.¹⁰

Although Jerusalem's Arab population grew four-fold under the occupation, Israel has, for decades, denied them the mandatory licenses to build or even repair their homes, especially within the walls of the old city where there are more than 300 houses about to collapse because of disrepair. It takes weeks just to enter the building of the social services in Jerusalem. Those who are lucky enough to enter, often leave empty-handed. Since 1967, the municipality has issued an annual average of 1,500 building permits to Jews; whereas it only grants an average of 100 permits to Palestinians; thus creating an artificial housing shortage. According to the UN, 94% of the Jerusalemites who apply for permits are denied. These glaring disparities are further demonstrated in other walks of life. In 2010, Jerusalem's Jewish population, who accounted for 70% of the city's 700,000 residents, were served by 1,000 parks, 36 public swimming pools and 26 libraries. In contrast, the 270,000 Palestinians living in the east of the city had 45 parks, no public swimming pools, and only two libraries.¹¹

HOME DEMOLITIONS

One consequence of these policies is that many Jerusalemites were forced to leave the city to adjoining areas. This became even more compelling because of the high cost of the license which reached \$25,000 for a new house.¹² A licence can take as much as 14 years, not to mention the cost of building. Another striking social consequence has been the widespread overcrowding of Palestinian homes in Jerusalem.

Understandably, many Palestinians have

attempted to address the housing crisis by building or expanding their homes, vertically or horizontally, without permission. This, invariably, runs the risk of demolition. Home demolition is practiced on a large scale. According to the Israeli Committee against Home Demolitions (ICAH), more than 24,145 Palestinian homes were demolished since 1967, rendering an estimated 70,000 people homeless. "From 2000 to 2008, Israeli authorities demolished 670 Palestinian homes in east Jerusalem on the basis that they were 'illegal,' forcibly displacing thousands. The year 2009 saw an unprecedented rise in the demolition of Palestinian homes in Jerusalem with the authorities demolishing 57 Palestinian homes in east Jerusalem and displacing 300 people, half of them were children. Other structures and businesses were also demolished on a large scale."¹³

The matter did not stop at the demolition of homes but in some instances it extended to schools, historical sites and Islamic religious property, many of which were confiscated. Examples of this were the Al Afdaliya School, the Maghareba Mosque and Al Afdal Mosque in the Moroccan Quarter in 1967.¹⁴ The Tankiziyeh School was seized in 1969, followed by the Dar al Quran in 1968. A total of fourteen historic residences were destroyed on 14th June 1967 on the pretext of extending the Western Wall of the haram.¹⁵

Palestinian homes are often destroyed for any of three reasons: (1) as a political act, (2) as an act of reprisal and (3) as a policy of discrimination. Article 53 of the Fourth Geneva Convention declares that the destruction of property "is prohibited, except where such destruction is rendered absolutely necessary by military operations." Israel's house demolition policy in Jerusalem is not dictated by military necessity; and as such constitutes a grave breach of

international law.

Over the years the Israeli occupation has carried out a number of policies to change the demographic character of Jerusalem, contrary to international law. Foremost among these has been the withdrawal of identity papers of a large number of Jerusalemites under various pretexts and displacing a larger number outside the city by way of the Apartheid Wall, which has appropriated large areas of private land for settlement expansion.

Theoretically, Palestinians from the expanded municipal boundary were allowed to reside in Jerusalem. However, because east Jerusalem Palestinians were defined as permanent residents of Israel, rather than citizens, their residency status was always subject to a number of administrative regulations, foremost of which was the acquisition of ID cards. An estimated 14,000 East Jerusalem Palestinians have had their residency revoked since 1967; more than 4,500 of these were revoked in 2008.¹⁶ In the absence of the mandatory ID, many Palestinians were forced to leave the city. About 17,000 Jerusalemites left and travelled abroad since 1967. Another 12,000 have left to other parts of Palestine. In either case, the Israeli authorities have revoked the Jerusalem ID cards of Palestinian Jerusalemites who have had extended stays outside of the city or the remainder of the occupied territories. It is estimated that 50,000 to 60,000 ID cards have been withdrawn since the start of the occupation.

'GREATER JERUSALEM' AND THE APARTHEID WALL

Soon after the occupation begun Israel moved to abolish the Arab administration in the city. They dissolved the Arab municipal council, created their own municipal council

and ordered the Arab workers to register with them in order to secure their jobs.

