

**SEIZING  
CONTROL OF  
SPACE IN  
EAST  
JERUSALEM**

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May 2010

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One of the most vexing problems in determining the future of Jerusalem is the presence of a matrix of control that Israel has laid over East Jerusalem, including the Muslim and Christian Quarters of Jerusalem's Old City \*. Since the occupation of the West Bank in 1967, Israeli governments have endeavoured steadily and unceasingly to alter the Arab character of East Jerusalem by fostering a critical Jewish mass – territorial as well as demographic – that creates a new geopolitical reality dominated by Israel. That process, called explicitly by the Israeli right as "Judaization", is aimed at assuming control of the East Jerusalem by "de-Arabizing" it at the expense of its Palestinian population and Arab heritage.

Successive Israeli governments \*\*have employed two mutually reinforcing means to constantly expand and solidify the matrix. The official organs of the state – the Jerusalem municipality, the Ministry of the Interior, the court system, the police and others – work hand-in-hand with such non-official bodies as settler associations that perform functions that the state is unable and unwilling to do, either for legal reasons or because it is "unseemingly." The settlers' associations constitute the long arm of the government; in return they are funded and flourish with governmental backing and sponsorship, with the cooperation of every legal government authority from the municipality to the police. A symbiotic relationship has formed between them to the extent that it is often unclear who is running what the state the settlers or the settlers the state.

This research focuses on actions by settlers – with both overt and covert government support – in the very heart of East Jerusalem's Arab population. It deals with properties taken over by Jews in the midst of densely populated Arab sections of East Jerusalem.

In the wake of the Oslo Accords (1993) and subsequent peace processes, and since the rise to power of President Oba-

\* This concept, "Matrix of Control" is defined by Jeff Halper, in the publication "Obstacles to Peace", ICAHD, Third Edition, April 2005. Page. 10.

ma, the settlement project in East Jerusalem and particularly in the Old City took on greater impetus and urgency, spurred by settlers' fears that Jerusalem could be divided as part of an overall peace agreement. The Israeli government and the Jerusalem municipality proceed on the assumption that the international community will eventually enforce a diplomatic arrangement featuring a division of the city. It is also assumed that when that time comes, the deployment of settlements will determine to a large extent the city's boundaries, just as in 1948 Jewish settlements determined Israel's overall borders. As a result, both the state and the municipality are making tremendous efforts to create 'facts on the ground' that rule out any future division of Jerusalem. The settlers' strategy is therefore clear: to create a situation in which future diplomatic agreements to divide the city will be impossible. The website of Ateret Cohanim states this openly: "Determination and collaboration with the authorities have proven the old method of Zionism – it is Jewish settlement that determines the borders of the state!"

The settler project is a well thought-out and dangerous attempt pursued by right-wing Israelis to thwart future peace-plans. Quietly and furtively, Israeli governments –not only right wing parties, but also including the Labour party - are using the settlers to seal any opening through which a peace agreement can be achieved. It is not certain that the settlements will manage to fundamentally alter East Jerusalem's character in the long-term, but it's certain that this is the underlying intention. In Silwan, settlers have succeeded in poking another stick in the wheels of peace. There, in the area they have named David's City, they will soon acquire a critical mass of land and houses, and have created a situation that greatly impedes the return of the land to the Palestinians. Until a decade ago it was customary to say that the hard core of the settlers that must be cracked in Jerusalem is the Old City, but now the area in Silwan and the area surrounding the Old City, known as the Holy Basin, must be included.



# Scope of This Research

This research concentrates on Israeli purchases in the dense Arab neighbourhoods of East Jerusalem, including the Old City. However, we felt it imperative to also include information concerning the existing large settlements in East Jerusalem – in Israel these are referred to as “neighbourhoods”, - such as Gilo, Ramot, French Hill, and so on, even though much information has already been published about them. We have included information concerning government plans to increase their housing (“Areas/Projects Targeted by Government”), as well as figures for current Jewish population in these large settlements.

We include government offices and institutions even though these are not settlements in the formal sense of the word; that is, these are office spaces and not residences. Still, it is important to take them into account because their placement, from the regional court on Salah Adin street to government offices in Sheikh Jarrah is not coincidental; Such infrastructure is located strategically to strengthen Israeli jurisdiction within it. Israel Kimhi, a specialist in issues concerning East Jerusalem, contends that the placement of these government buildings are a direct result of Israel’s intent to tighten and expand its control over the eastern part of the city. He asserts that “some of these institutions and businesses were erected as a result of government persuasion and its desire to strengthen Israeli state control in the area.” He further explains, “The Israeli government’s decision to build an official complex in East Jerusalem...[is] a political move which has changed the city’s functional structure” (Kimhi 2009).

In contrast to the institutions described above, we also include institutional elements that serve Palestinians, yet in practice are first and foremost in service of the Israeli political interest.\* Examples are the Ministry of Interior in East Jerusalem and the Social Security Office. The "Kupat Cholim" (Health Centre) and the Child Health-Care Clinic, on the other hand, which are also intended for the service of the Palestinian community, are difficult to define as a political measure. It is clear, however, that the contribution to the psychological effect provided by these seemingly "neutral" institutions, but recognized as Israeli, is significant to the changed character of the city. The logo of Kupat Cholim, the "Sonol" gas station, the Post Office and even the Israeli cell phone companies are part of a pattern, becoming an integral element of the Israeli control narrative of the East of the city. Not one is in fact 'innocent' of political significance. For each logo, symbol, and Hebrew concept there is a contributing function towards the overall 'Judaization' of Jerusalem. We need to approach in a like manner the series of parks the municipality has built as a ring around the old city. To unsuspected eyes these parks appear as mere green spaces devoid of any political content. However, these parks are an additional element planned for the purpose of solidifying full control over the land. Lands considered of geographic (strategic) value, but where it might be complicated to build settlements, the state declared them National Parks. These National Park lands serve not only as reservoirs for future Israeli construction, but also as a means to strengthen Israeli governance over the eastern part of the city, thereby serving at the same time to prevent Arab construction on those sites.

Special attention is devoted in this research to the existence of a dense network of closed-circuit surveillance cameras. They penetrate into every strategic corner in East Jerusalem, most particularly in areas surrounding the settlements. Michel Foucault has written widely on the impact of CCTV ca-

*\* The huge building of the Post Office in Salah al Din Street is an example of this problematic issue. It serves mostly Palestinians but in 1992 settlers were close to obtaining it from the government for their use.*

meras for spatial control. The cameras are intended to cast fear and suppress any spirit of resistance among local citizens, simply and effectively. Police presence is replaced by tele-presence, reinforcing the existing power relations. The threat of being watched never ends and the space becomes a space of coercion.

Infrastructure is also a tool in the control apparatus. It makes no difference if the local population can benefit from it, nor does it make any difference if the planners' motivation lacks any political intention. The objective and subjective effects that it creates in the land is the intensifying of Israeli control in East Jerusalem. In fact, it is yet another aspect of that matrix of control which I have indicated in this research. The 'light railway' which is in advanced stages of construction and which also crosses northeast Jerusalem, is a good example of an element that must be considered a means for intensifying Israeli control of the space. Not only because of its massive presence in the area, but also because it is a tool that residents of the eastern city do not need. Once built, they will not use it because it will be more expensive than the Arab public transport system that has developed in the eastern half. It will drastically congest the flow of traffic because it is a major part of the main road from Shuafat to Beit Hanina now, and moreover its central route will pass through land in the eastern city.

The 'eastern ring road' is another example of an infrastructure aimed at deepening the colonialist control model. It was planned a priori to divert Arab transit means from the west of the city, to prevent Arab drivers from travelling the 'Jewish roads' and it is an element that further separates the two populations. Even if it is likely to ease the travel of Arab residents who want to cross the entire eastern area without encountering Jewish drivers, this prohibition is a trick that was commonly employed in all European colonies in Asia and Africa - based on the principle of separating two different societies - the native-born and the colonisers.

The concept 'control of land' defines a phenomenon that

is far more substantial than seizing land. It consists of a whole system of instructions, regulations, laws, and physical, economic and psychological pressures that are exercised over East Jerusalem's residents. It overshadows the entire space. The method is applied by state mechanisms that create absolute dependence of citizens on government agencies, and that dependence enables control of citizens and the whole space. Physical control of the land goes hand in hand with psychological control, and each one prepares the ground for the other.

Despite the broad meaning of the concept, this research focuses, as noted, on a single aspect of that control – the taking over of the space by settlers. It does not examine the other side of the coin, which is the mechanism of restriction on land-use, which the government enforces on East Jerusalem's residents. It is a mechanism that restricts activity via the 'planning' system – ostensibly a neutral, professional term, but in our context, a code name for a control mechanism intended to perpetuate the interests and hegemony of the Israeli elite. And so its control operates like a pincer – one arm takes control of Arab land, the other prevents Arabs from using their land. Both arms work simultaneously, while in tandem the steamroller of psychological pressure rounds out the control process.

The information included here is the result of compilation and consolidation of four sources of data: 1) Information previously exposed by the media, (some of which is now known to be incorrect). 2) Data collected by actually visiting each location documented in this paper. 3) Information provided by Muhamad Maraje, a former collaborator with settlers in Silwan and the Old City, now no longer involved with the settlers. Some of his data was published by Meron Rappaport in Ha'aretz, but much of it is available with the author. 4) Investigation of data regarding home ownership transfer at Jerusalem City Hall department of municipal taxes, where settlers commonly change the ownership to their names. It is our opinion that this is therefore the first comprehensive collection and documentation of the many parts of the subject.

It should be noted, that this research does not make claims against neighbourhoods shared by Jews and Arabs in East Jerusalem. It is aimed at the presence of these specific Jews, the settlers, because of the political agenda they bring with them, and because of their hostile attitude towards the space and its original residents. Jews are entitled to live in East Jerusalem on condition that they relate to the space and its residents with respect. Heterogeneous spaces are generally positive, but not in this situation: here, instead of dividing the area into two different categories 'them and us', the settlers have divided it into two separate sections of 'them against us'. And so the space becomes a volcano liable to erupt at any moment.

# The Legality of Settlements

*By attorney Allegra Pacheco.\**

By settlements, one understands areas within the OPT (Occupied Palestinian Territory) inhabited by civilians of Israeli nationality. It includes those that have been authorized by the Government of Israel (the majority), and those not so authorized (the minority, all small)i.'

Both the UN and the EU have stated that the Israeli settlement policy violates IHL (International Humanitarian Law), with the UN stating specifically that the Israeli settlements in the OPT violate Article 49 of the Fourth Geneva Convention. Further, a Conference of High Contracting Parties to the Fourth Geneva Convention (held in 2001) issued a Declaration sta-

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ting: "The participating High Contracting Parties . . . reaffirm the illegality of the settlements in the said territories and extension thereof."

Paragraph 6 of Article 49 of the Fourth Geneva Convention states that:

*"The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."*

This provision implies that, there are no circumstances that can justify the occupying power's transfer of its own population into the occupied territory. This obligation applies only to the occupying power. It does not prohibit voluntary migration of the occupying power's nationals toward the occupied territory; *it only forbids the occupying power's participation in or contribution to this process.*

According the official commentary of the Fourth Geneva Convention, the prohibition against settlements is intended to:

*...prevent a practice adopted during the Second World War by certain Powers, which transferred portions of their own population to occupied territory for political and racial reasons or in order, as they claimed, to colonize those territories. Such transfers worsened the economic situation of the native population and endangered their separate existence as a race.*

The transfer by an occupying power of its own civilian population into occupied territory not only constitutes a breach of IHL according to the Fourth Geneva Convention, but also a grave breach according to the First Additional Protocol of 1977 to the Geneva Convention and is listed as a war crime under Article 8(2) \*\*of the Statute of the International Criminal Court (ICC).

Furthermore, Article 49 must be interpreted in the context of other rules applicable to occupation. The Hague Regu-

\*\* *The State of Israel is not a party to the International Criminal Court.*

lations of 1907 constitute another set of rules imposing obligations on the occupying power. Although the Hague Regulations do not address the transfer of civilians specifically, they do require maintenance of the “public order and safety”—*l’ordre et la vie publics*—of the occupied population (Article 43 of the Hague Regulations). This too can be seen in the context of preserving the basic *demographic and social configuration of the occupied territory*.

Given the push of the Jerusalem municipality in the Jerusalem Master Plan 2020 to maintain a demographic balance between Israeli and Arab residents, the phrase ‘preserving the basic demographic and social configuration of the occupied territory’ is particularly significant. The Jerusalem municipality in fact has a policy that is in direct opposition to Article 49 and the Hague Regulations.

## UN resolutions

The settlements violate four UN resolutions: Resolutions 242, 446, 452, and 465.

Early on into Israel’s occupation of East Jerusalem, the United Nations Security Council declared invalid, Israeli measures aimed at de facto annexing East Jerusalem into Israel. In 1971, the Council declared:

*“...[A]ll legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status.”\**

When the Government of Israel passed its Basic Law on Jeru-

\*UNSC Resolution 298 (1971) of 25 September 1971.

saalem in 1980, aimed at legally entrenching its de facto annexation of Jerusalem, the UN Security Council again issued a clear declaration regarding the invalidity of Israeli actions under international law.

*"...[A]ll legislative and administrative measures and actions taken by Israel, the occupying power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent 'Basic Law' on Jerusalem, are null and void and must be rescinded forthwith.\*\**

The Security Council has also issued numerous resolutions outlawing Israeli settlements in East Jerusalem. For example, UN Security Council resolution of March 1980 determined that:

*"[A]ll measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.*

In that resolution, the Council called upon all states, "[n]ot to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories."\*\*\* The Security Council has called on Israel, as an occupying power to "abide scrupulously" by the Fourth Geneva Convention, in particular regarding on settlements and:

*"rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, inclu-*

\*\* UNSC Resolution 478 (1980) of 20 August 1980.

\*\*\* UNSC Resolution 465 (1980) of 1 March 1980.



*ding Jerusalem and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories.” \*\*\*\**

In 2006, the Assembly adopted a resolution reiterating its determination that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City are illegal and, therefore, null and void, and had no validity whatsoever. It did so by a recorded vote of 157 in favour, to 6 against (Israel, Marshall Islands, Federated States of Micronesia, Nauru, Palau, United States), with 10 abstentions.\*\*\*\*\*

In July 2004, the International Court of Justice (ICJ) issued an advisory opinion to the UN General Assembly on the construction of the Wall in the West Bank and East Jerusalem. It reiterated that East Jerusalem remains occupied territory and that IHL, international human rights instruments and numerous Security Council resolutions all apply to East Jerusalem. The Court concluded that the route of the Wall inside the West Bank and East Jerusalem “gives expression, *in loco* to the illegal measures taken by Israel with regard to Jerusalem and the settlements, as deplored by the Security Council,” and therefore violates international law.\*\*\*\*\*

The ICJ called on Israel to cease construction and dismantle the sections built in the West Bank and East Jerusalem and provide reparations to Palestinians harmed by the construction of the Wall. The ICJ’s advisory opinion was overwhelmingly reaffirmed by the UN General Assembly in 2nd August 2004, with the EU voting as a bloc in support of the Advisory Opinion. The International Court of Justice also reiterated Israel’s legal obligation to ensure Palestinian freedom of access to the Holy Places in Jerusalem that came under its control following the 1967 War.\*\*\*\*\*

\*\*\*\* *UNSC Resolution 446 (1979) of 22 March 1979.*

\*\*\*\*\* *December 2006 General Assembly GA/10543 , 61st General Assembly Plenary.*

\*\*\*\*\* *Paragraph 122 of the International Court of Justice Advisory Opinion, “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory” 9 July 2004.*

\*\*\*\*\* *Paragraph 149 of the ICJ Opinion.*

Excerpts from March 2010 Quartet and EU Statements on East Jerusalem:

Though not sources of international law, the recent Quartet and EU statements on East Jerusalem and settlements re-affirm the international law principles set forth above.

Quartet Statement:

*...Recalling that the annexation of East Jerusalem is not recognized by the international community, the Quartet underscores that the status of Jerusalem is a permanent status issue that must be resolved through negotiations between the parties and condemns the decision by the government of Israel to advance planning for new housing units in East Jerusalem. The Quartet re-affirms its intention to closely monitor developments in Jerusalem and to keep under consideration additional steps that may be required to address the situation on the ground. The Quartet recognizes that Jerusalem is a deeply important issue for Israelis and Palestinians, and for Jews, Muslims, and Christians and believes that through good faith negotiations the parties can mutually agree on an outcome that realizes the aspirations of both parties for Jerusalem, and safeguards its status for people around the world...*

*...The Quartet reiterates its call on Israel and the Palestinians to act on the basis of international law and on their previous agreements and obligations — in particular adherence to the Roadmap, irrespective of reciprocity — to promote an environment conducive to successful negotiations and re-affirms that unilateral actions taken by either party cannot prejudice the outcome of negotiations and will not be recognized by the international community. The Quartet urges Israel to freeze all settlement activity, including natural growth, dismantle outposts erected since March 2001; and to refrain from demolitions and evictions in East Jerusalem. The Quartet also calls on both sides to observe calm and restraint and to refrain from provocative actions and inflammatory rhetoric especially in areas of cultural and religious sensitivity.\*\*\*\*\**

\*\*\*\*\* Middle East Quartet Statement March 19, 2010, Moscow. The Quartet—U.N. Secretary General Ban Ki-moon, Russian Foreign Minister Sergei Lavrov, U.S. Secretary

Statement by EU Minister of Foreign Affairs Ms. Catherine Ashton:

*The European Union reiterates that settlements are illegal under international law. They undermine current efforts for restarting peace negotiations, constitute an obstacle to peace and threaten to make a two-state solution impossible. \*\*\*\*\**

Statement by White House Press Secretary Robert Gibbs on Jerusalem, November 17, 2009

*We are dismayed at the Jerusalem Planning Committee's decision to move forward on the approval process for the expansion of Gilo in Jerusalem. At a time when we are working to re-launch negotiations, these actions make it more difficult for our efforts to succeed. Neither party should engage in efforts or take actions that could unilaterally pre-empt, or appear to pre-empt, negotiations. The U.S. also objects to other Israeli practices in Jerusalem related to housing, including the continuing pattern of evictions and demolitions of Palestinian homes. Our position is clear: the status of Jerusalem is a permanent status issue that must be resolved through negotiations between the parties.*

*of State Hillary Rodham Clinton, U.S. Special Envoy for Middle East Peace George Mitchell, and High Representative for Foreign Affairs and Security Policy of the European Union Catherine Ashton—met in Moscow on March 19, 2010. They were joined by Quartet Representative Tony Blair.*

*\*\*\*\*\* Declaration by HR Ashton on behalf of the European Union on the decision by the Government of Israel to build new housing units in East Jerusalem, 18 March 2010.*

Taking  
Control  
of the  
Space

'Taking control of the space' refers to a much broader concept than merely the appropriation of physical properties. A single settlement structure invades the entire surrounding space; its impact is felt over and above that one building due to the security system associated with the structure, spreading a pall for the Palestinian residents. A single house or an entire compound becomes a fortified site in the finest colonial traditions of the nineteenth century- a gated community in the 21st century.

Every Jewish site in East Jerusalem requires a security fence, guard-posts with armed security personnel, projectors and often closed circuit cameras, accompanied, of course, by a provocative Israeli flag. In their wake come the police forces that patrol the site and are a constant irritation to Arab residents. The settlement invades the entire Palestinian territory where everyone and every movement is monitored. The mere presence of the settlement is enough to ensure its control over the space. The character of the space changes from a peaceful living space to a conflict zone.

A settlement not only fragments the territory by creating isolated and separated enclaves, causing breaks in the physical surroundings; it also destroys the homogeneity of the community, thereby deepening Jewish control of the land. Thus the settlements disturb the environment. They disrupt the sense of place and interrupt or even reverse what Kevin Lynch called 'the sequences of the landscape', the homogeneity and coherence of the Palestinian space, because they work to stamp their authority in the surroundings (Kevin Lynch, 1964). The settlers' presence introduces a sense of anxiety and stress in the urban landscape; an urban turbulence, and damage the emotional security of its inhabitants. They break the balance and become a cause of disorientation. These settlements are a recipe for disaster, a time-bomb which, if not defused has a high probability of causing an appalling explosion.

By its very existence, a settlement is antagonizing and harmful to the space it occupies, because it is an extension of "the State", with all the attendant implications for Arab citi-

zens who feel humiliated and under occupation. Those feelings are intensified by the fact that the same state is an all-pervading presence. The settlement becomes what Michel Foucault termed 'key dispositive' in the spatial control and disciplining system, a local version of 'the eye of power' that watches and imposes threats over the entire space. It recalls the 'urban panopticon' that English philosopher Jeremy Bentham defined in the late eighteenth century. If this is the general feeling towards every settlement, anywhere, it is even more so when the settlement is built on the wreckage of families that lived in those homes until yesterday, and were forcibly evicted followed by the homes' repopulation by settlers, as is the case in the Sheikh Jarrakh neighbourhood (It makes no difference whether their evacuation was performed with legal backing as it is in any event a power-driven eviction)

Space is crucial to the exercise of power, but power also creates a particular kind of space (Koskela, 2003). The settlement creates a cartography of exclusion, organises the space in accordance with structures of power and control, and transforms it from 'a space' into a zone of conflict.. The settlements divide the space into two groups - those who exercise power and those who are subjugated to it.

# Permanent Temporariness

The land under occupation receives a special, different status from the kind customary in non-occupied spaces. First, due to the prevailing assumption that the occupation is by definition a temporary situation, likely to end at some stage of the conflict, the land obtains a status of temporariness. Everything is frozen, anticipating the liberating stage when things will return to normal. The occupier relates to the area as a sort of 'deposit' to be repaid to its legitimate owners when peaceful times return. Equally, the occupied people consider the circumstances in the territory as an aberrant situation, in which they must organise for survival, rather than for a full life. It is true that the Israeli authorities always declare that the annexation of the Territories is 'eternal', but all the practices and measures applied indicate land in an interim situation, a sort of parentheses in the course of life; the land belongs neither to the occupier nor the occupied. After 42 years of occupation, an abnormal situation of spatial inconsistencies has taken shape. It can be characterised by what Oren Yiftachel describes as 'a permanent temporariness', in which the land is neither integrated nor eliminated. In that condition, the state has developed various methods for managing the unwanted and the irremovable, and the proof is visible in every alleyway in East Jerusalem – neglect and deprivation on all sides.

