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Returning to the Source: The Politics of Housing in East Jerusalem

With the impasse in the peace process, there are signs that the Israeli-Palestinian conflict is returning to its source – which is less a struggle over the status of a future Palestinian polity than over the ownership and control of land. This war of position is being fought out throughout the Occupied Territories, but especially in East Jerusalem.

On the one hand, the Israeli government has long term plans to expand the eight Jewish settlements in East Jerusalem by 22,000 housing units. (These are apart from the 6,500 units – housing some 32,000 new settlers – slated to be built for the Har Homa settlement at Jabal Abu Ghnaim). On the other hand, Palestinians are resorting to intifada-like tactics, such as a revival of commercial and general strikes to protest Israeli actions in the city.

Less publicly the 170,000 or so Palestinians living in East Jerusalem are engaging in what the Israeli attorney, Daniel Seidemann, has coined a "quiet building boom" across the city's 19 Palestinian villages. The difference is that while the settlement expansions enjoy the sanction of the Israeli authorities, Palestinian construction, almost universally, is "illegal."

In May of 1997, Jerusalem's Likud mayor, Ehud Olmert, declared a moratorium on the demolition of "illegal" Palestinian constructions in East Jerusalem until October. Prior to this the municipality had been demolishing Palestinian houses in

East Jerusalem at an average of 50 a year. The freeze came less from a change of policy than under pressure from Israel's General Security Service (GSS), wary that a spate of housing demolitions in East Jerusalem would spark protests akin to those that followed the Western wall tunnel opening in September 1996.

The moratorium has been seized on by Palestinians in East Jerusalem to address their chronic housing needs. "The Palestinians sense that they can now build without getting a demolition order or at least without an order being implemented," says Seidemann. The result is the construction of hundreds of new houses, floors and extensions throughout East Jerusalem, and especially in Palestinian villages like Isawiyya, annexed to Jerusalem by Israel after the 1967 war. Tucked in between the Jewish settlement of French Hill and the Hebrew University, Isawiyya is home to around 7,000 Palestinians. It is also a graphic illustration of Israel's discriminatory land policies towards Palestinians in East Jerusalem.

Before the 1967 war, Palestinians in Isawiyya owned 10,000 dunam of land. After the occupation, Israel annexed 3,000 dunam, declaring the remaining 7,000 dunam to be outside "municipal Jerusalem" and inside the West Bank. In the years since, Israel has expropriated a further 1,000 dunam for the French Hill settlement and redrawn Isawiyya's borders so that the village now covers no more than 660 dunam.

Of these, Palestinians are legally entitled to use 120 dunam for residential construction. Thus, "In the space of 30 years," says ex-Jerusalem municipality councilor, Sarah Kaminker, "Palestinians in Isawiyya have seen their land shrivel from 30,000 dunam to 120 dunam."

Isawiyya was one of three Palestinian villages – along with Jabal al-Mukabir and Ras al-Amud – targeted for housing demolitions in 1995. The violence that accompanied the demolition of the first of eighteen houses that had been served demolition orders in the month of May, led to the temporary suspension of the remaining orders. In a subsequent study on the politics of urban planning in Isawiyya, LAWE details both the unequal power relations and divergent cultural relations regarding urban space which have marked the recent history of the village. In 1994 Isawiyya had submitted a skeleton plan to the municipality premised upon the villages' "special needs and natural growth areas." The municipality rejected the plan and produced one of its own, exclusively focused on the needs and desires of the settlements surrounding the village. The main focus of conflict was Isawiyya's expansion to the south. The village had expanded southward over the last few years primarily because that was the only space where land was available. The village plan was centered around this southern expansion and proposed a southern access road to address this geographical shift. The municipality's plan, on the other hand, reinforced the current north-west village access and zoned the already partially built up southern area as a "public park" (i.e. a *de facto* confiscation). LAWE lists a set of problems regarding urban planning in Isawiyya in particular and in Palestinian neighborhoods and villages in Jerusalem in general:
(1) the disregard for Palestinian ownership of private lands (2) the lack of an official body to solve housing problems (3) the lack of real estate or other companies who would take the initiative to build homes to rent in the village (4) the issue of the division and sale of land. Although land might me available, Palestinian families traditionally keep lands within the family, preferring poverty over loss of family lands (5) the plans don't take into consideration the realities of village roads and local agreements (6) the failure to acknowledge the vast differences in life-style and land use in Palestinian villages and Israeli neighborhoods and settlements.
Source: LAWE, House Demolition and the Control of Jerusalem: Case Study of al-Isawiyya Village (Jerusalem: 1995).

Coupled with a rising birth rate, the result of this squeeze on Palestinian living space has been massive overcrowding and worsening housing conditions. A random visit to a home in Isawiyya will find eight people living in one room, including grandparents, parents and children. Throughout the Palestinian villages in East Jerusalem, the average density is 6.8 persons per housing unit compared to 3.3 persons per unit in the settlements.

Should Palestinians try to use lawful means to build houses, they will have to navigate "a maze of legal, economic and bureaucratic obstacles," says Seidemann. A building permit from the municipality can cost $20,000 and take up to five years to be authorized. Even when all the financial and administrative procedures are observed, the municipality is in no hurry to issue permits to Palestinians. Last year – says member of the Palestinian Housing Committee, Khalil Tufakji – 108 building permits were issued for the entire Palestinian population of East Jerusalem. Almost ten times this number was issued to the Jewish population, says Seidemann.

The undeclared aim of these policies is to drive out Palestinians from East Jerusalem or, as the municipality would have it, to

maintain Jerusalem's overall "demographic balance" of being 72 per cent Jewish and 28 per cent Palestinian. The sole succor Palestinians have is that the policies are not working.

In 1996, Israel's Interior Ministry chose to "reinterpret" the law governing Palestinian residency rights in East Jerusalem. In the past, East Jerusalem's Palestinians could lose their residency status if they lived outside the city for seven or more years or took a foreign passport. Under the new interpretation, residency can be revoked if Palestinians fail to produce evidence that "their center of life" is within Jerusalem's municipal borders. The result is that 1,047 Palestinians from East Jerusalem, but now living in the West Bank or elsewhere, have lost their residency status over the last two years.

But the measure has also produced a massive wave of Palestinians returning to East Jerusalem from the West Bank and Gaza to ensure their residency rights. "The policy has clearly backfired," says Seidemann. "The Israeli authorities have discovered that for the satisfaction of depriving 500 Palestinians of their residency in East Jerusalem, they are getting 5,000 Palestinians returning to their homes." It is largely these

"returning Palestinians," say Palestinians from East Jerusalem, who are propelling the current "illegal" building boom.

The Israeli press alleges that the building is being financed by the Palestinian Authority. Palestinians in Isawiyya wish it were true. Rather, they say, the illegal building in East Jerusalem is what it appears – a spontaneous, grassroots movement that has grown in response to a major housing crisis. But the movement clearly has a political dimension, admits Muhammad Mahmud, a Palestinian from Isawiyya. "We have learned from the Israelis," he says. "They gained control of East Jerusalem by creating facts on the ground. If Palestinians are to get it back, we, too must create facts on the ground."

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