Since 1967, twelve Jewish 'neighbourhoods' were established in the areas incorporated into what is called Greater Jerusalem. Article 49 of the Fourth Geneva Convention clearly states that the construction of settlements within the extended municipal boundary constitutes a clear breach of international law which forbids the occupying power to "transfer parts of its own civilian population into the territory it occupies." The outer circle of settlements known as the 'second wall' has extended the city's metropolitan boundaries, which is now demarcated by the Apartheid Wall.

The construction of this wall has effectively redrawn the geographical boundaries of the city and reinforced the separation of east Jerusalem from the rest of the West Bank. 'Greater Jerusalem' has thus been extended to the outskirts of Ramallah in the north, Bethlehem in the south, and Jericho in the east. This has not only cut-off the Palestinians in the West Bank from their cultural heartland, but it has also separated the northern part of the West Bank from the south.¹⁷ One of the most devastating economic consequences of the Apartheid Wall is that it has separated several rural communities from their agricultural land in the Jerusalem hinterland. This has led to a marked decline in production and fall in living standards.

Apart from isolating Jerusalem from the West Bank, the expansion of the municipal boundaries of the city was also intended to incorporate a number of Jewish settlements into the city. Several roads were constructed to link between the settlements and the city. Today, all of east Jerusalem and the neighbouring villages have been cordoned by two belts of settlements one within the borders of the Old City and the other

outside.

As part of its strategy to isolate east Jerusalem from the West Bank, the Israeli occupation also took a number of deliberate measures to prevent Palestinians from visiting the city, except through its permission. They established check points to see who was coming. After 2002 they began the construction of the Apartheid Wall around the city, which they called the 'the defence line on Jerusalem'. This wall which is 54 kilometers long forces the residents to enter through the main corridors. They also built trenches on all the openings leading to the city, in the area of Ayzariyah and Al Tur. Other trenches were dug to isolate the villages in the north-western part of the city.

Today, the wall has placed several Palestinian communities in east Jerusalem on its 'West Bank' side; thus making it necessary for them to negotiate Israeli check points into order to access the health, education and other social services to which they are entitled as residents of Jerusalem. In July 2004, the International Court of Justice (ICJ) called on Israel to cease construction of the Barrier 'including in and around East Jerusalem'; dismantle the sections already completed; and 'repeal or render ineffective forthwith all legislative and regulatory acts relating thereto'.¹⁸

Significantly, these restrictions were even extended to the Palestinian Authority after the signing of the Oslo accords. In 1994 Israel passed a law to implement the Gaza – Jericho Agreement, which prevented the PA from conducting any activities in Jerusalem, no meetings or representation on the pretext that it was part of Israel. They were only allowed if they obtained written permission from the government of Israel.

RELIGIOUS CHANGES

Throughout the long decades of occupation Israel's policy in Jerusalem has been basically two-fold. The first is to change the character of the city in every respect – to reflect Jewish thought, architecture, culture and history. Hence they seek in this regard to establish the 'Third Temple' in the sanctuary of the haram and surround the city with settlements.

In this context, it is noteworthy that senior archaeologists at Tel Aviv University have cast doubt on the alleged Jewish heritage of Jerusalem. Professor Finkelstein and Rafi Greenberg of Tel Aviv University recently told the Jerusalem Post that Jewish archaeologists have found no historical or archaeological evidence to back the alleged Temple of Solomon. Finkelstein said that there is no archaeological evidence to prove it really existed. Professor Yoni Mizrahi, an independent archaeologist who has worked with the International Atomic Energy Agency, agreed with Finkelstein.

On another level, they seek to erase the Arab character of the city. This, in short, reflects the nature of the conflict there. After years of excavation that have undermined the Aqsa Mosque and the Dome of the Rock. The reality of the danger posed to these mosques has become ever more apparent. Meanwhile, the excavations have multiplied to the point of making it extremely difficult to keep track of them.