If the situation of the conquered land is abnormal, all the more so is the situation of colonised land - where settlers try to assume control in a process of reshaping and redefining the land, and changing its demographic and geographic profile.

# The colonial model of relationship with “the natives”

The relationships between the settlers and the Arabs is not a neighbourly one, but based on adversarial relations that dictate that climate, the discourse and also the characteristics of everyone dwelling in that space. They make the open space segregated, polarised, more difficult to approach and more difficult in which to remain a resident, because they encourage conflict. This does not mean that the Arab residents cannot benefit from the establishing of settlers in their area. In certain select cases, the creating of a settlement improved living standards for the local residents. That was the case in Ras-el-Amoud where, following the construction of the Ma’aleh Hazayit settlement, the municipality improved the roads and street lighting, the water supply and garbage-collection systems. And what is more important for the original Arab citizens, the municipality increased the construction percentages, enabling Arab citizens to add additional floors to their homes, similar to their settler neighbours. Phenomena of this kind are familiar from any colonial regime where - in tandem with the overall oppression - there is an improvement in the level of certain service-sectors. Those improvements do not change the overall picture, however, and they are not likely to make the presence of the settlers desirable. Moreover, they further emphasise the inherent discrimination, as the source of the benefits is obvious.

However, paradoxically, the effect of the alien character of the settlements in East Jerusalem reinforces Palestinians’



identity. At this point the difference highlights the uniqueness. In contrast to the settlers the Palestinian environment becomes strengthened. So the settlers play a very important role in heightening the Palestinian political conscience. They are put in a place where they feel the need to react to the settlers' animus. The settlers become a catalyst for the Palestinian consciousness. They produce a reaction that consolidates the community in the places that are threatened.

Impunity and arrogance marks the settler's attitude towards their Arab neighbours, as disclosed on the Ateret Cohanim website where they describe what would have happened in the East Jerusalem if the Jews hadn't redeemed the land: "...the presence of dozens of dedicated, brave Jewish families and yeshiva students prevented the growth of nests of terrorists and drug dealers like in Gaza, Nablus and Ramallah".

The settlements in the city's Eastern half constitute a trap for both sides, creating a situation that is "lose-lose" from the outset. Arab residents living nearby are trapped under the trampling shadows the settlements cast on the surroundings. But to the same extent, the settlers, even though they are armed, are trapped within the settlements. Like every colonial phenomenon in modern history, the settler is a foreign body in the East Jerusalem setting, aware that a thousand hostile stares accompany him whenever he leaves and enters the area. Those stares are so antagonizing that no security system around him can filter out their inherent hatred. Even the religious belief that drives settlers cannot overcome the sense of alienation projected by the people around them, who reject them with disgust. So though the settler resides in that space, he remains external to it.

# Changing the landscape

Reshaping the urban landscape with an Israeli character was used as a means of nationalizing the territory - a means to Israelize Jerusalem and to deprive other people of the symbolic ownership of their community heritage. (Alona Nitzan Shifan, 2006)

In this research, we perceive the meaning of the concept 'space' in the broadest sense of the concept, that includes the entire human and physical fabric of the place. The townscape includes a collection of topics and spheres, all of which create a special and complex identity, consisting of spaces, texture, architectural items, colour, signage, paving, construction technology, environmental design, original buildings, associations with buildings from other periods or of a different provenance, proportions, narratives of the structures, and their relationship with nearby areas that are being developed and constructed. (Kroyanker, 1992)

The process of changing the physiology of East Jerusalem is based on the principle of the cumulative effect in which seemingly neutral elements, without significance if each is considered separately, creates a different dimension when viewed as a whole. Each "neutral element" contributes to the alternative design of the 'space'. They create an Israeli presence without the actuality of Israeli institutions. "Creating a 'place' is a qualitative, symbolic and emotional process". (Ram Karmi, 1977) An identifiably Israeli place can greatly enhance the basis for ownership of land. Examples are light standards, street paving design, even garbage containers similar to those used in West Jerusalem, having the symbol of the Municipality of Jerusalem. The strength of these elements is that they are hidden from the political eye, and are innocent from a political perspective and therefore do not raise objections. Because of

their perception as 'natural' or 'neutral' elements their influence on the physical space is even greater. Seen as a whole, however, in both the physical and demographic aspects, they contribute to the matrix, - a conscious, systematic and sinister policy of de-Arabization. The concept of the "hidden elements" is documented in the section on Ir David, as these elements and their cumulative effect are quite obvious there.

# Policies of Segregation

Spatial segregation did not flourish in a vacuum. It is another expression of a discriminatory policy applied in every sphere. Long before urban discrimination, social, economic, and cultural discrimination prepared the soil for the urban type. Taking control of land preceded the takeover of its citizens' human dignity. The settlers' efforts would have been impossible without the previous ethnocratic policy of contempt for Arabs which enabled more violent endeavours. Azoulai and Ophir noted that 'long before the project is finished, and in some areas long before it has even started, space has been redrawn and redistributed, with new restrictions on movement'. (Azoulay & Ophir, 2009)

The most tangible expression of that segregation is the civilian and legal status of Palestinians in East Jerusalem, which is inferior to that of Jews living in the same city - the former are only residents, while the Jews are citizens. As tenants, they obviously are of lower status, thus the areas they live in are considered second-grade. And if they are inferior citizens living in a low-status area, they deserve inferior municipal services. Accordingly, the part of the municipal budget devoted to East Jerusalem is approximately 12% of the city

budget, while the Palestinians constitute 35% of all residents of the city. (Margalit, 2006)

In this discussion we do not detail the discriminatory policy applied in East Jerusalem, but it is important to note the fact of extensive discrimination, and present the settlers endeavours in the eastern half of the city in a broader context. We further illustrate that it is part of a general, systematic, intentional policy dictated from on high.

## Historical background

Present-day Jewish settlement in the Old City of Jerusalem is not an unusual situation in Israel's history, but the reincarnation of a long-established phenomenon. Since its earliest days, the Zionist project sought to resettle lands considered to be national land that was the historical birthplace of the Jewish people. In that sense, Zionism was an offshoot of the nationalism that took shape in the second half of the nineteenth century among many ethnic minorities in Europe. It also drew on elements from the colonialist tradition that prevailed in every region of Asia and Africa where European colonialising forces took control.

The underlying assumption of the first pioneers was that the land belonged to the Jewish people, and that their return to it was an act of historical justice towards a people that – two thousand years before – had been expelled from its country by foreign powers. They considered it a 'country without people for a people without a country'. For those who were familiar with the situation and knew that the country was not in fact uninhabited, the Arab presence did not affect their plans. Their presence was seen as a 'historical error' that should be corrected, without this not evoking any pangs of conscience.

Furthermore, most land transactions made then were performed legally, and their price paid in full. Over time, a concept developed among pre-state Israel's leaders that permitted seizing land by less acceptable methods, on the assumption that the end justified the means. During the struggle for national liberation against the British Mandate, a worldview took shape that saw settlement as a pivotal aspect of national liberation. The more the British restricted Jewish settlement by their White Papers, the stronger the awareness that it was permissible - even vital - to found settlements in contravention of the Mandatory law, thus creating tangible facts that would expedite Jewish independence in its historical land.

That ideological permission that the heads of the Yishuv (pre-statehood Israel) assumed during the British Mandate filtered into the nascent state - this time, concerning land belonging to the Arab minority in Israel. It was first applied to the land of villages whose inhabitants had been expelled, and that were demolished after the 1948 War of Independence. Later the method was brought into play regarding land expropriated from Arab communities for building new Jewish communities. The justification was the same as that used before statehood - the land was in fact the property of the Jewish people, the Arabs were subtenants, and the state had the full moral right to take it over for the benefit of the Jewish People. And moreover, once it became a sovereign nation, Israel also had the legal right to do so.

That approach was further shored up after the 1967 War, and was applied with greater impetus against land in Judea and Samaria (the West Bank) - considered the historical birthplace of the Jewish People. The conquest of the West Bank set off powerful emotions among many Israelis, returning them to primordial landscapes. The return to a historical birthplace was considered by some to be a wider cosmic event was intended to hasten the coming of the Messiah - proof that there is historical justice in the world and that biblical prophecies were being fulfilled. The presence of Palestinians, they believed, was not sufficient reason to defer their grandiose plan to re-Judaize the land. For the first time, a religious settlement mo-

vement now formed - Gush Emunim. It combined religion and nationalist discourse, and in certain terms its members saw themselves as heirs of the first, secular Zionist pioneers. The movement enjoyed support from a government composed of Labour Movement members who had founded the nation, and also saw the religious settlers as the modern incarnation of pre-statehood pioneers. However, the settlement project that flourished post-1967 was far more violent than that of its forebears, and the threshold of legality and permissiveness of those actions constantly fell. All this was sanctioned by the Israeli army and the legal system, which drew up judicial formulas to seize private land 'lawfully', until it reached a situation of brazen illegal expropriation of private land. No shame was felt by the settlers themselves of course, but neither by the state and its lawful institutions.

Jewish settlement in East Jerusalem is part of that general trajectory, but it is more powerful due to the city's perceived importance in those circles, and also because of the awareness that Jerusalem is the key to peace in our region. As we show later, Messianic, nationalist and also political motivations were involved here, with a clear intention of sabotaging any future peace plans. While they adopted the methods, direction, and ideas of Zionist movement pioneers, these latter-day settlers have obviously honed and brought them to dangerous new heights.

## The demographic factor

Immediately after the Six Day War, a national conception took shape maintaining that - to ensure Israeli control of

East Jerusalem - a massive influx of Jewish citizens should be permitted into the new area that was annexed to Israel. David Ben-Gurion was one of many who said after the war that "At any price we must bring Jews into East Jerusalem. We have to settle scores of Jews there within a short time. Jews will agree to settle in East Jerusalem even in shacks. We must not wait for the construction of proper neighbourhoods. The main thing is that there will be a Jewish presence there".\* As a result of this, the state expropriated some 26,000 dunam which constitutes one-third of all land in East Jerusalem and launched the construction of 11 Jewish neighbourhoods. Such neighbourhoods quickly attracted many Israelis due both to the attractive prices and because of the shortfall of available land for building in West Jerusalem. Since then until today, 40,000 residential units have been built in those neighbourhoods, and by 2010, 200,000 citizens will live there. For most Israelis, the return of the city's eastern half was the fulfilment of a dream that implemented the vision of generations, and the attitude towards the historic and spiritual value and even sanctity. This, despite the fact that most of the land absorbed into the city's municipal boundaries were never part of Jerusalem, but consisted of villages located nearby. The government added them to the city artificially and administratively, to gain land suitable for Jewish construction.

From the start of the occupation in 1967, the demographic factor became a central elements in Israeli policy. The prevailing assumption in the government was that the more Jews there would be in East Jerusalem, the faster the world would reconcile itself to Israeli control over the land. The other side of that coin was, naturally, restricting or reducing as much as possible demographic and territorial increase of Arabs in East Jerusalem, to rule out any option of their becoming more than 30% of the city's entire population. That dual policy became a guiding principle in Jerusalem politics and remains so today - increasing Jewish presence on the ground and reducing Arab presence in that same space.

\* *Shragai Nadav . The Mount of Contention, the Struggle for the Temple Mount, Jews and Muslims, Religion and Politics. Keter, 1995, page 199.*

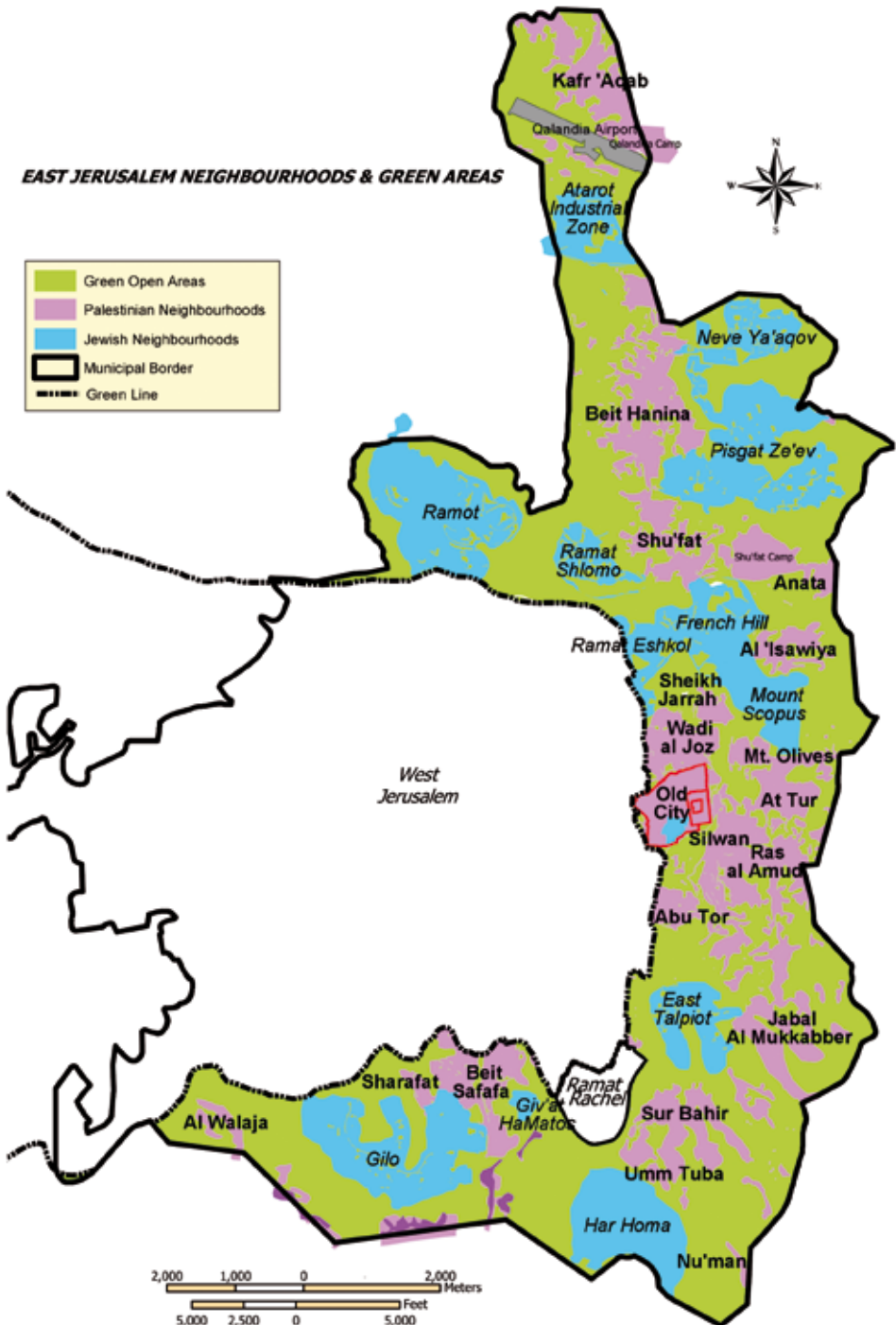
The very same principle guides the settlers organisations. But unlike state initiatives, which were applied on expropriated land transferred to the state, the settlers implement that concept on privately owned land belonging to Arabs, in the very heart of Arab neighbourhoods. Therefore the Israeli state and the public view their efforts favourably. The settlers are considered as continuing the endeavours of generations of Israel's pioneers, working to achieve the goal that Israeli governments intended to achieve by building Israeli neighbourhoods in the eastern city. That is, strengthening Israeli control in East Jerusalem and creating facts on the ground that will prevent the city's re-division and ensure a Jewish majority in that area.



**Areas**  
Appropriated  
**by**  
Government  
**in**  
East  
**Jerusalem**

This section includes information on the larger neighbourhoods/settlements in East Jerusalem, that are in fact major population centres. Although according to the International law are settlements, these are now considered by the Israeli government, the International public opinion as well as some voices inside the Palestinian Authority as an integral part of Jerusalem. Despite the fact that this research deals primarily with the Israeli settlements in the heart of the Palestinian neighborhoods in the eastern part of the city, settlements mostly built by private settler organizations, its not possible to begin this topic without describing, even if concisely, the larger

Settlements	Year constructed	Area (dunams)	Population
Ramat Eshkol	1968	1,365	11,172
Ma ´alot Dafna (east)	1968	380	3,712
Ramot Shlomo	1994	1,126	13,979
Old City	1967	122	2,428
Ramot Alon	1970	2,066	39,771
Neve Yakhov	1972	1,759	20,374
Pisgat Zeev	1980	5,468	40,911
French Hill	1968	970	6,625
Mount Scopus	1968	1,048	1,256
East Talpiyot	1973	1,196	12,291
Gilo	1971	2,859	27,086
Har Homa	1997	2,523	4,308
Atarot Industrial Area (including the airport)	1970	3,327	-
Givat Ha ´Matos	1991	310	250
Acces roads to settlement	-	32	-
<b>TOTAL</b>		<b>24,551</b>	<b>183,913</b>



Israeli population concentrations in the eastern city.

Step by step, in a gradual and consistent process since 1967, the State of Israel is shrinking the urban space available in East Jerusalem. An estimated 24000 to 26000 dunam of roads and infrastructure of East Jerusalem have been expropriated to enable the building of settlements, including residential areas, an industrial zone, an airport and a university. This area does not include large-scale public buildings that were expropriated by the State of Israel- such as the National Police Headquarters, the Ministry of Justice and the Jerusalem District Court.

Besides the homes appearing in the table, as of April 2010 another 11,000 homes are in the planning process. They are:

Givat Hamatos	4,799
Ramat Shlomo	2,250
Ramot	1,103
Har Homa	1,033
Gilo	1,221
Pisgat Zeev	600
Neve Yaakov	393
East Talpiot	180

It is worth noting that on the list of Israeli neighbourhoods in East Jerusalem there are two sites that have not yet been inhabited, and so their status is different from that of the rest of the populated neighbourhoods. One is Givat HaMatos where there are now dozens of inhabited caravans that are slated for evacuation shortly. The second is the area of Atarot airport that was abandoned a decade ago, and where there is little activity. Both these areas are similar to the neighbourhoods where facts on the ground were created that are very hard to change. And in both of them, their transformation into Israeli neighbourhoods can still be prevented.

**Properties  
Under  
Israeli  
Control  
in  
East  
Jerusalem**

In addition to the land expropriated for building the 'Jewish neighborhoods' in the city's eastern half, there are two other areas of land over which the state claims ownership. The first are areas belonging to the Jordanian crown, and acquired by Jews in the past, and the second is land belonging to 'absentee owners'.

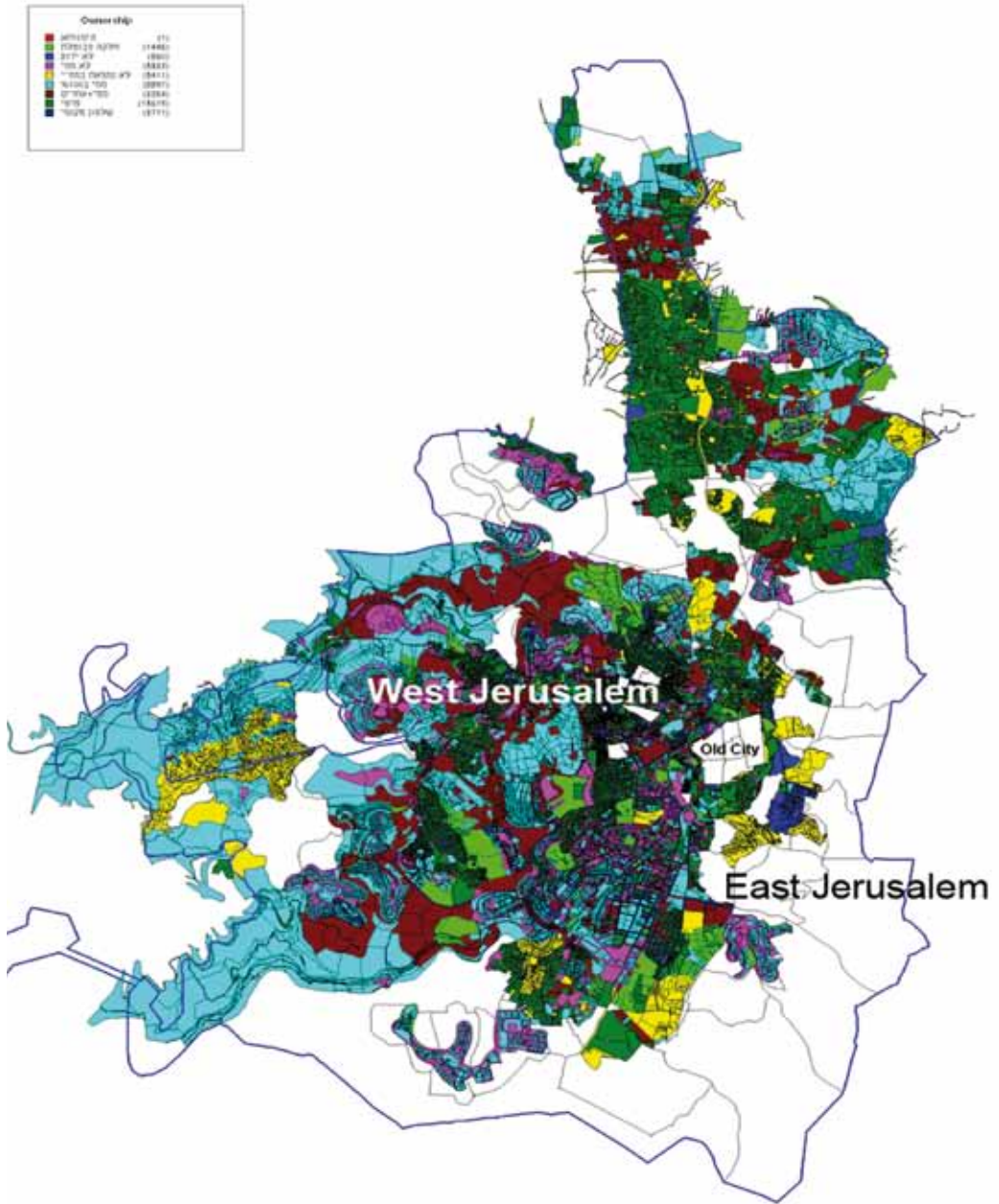
It is difficult to determine the number and amount of Israeli properties in East Jerusalem. The difficulty inherent in knowing how much land is state-owned and where it is located stems principally from the lack of a Land Registry for East Jerusalem. One of the first resolutions the state made after the city's occupation in 1967 was to freeze land registration and the situation remains intact. The reasons for that resolution are connected to concerns of opening a Pandora's box and launching disputes with many churches which possess large amounts of land in Jerusalem, and the difficulty of verifying requests for ownership of land by Arab citizens, which could endanger the land that Jews bought in the nineteenth century and the early twentieth, as well as land that the state claims to own. So in order to avoid legal and international complications, the state decided to avoid any proper arrangement of land registration, prefers the situation to remain obscure and the situation continues until now.

