



FEATURES

Breathing Life into a Dead Horse

Jerusalem identity card
holders ponder a future
behind or in front of the wall

Omar Karmi

Specially-ordered cement blocks lined up along the main Jerusalem-Ramallah road before they are propped into place to divide the road in two.
Source: S. Hanafi

In his little corner shop Mahfouz Abdel Hafil Khatib, 61, serves soft drinks. The shop, a corrugated iron-clad hole-in-the-wall, carries what you'd expect - from chocolate bars to canned food. Two concrete steps at the back of the shop lead to an opening in the wall, covered by a thick cloth. Behind it is the family's living quarters; one large room, an improvised kitchen and a bathroom. Five people live here: Khatib, his wife and three of their children. Four sofas strewn with unmade bedclothes form a square in one corner. A solitary coat of white paint is gradually losing interest in staying attached to the concrete walls.

"It's a health hazard," says Khatib, resigned. "There are 26 families here, and when we first moved in, there were only open spaces and no partitions. People made their own spaces."

The building is a large white affair, thoughtfully designed. If completed, it would have made an attractive addition to the street scene on Nablus Road next to a mosque and the American Colony Hotel.

Indeed, its façade is deceptively finished; it is the corrugated iron sheets that cover Khatib's shop that betrays the building's abandoned construction. It was originally intended to be an Islamic Cultural Center, built on waqf land and run under the auspices of al-Quds University. Instead, in the mid-1990s when the Israeli government clamped down on Jerusalem ID holders who had made their so-called 'center of life' outside of the municipality borders, the building became a refuge for those fearing the loss of their Jerusalem residency rights, but with no property of their own inside the city limits and too poor to rent housing.

Khatib does own property. In the 1980s he built the house where his children were raised with his wages as caretaker of the only mosque in the Jewish quarter of Jerusalem's Old City. But this fruit of his labors lies outside the Israeli-defined Jerusalem municipality borders, in the neighborhood of Zaiyem. Khatib moved back inside Jerusalem in 1996 because he feared that staying at the old address would cost him his Jerusalem ID.

"My house was small. I had a small piece of land with it. But it was my house. I didn't want to leave, but I was forced to move here," he says. "I couldn't afford to lose the social security."

At a time when Israeli policies allow Jerusalem identity card holders the benefits of travel and work in Israel and Jerusalem, as well as health insurance and pension, as compared with their West Bank and Gazan cousins, the blue identity card is considered a valued asset. The special status of Jerusalemite Palestinians was created when Israel occupied the eastern half of the city in 1967, placing its Palestinian residents in a legal class of 'permanent residents'. As pressure in Israel has grown to maintain a Jewish majority in the city against a quickly-growing Palestinian population, Israel has adopted stringent legal measures to diminish the number of Palestinians carrying Jerusalem IDs.

Estimates over how many people have been stripped of their status as a result of these policies vary, but statistics do show that Israeli pressure had an unintended result. According to both the Israeli municipality and the Jerusalem Center for Social and Economic Rights (JCSER), 25,000-30,000 Palestinian Jerusalemites moved *back into* Jerusalem in order to maintain their residency rights.

Nearly ten years later, it appears that a similar process is underway as Israel builds a wall between its gerrymandered municipal borders and the rest of the West Bank, thus severing integrated Palestinian neighborhoods from one another. Anecdotal evidence suggests that, fearing loss of access, Palestinians are once again moving into Jerusalem's heart, this time even departing border areas within the municipality borders for 'safer' areas in the city.

The Wall

From al-Ram in the north, Bethlehem in the south and Abu Dis and Ezzariyeh in the east, the concrete blocks that make up Israel's wall have already caused great disruption in the lives of Jerusalemites. Travel time from the Qalandiya checkpoint near Ramallah to the Old City of Jerusalem has tripled since the Israeli army tore up the connecting road and constructed a six-meter-high concrete barrier in its place, effectively enforcing a "Jerusalem" side and a "West Bank" side. On one side of the wall, traffic may travel in only one direction, out of Jerusalem. On the "West Bank" side of the wall, the road is completely destroyed and no traffic moves.