Prior to 1967, many Jewish rabbis maintained that it was forbidden for Jews to enter Al Aqsa Mosque [Temple Mount, as they call it]. The old Jewish communities in Jerusalem were from the beginning very sceptical about the Zionists whom they viewed as unholy secularists. Indeed, the issue of Jerusalem never featured in the discussions or decisions of the founders of

the Zionist movement, despite the fact that the very name of their movement was derived from one of the names of Jerusalem.¹⁹

Shortly after his only visit to the city in 1898, Theodor Herzl wrote, 'When I remember thee in days to come, O Jerusalem, it will not be with pleasure.' Up until the First World War the Zionist movement avoided making Jerusalem the centre of their interest in Palestine because of its importance to Muslims and Christians. Hence the first office of the movement was established not in Jerusalem but in Jaffa in 1908.²⁰ Being apparently aware that the Vatican would oppose any political entity in Jerusalem, Herzl was thus prepared to sacrifice the city in return for broader political and territorial gains in Palestine.

The Zionist restraint toward Jerusalem changed dramatically after the 1967 War when some rabbis interpreted the victory as an approval from God to build the Third Temple. Subsequently, in 1980, Israel announced that Jerusalem was its eternal and undivided capital. By the beginning of the 1990s, calls to build the Third Temple had gathered momentum.²¹ Meanwhile, Palestinians in Jerusalem, the West Bank, and Israel, became increasingly restricted from praying in Masjid Al Aqsa. This particular policy has far reaching consequences that extend well beyond Palestine because it transgresses not only the faith of every Muslim in the world, but also their heritage, culture and civilization. The fact that it was the first Muslim qibla – direction of prayer – and point of ascent of the Prophet Muhammad is enough to confirm its centrality in the Muslim faith.

For this reason Muslims and Arabs reject any notion of concession in this city to the Zionists. They would not even accept a Jewish Palestinian joint sovereignty over the

city. Thus they regard the current efforts by the US and Israel to impose this view on the Palestinians as an affront, not least because it seeks to dissolve the Palestinian cause in order to advance Israel's interests. Indeed, Muslims and Arabs believe the Palestinians have no right to surrender any part of Jerusalem to Israel; instead their primary duty is to liberate the city from occupation.

One of the greatest challenges to the notion of the Jewishness of Jerusalem is the absence of any distinctive Jewish sanctuary or historical site in the city. This has, naturally, created a sense of desperation. Hence, the settlers have built a number of synagogues including; the 'Tent of Issac', opposite the Bab Al Silsilah, and the Kharab Synagogue in the Jewish Quarter; as well as a number of excavations to attract people. Significantly, the Ministry of Tourism still uses Masjid Al Aqsa, the Dome of the Rock and the Church of the Holy Sepulchre to market the city as a tourist destination.²² The purpose of these excavations and tunnels beneath Al Aqsa is to unearth remnants of the 'Temple'. Yet, they can only be explained in a holistic manner; recognizing them as part of a broader campaign to seize control not only of the Western Wall but the entire Old City and Haram al Sheriff especially. During the period from 21 August 2009 to 21 August 2010 the number of excavations beneath and around Masjid al Aqsa increased from 25 to 34.²³ They have led to a number of cracks and fissures in the mosque and its surroundings. A section of Wadi Halwa Street, south of the mosque, collapsed in January 2010. Likewise, fissures and erosions were discovered in the walls of the Marwani prayer area.²⁴

Several resolutions have been passed by the Security Council and UNESCO calling on Israel to end these excavations but it has

refused to comply. Under international law, excavations by the occupier in occupied land are strictly forbidden. These excavations have reached dangerously close to Bir al Waraqa and Bir al Ka'as beneath the Masjid al Haram al Sheriff, ultimately to destabilise its foundation. These excavations cover an area of almost 10 dunums. They have not stopped since the occupation began; on the contrary they have intensified.

One other aim is to establish a Jewish tourist city beneath the ground. All of these actions amount to theft of historical artefacts.

Behind the veneer of 'scientific' research these excavations have concealed the real ideological motivations. In the early stages of occupation the excavations were carried out by religious organizations and not specialist archaeological institutions. During the 1990s the occupation municipal authorities in Jerusalem proposed a project to judaise the area it calls the 'the Holy Basin'. This entailed the creation of an 'inner' layer of settlements within Palestinian residential areas, in the so-called 'Holy Basin'. This area includes all of the Old City and large sections of its environs such as Shaykh Jaraah and Wadi Juz in the north, Al Tur in the east and Silwan in the south.