In the past few years, many entities, Palestinian citizens in particular, but international ones too, have petitioned the state to conduct a proper registration of land, but clearly it prefers to leave things unclear, and to let sleeping dogs lie.

On the other side, most organizations involved in land acquisitions either do not have the figures or are not willing to disclose them. In 2004, the Committee of the Interior of the Knesset admitted that though it estimates that Israelis own approximately 3,000 dunam (750 acres) in East Jerusalem, it cannot explicitly locate each property.\*

We observe two facts from the accompanying map. One,

\* *Knesset: The Committee of the Interior; Protocol 131, Jan. 14, 2004.*



the amount of land in East Jerusalem that the state has no definite knowledge of its ownership, -white areas on the map - and two, - the mechanisms the state employs to conceal land ownership in East Jerusalem, through the use of obscure identification of categories. The categories camouflage and manipulate the identity of land in East Jerusalem, other than that of registered private properties.

The green areas in the map are properties held and identified by (registered) private individuals. There is no question as to their ownership. Blue areas are lands belonging to the Israel Land Authority,(ILA) and is a second category. Two separate categories are "municipal lands" and "Imanuta lands" (and affiliate of the Jewish national Fund). But this are "strange" categories because all state properties are in fact under the jurisdiction of the Israel Land Authority, and they should be simply defined as ILA land. The explanation we were given was that the properties had "not yet" been registered by the Ministry of Justice, as their ownership is still unclear.

Five of the remaining categories are defined as "ownership unknown" by the city, in one form or another – the black-hole of property that reverts to government ownership. The legend defines these as:

- Israel Land Authority plus others
- Not Israel Land Authority
- Not appear in the Israel Land Authority (registry)
- "Deleted" property
- Unknown

These terms are not simply an obscure bureaucratic naming convention, - there is a definite political agenda in the vagueness of the naming. All terms attributed to these lands in fact define the property as "unknown ownership" and thereby under the jurisdiction of the state. The consequence of this maneuver is that Arabs are prohibited from building on this land.



# Institutions that Control the Land

We referred to five sources to obtain data on the number of properties in East Jerusalem that are under the control of either Israeli Government or quasi government control. The sources and the data they have provided concerning property under their control are:

**Israel Lands Authority** (Minhal Mekarke'ey Yisrael) administers state land and has overall authority on lands matters. This includes land that might have been previously owned by Jordan when under Jordanian rule. Under these rules, it should also administer the land that is under the JNF jurisdiction, but control of these properties has effectively been separated.

**Custodian of Jewish Property in East Jerusalem**, a department of the Ministry of Justice. This ministry department administers property that was owned by Jews or Jewish organizations that had existed under the British Mandate and the owners cannot be located. The Jordanian Custodian of Enemy Properties transferred most of this information to Israel in 1967. (The Jordanians in turn received this from the British Mandate in 1948.) The only information that this department was willing to disclose was that they manage 532 "files", but not how much land is involved in these files.

**Custodian of Absentee's Property**, a department of the Ministry of Finance. This department administers properties owned by Palestinians residing outside the Jerusalem borders. This department refused to disclose any data. In November 2007, Aryeh King, head of the Israel Lands Fund, a right wing settler organization, petitioned the Supreme Court to disclose these figures. The Supreme Court ruled that public disclosure would damage Israel's reputation and foreign rela-

tions.\*\* It is of note, that at the same time that this report is published, an important debate is being carried out in court concerning the definition of the term "absentee". This is as a result of a court ruling by the district attorney Boaz Okon that determined that the concept of absentee, as currently used, was casting too wide a net. The winds blowing from the state attorney general's office seem to be in the direction of abolishing the concept of absenteeism, though not on a retroactive basis.

**Jewish National Fund-JNF** (Keren Kayemet L'Yisral), administers lands purchased for Jewish settlement during the pre-state period. They also chose not to disclose data, though they did acknowledge that they own land in both Neve Yaacov and Atarot. Aryeh King provided us with the figure of 1200 dunam owned by the Keren Kayemet.

**Settler Organizations** own property in East Jerusalem and in particular in the Old City and surrounding perimeter. Though this document provides researched detail of the properties owned by the settler organizations, it is difficult to estimate the number of settlers in properties where Palestinians are "squatting" in a purchased property - at the behest of the Jewish owner. Such a "squatting" situation can be recognized when a building is occupied by a new resident, often not from the neighbourhood, e.g. a single Palestinian man or a family in economic straits that would seem unable to buy or even rent a reasonably sized home. This "new neighbour" is likely to be working for the settlers; thus the settlers manage to avoid implicating the seller's family with suspicions that they sold the house to Jews. The new resident continues living in the building until the settlers decide the time is ripe to seize the building themselves. Until then, the temporary residents live rent-free, and in many cases actually move from one apartment to another.

Several settler associations operate in East Jerusalem: the most notable are Elad, Ateret Cohanim, Atara L'Yoshna,

\*\* Court ruling number 105/07, dated 18 November 2007. Judge Yonatan Adiel.

Beit Orot, Meyashvei Zion, and Shimon Ha'Tzadik. Another group, Israel Land Fund, purchases properties in East Jerusalem, and hands over the properties to settlers for them to occupy.

Pivotal figures in those associations are Matti Dan, Benny Elon, Avi Maoz, David Beeri, Meir Davidson, Rabbi Elhanan Bin-Nun, Aryeh King, and Rabbi Shlomo Aviner. They collaborate in a framework known as the Jerusalem Forum, which links together all organisations working to Judaize East Jerusalem, including the Messianic groups hoping to build the Third Temple on the Temple Mount.

## The municipality factor

The central factor that controls the land and determines how it is allocated is the municipality, using four very powerful tools at its disposal **the Planning process- the Planning and Construction Law**, legislated in 1968; the Land Ordinance (Acquisition for Public Purposes) legislated in 1943, during the British Mandate; the Absentee Property Law – 1950; and the Masterplan Plan. All these tools are embedded in the law and allow the municipality to organise matters as it deems fit, to regulate, supervise, compartmentalise, and to exclude Palestinian residents, and all legally and in accordance with the rules of the proper administration.

**The Planning Process.** City planning is inherently a political process. Ideology has a decisive role in the decision-making process as regards planning. Planning policy is inevitably an expression of a worldview, and in most cases it is aimed at safeguarding the powers of the planning elite. That has been the case since the start of the Zionist project, and this is how the planning system still operates today. (Torgovnik; 1997-Shenhav; Space, Land, Home; 2003) This principle is true in

terms of every scrap of land in Israel and with greater impetus when it comes to Jerusalem.

Meron Benvenisti, who is a former deputy-mayor of Jerusalem and considered an authority in the sphere of urban policy, has written extensively on the links between urban planning and politics in the context of Jerusalem. '...In Jerusalem almost every planning decision is political. Considerations of efficiency, aesthetics and other tangible factors become secondary'. So the objectives which have underlain Jerusalem's urban planning since 1967 were primarily realising Jewish-Israel affinity to the city. 'Planning decisions that will determine the face of Jerusalem for many generations were not made at the drawing-board but at the government's table. The city's master plans were not the end-product of proper urban planning, but expressed an ideological outlook and were seen by decision-makers more as a sort of 'patriotic duty' than planning work.'\*\*

Amir Cheshin, who was the Advisor for Arab Affairs to Teddy Kollek, is of the same mind. He argues that the aim of city planning in East Jerusalem was 'to prevent the spread of the non-Jewish residents of the city. It was a harsh policy and not only because they disregarded the needs (not to mention the rights) of the Palestinian citizens. Israel believed that imposing stringent city planning by limiting the number of new homes constructed in Arab neighbourhoods would ensure that the percentage of Arab residents – 28.8% in 1967 – would not grow. If they would be allowed to build new houses "far too many" in Arab neighbourhoods, the implication would be that the city would have "too many" Arab citizens. The idea was to transfer as many Jewish citizens as possible to East Jerusalem, and to transfer as many Arab citizens as possible outside the city. Housing policy in East Jerusalem focused on this game of numbers'.\*\*\*\*

**The Land Ordinance** was the central tool that the state used to expropriate a quarter of the land in East Jerusalem in order to build Jewish neighbourhoods. Most of the major ex-

\*\*\* Meron Benvenisti, *Peace of Jerusalem, Hakibbutz Hameuhad, 1981.*

\*\*\*\* Amir S. Cheshin, Bill Hutman and Avi Melamed, *Separate and Unequal The Inside Story of Israeli Rule in East Jerusalem, 2001.*, pp. 31-32.

propriations were carried out in the 1970s, and more recently in the first decade of this century to lay down the tracks of the Light Railway. Each year, relatively small land expropriations are conducted, chiefly to build schools and public institutions.

The **Absentee Property Law** was enacted in 1950 in order to expropriate land owned by Arabs who had fled the country to neighbouring Arab states during the 1948 War. In reliance on that law, the state seized possession of Palestinians' assets which were outside municipal jurisdiction. In the previous paragraph, we provided a broader explanation.

**The masterplan plan** was drawn up on the basis of the demographic assumption calling for a solid Jewish majority to be preserved in the city. Until the 2000's, the ratio was 70:30 percent in favour of Jewish residents.\*\*\*\*\*While drawing up the new Master Plan for Jerusalem, the urban planners announced that this goal had already been exceeded, and said that the next goal would be to maintain a demographic ratio of 60:40 percent, in favour of the Jewish population.\*\*\*\*\* On the basis of that statement, the plan calculated the number of houses required to house that population, and derived from it the amount of land needed to build that number of homes. In that way, they reached the amount of land destined for building in East Jerusalem. While writing these lines, the percentage of land for construction ranges from 25% under the 'old outline plan', to 35% of the area of East Jerusalem according to the 'new outline plan'. The latter has already been concluded, but the Interior Ministry is delaying its approval due to the Interior Minister's demand to reduce the amount of land slated for Arab residents. As a result, there is a weird situation in which statutorily, the official outline plan is the 'old plan' - drawn up at various periods using the 'patchwork' method during the 1970s and 1980s. In actuality, professionals in the municipality and the Interior Ministry work according to the guidelines of the new programme which has not yet been approved, and

\*\*\*\*\* *The municipality of Jerusalem, Planning Department, Planning in the Arab Area in Jerusalem, 1967-1996, pag. 19*

\*\*\*\*\* *The municipality of Jerusalem*

it is unclear if it will be approved at all. However, to understand the dimensions of the manipulation the state can make using the Planning and Construction Law, it is important to note that in areas where the Master Plan permits construction, even then the Planning and Construction law uses Kafkaesque methods. It sets an endless list of obstacles that make it an almost impossible task. It is enough to note two 'objective' barriers: first, the law does not permit construction in areas without a physical infrastructure, and because much of East Jerusalem has no infrastructures for water, sewage, and roads - most of the land zoned for construction is 'virtual' only. Second, the law requires anyone intent on building a home to present authorisations proving ownership of the land, signed by the Israeli Registrar of Land, and most of the land in East Jerusalem (similar to the situation in the Occupied Territories) are not registered or organised according to Israeli rules and regulations. This is not the place to enlarge on a description of the obstacles facing an Arab citizen seeking to build a home on his own land. It is enough that we have pointed out the complex mechanism at city hall's disposal to do as it pleases with land in the eastern half of the city.

In a future book we will focus on methods that the state and the municipality use to control the land. Here we focus on the settlers' activities. However we thought it worthwhile to go into greater detail on the municipal mechanism because of the ties in place between the settler associations and the city establishment. To prove this, it is enough to observe the immense efforts the municipality is making to avoid sealing up Beit Yehonatan - that seven-storey building that the settlers constructed built without a building permits in the heart of Silwan, despite the court's instruction to seal it up. The Beit Yehonatan affair is solid proof of the symbiosis between the settlers and the municipal establishment, and as a result, we thought it correct to mention the municipality's efforts.

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The municipality has four subsidiary companies, in partnership with various government ministries, which have a pre-

sence in East Jerusalem, because they also have a role in the big picture.

**The Jerusalem Development Authority (JDA)** is a statutory organization founded under a law legislated in 1988. In fact it became the executive arm of the largest projects in Jerusalem, including East Jerusalem. Among the notable projects that the JDA has conducted in the east of the city is the rehabilitation of the Old City's walls, development work in Silwan and the Mount of Olives, the creation of nine national gardens and parks around the Old City, and the renovation of infrastructures within the Old City. Under government decision 4090 dating from August 2005, the government is transferring to the JDA the vast amount of NIS 720 million, spread over eight years, to carry out those projects. At present they are landscaping and fencing the gardens that surround the Old City from Mount Scopus to Silwan, refurbishing the Jewish cemetery on the Mount of Olives, and have begun thorough rehabilitation work inside the Old City. For the purpose, the JDA made an extensive survey of the Old City's physical needs and the state of its water and electricity infrastructures. In 2009 it launched renovation works near the Jaffa Gate, and in early 2011 will start wide-ranging works at the Damascus Gate and along al-Wad Street which will take a whole year and require temporary closure of certain sections of the street. The manual describing the Old City's physical state is a 200-page book that examines every street in the city, and became the most fundamental research performed so far on the Old City's condition.

**The Western Wall Heritage Foundation**, which reports directly to the Prime Minister's Office, and is responsible for plans near the Western Wall, including the tunnels around it. The foundation has a senior status, among others because the chairman of its board of governors is the Rabbi of the Wall himself.

**The East Jerusalem Development company (PAMI)** reports to the Tourism Ministry and to the municipality and has engaged in developing tourism infrastructures and projects

in Jerusalem since 1966. They include the Ramparts Walk, Zedekiah's Cave, the Roman Gate under the Damascus Gate, and the development of roads around the City of David and the Valley of Hinnom. Its work centres on the Holy Basin of the Old City, particularly in the area of Mount of Olives and Mount Zion. Recently it was involved in the attempt to convert the Al Bustan neighbourhood in Silwan into a tourism site, a project requiring the demolition of 25 buildings,

**The Company for the Reconstruction and Development of the Jewish Quarter** operates under the aegis of the Tourism Ministry and the Municipality, and is responsible for maintenance and promoting plans in the vicinity of the Jewish Quarter and the City of David, including the promenade over the meat market in the Muslim quarter. In 2001 it published a grandiose plan to build hundreds of homes in the Jewish Quarter and on Mount Zion in a combined area of 225,000 square metres, as well as several tourism projects - near Mount Zion, in Silwan, the Flower Gate and the Dung Gate - at a cost of 36.4 million dollars.\*\*\*\*\* In the brochure's introduction, the objective of the project is defined as "bringing back a strong Jewish presence to the Old City". The emerging trend is to create continuity between the Old City and the rest of the city by augmenting the Old City with hundreds of housing units for Jews, and thus 'improving' the demographic balance in the Old City. A tunnel will be excavated so that the rest of the city will be linked with the Western Wall, and a residential and business centre will be built on a seven-dunam plot. The present car-park of the quarter will be replaced by an underground car-park for 600 cars. A promenade will be built over the roofs of the market, connecting the Jewish Quarter with the other islands of Jewish presence scattered throughout the Muslim and Christian quarters. Public buildings are planned for construction on Mount Zion, enabling the evacuation of offices and institutions now located in the Jewish quarter; thereafter they can be rezoned as residential areas.

Each of the four companies is involved in projects that

\*\*\*\*\* *The Company for the Rehabilitation and Development of the Old City Ltd. Areas for planning and development in the Jewish Quarter and its environs, 2001-2004.*



ostensibly have no ties with politics, but intentionally or unintentionally, they are organs for intensifying Israeli control in the East Jerusalem space, and contribute significantly to changing the profile of the city's eastern half. The 'Ramparts Walk' over the Muslim quarter is viewed as a tourism initiative untainted by politics, but the manager of the Company for the Reconstruction and Development of the Jewish Quarter, which is promoting the project, specifically said that "there is an element here which strengthens the Jewish holding and Israeli sovereignty over the Old City". Paving the roads in Silwan around the City of David may at first glance improve the living standards of all local citizens, including the Arab ones, but the design of the area gives it an Israeli atmosphere and means that the sense of space created for visitors who will understand the implication of the facts will resist it and feel threatened by it.

The institutions operating in East Jerusalem, particularly in the area of the Old City, are performing work that can be defined as ongoing maintenance and development to benefit the public as a whole. The information presented here is aimed at describing the factors operating in the area, and attempts to be non-judgemental. Under international law, an occupying state is responsible for the ongoing care of the occupied area and must handle the development of infrastructures to serve the occupied population. As such, Israel is complying with the requirements of international law. However, international law did not anticipate a situation in which the development of infrastructures serves the local population but at the same time serves as a tool for intensifying Israeli control of the site. It is doubtful whether the maintenance works taking place will benefit the Arab population. And it's reasonable to assume that the state would not invest huge sums of money just to serve the Palestinian population of East Jerusalem. We have no doubt that without statist interests, the government would not be performing that work, and even if the claim that the Arabs will benefit from the renovations is true, it is clear to us that - in the long-term - the profit will accrue to the state.

**Seized  
and  
Targeted  
Areas  
in  
East  
Jerusalem**

This section provides details of those properties already under the control of the settler associations and government institutions, and those properties that are known to be targeted, under immediate threat or in the near future. The properties can be considered to fall into several categories:

Properties seized for ideological objectives,  
Properties seized for private financial objectives,  
Properties seized by government initiative,  
National Parks and "Green" areas.

Certain institutions are not ideological or politically motivated, for example some orthodox yeshivas; though having no interest in supporting the settlers' enterprise, they nevertheless function as part of the larger scheme. This aspect of the "Matrix of Control" is demonstrated by the fact that the settlers themselves include these institutions on their maps and brochures. It is interesting to note that the Palestinians differentiate between the two groups. The settlers are known as mustawteneen, while the ultra-orthodox Ashkenazim are called busbusim.

When speaking of "Control" in the Old City it is important to mention the significance of the closed circuit cameras that are spread throughout the city for surveillance, creating a depressing psychological effect on the Arab population. These cameras offer a more profound level of penetration and represent a symbol of the military occupation. This is the local version of Orwell's



Big Brother and is an effective form of dominating the space with minimal physical presence.

For clarity, and based on historical precedence, we divide East Jerusalem into two areas – inside the Old City, and outside the Old City.

# Settler Activity Inside the Old City

The organization spearheading the process of Judaizing the Old City is **Ateret Cohanim**, crated in 1978, headed by Mati Dan, a settler with extensive contacts in all government offices, including that of the Prime Minister. In the Muslim and Christian Quarters it controls 20 buildings where 60 families, comprising approximately 300 people, reside. Most of the buildings are grouped along El Wad Street, the most famous of them being “the home of Ariel Sharon”.

Ateret Cohanim has gained possession of **St. John’s Hostel**, a large building close to the Holy Sepulchre, even though a judicial dispute is still pending over the legality of the sale. More recently Ateret Cohanim is attempting to purchase, through dubious methods involving disreputable agents within the Greek Or-



thodox Church, two prominent hotels near the Jaffa Gate: the **Imperial** and the **Petra** hotels. Legal proceedings continue over this transaction as well.



A residential complex is also planned near Herod's Gate, at **Burj Al Laqlaq**, at the entrance to the Muslim Quarter, in an area renamed by the settlers as Ma'aleh Ha'Hasidot. This property belongs to the state, which will build the complex; in a classic manoeuvre, this will then allow the building to be lived in by Ateret Cohanim settlers. Plans show that **33** buildings will be erected close to the Old City wall together with a synagogue that will soar seven meters over the Old City wall. This is an example of government-settler cooperation.



*Burj Al Laqlaq*

Other settler and government properties penetrating the Arab neighbourhoods are:





• **Religious academies** (including six yeshivot), many of which are residential, that serve the purpose of staking out a presence in every Arab neighbourhood in the Old City. The most notable are the yeshivas of Ateret Yerushalayim, Shuvu Banim, Ateret Eliyahu, Ateret Cohanim, Torat Haim, and Hazon Yehezkel.



• **Government buildings**, including police stations, the Citadel Museum, Municipal Pedagogic Centre, the tourist office, and Post Office.



*Police Station and Citadel Museum*

*Municipal Pesagogic Centre*



- **Settler-owned shops**, (e.g. on El Wad and Silsilieh Streets), a restaurant on El Wad St., and a wedding-hall on El Qirmi St.



*Restaurant on Al Wad Street.*

*Shop on Al Wad street*



- **A “promenade”** over the roofs of the meat market, and around the Old City walls.





· **Archaeological digs** in El Wad Street, the tunnels in the Western Wall, and Zidkiyahu Cave.