Local businesses have been badly affected. It is now easier for residents of the nearby Bir Nabala to shop in Ramallah, despite having to pass through the Qalandiya checkpoint, than to shop in neighboring al-Ram on the other side of the wall. Schoolchildren reach their schools with difficulty; both Christians and Muslims are blocked from their holy sites; and Palestinians seeking the health care facilities at the Moqassad and Augusta Victoria hospitals, both located in East Jerusalem, now need special permission where before they might have slipped into the city unnoticed. Families find themselves on different sides of a wall, making mutual visits cumbersome (sometimes impossible), while employees are cut off from their places of work.

Two years ago, Salma, 30, moved back into Jerusalem where her wealthy Jerusalemite family owns a house. In the 1980s, the 10-member family had decided to buy land in Azzariyeh to build a house large enough for everyone. At the same time, they maintained the house in Jerusalem, paid their property tax (*arnona*), and held on to their residency status. Those who worked, worked in Jerusalem.

But the wall changed all that. A journey to work for Salma that once cost her NIS 2.5 (about fifty cents) and took 15 minutes now took over an hour by taxi through the Israeli settlement of Maaleh Adumim and cost her NIS 50 (over \$10). Sometimes she braved the wall and climbed through rooftops to get across. She was stopped several times. "Once the Israeli soldiers caught me and shoved me to the ground," Salma remembers. "I hurt my back and had to take several days off work. Luckily, they didn't arrest me."

The construction of the wall persuaded the family to move back to Jerusalem, but now they face another obstacle. Because of the short time they lived in the West Bank, the Jerusalem municipality started court proceedings against the family to take away their Jerusalem IDs. Salma refused to give her real name for this article, fearing it would be used against her in court. Although her family is a known Jerusalemite family with taxed property in the city, Salma - like Khatib - fears that if Israeli bureaucrats can prove that the family no longer maintains Jerusalem as its 'center-of-life', they will be stripped of their Jerusalem residency rights.

As they are wealthy, the municipality's social security benefits are less important to Salma's family than they are to Khatib's. But in Salma's case, the stakes are also national stakes. Should her family lose Jerusalem residency status, they will be classed as West Bank residents. As such, and as property owners in Jerusalem, they could become, under Israeli law absentee landlords, and their property taken over by the Israeli custodian for absentee property. In other words, according to the 1950 Israeli Absentee Property law, their house, in the family for generations, could become the property of the Israeli government.

A Wall By Any Other Name

"They want to keep Palestinians out of Jerusalem," says Salma. "That's what the wall is for. They want to keep us in the West Bank and take away our rights in Jerusalem. Settlers in Hebron can live in the West Bank and still have rights in Jerusalem. But we can't."

To some, the wall is the latest phase in a long battle for Jerusalem. "They had plans for Jerusalem the minute they took it," says Ziad Hammouri, director of the JCSEER. "Sometimes it seems that everything that happens is a carefully orchestrated campaign that started in 1967."

East Jerusalem was the only occupied territory that Israel formally annexed after the 1967 war, an annexation that has never been recognized by another country. Since then, one of the stable political platforms between the Israeli right and left is that Jerusalem is the "eternal, undivided capital" of the country.

The JCSEER documents abuses of Palestinian rights in Jerusalem and provides Palestinians with legal representation in Israeli courts. The center covers a host of issues from the demolition of Palestinian homes built without rare municipality permission, challenges to Palestinian national insurance rights, questions over municipality taxes, and threatened ID card confiscation. Recently, the center has also been forced to handle cases related to the wall, and Hammouri sees the problems it raises as intimately tied to the larger picture. He traces a web of related Israeli policies meant to ensnare Palestinians and sweep them out of the city.