This project seeks to establish a city according to Torah specifications beneath Masjid Al Aqsa and in the area of Silwan and parts of the Old City. The proposed city would be connected by a series of recreational parks and museums and archaeological sites above the ground surrounding the Old City, especially in the south where Silwan is located and east where there is the Olive Mount and At Tur neighbourhood. In the process of doing this they aim to complete the replacement of the residents of these areas with Jewish settlers. Ultimately, the occupation seeks to create a

semblance of continuity between the Jewish settlements in Jerusalem [the Old City] and those which are at its fringes such as Tel al Franciye in the north.

This project has a number of aims; cultural, political, demographic and religious. Among the most important objectives is to remove the Arab population as far away as possible from Al Aqsa Mosque and the Old city. Ideally, it would be even better to expedite their expulsion from the city and isolate the mosque from Jerusalem's Arab population - the people best placed to defend it. Such a scenario would allow the Zionists to do whatever they want to do to the mosque whenever they choose. Israeli media sources regularly report efforts by extremist settlers groups to secure government permission to build the 'Temple' in the mosque.

The occupation has made significant progress in its plans. By August 2009 there were 25 disclosed excavation sites beneath the Aqsa Mosque and its surroundings. These include residential, commercial and religious buildings. These constructions are seen as a prelude to the destruction of the mosque and evacuation of the Palestinian inhabitants. It is presumed that there are other sites which are undisclosed. All these violations of UN resolutions are done in the name of scientific exploration.

During 2009 the Israeli authorities undertook a number of steps to reinforce their control of Jerusalem and the Old City in particular and the 'Holy Basin'. They announced plans to tighten their grip on east Jerusalem, Al Aqsa Mosque and the Islamic and Christian sites by delegating their control over them to the Israeli administration of the 'Holy Basin' authority. The plan which includes new settlement projects aims to seize control of land and Islamic and Christian endowments and

transfer their administration to the municipality and government authorities.²⁵ They built a number of synagogues above ground such as the Tent of Issac (Ohel Yitzhak) facing Al Silsilah Gate and the Huva synagogue in Al Sharaf neighbourhood.

The Islamic endowments and religious sites were not the only targets of the occupation. In recent years, there has been an upsurge in attacks on Christian holy sites in Jerusalem. The Ma'amadaniya church in west Jerusalem was set ablaze after an arson attack by Jewish settlers in October 2010. Other churches were similarly attacked in what appears to be an attempt to eliminate any Christian presence in the west of the city. The percentage of Christians in Jerusalem has dropped from 20% in 1948 to 2.9% in 1988 to 1.9% in 2009.²⁶ Should current trends continue, it is very likely that the Christian presence in Jerusalem would soon come to an end.

The Israeli aggression in Jerusalem has been even extended to the cemeteries. The city's municipality has approved the construction of a 'Museum of Tolerance' in Maman Allah Cemetery, which is located about two kilometres west of Al Khalil Gate. This is an Islamic endowment which bears the remains of several companions of the Prophet Muhammad, the generation of his successors and thousands of Islamic scholars. Maman Allah is the largest Islamic cemetery in Jerusalem and covers an area of 200 dunums. The project which is financed by the Simon Wisenthal center is estimated to cost some \$200 million. The process of transformation of the cemetery has been gradual. In 1985 the ministry of transportation built a car park on a section of it. Between 1985-87, a number of excavations and a network of drains were constructed to expand the car park. Work on the 'Museum of Tolerance' began in

January 2005. 95% of the graves have been exhumed to build the car park and a public park.²⁷

Christian sites are similarly endangered. In March 2005 a scandal broke out when it was revealed that property belonging to the Orthodox Church was sold as part of a secret deal between two settler groups and the Greek Orthodox Patriarch. According to the deal, the settlers purchased the land on which the imperial hotel is located and 27 commercial properties owned by the Patriarchate in the Omar ibn al Khattab Square, near Al Khalil in the Old City. The scandal led to the removal of the Patriarch Irineos I in May 2005 after it was confirmed that he was involved.