The two latter categories have made the Israeli presence in the Old City's Muslim Quarter tri-dimensional - that is, not only on the street level, but also underground and above-ground. Each dimension strengthens and supplements the process of seizing control of space in East Jerusalem and establishing facts 'on the ground', even if the facts are below or above ground.

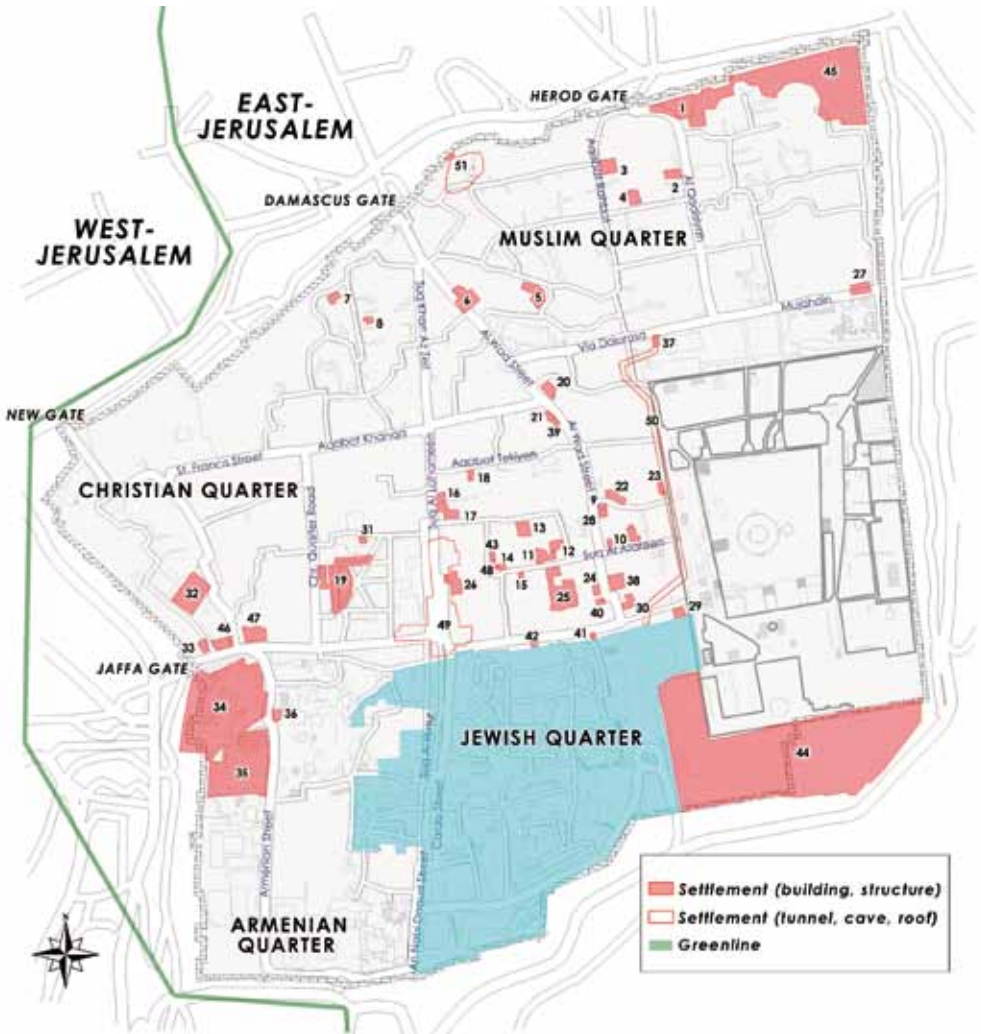
# A Summary of the Numbers

The total number of Israeli houses, government buildings and religious institutions scattered throughout the Christian and Muslim quarters is close to 40, and there are plans to add a further 33 housing units near Herod's Gate. There are also 10 "others" that include shops and archaeological digs that are under Israeli control. The buildings include several compounds, which consist of more than one house, as many as 6 in a building just off Suq el Qatanin (number 10 in table 2), but our research counts these compounds as single buildings. According to the register of the Ministry of Interior, the total number of Jews registered as inhabitants of the Christian and Moslem Quarters is 600.

Table 2 provides detail on the approximately fifty properties seized in the Old City, categorized by ownership and type of property. In the table these Jewish properties are categorized within four principal groups:

- 1) Houses and apartment buildings,
- 2) yeshivas (religious academies) and synagogues.
- 3) Government offices, including police stations, and
- 4) "others", that includes shops and archaeological sites.

The following map and charts include properties seized underground (e.g. Wailing Wall Tunnel), rooftops, and regular above ground properties. Numbers refer to properties located on the following map of the Old City.



Numbers on the following map of the Old City refer to the numbered properties on Table 2.

	Private Settlers properties	Street	Belong to	Number Inhabitants	Description
1	House	Near Herod's Gate	Ateret Cohanim	4 - 5 families.	3 houses, part of a huge compound.
2	House	Al Qasidia (infront of a school)	Ateret Cohanim	2 families.	Part of the 2nd floor
3	House	Aqbat Rahabat.	Ateret Cohanim	2 - 3 families.	3 floors.
4	House	Al Bustani, 4.	Ateret Cohanim	4 families.	2 floors.
5	House	Behind Austrian Hospice.	Ateret Cohanim	5 - 6 families.	Huge house, 3. 4 floors. Beit Hatzalam.
6	Sharon house	El Wad St.	Ateret Cohanim	3- 4 settlers.	2 floors.
7	House under construction	El Jabshe St.	Ateret Cohanim	Under construction.	4 floors, 8 apartments.
8	House	El Kanais St.	Ateret Cohanim	2 families, 6-8 singles.	
9	House	Al Wad - Bab el Hadid	Ateret Cohanim	For security guards.	4 rooms.
10	House	Al Wad st.	Ateret Cohanim	2 families, 4 singles.	6 dispersed rooms in a compound.
11	Beit Hazon / Beit Hamaarabim	Aqbat el Halidiya	Atara Le Ioshna	7 families.	Three floors.

	Private Settlers properties	Street	Belong to	Number Inhabitants	Description
12	House	Aqbat Saraya	Ateret Cohanim	4 families.	Cohen family.
13	House	Aqbat el Halidiya / Al Hakary	Ateret Cohanim	2 families.	The Sharabati house.
14	House	Aqbat el Halidiya	Ateret Cohanim	1 family.	Beit Hamaalot, (huge house).
15	House	Aqbat Takia	Ateret Cohanim	1 family.	The Cordoba family.
16	House	Shawish/ Khan el Zait	Ateret Cohanim	2 families.	Beit Rehut.
17	House	Shawish/ Khan el Zait	Ateret Cohanim	1 family.	Beit Guri, 3 floors.
18	House	Aqbat el Hadid	Ateret Cohanim	1 family.	Josef family, 3 floors (green door).
19	Hospice Saint John	Christian Quarter	Ateret Cohanim	20 young, 2 families	More than 20 rooms. Still under dispute.
<b>Educational &amp; Religious Institutes</b>					
20	Yeshivat Ateret Yerushalayim, Igud Lokhmei Yerushalayim	Al Wad St.		60 - 80 students.	Second floor of the building.
21	Young Israel Synagogue	Al Wad St.	Rau Nahman Kahana	2 families.	2 floors.

	Private Settlers properties	Street	Belong to	Number Inhabitants	Description
22	Yeshivat Ateret Yerushalayim	Bab el Khadid	Ateret Cohanim	100 students.	3 floors including dormitory.
23	The small Kotel	Bab el Khadid			
24	Mekhinat K'dam Tzvait, (pre-army program)	Al Wad St.	Ateret Yerushalayim		2 story dormitory for the yeshiva students.
25	Yeshivat Breslav - Shuvu Banim	Aqbat el Halidiya	Atara Leyoshna / Hasidei Breslav	200 students.	A large 4 story building
38	Ohel Itzjak	El Wad St.			2 refurbished floors.
<b>Governmental Buildings</b>					
27	Police Station	Near Lion's Gate	Government		
28	Police Station	El Wad St.	Government		
29	Police Station	Bab el Sisilieh.	Government		
30	Police Station	El Wad St.	Government		
31	Police Station	Near Holy Sepulcher	Government		
32	Municipal pedagogic Center	Latin Patriarch St.	Municipality		20 rooms, 1 floor.
33	Tourist office	Near Jaffa Gate	Government		2 rooms.

	Private Settlers properties	Street	Belong to	Number Inhabitants	Description
34	Citadel museum	Near Jaffa Gate	Government		
35	Police Station / The Kishle	Near Jaffa Gate	Government		
36	Post office	Near Jaffa Gate	Government		
<b>Others</b>					
37	Exit from the Kotel Tunnel	Via Dolorosa	Tourism Ministry		Costant presence of guards.
38	Archeological Site	El Wad St.			16 mtrs. under Ohel Itzjak Synagogue.
39	Empty Store	El Wad St.	Ateret Cohanim		Betokhekhei Yerushalayim.
40	Restaurant	El Wad St.			
41	Shop	Sisillieh St.	Ateret Cohanim		Open from time to time. Owned by Eli.
42	Shop	Sisillieh St.	Ateret Cohanim		Open on holidays.
43	Hall for celebrations	El Qirmi	Ateret Cohanim	A single man lives here.	Under Costero house.
44	Archeological Site	Near the Jewish Quarter			

	Private Settlers properties	Street	Belong to	Number Inhabitants	Description
<b>Threatened Properties</b>					
45	Burj el Laqlaq	Near Herods Gate	Ateret Cohanim		Large compound.
46	Hotel Imperial	Near Jaffa Gate	Ateret Cohanim		
47	Petra Hostel	Near Jaffa Gate	Ateret Cohanim		
48	Zalum family	Aqbat Halidiya	Ateret Cohanim		
<b>Above the Ground</b>					
49	Courtyards	From Habab St. through the market	Co. for the reconstruction of the Jewish Quarter.		About 200 m2.
<b>Below Ground</b>					
50	Western Wall Tunnel	From Western Wall to Via Dolorosa	Western Wall Heritage Foundation		500 meters long tunnel parallel to the Mosques esplanade wall.
51	Zidkiyahu Cave	Near Damascus Gate	Tourism Ministry		Total surface of 9 dunams - 230 m. under Muslim Quarter



This is an image and text from a brochure published in november 2009 by Ateret Cohanim for fundraising that reflects with their own words the purpose of this organization.

*See appendix B.*



**The heart of Jerusalem is calling out to us. Six properties, all registered in the Tabo (the Israel Land Registry), are now up for sale. The properties represent an opportunity to bolster the Jewish community in the Old City of Jerusalem with another twenty-two families, putting the Jewish population of the Old City, not including the Jewish Quarter, at over one thousand people.**

**At a time when the United Nations and countries around the world are plotting to finally wrest Jerusalem and its holy places from the Jewish hands, a strong Old City with a stable Jewish population becomes vital to our ability, as a nation, to maintain control over our spiritual center. Ateret Cohanim and you will make that happen.**

# Settler Activity Outside the Old City

A ring of Israeli structures and enclaves surround the Old City, comprised of single family homes, larger compounds, national parks, and other symbolic elements, including the cemetery on the Mount of Olives. This complement of structures accomplishes the goal of assuring that East Jerusalem can never be divided, with one portion belonging to a future Palestinian state.

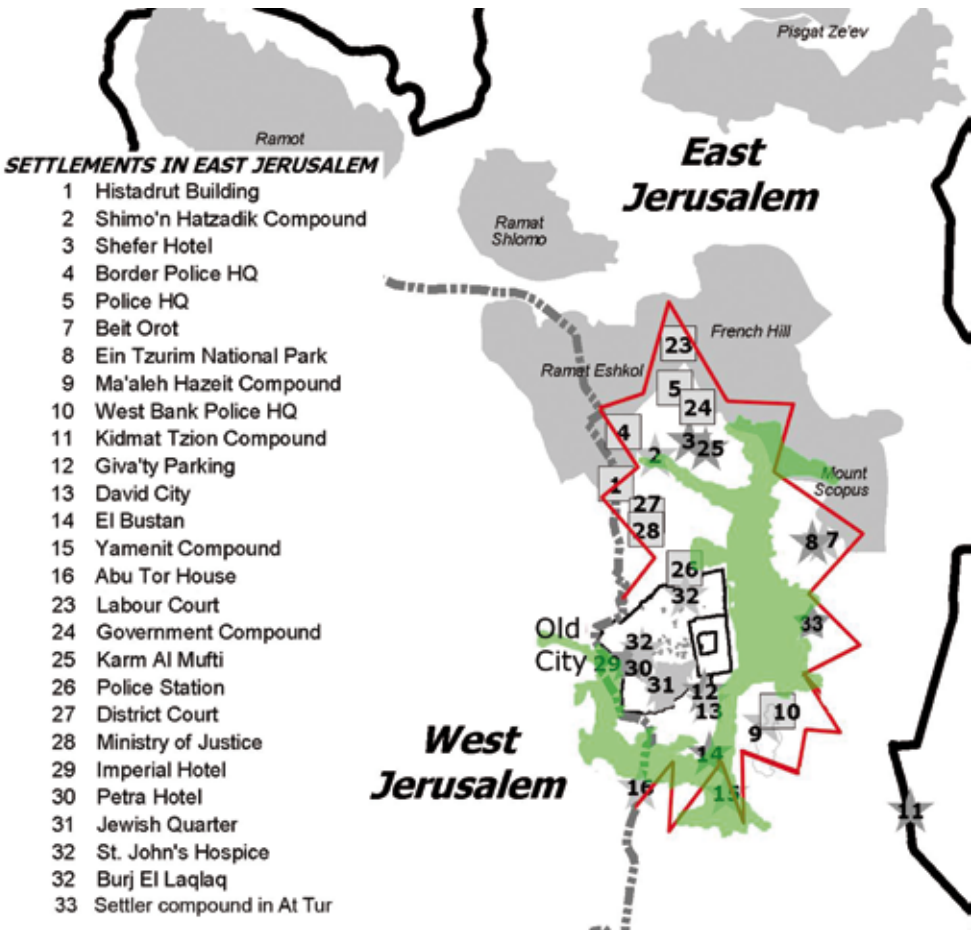
The spatial spread is not random, and complies with a crystallised strategic programme with both religious and political implications. Examining the map of Jewish settlement in East Jerusalem reveals that the settlers' plan is to create a strip of Jewish localities around the Old City, which will fulfil two roles: first, territorial contiguity between the north and south of the city will be severed, and second, the Old City will be enveloped by Jewish 'islands' that will rule out any possibility that Jerusalem can function as the capital of a future Palestinian state. This is clearly seen when one locates those Jewish islands on the map: from the south, there is a broad belt that starts in the City of David complex and al-Bustan area of Silwan, since it is an important link in the plan to complete a Jewish strip around the Old City.

On the other hand, north of the Old City, the strip takes on a broader and more 'statist' aspect, and is composed of a combination of settler areas and public state institutions. There, the strip starts with the Medical Centre of Kupat Cholim in Sheikh Jarrah, passes through the Shimon Ha'Tzadik neighbourhood, to the Shepherds Hotel, the Border Police headquarters, the National Police headquarters, to the Ministry of Housing and from there to the Beit Orot Yeshiva, the tunnel leading to Ma'aleh Adumim, after which it connects up to area E-1 and Ma'aleh Adumim.

The settlers' strategy is transparently clear. They intend

to create a situation in which future diplomatic agreements to divide Jerusalem will be impossible. It is clear to them, as it is to the Palestinians, that peace will not come to the Middle East without a just arrangement in Jerusalem - and this is exactly their intention.

*In the following figure one can draw an imaginary line connecting the settlements that border the Old City, and it becomes obvious that these settlements actually surround it.*







# Silwan/ Ir David

The village of Silwan stands on the front line of the Israeli offensive to erase the Arab presence in the east of the city. Because of its historical importance, and its proximity to the Temple Mount (Haram Al Sharif), Silwan the right-wing has set itself the goal of redeeming the lands on which King David established his kingdom.

Since the 1970s the State has been sparing no efforts to gain control of the land and building by any means possible through the Elad association, such that in the name of the State the latter enters into dubious deals that the State cannot enter into officially.

Elad was founded in 1986, and in 1991 entered the first two homes in Wadi Hilwe, the central neighbourhood of Silwan ,(Heiman, 2006) , which the settlers named Ir David. The person heading this organization is David Be'eri. Today there are ten buildings in Ir David, inhabited by 27 families. The association owns another twenty buildings in the surrounding hills, most of which they seized February to April 2004, with 23 families now living there. Elad has submitted a plan to the municipality to construct a compound which would include ten apartments, a kindergarten, a synagogue, a library, and parking for 100 cars. In all, the number of settler families residing in Silwan is approximately 50, comprising close to 300 persons.

Elad's official publications reflect pride in having seized more than 70% of the area of 'Ir David'. We believe that the association is



waiting for the most suitable moment - in political terms - to take possession of the many buildings that are still inhabited by Arab citizens. In addition, a seven-storey building in the Silwan area is under the control of Ateret Cohanim, despite the fact that Silwan is considered Elad's territory.

A five-storey building is planned at the entrance to Silwan, on an 11.5 dunam plot, on what is known as the Givati Parking Lot.. Among the planned facilities are a banquet hall, a commercial centre with a view towards the Western Wall plaza, and an underground car-park. In June 2005, the plan was approved by the local planning and construction committee. The developer is the Ma'aleh Beit David Company. We are not certain who the instigators are, but persistent rumours maintain they are members of Elad.





Silwan is a clear example of the manipulation described in the introduction, -i.e., the use of neutral elements in order to alter the perception and character of the space. Not only the lights and such reflect Israeli ownership, but the north-south promenade is constructed with the same type of stone used in West Jerusalem.



This gives the appearance that the Palestinian residents are Arabs living in Israel, not that a Jewish community has been transplanted into Palestinian East Jerusalem.



In tandem with the physical Jewish presence, Elad conducts 'educational' and 'informative' activities, including tours, lectures and seminars, that constitute part of the battle for influencing hearts and minds of Jews, thus further identifying the area as "Jewish".

In addition to the properties they have seized, the settlers also control archaeological compounds, and the National Park of Ir David. This is the only situation in Israel where the government archaeological authority has transferred control to a settler association, -i.e. to Elad. A number of "non-settler" archaeologists have expressed concern on what they call a "shallow and brutal archaeology", saying that the settlers' retrieve only those artefacts that support their case, while destroying or omitting artefacts indicating a history of an ancient Muslim or Christian presence. (Greenberg R, 2009) Although the Israel Antiquities Authority claims to know exactly what is happening in these excavations, they in fact are aware of little, and exert much less influence or supervision over Elad than they would over other Israeli archaeological digs. In May 2008, for example, as reported in the Ha'aretz newspaper, human bones excavated in the site of the Givati Parking lot, simply disappeared. Elad neither reported this find nor transferred the bones to the ministry of Religious affairs, as the law requires.

Further detail on the tunnels being excavated by Elad, in the Old City and in Silwan, is provided in the following section.





# Demolition Plans for the Al Bustan Neighbourhood of Silwan

The Jerusalem municipality intends to demolish an entire neighborhood of 88 houses and a thousand residents in Silwan village, in order to expose an archaeological site from the days of David's Temple. Though the procedure is unprecedented in scale in this case, it is not a new story. Since 1967 the State of Israel has been eager to control not only the physical area of Jerusalem but also to Judaize the east of the city, to erase its Arab characteristics and to paint its entire face in Jewish colours. The subjugation of the residents and the annexation regime it administers is not enough for the Jerusalem municipality; it must also wipe the Arab presence off the face of the earth, if not physically, then at least the signs of its identity.

The village of Silwan stands on the front-line of the Israeli offensive to erase the Arab presence in the east of the city. Because of the site's historical importance, and because of its nearness to the Temple Mount / the Noble Sanctuary - Haram al-Sharif, Silwan, or, as the settlers call it - Kfar Shiloah - has become the object of desire of right-wing elements who have set themselves the goal of redeeming the lands on which King David established his kingdom. Since the 1970s the State has been sparing no efforts to gain control of lands and buildings by any means possible through the "El'ad" society, and in the name of the State the latter enters into dubious deals that the State cannot enter into officially.

The plan to demolish all the houses in the al-Bustan area is part of the plan to gain control over Silwan, to cut it off from its residents and to Judaize the area. The official pretext,

as has been stated, is its archaeological value for the Jewish people. Here Jerusalem begins, here walked King David, King Solomon and other Kings of Israel, and here are graves from the days of the First Temple.

The words were written in detail in an official document produced by the municipal engineer of Jerusalem in November 2004, and since it is an instructive document, it is appropriate to quote it in full in its precise language.

*"Subject: evacuation of illegal houses in the King's Valley.*

*The beginning of Jerusalem is in the City of David. In this hill and in its surroundings are archaeological remains from the past 5,000 years. These remains have great international and national value and they provide the city with its status as one of the important cities of the world.*

*"The King's Valley, which is one of the important components of the Kidron Valley, constitutes, together with the City of David, a complete archaeological unit in which all the sites are connected and constitute an important component for understanding the whole that is composed of various parts and eras.*

*"Statutorily, since the beginning of modern city planning during the Mandate period, it was determined that the valleys surrounding the Old City (including the King's Valley) would serve as open spaces.*

*"This approach was also encouraged by the Israeli planning authorities. In a municipal plan for the Old City and its surroundings that was prepared in the 1970s the guidelines for planning and development were set out, land use, street networks and detailed architectural guidelines for the purpose of conserving the character of the city within the walls and the whole area of the basin of the Old City. According to this plan the area of the King's Valley was designated as an open public area.*

*"In view of all of the above I hereby order the removal of the illegal construction in the King's Valley."*

This document contains within it the entire Jewish-Arab conflict in one page. Documents that thusly summarize in a nutshell the nature of the entire conflict from the beginning of Zionism to the present day are rare. The municipal engineer correctly represents the conflict between the two peoples as it is: a struggle between King David and Farhi Abu-Diab – the Chairman of the acting committee of the residents of al-Bustan. The struggle is thus between the Jewish past and the Arab present, and in the meanwhile the future of both peoples is sacrificed. In order to expose remains from the First and Second Temple periods they are prepared to destroy the Third Temple\* – that of the local residents. The struggle is focussed on whose rights take precedence: those who lived in the area 3,000 years ago or those who live in the area today. The municipal engineer sings the praises of the antiquities buried under the ground while ignoring the life that teems above it. He uses only the Hebrew names of the site, as no village named Silwan existed, as if no human beings lived in it – only archaeological remains.