"In 1967, they started reordering the land. Fifty-two percent of the land of East Jerusalem became so-called 'green areas' where it was forbidden to build. Thirty-four percent was confiscated outright. That left just 14 percent for Palestinians to build on," says Hammouri. He notes that house demolitions also contributed early on to the clearing of Palestinians from the city: the Moroccan quarter - razed to make way for the open plaza in front of the Western Wall - housed hundreds of families alone.

"Obtaining building permits was made very difficult. On average it takes four or five years for a Palestinian to obtain the license, and then it will cost between \$25,000 and

\$30,000, including the taxes, the infrastructure and the license itself, but before any building costs. There was little space for Palestinian population growth, and what space there was, was made harder for people to use.”

These high costs are measured against an unequal standard of living. According to a 2003 study¹ by former west Jerusalem municipal council member Meir Margalit, almost 58 percent of Palestinians in Jerusalem live in poverty compared to 22 percent of the city’s Jewish inhabitants. Almost 50 percent of Palestinian Jerusalemites fall in the low income bracket of less than NIS 2,000 a month compared to around 19 percent of Jewish residents. Only 3 percent of Palestinians are considered high income earners, at over NIS 5,000 a month, compared to 28.5 percent of the city’s Jewish population.

“Israel imposed the same level of taxation on the eastern side of the city as on the west,” says Hammouri. “But this was clearly unrealistic, and the much poorer eastern population could in many cases not keep up. In the Old City alone [since 1967], some 250 shops have had to close, unable to afford the taxation.”

It was almost inevitable, then, that many Jerusalemites chose to build houses in the villages surrounding Jerusalem where taxation was lower, it was easier to obtain building licenses and there was space for families to grow. “For many years this was accepted [under Israeli law]. People kept their Jerusalem IDs, and lived just outside the municipal borders,” says Hammouri. “Then [Israel] introduced the notion of ‘center of life.’ The idea was that anyone who had lived outside the borders of Israel and Jerusalem for over seven years could lose their ID.”

To prove that one’s center of life has been in Jerusalem for the past seven years (the law is applied retroactively) Palestinians are required to present proof of payment of the *arnona* property tax, proof of place of work or place of study, as well as utility bills. Jerusalemites have long complained that the bureaucracy involved is unnecessarily arduous, complicated and implemented in a haphazard manner. According to the JCSE, the instructions given by the Interior Ministry to Palestinians are “characterized by ambiguity and vagueness”.² The center accuses the Israeli municipality of racing against the prospect of a political settlement in Jerusalem, in the interim doing all that it can to strengthen its hold on the city.³

These policies only apply to non-Jews, since Jews, under the Israeli ‘law of return,’ have automatic right of citizenship in Israel, and to live wherever they want, including the occupied territories. While Israeli attempts to gerrymander Jerusalem’s population balance were not new, they became more focused after the Oslo accords in 1993. Then the ‘center of life’ policy became crucial and worked in coordination with Israel’s ‘closure’ of Jerusalem, which required West Bank and Gaza identity card holders to apply for a military permit to enter the city. In conjunction, the mid-1990s saw an influx of Jerusalemites who feared they might be barred from the city.

“Israel has quite openly stated it wants to keep the Palestinian population in Jerusalem

at 25 percent,” continues Hammouri. “Now it stands at 33 percent. In 1995, they made a mistake by threatening to confiscate IDs, because this only served to boost East Jerusalem’s population. Some 30,000 people returned then. The Shufat Camp alone went from 12,000 to 25,000 people.”

“That’s where the wall comes in,” Hammouri believes. “In all, there are some 240,000 Palestinians with Jerusalem IDs. Once the wall is finished, some 120,000 of those will find themselves outside it. These people are then threatened with confiscation of their IDs. So some people have started to come back, but there isn’t much place for them to come back to, and the areas where there is room for growth, like Kufr Aqab, Essawiyah, Sur Baher, Anata and Shufat Camp, are going to fall outside the wall - even though they are part of Jerusalem.” He estimates that these neighborhoods that will fall outside the wall, despite being inside the Jerusalem municipal boundaries, are currently home to 50,000 people. Thus, Hammouri believes the wall will serve to decimate Jerusalem’s Palestinian population.