Apart from these, the Israeli authorities have stepped up their campaign to change the historical and religious character of Jerusalem through what it calls the council for names. It has begun to change the names of places and streets according to Jewish expressions or their understanding of the Torah. In the Old City, Al Asbat Gate which is located in the middle of the eastern wall of the city has been changed to Ha'ariyut (black) Street, Ar Rahma Gate which is also in the middle of the eastern wall has been changed to Hazhaaf [Golden] Street, Al Khalil Gate in the middle of the Western Wall is renamed Yafu Street, Nabi Daud Gate located in the south-west of the wall is renamed Tzion Street, the Burq Wall in the southern part of the Western Wall is renamed Hakutal Hamarafi.²⁸

Since 2007 the Israeli archaeological authorities, with the support of the political establishment, have conducted a programme called the Old City Walls Conservation Project. These walls were built by the order of the Ottoman Sultan Sulaiman al Qanuni in the mid-16th century, after the old walls were destroyed during the Crusades. The

entire length of the walls reached 4,300 meters with a width of between 2.5 – 3 meters at the bottom to 1.5 meters at the top. Its height varied from 5-15 meters in various parts of the city.²⁹



A model of the 'Temple' inserted into the wall



The six point star used to forge history

The danger of the Israeli conservation project is that it resulted in the removal and exchange of the original stones in the wall with stones with Jewish engravings to

promote their narrative and support their claim that the wall has a Jewish character and identity. This development was uncovered by the Aqsa Foundation in a report which it published on 29 December 2010 under the title 'the Israeli occupation judaise the walls of old Jerusalem with symbols of the Temple.' (in Arabic)

Emboldened by unfailing US diplomatic

cover, Palestinian weakness and Arab indifference, Israeli officials have become visibly aggressive and hostile to al Haram al Sharif. The frequency and size of infringements by Israeli political and religious figures have grown considerably since 1967. In an unprecedented development, forty rabbis protected by heavily armed police, invaded masjid al Aqsa on 10 May 2010. This scenario was repeated two months later when Moshe Feiglin, the head of the Manhigut Yehudit (Jewish Leadership) faction of the Likud intruded into the mosque claiming that the situation in which Muslims are allowed to enter the mosques while Jews are prevented can no longer continue.

ETHNIC CLEANSING

The Palestinian population in areas adjacent to Jerusalem was always regarded by the Zionists as an obstruction to the contiguity of the Jewish population in the area between Jerusalem and the coast. Within months of the collapse of the 1947 UN Partition Plan, the western areas of Jerusalem were transformed from a mixed urban setting to one where Jewish predominance was absolute. This was brought about by the eviction of almost 80,000 Palestinians from west Jerusalem, reducing their original number by half.

With the occupation of east Jerusalem 1967 Israeli leaders began a final push to annex the entire city. They adopted a dual policy, which on the one hand sought to increase the number of Jews in the city and on the other prevent the natural growth of the Palestinian community and force them to build elsewhere. Throughout the subsequent period, the Israelis deliberately suppressed the local economy, forty per cent of which is based on tourism. They have prevented the establishment of Arab industries and imposed exorbitant taxes on existing

projects.³⁰ Although the Arabs pay 25% of the municipal budget they only receive 5% of its services provided by the authority. They ordered the closure of Arab banks and replaced them with branches of Israeli banks. And while they prevented goods from being imported from the West Bank they flooded the city with Israeli goods.³¹

In 1973 they closed the bureau of social affairs and forced 30 charities including all the medical, educational and charitable institutes to function under Israeli law and supervision. This was the case with Al Maqasid Islamic Charitable Hospital, the Orthodox Alms House and its allied hospital, the Red Crescent hospital and the College of Science and Technology.

Today, Jerusalemites are required to have licences as tour-guides, which are usually denied. In the circumstances, they face a choice of either staying in a prohibitively expensive Jerusalem or moving to the other side of the Apartheid Wall, in the West Bank.

The worst affected are the elders, children and low income earners. Sixty-five per cent of Jerusalemites live below the poverty line compared to 31% among Jews.³² Many children are forced to leave school early to enter the labour force. Other social problems include domestic violence, underachievement in school, drug addiction, and crime; all are on the rise.

In theory, Jerusalemites are allowed to work in Israel without work permits and obtain social welfare; but this has never materialised. While they could vote in municipal elections, they are not allowed to vote in parliamentary elections. They are, instead, treated as strangers, always being called upon to prove their residency rights.