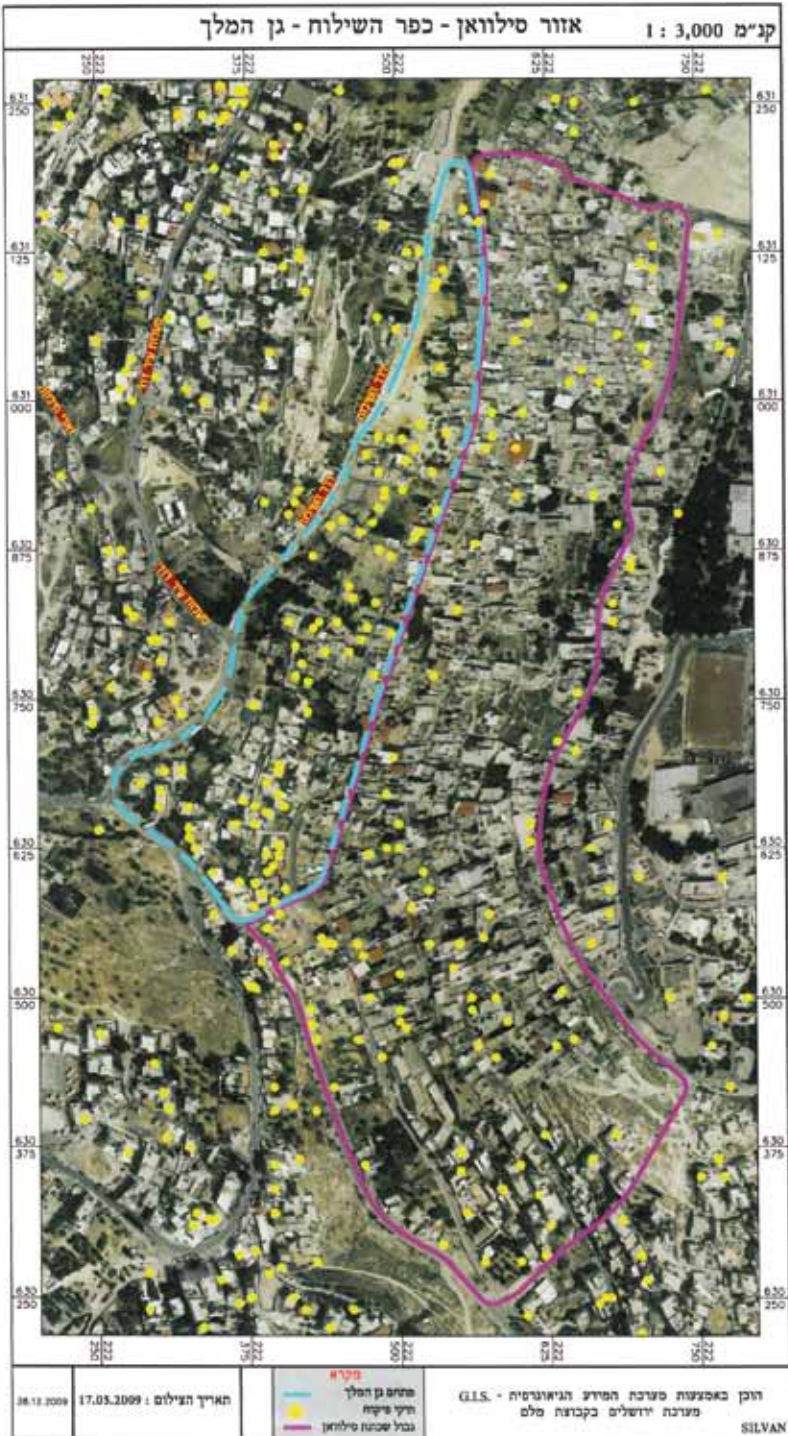
However, despite all the lip-service he pays to the archaeological remains, let there be no mistake: what is under discussion here is not exposing the past, but a struggle for control in the present. If Jews lived in the area it would not occur to anyone to evacuate them in order to expose the past. There are two goals behind this dangerous process: one is to create a strip of Jewish neighborhoods in the east of the city that starts in the Old City and includes Silwan (the City of David), Ras al-Amud (Maale ha-Zayit), Abu Dis (Kidmat Zion) and from it to link to the E-1 area and Maale Adumim. In this way they will break the territorial contiguity between the northern and southern neighborhoods in the east of the city, they will isolate the Old City [of Jerusalem] from the rest of the cities of the Palestinian State when it is created, and render impossible any just solution to the Jewish-Arab conflict.

The second goal is the desire of the municipality to reas-

sert its control over the east of the city after its residents began to show signs of impatience in the face of the intolerable hardships they have had to contend with since the second intifada. The wall that cuts them off from their families in the Territories, restrictions of movement, the economic crisis, property-tax debts that lead to confiscations and arrests, abuses by Border Guard police, unprecedented house-demolitions, inconceivably large fines, cancellation of residency and National Insurance social rights, erasure from the Kupat Holim [health insurance] registry, the forbidding of unification with spouses from the Territories – all this changed the climate that characterized life in the east of the city and all this has started to leave its marks. Storm-clouds are gathering. The municipality is under pressure and if that were not enough, the demographic demon has raised its head and threatens to turn the Arabs into a decisive majority within less than a generation. All these reasons stand behind the hardening of municipal policy in all domains and also behind the attempt to wipe 88 houses off the face of the earth. Without understanding the struggle for control we cannot understand what stands behind this unprecedented measure. Because of this struggle all the limits have been breached and the municipality allows itself today what it did not allow itself over 30 years ago. The occupation has changed its face and today every municipal clerk has become a pyromaniac playing with fire who allows himself to pour gasoline on the fire of the bloody conflict between the two peoples.

This letter is destined to occupy a place of honor in the literature of the occupation. It is shameful and deplorable and verges on a crime against humanity. It is written in sterile language in the name of the law and universal values, but between the lines is concealed a racist and destructive ideology.

*The Hebrew word used for "temple" in this context also means "house"; thus the reference is also to the destruction of the houses of the modern-day residents of Silwan - trans.*

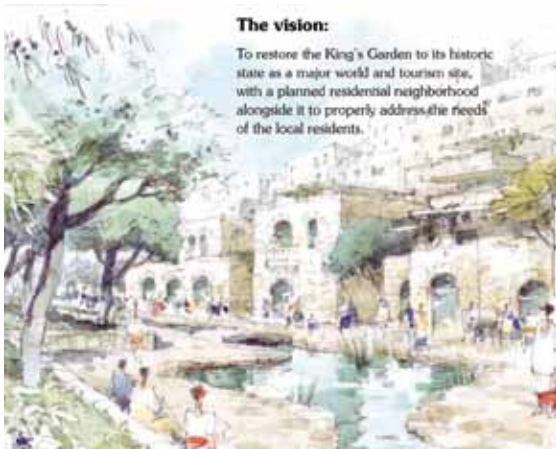


Aerial view Al Bustan area, all yellow spots are houses with demolition order.

# Old purposes, new strategies

Since Nir Barkat became mayor in November 2008, the municipality has been implementing a new strategy in the Al-Bustan area. The aim is unchanged, but the methods have grown more sophisticated. In the wake of international pressure, the mayor realized he could not order the demolishing of 88 houses, and launched a campaign intended to give the impression that the municipality is not demolishing – but rehousing! The grandiose programme that city hall presented in March 2010 states that it will construct an impressive centre for tourism, to extend over half the area of Al-Bustan. It requires the evacuation and demolition of only some 20 structures. Under the plan, the families to be evicted will be rehoused in

the same area, and residents can also enjoy high-standard services, as well as find jobs in the tourist shops or cafés. What the plan fails to mention is that the planned centre will be run by the same settlers association that is now running Ir-David - in other



**The vision:**

To restore the King's Garden to its historic state as a major world and tourism site, with a planned residential neighborhood alongside it to properly address the needs of the local residents.

words, Elad settlers. And as we've already seen, once those settlers gain a foothold anywhere, they gradually widen their grasp until the whole site becomes theirs. What is unstated in words, however, appears in the plans drafted by the municipality. The plans for Al-Bustan show that it will lose its character, and become a Western tourist site for all intents and purposes. Changing the area's image serves the process of its Israelization. The more Western the area becomes, the less Arab and more Israeli it grows. The perception is Western, and so serves the process of spatial control.





# Illegal Settler Construction In Silwan

Silwan is one of the locations outside the Old City where it is close to impossible to receive a building permit. Because of its archaeological sensitivity, building is not allowed, neither on empty plots of land nor as additions to existing buildings. Arab citizens who attempt to enlarge their homes by building annexes, either on the property land or on the roofs, are dealt with forcefully by fines, and by the total demolition of the additions. In contrast, over the past few years several Jewish enclaves that never received building-permits have sprung up but surprisingly the municipality has not exercised its authority to halt the construction or return the situation to what it was. Four recent cases throw light on the institutionalized discrimination employed against Arabs and Jews in the same village, and is analogous to the discrimination applied throughout the whole of Jerusalem.

## Four Cases

### Case 1: The “No-permit” 7-Story Building

The affair of the seven-storey building is a good example



of blatantly discriminatory law enforcement. Its construction began in early 2002, but was only 'discovered' in June the following year when the building was occupied by the Ateret Cohanim association. There are strong suspicions that the oversight did not stem from technical reasons. City-hall inspectors visit the area regularly and swoop down on any building divergence, but for some reason they overlooked the seven-storey monster built on a plot of 800 square metres. The inspectors are well aware who owned the building being constructed in the middle of Silwan.

Though registered in the name of a local resident, the plot had been sold previously to Ateret Cohanim settlers and it was they who paid for the construction work. Meron Rapaport of Ha'aretz newspaper published his thorough investigation of the case, featuring a conversation between the Arab seller and Yaron Elias, who is in charge of city inspection in East Jerusalem; the latter expressly stated that he avoided dealing with the building for eighteen months "...because I know their connections", an unsubtle hint to his ties with the settlers from Ateret



Cohanim.

In the same breath he hinted about coordination between the municipality and the settlers and possibly with other agencies that provide support to the settlers. "How did I know it belonged to you? I have friends from all sorts of bodies and authorities".(Rapoport, 2005) Moreover, when the offence was discovered, the municipality could have applied official sanctions such as issuing an evacuation order or sealing the building, but instead left matters as they were, citing the somewhat surprising grounds that it was not clear "who the owners of the building were". Clearly this is an unfounded response, since who if not Elias knew that the building was owned by settlers. From 2003 until March 2004, city-hall investigated the matter and refrained from filing any charges against any of the tenants. During the same time period, it issued dozens of demolition orders against Arab citizens and brought them to trial. As well, the municipality refrained from charging the building's tenants any arnona (municipal tax). The manager of the Billing Division wrote in March 2005 that no records were even kept concerning the building at the municipality: this contravenes internal procedures, which require city inspectors to report any new building to the billing division, so it can be billed for arnona - even if it is illegal.

## **Case 2:** **Revoking of** **Demolition Order** **by Justice Lahovitzky**

The second case is a special one since the criticism levelled against the municipality emanated from the legal establishment. Justice H. Lahovitzky, presiding over the district court, revoked an administrative demolition order against a building owned by Arabs, because the municipality used discriminatory behaviour by failing to file indictments against Jewish neighbours for the very same offence.(Alkraikia, 2004) The affair reveals the discrimination in its full ugliness. Reading the in-

dictment, we learn that as soon it was discovered, the Arab-owned building received an administrative demolition order. In contrast, the other building, which was intended to serve as a yeshiva for the Elad Association, comprising three storeys extending over 345 sq. m., only received a cessation-of-work order. The judge dismissed, one by one, the charges filed by the municipality and commented that while the two offences were identical, the municipality applied the most stringent procedures permitted by the law against the Arab-owned building – an administrative demolition order. Against the Jewish-owned building, however, “the respondent chose to act in a more lenient judicial way” - by issuing an order to cease work on the building. Taking into account that disparate behaviour, the judge revoked the demolition order against the Arab-owned building, and concluded his summing-up with severe remarks: “Whatever the ownership of the two buildings, and whatever the designated purposes of both buildings, the difference in the procedures applied by the respondent (the municipality – MM) towards the two is discordant and insufferable to such an extent that the court can no longer disregard it”, and “...having been satisfied that there was no room to apply the law inequitably between the two buildings, and that there is no good explanation for the respondent’s refraining from doing so, I find that there was a material flaw in the administrative act that justifies the order’s revocation. It behoves the respondent to use against one building the same procedures that it applies against the others ...and I therefore instruct the revocation of the order”.

### **Case 3:** **Dealing with** **Containers,** **Caravans and** **Guard Posts**

The third case involves an open space on the way to the Siloam Pool where, in 1998, a mini-settlement started to grow,

composed of containers, caravans and guard posts. Though temporary in nature, that sort of construction is also prohibited under the Planning & Building Law. If Arabs place caravans on sites, they immediately receive evacuation or demolition orders. Nevertheless, for years the municipality refrained from issuing any kind of order against these particular structures. In 2001, as a member of the city council, I approached the administration for construction supervision and asked what steps the municipality had taken against that complex. The answer was that no steps had been taken but the matter was being dealt with. A file was in fact opened in February 2002, and in October 2004, after this lengthy interval, the district court handed down its ruling. At the last moment, however, the settlers' attorney produced a document stating that the complex is not in fact owned by Elad, but is owned by an Arab named Yussuf Gamal, who holds a British passport, and the indictment should therefore be in his name, not the settlers. The municipal prosecutor did not express any objections, and the judge deleted the name of the Elad association from the indictment, and the chair of the association, David Be'eri. Instead the judge sentenced Yussuf Gamal, who is a UK resident. Even if it is claimed that the judge was not aware of the situation and acted in good faith, the ploy of registering a property in the name of Arabs is an old story at the municipality, and the city prosecutor should have made this clear. The solid ties between the settlers and the municipal authority have a worrisome a conflict of interest element.

## **Case 4:** **Using Arab Residents to Buy Property for Settlers**

The case of Muhammad Maraga is most illustrative to understand the association's modus operandi using arab resi-

dents. The affair was exposed in the comprehensive article by Meron Rappaport, which appeared in Ha'aretz on 1 April 2005.

Muhammad Maraga was induced – by vast amounts of money, good times overseas, casinos, limousines and prostitutes - to forge documents and sell a plot owned by his extended family. He was a man with a rather weak character and a criminal record, and was targeted by settlers who exploited him to the full, by having him buy property for them, chiefly in the Yemenite quarter of Silwan. First he bought the home of the Asla family for Ateret Cohanim, and received brokerage fees of \$10,000. Later he bought a plot from his uncle Hamidan Maraga and was paid 20,000 dinars as well as receiving package-deal holidays in Antalya, and sessions with call-girls in Jerusalem's finest hotels. Muhammad was promised that once the building was constructed, he and his family would be helped to emigrate to Canada. He then bought two other buildings in the Yemenite neighbourhood, one belonging to the family of Achmed Faraj and one in his own family's possession; for those deals he was paid \$30,000 and a visit to Atlantic City.

At this point however, the building's rightful owners filed a complaint with the police stating that the documents under which the transaction had been performed were forged. Maraga realised he was in danger and planned his disappearance from Israel. Once the transaction was completed, the settlers offered him a \$150,000 fee and a plane-ticket overseas. Ultimately, Muhammad Maraga was forced to flee Silwan, hiding **out in different locations in the last years.**





# Sheikh Jarrah

The neighborhood of Sheik Jarrah is in a sensitive area with strategic significance. It borders the Old City from the north and is adjacent to the commercial area of East Jerusalem. It consists of an old and well established community and it houses several national institutions, including Orient House, the American Colony Hotel and the Palestinian National Theatre. It is a Jewish link between the west part of the city, and Mt. Scopus and Ramat Eshkol in the north, thereby creating significant territorial contiguity of the Jewish portion of the city.

Two ideologically based settlements in this area are easily recognized – Shimon Ha'Tzadik and Shepherds Hotel.



The Shimon Ha'Tzadik neighbourhood was established by the Meyashvei Zion (Colonists of Zion) association.



They have taken over seven buildings that provide homes for approximately 40 people, as well as a yeshiva where another 50 young people study. The leaders of this organization are Chaim Berkovitch and Tzahi Mamo. The association claims ownership of eighteen dunam in the area, transferred to them by two Jewish committees, Vaad Ha'edah Ha'spharadit, and Vaad Knesset Yisrael, that claim ownership, and whose members lived there until the 1920s. Since the 1920s the area has been inhabited by Arab residents. The land was actually transferred by these two associations to an American company named Nahlat Shimon International, a "front" for Meyashvei Zion. In 1982 this company presented its first lawsuit to the courts to claim possession of the land.



*Settlers entering at the Hanun house after the eviction, in August 2009.*



*El Gawi house after the settlers occupied it in August 2009.*



Since then, several legal proceedings have been conducted in tandem, in various courts. In 1972, the Shimon Ha'Tzadik association filed a claim for ownership of the land, based on an Ottoman Deed of Sale that was signed by the Arab landowners and two Jewish associations. At the end of the two-year proceedings, the attorney of the Palestinian residents reached an arrangement recognising ownership by the Jewish associations, but on the other hand the residents are deemed "protected tenants", and therefore may not be evicted. This arrangement granted the residents eight years of peace and quiet, but in the mid-1980s, settlers filed a suit seeking to evict them, claiming that the arrangement was no longer valid, because the residents had not paid rent, and had also added extensions to the buildings, without permits.

The court recognized the settlers' claims, revoked the arrangements, ruled that the families are deemed "intruders", and ordered their eviction. On the basis of that ruling, the settlers – helped by the police – evicted the Palestinian families, in stages.

In tandem, another legal proceeding was launched that froze the implementation of the previous ruling in which a resident named Suleiman Darwish Higazi had claimed that his family owned the land. After long discussions, in 2006, the court handed down its verdict – that it could not rule conclusively regarding ownership of the land. neither of the two entities claiming ownership – the Shimon Ha'Tzadik Company, and Suleiman Darwish Higazi – have managed to prove ownership. It transferred the issue to the state Registrar of Land, although it had previously noted that it lacked the tools to handle it. That ruling was very significant, because the court refrained from conclusively stating that the land is owned by the settlers, and left the question open.

At a later stage, a third proceeding, which and is still going on at the time of writing, was launched. In it, the Palestinian residents seek to annul the 1974 arrangement that recognizes Jewish ownership of the land. It draws on new and dramatic findings, originating in Istanbul, proving that the do-

cument submitted years ago as proof of ownership of the land, is a forgery. The claim for forgery is grounded on an investigation by the residents' attorneys – Hussein Abu Hussein and Sammy Arshid – in the archive of the Ottoman Tabu (Land Registry) in Istanbul. Their search came up with two surprising findings: (1) that the numbering appearing on the 'Deed of Sale' which the Jewish association presented does not appear in the numbering of the Ottoman Registry, and does not the numbering customarily used in the Jerusalem region at that period; and (2) at the head of the document is a declaration written in cursive Ottoman Turkish that no one previously related to, since they assumed that it is a verse from the Qur'an, without commercial significance. It states that the land which is the subject of the document was leased to Jews for a limited period, and makes no mention of its sale to Jews. Other findings discovered during the painstaking examination of the Ottoman documents reveal more disparities – for example, contradictions regarding the location of the area and its boundaries, and different surnames of the Arab families who sold the land at the time to Jews. As a result, there are grave concerns that the land which is the subject of the appeal does not in fact belong to the settlers, and there is sufficient evidence to cast doubt on Jewish ownership. These documents are backed up by an authorization from the Turkish Foreign Ministry and in affidavits by experts on the matter. As noted, the legal proceedings are still continuing while this is being written, but in legal terms, the very existence of the court debate does not cancel the previous ruling, and so the evictions remain in force.

Nevertheless the court refrained in 2006 to say that the land belongs to the settlers, in January 2008 the Shimon Ha'Tzadik Company submitted a plan to the Jerusalem municipality for constructing 200 residential units on an 18-dunam plot bordering on the present settlement. The plan calls for the construction of multi-storey buildings and the demolition of 40 buildings that house Palestinian residents, on the assumption that they can create solid facts that will later be hard to dislodge.

In July 2009 a group of settlers led by Aryeh King gained possession of another house across the main road that runs through Sheikh Jarrakh. It was awarded them by the custodian of the Jewish properties, since it had belonged to Jews before 1948. In so doing, the settlers have broadened their presence in the neighbourhood's western part, and are slowly closing the ring intended to choke the neighbourhood.

The Shepherds Hotel property in Sheikh Jarrah on the road that lead up to Mount Scopus: This structure was built by the Husseini family, but was appropriated by the Custodian of Absentee Properties, and subsequently transferred to Irwin Moskovitch.