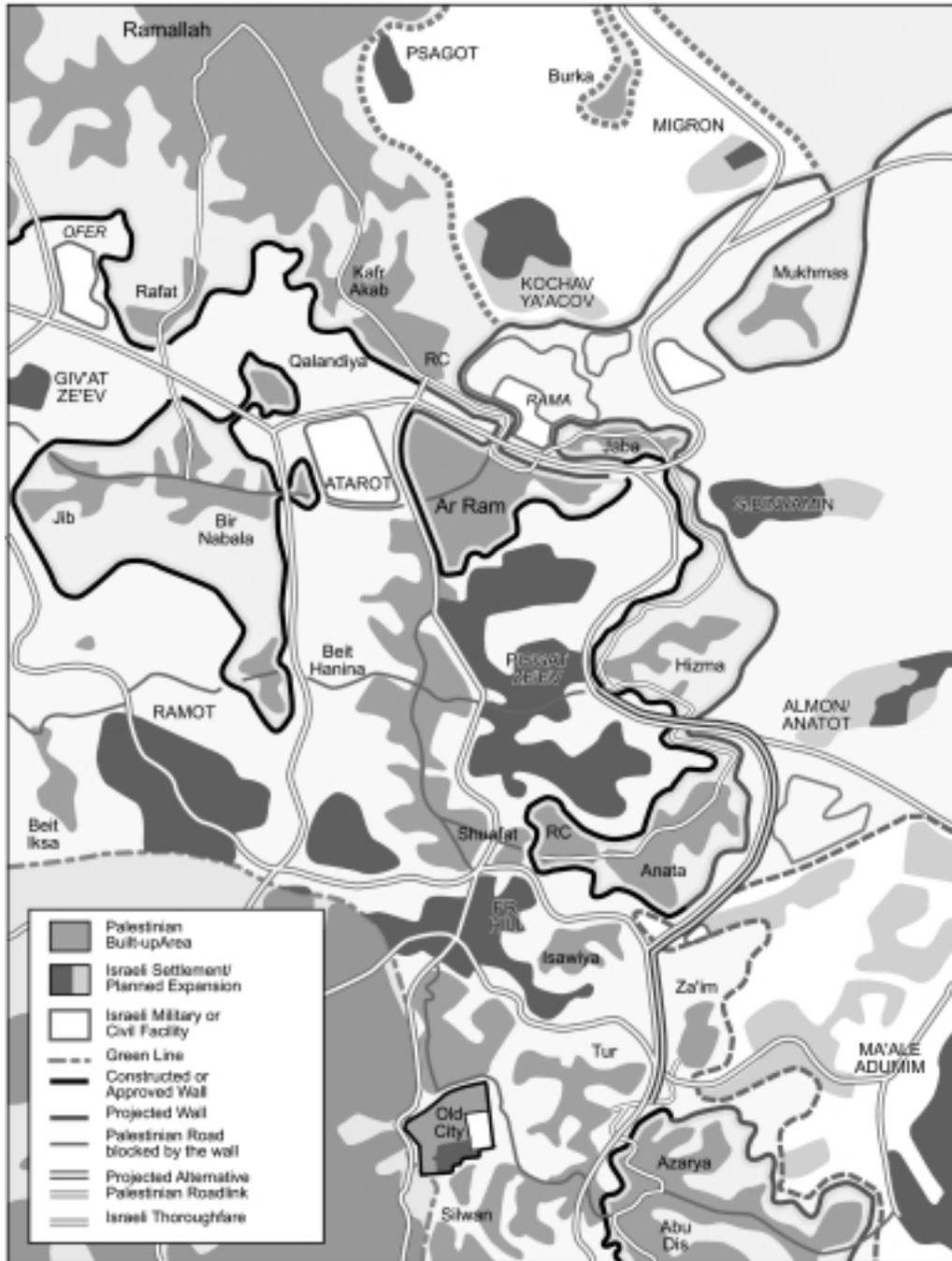
The Third Exile

Overlay a map of the wall as it has been built and as it is projected, on a map of Jerusalem and a picture emerges that backs up Hammouri’s argument. The wall is being constructed more or less along the Israeli-defined municipal borders, themselves deep in West Bank territory. Where the projected route of the wall differs from the municipal borders is instructive. Around Ezzariya in the east, the wall veers wildly into the West Bank, reaching out to the largest Israeli settlement, Ma’ale Adumim. In the north, around the settlement of Pizgat Zeev, the wall is projected to dip into the municipal borders, excluding populated Palestinian areas like the Shufat Refugee Camp and Anata.

The building of the wall has been enough to convince many that if they end up outside it, they will lose their IDs. Rana, 25, lives in Kufr Aqab, inside the municipal borders but now outside not only the wall, but also the Qalandiya checkpoint. According to her “a lot of people from Kufr Aqab have moved into much smaller houses in the Old City for fear they will lose their IDs.”

She would be one of them had it not been for her father’s insistence on staying put. “He says he wants to die in his own house, and he doesn’t care what they do.” All of Rana’s four brothers have rented apartments in the Old City. “The municipality says the wall won’t affect our status,” says Rana, “but no one believes them.”

Israeli officials insist that the Jerusalem residency status of ID holders who live inside municipal borders but outside the wall will not be affected. Indeed, the municipality has projected that East Jerusalem’s population will rise to 380,000 people and says it has planned an additional 100,000 housing units there. The municipality did not say whether that housing would be for Palestinians, or whether it would be housing for



A map of the projected course of the wall between Jerusalem and Ramallah. Source: stopthewall.org/PENGON