The Israeli occupation has been responsible

for the destruction of 40% of the agricultural sector in Jerusalem through its control of wells and denial of water. Thirty-five per cent of livestock have been decimated. As for the local merchants, many were forced to close their shops because of the lack of business and attendant high taxes. There are 14 different categories of taxes.³³ A further 125,000 Jerusalemites now face the loss of their identity documents and residency rights because of the Wall, which has isolated them. Even in marriage, the occupation forbids marriage between residents of Jerusalem and residents of the West Bank or Israel. If they do get married, their children are not recognized and are refused birth certificates.

CONCLUSION

This investigation has corroborated indelible evidence of a grave danger facing Jerusalem and its indigenous inhabitants. For four decades a deliberate paper of policy was enforced to readjust the demographic balance in the city in favour of the Jewish settlers. The struggle for Jerusalem will dominate for years to come as Israel seeks to change its status and character and the Palestinians exercise their right to live freely in the city.

Jerusalem is unique because it does not contain the personal property of any Palestinian but the heritage of the entire Muslim nation. If Palestine is regarded as the heart of Bilad al Sham, Bayt al Maqdis (Jerusalem) is its heart. It is one of the most sacred of Islamic lands, and occupies the highest station. There are numerous prophetic traditions which affirm the virtues of Bayt al Maqdis and its noble Masjid al Aqsa. For Muslims, it was their first Qibla or direction to which they turned in prayer. Similarly, it is the third most holy mosque in Islam after the Holy Mosque in Makkah and the Prophet's Mosque in Madina.

Israel's actions in occupied Jerusalem are not just an assault on Muslim rights but equally an affront to the world community. In March 2011 the UN Special Rapporteur for Humanitarian Conditions in the occupied territories, Richard Falk told the UN Human Rights Council that "The continued pattern of settlement expansion in East Jerusalem combined with forcible eviction of long residing Palestinians are creating an intolerable situation that can only be described, in its cumulative impact, as a form of ethnic cleansing."

Israel has been able to pursue these oppressive policies because there has been no deterrent political action from the Palestinian Authority, since 1994, or the international mediators, notably the United States. It has imposed upon the mediators the view that Jerusalem is outside the framework of negotiations, such that it is free to do whatever it wishes in Jerusalem and Masjid Al Aqsa. The persistent incursions, clashes and tensions surrounding the Masjid are contrived so that Israel would eventually assume its control. What is required is not just an international intervention to save Al Aqsa, but also the Jerusalemite population. Ultimately, the solution is not to end the settlements or excavations; it is to end the occupation.

Israel's prolonged occupation of Jerusalem has engendered a system characterised by "colonialism," "apartheid" and "ethnic cleansing". A report written by UN Special Rapporteur Richard Falk, in march 2011 recommend the International Court of Justice (ICJ) assess these allegations, the idea is to ensure legal consequences to the failure by Israel to end its occupation. All the unilateral legislative steps taken by Israel in Jerusalem aimed at changing its religious and demographic character are not recognized by the international community (see inter alia, UN Security Council Resolutions 252,

267, 471, 476 and 478); they remain null and void.

Undoubtedly, one of the most disturbing aspects of the occupation is its consolidation of a system of apartheid rule. Though often associated with the racist policies that were implemented in South Africa, apartheid must not be limited to any geographic location or historical period. According to the International Convention on the Suppression and Punishment of the Crime of Apartheid GA Resolution 3068 (1973), Apartheid refers to policies and practices enacted in order to establish and maintain domination by one racial group of persons over any other racial group of persons and systematically oppressing them. The 1998 Rome Statue which established the International Criminal Court cites the crime of apartheid as one of the crimes against humanity.

Since 1967 Israel has transformed the lives of the inhabitants of Jerusalem with a system of punitive house demolitions, expulsions and restrictions; it fostered preferential citizenship and residence laws which favored Jews over Palestinians; allowed dual and discriminatory arrangements for movement within Jerusalem; discriminatory policies on land ownership, tenure and use; extensive burdening of Palestinians with taxes, and with burdensome permit and identification requirements imposed only on Palestinians.

Meaningful support for the Palestinian people would require more than the customary adoption of UN resolutions. They would require practical help to remain in their city. Palestinian civil society and institutions must be supported. A decisive end to the culture of political apathy is needed to end the violation of law in Jerusalem. No other country would be allowed to challenge the international will

with such impunity.

Any continued failure to act would only undermine respect for international law, erode trust in the international community and its institutions and undermine all efforts to bring about a peaceful resolution of the conflict in Palestine.

END NOTES

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