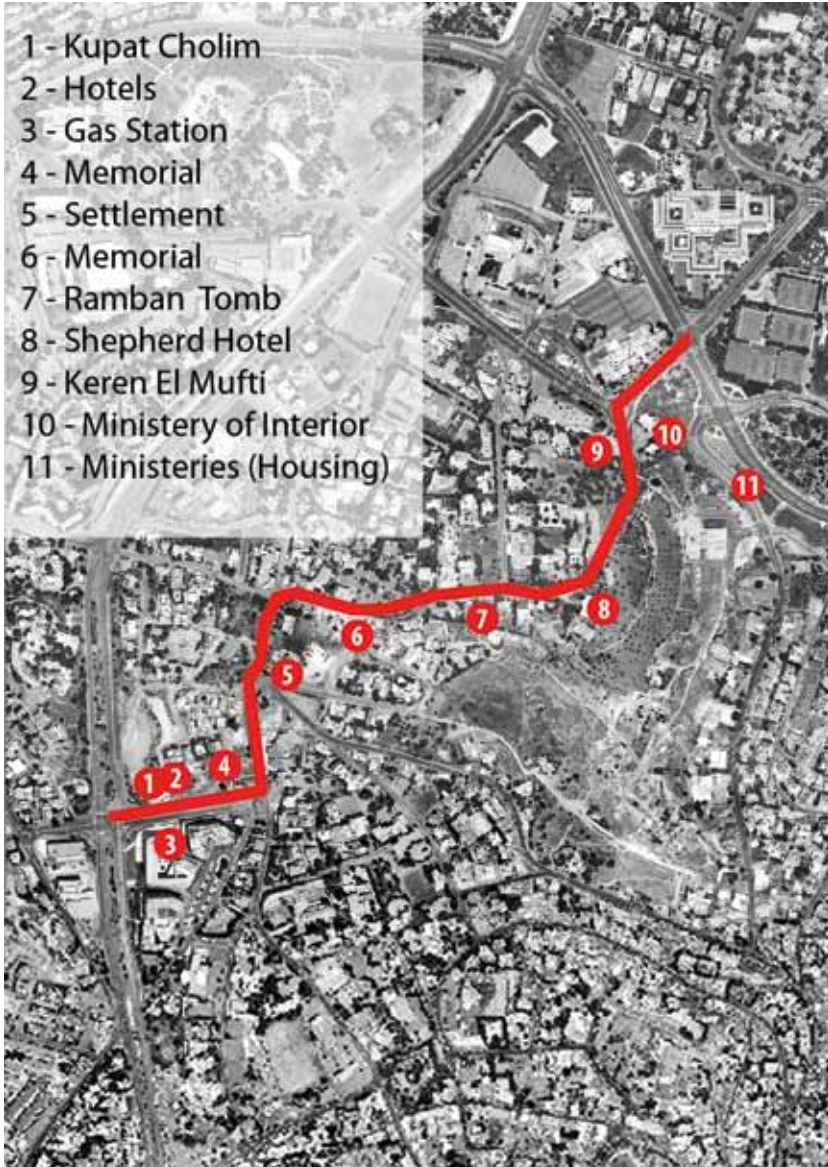


In November 2005 a construction file was opened regarding the ShepherdsHotel; the tracks again lead to Ateret Cohanim. The plans define the construction of close to 90 housing units, close to a green area of sixteen dunam populated mostly by ancient olive trees. The plan ran into some difficulties, and therefore, a new file was opened in July 2009 for the construction of 20 housing units on a site the size of 3,6 dunams (36000 sq/m), with an additional 5,7 dunams (5,700 sq/m) of underground parking space.

This green area, known as Kerem el Mufti, named for its former owner, Haj Amin al-Husseini, the mufti of Jerusalem, was also transferred to the Ateret Cohanim association without a tender, for "the agricultural cultivation", even though the association has no experience in such work. In June, 2000, Ateret Cohanim applied for a building license to Jerusalem's Local Planning and Building Committee to build 250 housing units there, but has not yet been submitted, possibly out of concerns that an application calling for the destruction of a



# The Grey Elements of Control in Sheik Jarrah





In addition to the two settlements, of great impact are the grey elements of control that indicate a strong Israeli presence. The central axis of Sheikh Jarrah is a good case-study of the phases of changing the profile of an area through the presence of these grey elements. Together with the settlements they create a contiguous Israeli presence the entire length of the road. "The space of flows, both tangible and intangible, is the favoured space where power exercises its control. Occupation of these spaces is what puts an elite in a position of dominion." (Alessadro Petti, 2007)

At the beginning of the axis is a block of three new hotels officially opened in 2000. Though they are owned by international companies, the management is in Israeli hands and the tourists and guests are predominantly Jewish. Hotels are apolitical by nature but since these attract Jewish guests, they become, even without prior intent, an instrument of creating Jewish homogeneity in East Jerusalem.



A medical centre belonging to the Israeli Kupat Cholim, previously used as a branch for the Histadrut, the Israeli Trade Union, stands opposite the three hotels. There are plans to build a religious-educational institution for girls in the open field adjacent to the Kupat Cholim and Histadrut; it will be named the Glassman Institute. A nearby gas station belongs to the Israeli Sonol gas company. As mentioned earlier, though a gas station is supposedly apolitical, the presence of an Israeli logo in an Arab neighborhood creates the impression of being in an Israeli area.



Further up the road is a memorial for Israeli soldiers who fell in the six-day war of 1967. This is a strong symbolic and provocative measure that obviously rubs salt on a wound.



Continuing up the road is the settlement of Shimon Ha'Tzadik. The Jewish presence here is very dominant, not only because of the flags but also because of the armed secu-

rity guards and the jeeps of the border-police that are constantly cruising the area.



Next to the settlement is the grave for the Jews, the cave of Shimon Ha'Tzadik, a holy site for Jews. It attracts many Jews daily and particularly during the holidays. This cave is incorporated in the plans of the settlers because it ensures the constant presence of Jews and a strong presence of security forces.



Adjacent is another cave which was enshrined in 2001 as a holy place for Jews, the Cave of the Ramban.



Another memorial further up commemorates the medical convoy that was attacked on its way to the Hadassah Hospital in 1948. It



projects a subtle message that Arabs kill even doctors.

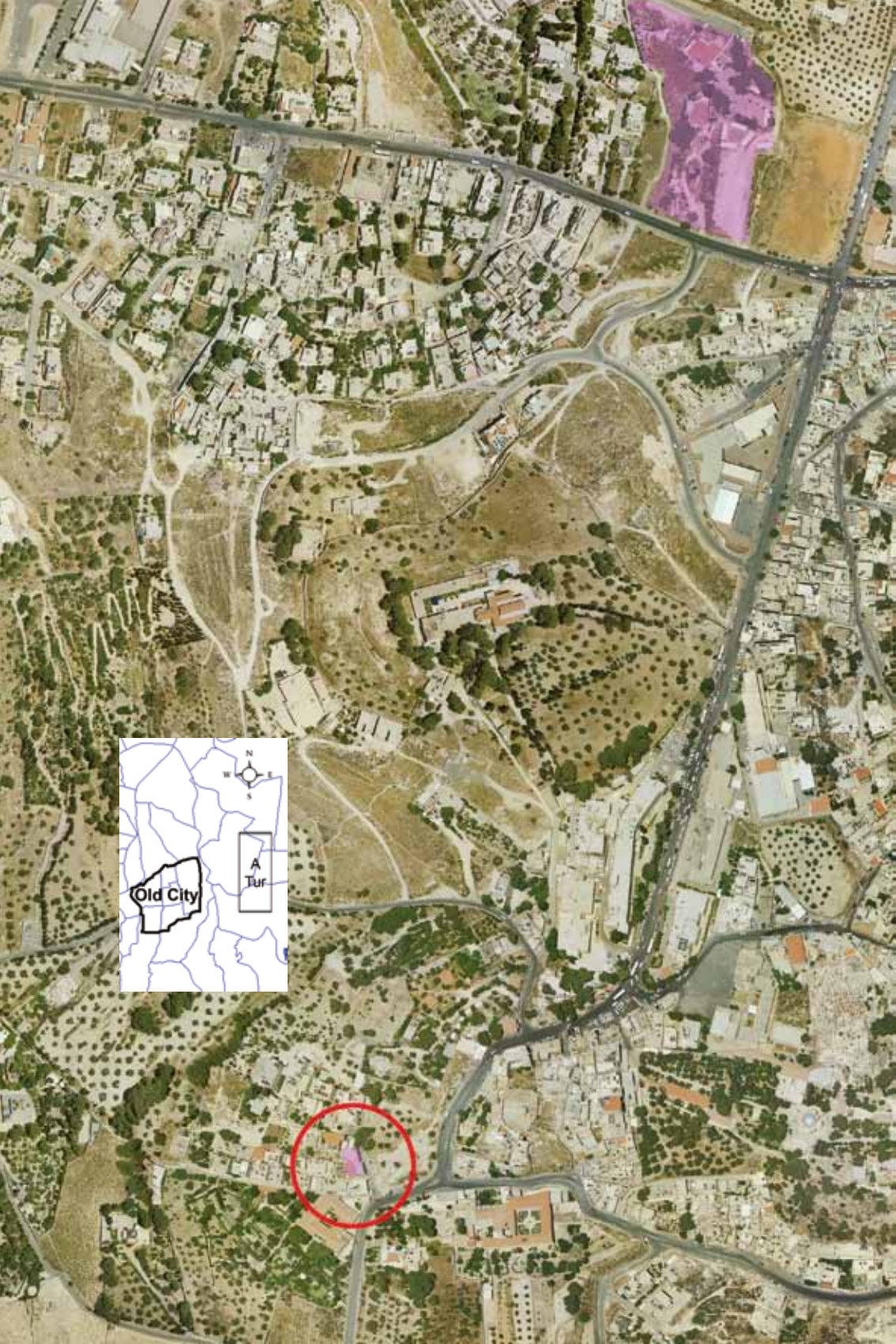


A large building not far along the road, known as the Shepherds Hotel, and the area of olive trees across the street known as the Kerem el Mufti , was also handed over to the settlers, though they are not yet permitted to build here as it is defined as a 'green area'.

Offices of the Ministry of Interior were opened in mid 2006 next to Kerem el Mufti. These offices are adjacent to the Hebrew University campus of Mt. Scopus.



The government offices and the police headquarters that are linked to the Western portion of the city are located at the end of the road; the territorial contiguity of Jewish land between West and Arab North is thereby completed.





# A-Tur

In March 2006 the Elad organization took control of a compound on the Mount of Olives (A-Tur) that included two four-story apartment buildings. These are not far from the Seven Arches Hotel, overlooking the Temple Mount, thus establishing the first settlement atop the Mount of Olives, (adjacent to the Jewish cemetery.)

The buildings belonged to the Abu al-Hawa family. The property passed through three Palestinian purchasers before it was finally sold to a Jordanian company, Luil Investment, which is, in fact, a "virtual" company owned by the settlers. Mohamed Abu al-Hawa was killed one week after the



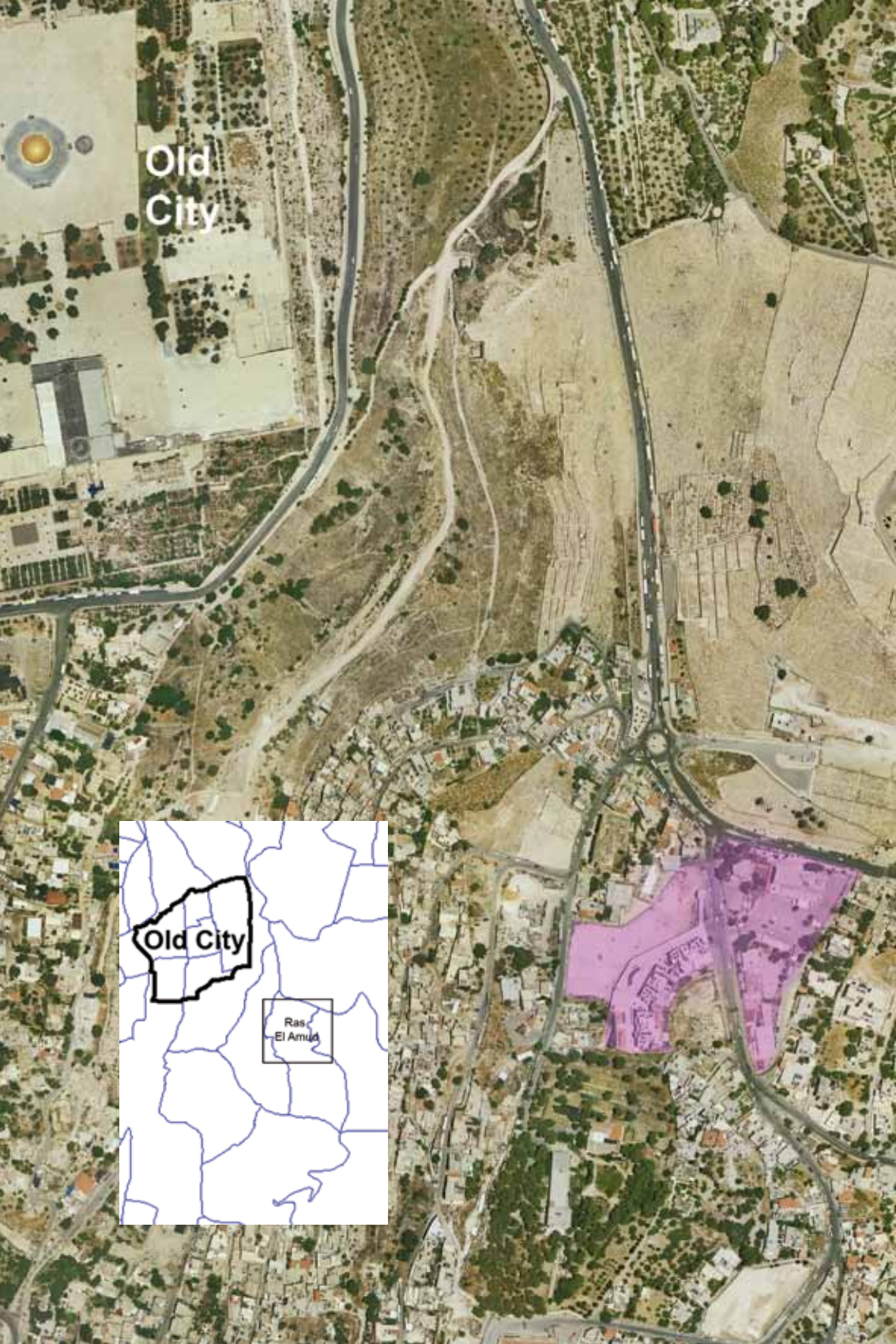
settlers took control, most probably by Palestinians, as he was seen to be a collaborator.

The Beit Orot yeshiva is also a settlement for all intents and purposes, because of its members' ideological profile. It was founded by Hanan Porat and Rabbi Benny Elon in the early 1990s; 100 yeshiva students are housed there.

When Benny Elon was Minister of Tourism, he made a point of transforming the area near the yeshiva into a national park, known as Emek Tzurim. The municipality has recently approved building plan



no. 4904/A which relates to public buildings and housing units on an overall area of 10 dunam. The plans were submitted by Irwin Moskowitz.



Old City



Old City

Ras  
El Amud



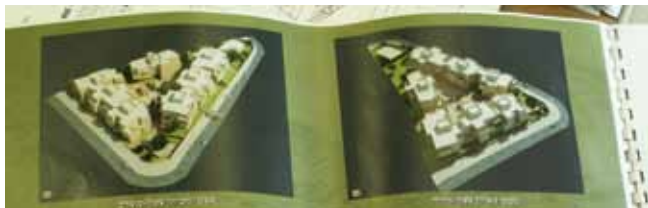
# Ras Al-Amud

A large complex in Ras-al-Amud, known as Ma'aleh Hazeitim, extends over 15 dunam; 132 apartments are planned, 51 of which have been built to date. The plans were approved in 1998, and the project was financed by Irwin Moskowitz. Aryeh King, Moskowitz's



personal representative in Israel, is a prominent figure in this venture. The complex is in a surge of expansion.

An adjacent building, which houses the Israel Police headquarters of the Judea & Samaria division, was purchased by Moskowitz. He also donated the money to build the new police headquarters in Ma'aleh Adumim, to which the police have started relocating (in March 2008). It is no coincidence that the new headquarters is in the area known as E1, the corridor between Jerusalem and Ma'aleh Adumim. Once the settlers obtain possession of the old police station, it will expand the boundaries of Ma'aleh Hazeitim significantly. In mid-2009, the settlers submitted a plan to the local Council for Planning and Building for construction of a new residential complex named Ma'alot David – to be connected by a bridge to nearby Ma'aleh HaZeitim. The plan calls for building 104 homes. Meanwhile, until the application is authorised, they already possess an authorisation awarded them in 1998 (and kept secret) to build 34 homes.





העיר העתיקה

הר הזיתים

העלה הזיתים

נפר השילוח



**Phase A**  
300 apartments

**Phase B**  
500 apartments

# Abu Dis

Another project financed by Moskowitz is the Kidmat Zion complex, consisting of 220 housing units. It will be built on the outskirts of Abu Dis, on a thirty-dunam plot. Although the plans were approved in 2002 and passed all the statutory committees, construction is on hold due to American pressure - it is near the site of the Palestinian parliament building which was to be built in Abu Dis. Nevertheless, it is not impossible that the plans will ultimately be implemented. The settlers have seized possession of two buildings – an existing one which they purchased, and another that they have built from anew. Both are intended to emphasise their presence and safeguard the land from 'invaders', i.e. their presence would deter Palestinians from attempting to build or occupy the land.





# Isolated Properties in Other Areas of East Jerusalem

There are also several isolated buildings dispersed throughout East Jerusalem, such as in Abu Tor, Jabel Mukaber, opposite the U.S. Consulate, on Musrara Street (what the settlers call the neighbourhood of Nissan Beck), near the walls of the Old City, and so on, where a few families live, and offices operate. We believe there are approximately ten such housing units. We are aware of other properties throughout the eastern half of the city, for example in the Shuafat-Beit Hanina area, intended for use as “bargaining chips” in exchange deals with people living in other areas that interest the settlers, possibly in and the Old City. The settlers’ assumption is that Arabs living in highly congested areas where they will not be granted building permits, will gladly exchange their homes for more spacious ones in areas where building permits can be more easily obtained.



*Offices of a settler organization opposite the US consulate in Sheikh Jarrah.*

# Projects by Private Developers

Private development is never exclusively private: to a greater or lesser degree there is always government involvement. We differentiate between these categories for methodological purposes, but they are in reality much more integrated to the government than they appear here. Furthermore, from a legal standpoint, there is no difference between settlements as they all stand in violation of international law.

## Jabel Mukaber/ Nof Zion

In certain cases, there are projects that are initiated and built by private developers, the largest of which is Nof Zion, a complex in Jabel Mukaber, owned by Jacques Nasser and Abie Levy. It extends over 115 dunam and will eventually contain 350 housing units, a 150-room hotel, and service buildings.



## Manipulations to Erase Reality

*Article published in "Occupation" magazine. Translation: Judith Green*

At the edge of Jabel Mukaber, on the border of the settlement of East Talpiot, a luxurious Jewish building project is taking shape, eventually covering 170 dunam, and comprising housing, a sports center, park, kindergarten, synagogue and commercial center.

The project being built in Jabel Mukaber, `Nof Zion`, is a private project, purely a business venture with no political sub-context. Given that, the project's contractor's attitude reflects the same attitude often found in the Israeli establishment in matters of establishing jurisdiction over land in East Jerusalem. The elegant brochure prepared for marketing the project to the target Jewish population puts particular stress on its description of the area surrounding the new neighborhood. For emphasis, it also includes a sketch of the project and the view seen from it.

The sketch, in an oriental style common to the beginning of the century, shows a romantic scene, both calm and pastoral. The site is crowded with Jewish homes, surrounded by greenery, and with public



buildings on a grand scale, full of light and tranquil pastel colors. At its foot is an undeveloped area, also pastoral, where a few small Arab houses are scattered – distant and unthreatening. These are the homes of Jabel Mukaber. The drawing is deliberately false; both in the coloration and its intentional

distortion of reality. In the rendering, the village does not exist, only a number of solitary houses, far away from the Jewish area, unthreatening, but the dominant colors in the drawing – shades of green-blue-gold-maroon – different from the characteristic grey of the local architecture. In a brushstroke, the village disappears, its reality is erased, its homes gone as though they never existed, and the view is entirely nationalized to serve the Jewish neighborhood that will arise.

A different sort of manipulation appears on the next page, where the view seen from the neighborhood's houses is depicted. Since it is a photo, it is impossible to erase the village homes, but the mani-



pulation has two dimensions: the first is the insertion of a broad band of calm blue sky, and the second is the pastoral horizon line which is almost entirely composed of Jewish sites. In the background one sees

the Mount of Olives, Mount Scopus, Mount Moriah, the Western Wall, the City of David, Mount Zion, the King David Hotel, the Sheraton Hotel, the Plaza Hotel, the East Talpiot Promenade and the neighborhoods of Talbieh and Rehavia. The only non-Jewish site appearing in the picture is Augusta Victoria Hospital, which is also incorrectly labeled, as the building which is designated is actually the Pater Noster church, and not Augusta Victoria. However, whoever looks at the whole picture cannot help but notice that an Arab village lies right next to the Jewish site, exactly beneath its balconies. The village of Jabel Mukaber is present in the picture, but not in the mind of the observer. Not only that, but on the very ridge where only Jewish sites appear, there are actually a number of other Arab

villages, which are also conspicuous by their absence. If they point out Talbieh and Rehavia, why not the neighborhood of A-Tur, Sawaneh, Sheikh Jarrah or Wadi Joz, which are also situated on the same horizon line; or Sur Baher, to the right in the picture, also within sight of the observer. The view seen in the picture states clearly that the village seen at the foot of the Jewish neighborhood is an optical illusion, it actually doesn't exist, one can ignore its existence, its annoying presence, the voice of the muezzin and the sounds of its life. The nearby neighbor is of no importance, but instead the focus is on the ridge seen from a distance. The message of the picture is: ` Notice that the Western Wall is not far away, even if you can't quite see it; however, the neighbor, across the street, does not exist - even if you do see him.