settlement projects,⁴ such as the recently proposed rezoning of a neighborhood in Wadi Joz intended to make way for more Jewish residential space.⁵

Elias Khouri, a Palestinian-Israeli attorney who has represented a number of Jerusalem residents in danger of losing their IDs, believes that fears that the wall will be used to expel a large number of Jerusalem residents are unfounded. He points out that areas like Kufr Aqab, which fall inside the municipality but outside the wall, could only be excised from Jerusalem through a parliamentary decision, which he believes unlikely. “If the wall is intended as a demographic measure,” Khouri says, “it has failed. In fact, it will have the opposite effect.”

The Promised Land

Sheikh Abdullah Alqam is one of the Shufat Refugee Camp’s original inhabitants. A mukhtar, he is often called upon to settle problems between families and factions in the camp. In 1948, his family fled from their original homes in what became Israel to Jerusalem’s Old City and when is now the Jewish quarter. In 1966, the Jordanians decided to move some families away from that area to the newly-established Shufat Camp (“The master is one,” says Alqam, conspiratorially.) His family was included.

“We know what they want; it’s always been the same,” says Sheikh Abdullah, sitting in his house on the very edge of the camp. “They want the land without the people. The Israelis would be happy if the sea opened up and swallowed all the Jerusalemites. But they want Jerusalem, and the wall is simply designed to isolate Jerusalem from the West Bank. So they are willing to put up with the people in the meantime. Unlike Gaza,” he adds, “where they would be happy if the sea opened up and swallowed the whole lot, people and land.”

The camp remains on its original 210 dunams, but has grown from 1,600 residents to more than 30,000 today. In the mid-90s when Israel began to enforce the ‘center-of-life’ policy, the camp’s population more than doubled, from 12,000 to 26,000.