Nof Zion is only an example of the operative code of the settlement movement as a whole with regard to the Arab presence in the West Bank and particularly in East Jerusalem. We have a modern version here of the classic Zionist statement, "A land without a people for a people without a land." However, if, in the nineteenth century, this was said out of ignorance, today it is said out of wickedness. This is an effort to erase the Arab presence, to take over the space, together with the land, the view, to "Judaize" East Jerusalem by a combination of Jewish building projects and the erasure of the Arab presence. Some can be physically erased, that is, it is possible to demolish Arab buildings down to their foundations. Who remembers that in the area where Jewish neighborhoods were constructed in East Jerusalem in the `70`s there were Arab buildings bulldozed off the face of the earth? Another part can be erased simply by ignoring its existence, wiping it from our consciousness and attention. These are areas where not only has no Jewish foot ever trod, but they are not even seen, nor have they ever been heard. The Jewish settler has learned to skip over Arab villages, to look above them rather than at them. He does not look at them directly since their presence is a nuisance, an irritant, and he is anyway contemptuous of them, looking at them from above not at eye level – the glance of a master at his servants. For the settlement movement, the Arab village is an annoyance which, if one cannot wipe it out,

one can at least ignore. The same approach applies not only to buildings, but also to the human landscape. On his way home, the Jewish settler will pass many Arabs who live nearby, but will not be aware of them, will ignore their existence because for him, they do not exist. At best, they are absent-present, shadows of inferior creatures. A great effort is also made to erase the history of the area, the story preceding the Jewish neighborhood. The Jewish resident does not show curiosity about how the lands ended up in his possession, who lived there before, if anyone was harmed by the Jewish construction. The Jewish resident, who generally displays a huge interest in his city's history, prefers in this instance not to ask too many questions and not to understand the past. The Jewish discourse is always national, in constant amazement at the impressive accomplishment of building a luxurious Jewish neighborhood, taking great pride in the redemption of the land for the people of Israel.

The only problem with this situation is that reality has a way of rearing its head, sooner or later, and claiming compensation for having been insulted.

# Mar Elias

A similar case to that of Nof Zion is a new settlement near Mar Elias monastery just north of Bethlehem, owned by the Golobenchich Brothers, that will include 398 residential units over an area of 624 dunam (156 acres). The plan was first submitted in 2001, but was then suspended until it was re-submitted in early 2009 and approved in October of the same year, with one telling difference—the original name, “Bethlehem Gates”, was changed to West Homat Shmuel, in order to give the impression that it is a suburb of the nearby neighbourhood of Har Homa. The change obfuscates that it is in fact a new settlement meant to link Har Homa and Gilo, in clear violation of Netanyahu’s promise to Obama not to change the status quo in Jerusalem.

Another project publicised in the press, but that so far hasn’t been fully revealed, is a major real-estate transaction between the Greek Orthodox Church and developer Shraga Biran. It concerns a major piece of land bordering on Givat Hamatos, Beit Safafa and Gilo. It has been revealed that Shraga Biran is about to build 700 residential units, of which he has undertaken to the Church 25% of the homes (probably on land next to Beit Safafa). This will provide response to the needs of the church’s congregation, while the remaining apartments, on the road leading to Bethlehem, will be sold on the open market.

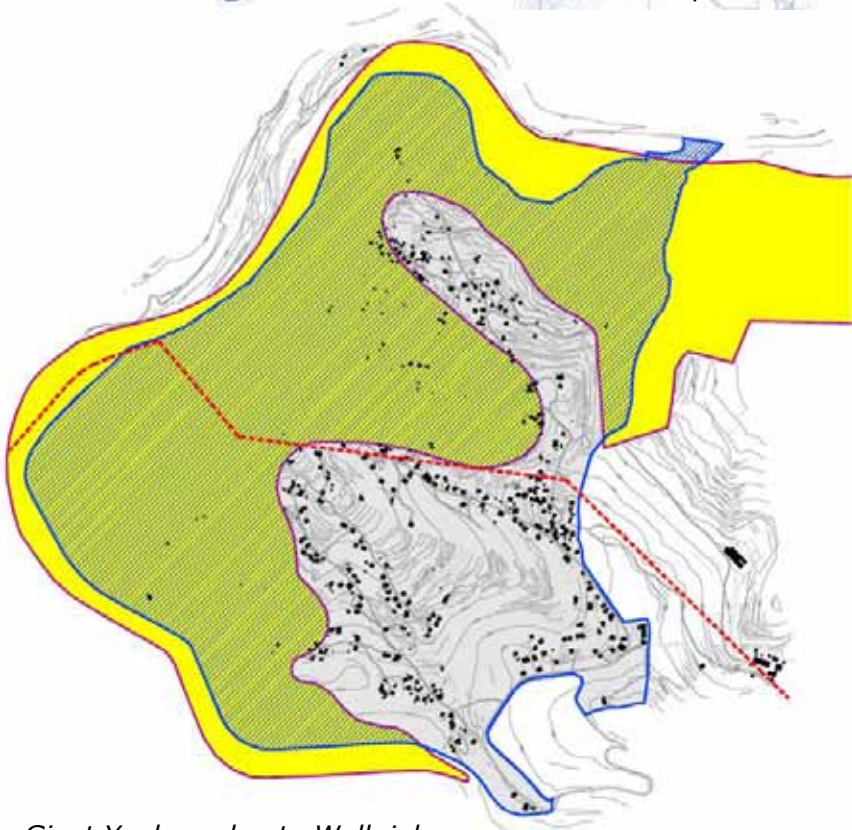
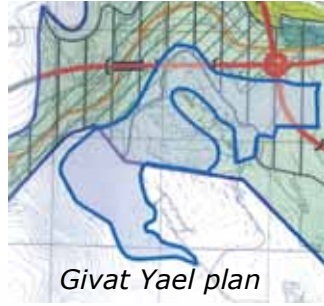


# Wallajeh/ Givat Yael

In other cases, the project is initiated and developed by private investors who are closely connected to political and ideological establishments. The most blatant example of this is a vast development which is partly a Jerusalem neighbourhood and partly a settlement named Givat Yael, planned for construction near the village of Wallajeh – half of which is under the jurisdiction of Jerusalem, while the other half is in Judea and Samaria. Givat Yael will be the largest settlement in the Jerusalem area, with 13,500 homes. Plans for 2000 dunam are soon to be presented to the Ministry of Interior and another 1000 dunam are in reserve. It is destined to be the link connecting Jerusalem with Gush Etzion. It is interesting to note that in July 2009 the Ministry of the Interior rejected a zoning plan submitted by the residents of the village of Wallajeh (drawn up by the architect Claude Rosenkowich). Immediately after this rejection, the Givat Yael entrepreneurs, worried that the Palestinian residents of Wallajeh would submit an appeal to the Israeli court against the Givat Yael plans—knowing fully well that it would be difficult to prove ownership of part of the land—assured the residents of Wallajeh that if they do not submit the appeal, they would assure that the original zoning plans of the Wallajeh residents would be approved.

Givat Yael is an example of a settlement that is devouring an entire village. It was intended to be built on land belonging to the village of Wallajeh. Parts of that land were purchased legally from village residents, and others were acquired through forged documents. The settlement is planned to take shape not just near the village, but in the middle of it.

Wallajeh, extends over 6000 dunams, Givat Yael, extends over 3,000 dunams. The map clearly shows that when we place the Givat Yael map over the Wallajeh map, more than half the village has been swallowed up within Givat Yael. In some parts of Wallajeh where Arab homes are left, the



*Givat Yael overlap to Wallajeh*

villagers' lives will become intolerable. They will be surrounded by multi-storey buildings, without farming land, with no options for developing or constructing. Ultimately, they will have to move elsewhere. Givat Yael is a prototype of a settlement that is choking an Arab locality and it reflects a stream in Israel society that is unwilling to live "side by side", preferring "us instead of them".

# The wholesale market

In a third category, settlements are initiated by the Jerusalem municipality, who then invites the private sector to bid on the building contracts, as in the case of the wholesale market. In February of 2009, a plan was introduced in the ministry of the interior, for the demolition of the wholesale market located near the Rockefeller museum, on the road leading to the Sawana neighbourhood. This site is to be rebuilt with a tourist complex including 200 rooms and halls. The site is under the city's ownership, as in the past it used to be owned by the Jordanian crown. The city now intends to issue a call for proposals. Despite the fact that in theory, Arab developers will be entitled to bid, there is no doubt that the final award will be granted to Jewish contractors from Israel or abroad. This site represents one very important link to complete the ring-of-control around the old city by the state of Israel. It will seal the territorial continuity linking the site of the Hebrew University in Mount Scopus with the old city and from there with the western part of the city.



# Government Initiated Settlements

Several complexes are planned for construction in East Jerusalem at the government's initiative, generally that of the Housing Ministry.

A new neighbourhood comprising 4,140 homes in an area covering 2,200 dunam will soon be built in Givat Ha-Matos, currently a



caravan site housing new immigrants. Although the site has been occupied for over a decade by new immigrants and disadvantaged families, it is presented as a completely new project, part of which lies on land belonging to Beit Safafa.

Near the Mar Elias monastery on the Bethlehem Road, the Housing Ministry is planning the Har Homa C complex, which will connect Har Homa with Gilo, while Har Homa D will be built on land close to Khirbet Mizmoriya-Nuaman. Together with the Housing Ministry, the Jerusalem Municipality is drawing up a plan to augment the Jewish presence in the south-eastern part of the city. The objective is to create a Jewish buffer that can prevent contiguity between Beit Sakhur, Sur Bakher and the Palestinian neighbourhoods to the south of the city.

Since 2007, heavy political pressure is being applied from ultra-orthodox parties to build 10000 housing units for them

in the Kalandia neighborhood, near the Atarot airport. This housing complex will serve as a link to tie together the Kochav Yaacov settlement in the Ramallah region with Jerusalem. As of currently the American administration has frozen this project, despite the fact that infrastructure improvements have already begun. An obvious factor for consideration is that work on the site is also connected to the fact that this site is slated to be returned to the Palestinian Authorities control.

In early 2010, the municipality changed its plans and decided to take possession of this area by constructing two plants. One was a municipal maintenance centre which would be transferred from West Jerusalem to the airport area by the end of the year. The second was a city centre for sorting and recycling, and producing gas from organic waste – scheduled to open in three years time. Creating the city waste site was also considered a forbidden action, under international law, and it is equivalent to a settlement for all intents and purposes. However, Israeli sources claim that in this case the US did not object, since the region is meant to be handed over to the Palestinian Authority which will ultimately receive a modern centre for processing the waste of Ramallah and Jerusalem. So not only will the project benefit the PA, it can also serve as a bi-national ecological project.

The state is also backing the enlargement of the Gilo area, a project entitled Mordot Gilo (Gilo Slopes), which will comprise the construction of close to 900 residential units on a plot of land over 260 dunams, expropriated in the 1980s. The move, approved in November 2009, set off furious international reaction, chiefly because of the timing. It was approved by the Interior Ministry while the USA was intensively trying to advance peace talks (see the US State Department response), but international criticism was exploited by the Israeli government for domestic purposes, to strengthen nationalist trends and prove that the government is preserving Jerusalem's unity, and not bowing to international pressure.

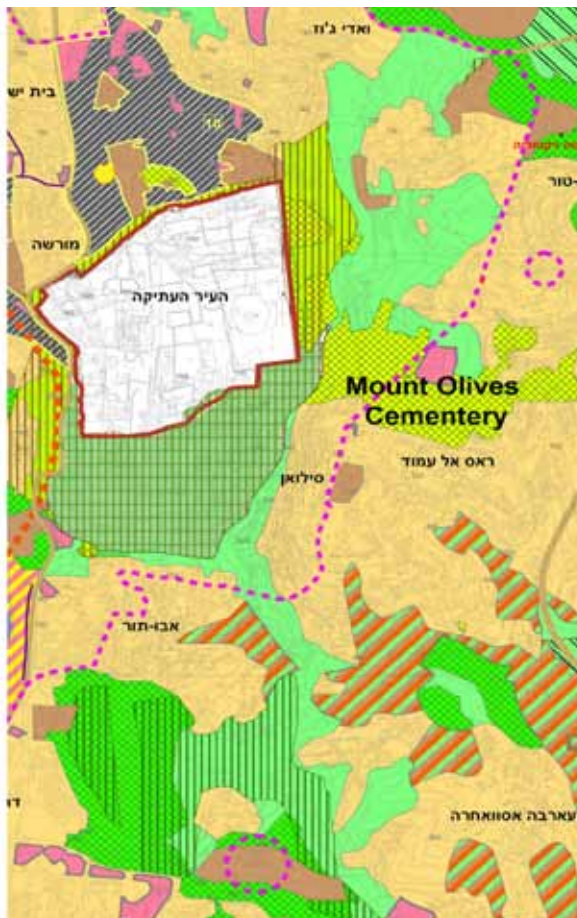
# 'Green' Settlements

Another method for increasing Jewish presence in East Jerusalem, in sites where residential construction is not an option, is by transforming extensive swathes of land into 'green' and tourism areas with a strong Jewish flavour. Transforming open space into parks is initially aimed at preventing an increase in Arab presence or, as the state calls it, the Arab takeover of the land. Knesset member Benny Alon, among the founders of the Shimon Ha'Tzadik settlement, and a head of the Beit Orot Yeshiva, has stated openly that the goal of the settlers in East Jerusalem is to create Jewish contiguity encompassing the area of the Old City. It is to be achieved by declaring open land as 'national parks' and adding state land to land owned by Jews. "Jewish neighbourhoods that are built adjacent to the open land will prevent the influx and illegal construction by Palestinians" (Rapoport, 2008)

In the ensuing stage it is likely that Jewish institutions and housing for Jewish residents will be built there. But even if no institutions or homes are being constructed, public parks are enough to reinforce the Jewish hold over the site. The signposts, guards, and paths, create continuity between Jewish sites, and the architectural style contributes to an extensive network of Jewish sites with political significance and weight. This is another aspect of the pattern for seizing control of physical space and demonstrating presence there. For the past two years, the public parks authority in the Jerusalem District has been managed by Evyatar Cohen, who lives in the settlement of Ofra, and is a former employee of Elad. One only has to track the explanations given by state sources to realise that their discourse is the same as that of the settlers, and their goals are the same goals. The area of land known as Tzurim Park in the A-Swanna neighbourhood is arguably the defining example of that trend. Declared a national park by the Parks Authority, the land has been fenced off by the municipality in a



manner preventing the Arab owners of the land from building there. Through that declaration, the state accomplishes two goals simultaneously; it prevents Arabs from building on the land, and it also gains control of the land without expropriating it and therefore without compensating its owners. Similarly, another national park has recently been declared, under Mt. Scopus in Issawiya, covering an area of 745 dunam; this park has been declared on the pretext that it overlooks a desert area which has great value as a region of disappearing natural beauty. This is a most ridiculous and infuriating explanation, in that this park overlooks area E-1, which is the subject of highly controversial development plans by the Municipality of Ma'ale Adumim and the Israeli Government.



*Green areas / National Park Plan to surround the Old City.*



Another project that uses natural and scenic values to bolster Jewish presence in the East Jerusalem has been handed over for implementation by the East Jerusalem Development Authority (EJD), a subsidiary of the municipality. The project entails laying out a national park composed of fifteen separate areas, located from Abu Tor via the King's Valley (Silwan), the Sultan's Pool, the Lions Gate, Mount Zion, and up to the foothills of Mount of Olives, all connected by a network of paths: The cost is 75 million shekels. A brochure outlining the project demonstrates the merging of tourism with the political considerations underlying this extravagant project. It states that, due to the deteriorating situation of tourism infrastructure as a result of wide-scale illegal construction and squatters, rapid action is necessary to preserve the area's status as a tourist attraction. The government has defined the project as a 'national mission': When it this phrase is invoked it means more than planting trees and placing park benches - something far more political and ambitious. When interviewed by a local newspaper, the spokesperson of EJD used the phrase "the battle for Jerusalem", which has the covert goal of preventing construction by Arabs in the most sensitive areas in Jerusalem. (Pundaminsky, 2005) These projects should therefore be considered as constituting further tools for the takeover of the city, and as an integral part of the overall settler project.

## Sites at immediate risk

The settlers are making concerted efforts to focus their activity within the Old City and the area directly surrounding it, particularly in Silwan from the south, Sheikh Jarrah in the north, A-Tur in the east; in other words, in the area known as

the "Holy Basin". In the areas closest to the Old City wall the risk is higher—the closer to the wall, the more effort settlers will exert to establish themselves in the area. In September 2009 an internal document belonging to Ateret Cohanim was discovered; it reveals a number of potential houses within and around the Old City that the organization is attempting to purchase by appealing to wealthy investors outside the country. The list of houses can be found in the appendix.

Five East Jerusalem sites are considered as being at high risk:

(1) Many places in the village of Silwan are in immediate risk. The most vulnerable place is Al-Bustan, where the municipality has ordered the destruction of 88 buildings in order to build an archaeological park. International pressure helped suspend the project, but the danger has not passed and the government is apparently waiting for the right time to implement their plan.

(2) The Yemenite neighbourhood in the centre of Silwan, where Ateret Cohanim members are planning a large Jewish complex. This complex includes the restoration of the old synagogue, construction of a community centre and museum, and reclamation of hundreds of square meters of Jewish Property that belonged to the Yemenite community of Silwan until 1938.

(3) The Tel-el-Ful area, that sits between Shua'afat and Beit Hanina, which was owned by the Jordanian Crown until 1967; the foundation of King Hussein's palace stands there to this day. Post 1967 the land was automatically transferred under the authority of the Israel Lands Administration, where it claims ownership of 200 dunam of land and is pressuring for the evacuation and destruction of the existing buildings.

(4) In the area of Sheikh Jarrah, around the Shimon Ha'Tzadik settlement, there is an ongoing court case for the future of 17 dunam that involves the old Sephardi community. Though the sett-

lers have abandoned their pursuit of this land in the courts, they have nevertheless presented a project plan to the municipality. The Palestinian residents have again petitioned the courts, in order to avert further action by the settlers. This area must therefore still be



considered under risk. A cave, and the plot of land surrounding it, (referred to by the settlers as Ramban), are also under immediate risk of confiscation by settlers, notwithstanding that they lost a court case against the Palestinian who owns and resides on the land.

(5) A small hill of 12 dunam in the Anata area, to which the settlers attach great importance, since it dominates the road leading to Ma'ale Adumim, and which they succeeded in proving was bought by a Jew living in Europe.

(6) In addition, there are scattered plots of land throughout East Jerusalem, but in particular in the Old City, that the municipality is trying to expropriate under various pretexts; most of them, for the "benefit of the community" (Not surprisingly, it is always for the benefit of the Jewish community).

Next map shows a plot of land in Silwan that the municipality wants to confiscate under the pretext that they need parking for tourists that visit the Old City. The map and notification has been sent to the owners of the land on April 2007.

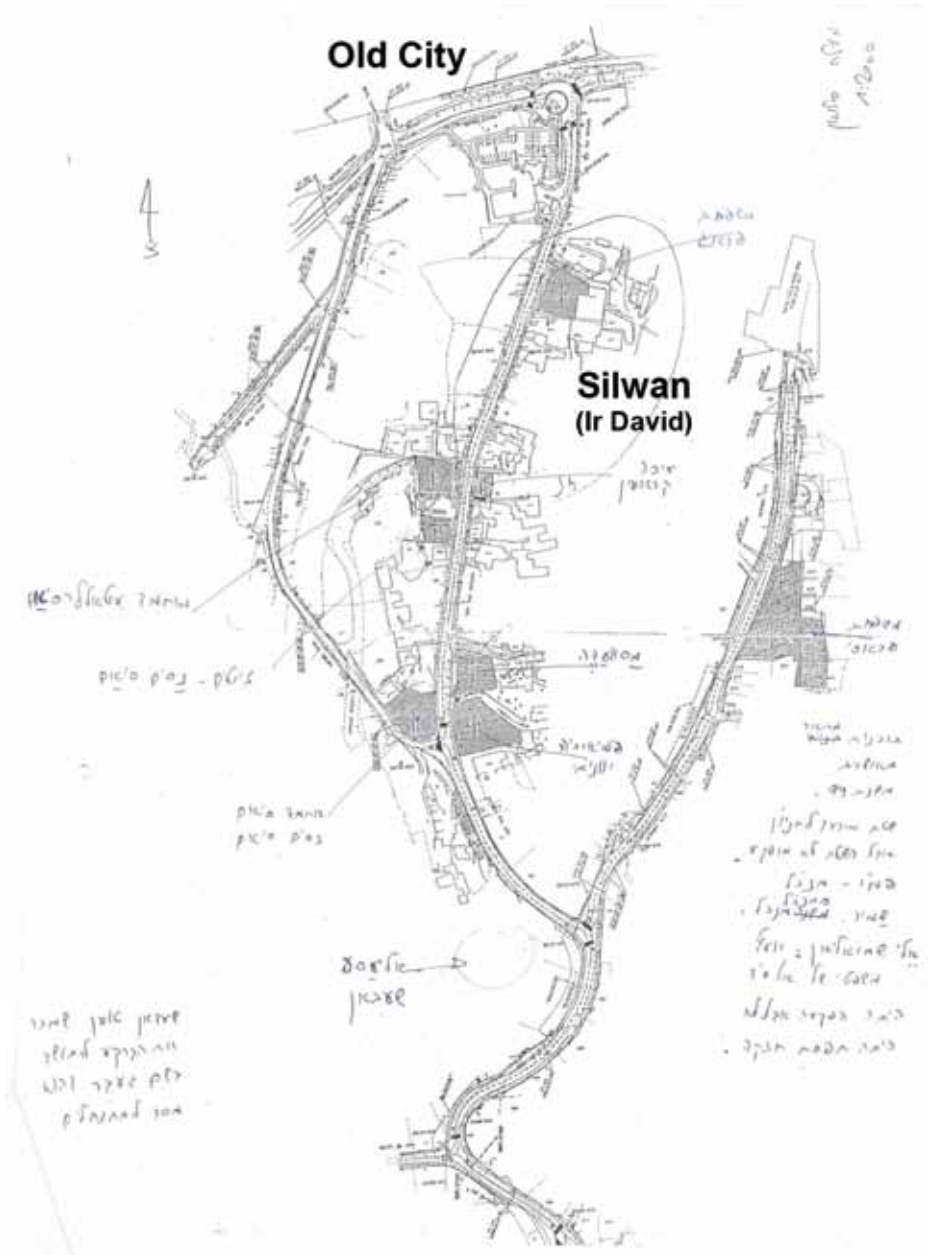


Table 3 provides details of the targeted properties, both buildings and land, which will further the strategy to actualize the settlers' plan described above

**Table 3: Current Construction & Plans aimed at Judaization of East Jerusalem**

Neighbourhood	Initiating Party	Current Structures	Planned Construction	Land Used (1 dunam = 1000 sqm)
Silwan - Yemenite Neighbourhood	Ateret Cohanim	Unlicensed construction of seven story building + 2 houses.		
Silwan ("Ir David" and the surrounding area)	Elad (Settler association)	30 buildings total currently; housing around 50 families or close to 250 residents.	ICAHN believes that there are many more buildings, still inhabited by Arab citizens, waiting for possession to be taken.	Seized more than 50% of Ir David.
Sheikh Jarrah (Shimon Ha 'Tzadik neighbourhood)	Shimon Ha 'Tzadik (Settler association)	Taken over seven buildings, housing 30 people, as well as a yeshiva with 50 students; 4 - 5 further buildings owned by the association.	Current plan for a building complex of 160 housing units.	Ownership claimed of 17 dunam in the area.
Sheikh Jarrah (Shepherds Hotel)	Ateret Cohanim		Construction file opened in October 2005 of 90 housing units.	9 dunam.
Ras-Al-Amud	Financed by Irwin Moskowitz	Complex of Ma'aleh Hazayit, containing 132 apartments, currently with approximately 60 families.	The complex is still expanding.	15 dunams.
A-Sawana, Beit Orot Yeshiva		A yeshiva with approximately 80 students who live there.	A new complex is planned on another 10 dunams.	Aprox. 13 dunams.
Abu Dis	Financed by Irwin Moskowitz	Two houses.	Kidmat Zion complex containing 340 housing units to be built (construction on hold due to political pressure).	30 dunams.