The camp lies within Jerusalem’s municipal borders, but a drive around the garbage-strewn unpaved roads and a whiff of the open flowing sewage demonstrates the absence of municipal services. It is difficult to imagine that the same authority controls these mud roads and the spick and span thoroughfares of West Jerusalem. Margolit’s study includes two models illustrating municipal spending in East and West Jerusalem. In one, 8.7 percent of the total Jerusalem budget is spent on East Jerusalem, and one-third of the city’s residents. West Jerusalem, by contrast is allocated 91.3 percent of the city’s budget. The other, using a slightly different calculation, finds that 10.9 percent of the total budget is spent in East Jerusalem, the rest going west.

Ayman Sumeira is the head of the Israeli government-run Kupat Holim medical center in Shoufat Refugee Camp, one municipal service visible here. “Everyone in this place

needs the health services,” he says. “I’ve seen cases of hepatitis here, which people should have been inoculated against. There is overcrowding, and disease spreads quickly, aided by the open garbage dumps and open sewers. Some classes have sixty children in them.”

But even in these conditions, the camp’s residents, he says, are preoccupied with the wall and its possible course. “The wall is the third exile of the Palestinian people. I like to call it ‘the monster’. Every day we hear something new. Nobody knows what to think or what to expect.”

Nor is he optimistic about the future. “Nobody did anything in ‘48, nobody did anything in ‘67 and nobody will do anything now,” is his rather gloomy forecast. “People are too busy feeding themselves and putting bread on the table. They have become apathetic. For the Israelis, it’s like flogging a dead horse. They will hear no protest. They don’t need an army to occupy this place.”

Khouri agrees that Palestinians have not been effective in their opposition to the wall, or in organizing in general. “I attended three demonstrations against the wall in East Jerusalem. In all cases they were organized by Israelis and in all cases more than half the participants were Israeli. People are not aware of the effect of collective action - and even if it changes nothing, it has to be done. Their part has to be done.”

He uses the example of road construction in East Jerusalem. “Look, when Israel announces plans to build a road that takes away land, I haven’t seen people organize themselves to protest, even the people whose rights are directly being infringed upon. Why not? Even if we can’t make the municipality change their minds we can guarantee compensation.”

“There is no foresight,” he says, obviously speaking on a subject that particularly irritates him. “The roads are planned years in advance, and the plans are made public. It’s no good to start protesting when they’ve started digging. There are ways to do this. When the plans are made public, find out whose land it infringes on, find alternatives with the help of a city architect, and show the municipality the available alternatives. At least get noise compensation! Highways devalue property prices, and there is compensation for this, but it has to be applied for within three years.”

“If this had been done with all the roads they built in East Jerusalem,” Khouri continues, “compensation payouts would have been so large that the municipality would probably have been forced to abandon their plans. This is just one example where, with greater awareness, foresight and collective action, something could be done. Why let the Israelis get away with it?”

Sheikh Abdullah also feels more should be done, but looks in another direction. “The Palestinian Authority must make people believe that it is a better alternative to the occupation. There is no connection between the [PA and East Jerusalemites].”

There are no figures available for the number of Jerusalem ID holders that have returned to the city since construction on the wall began. Hammouri estimates perhaps 20,000 people have moved, though he concedes that this is at best an educated guess.

In his little corner shop, meanwhile, Khatib holds out hope that his living conditions might soon improve. He says the Islamic waqf is building housing units that he should be able to move his family into. Meanwhile, he remains the custodian of this shop and the only mosque in the Jewish quarter. He has to hold down both jobs to pay his bills: Israeli municipality officials came to the waqf building after the families put up partitions. They carefully measured each family's living space to calculate the property tax each would be charged.

Endnotes

¹ *Chronic Discrimination in East Jerusalem: Evidence from the Municipal Budget*, JC SER, July 2003

² "Human Rights Violations in Arab East Jerusalem", JC SER Annual Report, 2000

³ *ibid*

⁴ The question was: how does the municipality project east Jerusalem's population will change after the wall, and the answer: "The plan is to allow 100,000 housing units in east Jerusalem, in order to meet the expected rise in population in that area, which is expected to reach 380,000 people." Written response to questions, Gideon Smerling, spokesman, September 21

⁵ Haaretz, Sept. 24.