Neighbourhood	Initiating Party	Current Structures	Planned Constructuion	Land Used (1 dunam = 1000 sqm)
Jabel Muckaber, Nof Zion complex	Owned by Jacques Nasser and Abie Levy (private initiative)		Constructuion planned for 350 housing units; 150 room hotel and service buildings.	115 dunams.
Shuafat	Ezra Bellilios		Intented construction of 5 buildings of 4 - 5 stories and a commercial center.	12 dunams.
Silwan; "Givati parking"	Developer "Ma'aleh Beit David" possible involvement by Elad		Plan for constructuion of 5 story building with a banquet hall, commercial center with view towards the Western Wall plaza and a car park.	11.5 dunams.
Givat HaMatos; partly on the land of Beit Safata	Ministry of Housing		Constructuion of 1500 homes.	310 dunams.
Givat Yael; near village of Wallajeh	Jewish National Fund		A vast development is planned of 3500 homes (partially in jurisdiction of Jerusalem, partly in the West Bank) connecting Jerusalem with Gush Etzion.	2000 dunams presented to Min. of Interior. 1000 dunam in reserve.
Bethlehem Rd., near Mar Elias Monastery	Housing Ministry and Jerusalem municipality		Planned construction of Har Homa C complex, connecting Har Homa with Gilo; construction of Har Homa D.	

# Settler Ideology



*"Our activities are part of the natural process of returning the Jewish people to its home, to the place from which it was expelled. It has no inherent political trend – building Jerusalem is the national identity of this people". Mati Dan, Ha'aretz, September 27th 2009*

The ideology that motivates the settlers in East Jerusalem is a combination of messianic and nationalistic ideas, and thus does not differ from settlers elsewhere in the West Bank. (Motti Inbari, 2008, Nadav Shragai, 1995) Their primary goal is to redeem the land in East Jerusalem and hand it back to the Jewish people. An Ateret Cohanim advertisement defines its goal as engaging in "Buying, renovating and introducing new Jewish tenants into houses and properties in and around the Old City, plot by plot, home by home, step by step, a little at a time".

## The Nationalist Motivation

The nationalist motivation of settlers in the city's eastern part is identical to that of the entire settler movement – students of Rabbi Kook, graduates of Merkaz Harav Yeshiva - and all belonging to the Gush Emunim (Bloc of the Faithful) movement that spearheaded Israeli settlement in the Occupied Territories. In Judea and Samaria, as in Jerusalem, they believe that the whole country belongs to the Jewish People, and it cannot be divided either for strategic or security considerations. If this is the case regarding the West Bank areas, it is even more so when it concerns Jerusalem. Since they are strongly religious people, the national consideration is secondary in importance to considerations of halacha, Jewish law. Nevertheless, the national consideration is frequently raised

- particularly when illustrating their position to secular Israelis and responding to questions from the outside world that it is unacceptable to present religious grounds regarding geopolitical matters with international sensitivity. Many among the settler population see presenting non-religious grounds as a problem in principle, since they are not actually the reason they settled throughout the whole territory of the Land of Israel. Such arguments, they maintain, could prove problematic as they imply that if geopolitical improvements occur, their reasons for building settlements will be voided, and the settlements will be dismantled. So adherents of that approach argue that such grounds must be removed from the agenda; they must declare openly and fearlessly that they are settling the lands of their heritage, which belongs to the Jewish people for eternity.

Nevertheless, nationalist thinking is dominant among settlers who are playing on a political theme, in tandem with creating facts that could make Jerusalem's division impossible. They are aware that controlling strategic points in the east of the city will thwart any option of dividing it, and without a divided Jerusalem there will be no diplomatic arrangement, and any peace process will be doomed to failure. This strategy is not a secret. In interviews with the media, settlers reiterate that underlying each settler's home is the stated intention to sever the continuity of Arab presence in the city and to sabotage prospects for coexistence.

Beyond the talismanic status that land has in their worldview, their thinking has built-in classic structures of nationalist thought - the perception of the state as a value in itself, the importance of national symbols, willingness to make sacrifices for the state, extremist patriotism, and immense contempt for foreigners, Arabs and non-Jews wherever they are. This targets not only their physical presence, but also those values originating in the West, such as human rights, liberalism, materialism. They display an instrumental and manipulative attitude towards democracy. More seriously, they disdain the rule of law and are ready to trample it underfoot when it is not in accord with their fervent beliefs. They consider themselves

not only genuine Zionists, heirs of the pioneers who established the state, but a maximalist form of Zionism that dreams of a Greater Israel, with the borders divinely promised in the Bible – which means Israel plus Jordan.

## Religious Motivation

Their endeavours are fuelled by religious commandments, and since a divine plan guides their work, they are positive that time is on their side and that 'the Eternal One of Israel will not disappoint'. They therefore consider their work in East Jerusalem as a mission, a task that not only fulfils the nation's supreme goals, but Divine Will as well. It is a belief that imbues their life with significance and fills them with pride. Those sentiments were borne out by a woman settler from the City of David complex who reported that "Living here is a huge privilege! It means living in a place with immense value, not only archaeological and historically, but a place with inner spiritual value, it really is the Holy Land. Living here means being plugged into eternal values."(Shneor, 2004)

As a result, they are ready to sacrifice what is most precious to them for the sake of the overarching goal. Unfortunately, that integration of nationalistic and messianic ideas engenders a highly inflammable situation, with strong potential to set off a conflagration. "Those concepts are malignant ideological growths that tend to spread lawlessness and destruction on those who cling to them – and on many others who do not."(Hagai Dagan, 1999)

The idea of erecting "The Third Temple" has surfaced repeatedly since the occupation of the Old City of Jerusalem in 1967. The idea is based on a religious belief that the construction of the temple is a necessary stage required to expe-

dite the arrival of the Messiah. Therefore the entire concept of redemption lies upon the destruction of the Mosque, and eventually with the construction of The Third Temple.

The realization of this idea encounters major obstacles stemming from Jewish religious law (Halakha), such as the question whether or not the people of Israel are sufficiently pure in order to enter the temple. However, the main impediment is the Muslim presence on the Mount, in the form of the two great mosques. From this perspective, the mosques pose not only a political problem, but also a hindrance to the very concept of redemption. A Jew who wishes to speed redemption and the coming of the Messiah must do whatever he can to solve this problem. This concept is not restricted to the fringes of the religious society, but is popular throughout the centrist religious-Zionist movement; it is also pursued by many in the state establishment.

For the settlers, a war between the Muslim world and the State of Israel, triggered by damage caused to the mosques, is considered as a phase towards the War of Gog and Magog, the colossal Armageddon that awaits, and which will precede and hasten redemption. They dream of bringing it closer by whatever means, so that the coming of the Messiah, Son of David, will expedite the establishing of the Kingdom of Israel. The presence of settlers in the Old City's Moslem quarter therefore poses an immense danger to the public order.



*The image portrays the plans of the messianic groups intending to build the third temple on the side of Al Aqsa Mosque.*

# The Messianic – Archaeological Connection

The settlers' messianic motivation thus provides the drive for alarming excavations currently taking place in Silwan and Beneath Al-Wad Street in the Old City. These two tunnels are adjacent to the mosques on Haram al-Sharif. The digs, one in Silwan, and the other in Al-Wad Street, loom as obstacles to any possibility of a breakthrough in negotiations with the Palestinian Authority. Of concern is, that as the extreme-right feels that there is an actual potential for withdrawal from the Occupied Palestinian Territories, they may try to prevent it by a cataclysmic action to change the course of history.

Their model for such an action is the assassination of Prime Minister Rabin that managed to effectively stop the peace process. These groups have political and religious-messianic will, and the two tunnels supply them with the means to pursue their cause.

Yizhar Be'er, who researched right-wing movements in Israel, writes *"Just another conspiracy theory? Not necessarily. Thousands of Jews identify with the movement to rebuild the Temple. They gather around Succoth in the national convention center and swear to "remove the abomination" (i.e. the holiest Muslim site in Jerusalem and one of the holiest sites of all of Islam) from the premises".* He adds *–"Handing over the administrative keys to one of the most sensitive and volatile sites in the entire country, and possibly the world, to a political, extremist organization is akin to deciding to hand over the keys of the nuclear base in Dimona to Ahmedinejad and friends".* (Be'er, 2009)

See Appendix A: *Previous Attempts to Damage the Mosques*

**Conclusion:** Our assessment is that there is a serious danger of an imminent attempt on the mosques. The religious-messianic motivation has already been established, there is ample political support, and all that is lacking is the opportunity and the means; the tunnels beneath Silwan and Al-Wad Street provide both.



This cartoon illustrates the Palestinian perception of Jews tunneling under the Haram Al-Sharif mosque, clearly leading to its destruction. This perception is dangerous in itself, within the context of the sensitive Jerusalem issue and can easily ignite a big explosion.

*"In this reality, in which every drop of mutual trust has long since evaporated, intention doesn't matter. The question -- "Did settlers really intend for their archeological digs to run up against the foundations of mosques in reaching for the very roots of Jewish existence?" -- is not particularly relevant; much like the question of whether the Arabs really do want to throw us into the sea. It's enough that Muslims and Israelis, respectively, are convinced enough as to the (positive) answers to both of these questions as to have already amassed a stockpile of ammunition that could, with the slightest disturbance, engulf everything in sight." (Be'er, 2009)*



# Sources of Settler Power and Authority

Settler activity in the east of the city is not partisan-like, initiated by a cadre of idealists acting on the margins of the state establishment. The settlers are the Israeli government's long arm and they do the dirty work that the government cannot do itself. They are connected to the government's logistics center, fed with its funds, act under its inspiration and are subject to its authority.

The settlers' organizations maintain a convoluted system of connections with all the relevant state entities. They have brought into the Nature and National Parks Authority as district manager, Evyatar Cohen - himself a former settler in Silwan - and with his help they are turning extensive areas of land into national parks to boost their control of the land. At the Antiquities Authority they managed to obtain from Shuka Dorfman - a former general- a one-of-a-kind permit to conduct archaeological excavations in sensitive. In this way they have gained possession of highly significant pieces of land, and at the same time are rewriting history. The Housing Ministry funds the security of all the houses where settlers have gained control, the Custodian of Absentee Property at the Justice Ministry and the Custodian-General at the Treasury hand over properties to them without a tender process. And even the Israeli Police grants them overt and covert backing, which gained added impetus on the election of minister Yitzhak Aharonowitz, from Lieberman's right wing party. Police backing is easily discernible in every raid on an Arab home, and was also seen in the courts during the appeal to evacuate Beit Yehonatan in Silwan. There, the settlers claimed in their defence that they had no idea that the building was illegal, because senior figures in the Housing Ministry and the Israel Police had provided assistance in the process, and helped them to take possession of the building.

The municipal system supports and is at the service of the settlers to an almost limitless extent. To a great extent, the mayor of Jerusalem owes them for his election which was achieved by massive votes from the National Religious sector. More than this, the dependence stems from their tight connections with the government, principally uncompromising

support from Interior Minister Eli Yishai, who is responsible for the local authorities. Accordingly, the mayor appointed Yakir Segev as responsible for East Jerusalem and the contact person with the settlers organizations. Segev is a member of the city council, from the mayor's faction, who until the elections was in charge of operations at the Judea & Samaria Council and also has strong connections with the East Jerusalem associations. Many council members gave their sponsorship to settlers, and the most noticeable of them is Elisha Peleg of the Likud, and Yair Gabai from the National Religious Party. It comes as no surprise that city hall officials – aware that all doors are open to the settlers – provide them with overt and covert services. Some of them do not even require the stamp of the political echelon – the former official for supervision of construction at city hall was formerly a member of a movement that called for Israel's transformation into a Jewish kingdom, and is highly motivated to help settlers wherever possible.

An example of the way the settlers entered professional systems at the municipality was revealed in a petition filed in October 2009 by the Ir Amim association in conjunction with the deputy-mayor for the Meretz faction, Pepe Alalo, calling for the revoking of master-plan no. 11555 which was drafted at the municipality for the Silwan area. City records revealed that settlers from the Elad association participated actively in municipal meetings dealing with planning in the area, and they also directly paid the architect who designed the area. The master-plan that was drafted has several advantages for the settlers and disregards the needs of the Palestinian population. The municipality acted inappropriately when it adopted the master-plan, although it has had not received statutory authorisation, and allowed the Elad association to lodge the construction programs according to plans which they themselves were partners in drafting and funding.

Nor is the judicial system clean-handed in terms of collaboration with the settlers. Many cases cause lifted eyebrows regarding the judicial establishment's behaviour, both of judges and of the State-Attorney's office, towards the settlers. A particularly astonishing case was the 2004 trial of the Elad

association for the caravans it parked in Silwan. During the proceedings, the settlers adopted the ludicrous line of defence that the area does not belong to them, and it was not their responsibility that the caravans were parked there, but of an Arab named Yussuf Jamal who lives in the UK. This argument would be dismissed outright in any serious courtroom, because it is clear that the settlers were in possession of the area. Yet for some reason, the judicial establishment admitted the argument, exonerated the settlers from blame, and handed down a penalty to a virtual Arab who is not be found in Israel. Even if it can be claimed that the judge was unaware of the situation and acted in good faith, the ploy of registering a property in the name of Arabs is an old story at the municipality, and the city prosecutor should have made this clear. This affair is a dual example of the solid ties between the settlers and the municipal authority, but also with the judicial system itself.

In another affair, David Beerli, who heads the Elad association, revealed in a recording from 2008 how - in the process of an appeal filed by Silwan residents against excavations the settlers were performing beneath their homes - he outwitted the judge, and what is more serious, how the judge collaborated with him in the ploy: "At a certain stage, we came to court. The judge asked me 'Are you digging under their homes?' I said - King David who did the digging! I'm just cleaning up. And he replied: clean as much as you can. Since then we've been cleaning, we're just cleaning, not digging." (Eldar O., 2009).

So it's unsurprising that Yaron Elias, who is in charge of city inspection in East Jerusalem said in a conversation in 2005 that he avoided dealing with the construction of a seven-storey building in Silwan, known as Beit Yonatan, for eighteen months "...because I know their connections" (Rapoport, 2005).

How this activity is maneuvered was described by the journalist Anshel Pfeffer of Ha'aretz. His remarks are quoted below verbatim.

"It is hard to speak of a clear policy or an organized ru-

ling hierarchy with respect to the Israeli government's actions in East Jerusalem and especially around the Temple Mount.

Critical decisions are made in secret, generally in the Prime Minister's office, and in many senses the activity around the Temple Mount resembles Mossad operations or the nuclear program – the Prime Minister makes the decisions with the aid of a small group of discreet advisers in his office and a few officials in the relevant organizations.

“Over the years a secret committee of two members has been active – Ahaz Ben Ari, formerly legal adviser to the Prime Minister's office and Mordecai Tanuri, Vice President – Purchasing, in the Israel Land Administration, who coordinated all of the Israeli purchases in the Old City and vicinity. The government-owned companies operating in the east of the city are run by religious nationalists, a reminder of the days when the National Religious Party (NRP) still had a share in the government. The Jewish Quarter Development Company, which belongs to the Housing Ministry and the City of Jerusalem, is managed by Nissim Erez, formerly an NRP City Councilor in Bat Yam. The Western Wall Heritage Foundation, in control of the plaza and the tunnels, is headed by Mordecai "Soli" Eliav, who established the fund as a private non-profit organization that administered the Western Wall for the Ministry of Religious Affairs. When that arrangement was attacked by the Attorney General, its status was raised to "government organization", and today runs under the auspices of the Prime Minister's office. Gideon Shamir, an Elkana resident and once Director-General of the Port Authority is General Manager of the East Jerusalem Development Company, owned by the Tourism Ministry and the municipality. These bodies act together with right-wing organizations such as Ateret Cohanim and Elad, in developing projects around the Temple Mount, often with the cooperation of the Antiquities Authority". (Anshel Pfeffer, 2007)

# Methods for Seizing Property: Three Tracks

The settlers frequently repeat— proudly — the argument that the purchase of the different properties were performed for the “full amount”, paying full and fair prices, and all the transactions were conducted according to the law and legal procedures.

From a technical point of view, this may be correct; but arguments such as these are intended to create an impression of legal authority. It locates the whole discussion in the real-estate arena, outside the political, ideological arena. But all this is of course erroneous and misleading — they did not come to settle in East Jerusalem for real-estate reasons or because they liked the view. Their move to these areas was clearly motivated by political reasons - and therefore we cannot allow them to disassociate these factors from the debate.

The question whether they did or did not pay in full for the purchase of these properties is irrelevant. There are many ways in which injustice can be done, and some of them are legal. The existence of a purchase contract and payment in full does not make the settlers’ presence in the heart of Palestinian neighbourhoods any less problematic.

The best evidence of the grave injustices they are committed, are the methods they employ to acquire these properties.

It is not difficult for settler associations to acquire Arab



property. All they need do is find a Palestinian family in dire economic straits or criminal elements seeking easy money, purchase property from them via a 'straw' Arab middleman, and wait for the right moment to seize the property openly. Financing is not a problem. There is unlimited support by American Jews willing to donate, on condition that the recipients maintain a low profile and do not arouse the anger of non-Jews. Hence, settler associations buy properties by unscrupulous methods and introduce collaborator-tenants, while initially refraining from registering the property in their own names until a politically appropriate time. One can also understand the dilemma and the temptation presented to a relatively poor Palestinian homeowner, when offered an unbelievably large sum of money for his property, in the order of at least double its value.

The methods employed by the settlers to seize Arab properties in East Jerusalem are unscrupulous, as will be made clear below. This emerged in 2005 when the Palestinian collaborator Muhamad Maraja disclosed to the media the methods the settlers employ to "buy" Palestinian houses. Afraid he would reveal too much, the settlers bought his silence for \$42,000. This is only a small part of what is in fact going on, but it is enough to understand that we are dealing with highly dubious practices. \*

This section describes some of the methods they employ to obtain property from the Greek Orthodox Church, from Palestinian families, and still others with government cooperation. On Appendix E you can find an example of a brochure done by Ateret Cohanim at the end of 2009, addressed to American Jewish donors for purchasing properties in East Jerusalem.

*\* This information is taken from an agreement between Muhamad Maraja and Ateret Cohanim on May 15, 2005, signed by Asaf Baruhi in the name of the settlers. This agreement was part of a large number of documents which reached me at the end of 2005 when Muhamad Maraja, feeling betrayed by the settlers who did not pay him the amount of money agreed upon, decided to hand it over to me.*

# Properties acquired from the Greek Orthodox Church

Although obviously a sensitive issue, the acquisition of property from the Greek Orthodox Church has not been thoroughly clarified; it seems that the “deeply rooted chaos and corruption” at the Greek Patriarchate enabled church property to be sold off for personal gain. Examples are the St. John’s Hostel, the Imperial and Petra hotels, a string of shops close to Jaffa Gate, and a house in Bab el Huta in the Muslim Quarter. (Palestinian commission, 2005) The transactions were executed by straw companies headquartered in the Virgin Islands. (9). As in the situations described below regarding settlers’ exploitation of vulnerable Palestinians, in this situation too the settlers found an employee of the Patriarchy, Nicholas Papadimas, to assist in their schemes. His close association with the Patriarch, Ireneos, provided him the opportunity to obtain a Power of Attorney, and thus sell the properties to the “front” companies. When this affair was exposed, Papadimas fled the country, and Ireneos was replaced by a new Patriarch of the Greek Orthodox Church, Theophilos III. In his petition to the Supreme Court in November 2005, Theophilos III states that the State of Israel conditions its recognition of his appointment on his authorising those transactions. He further maintains that the bureau of Minister Tzachi Hanegbi, and Minister Rafi Eitan were pressuring on him to do so. (Rapoport, 2007)

It seems that the new Patriarch has not changed the situation substantially. The economic crisis the church is going through is showing its effects - the church's wealth is in land, but its coffers are empty. The followers are in need of housing solutions. Recently a transaction between the Patriarchate and

Jerusalem lawyer and businessman Shraga Biran has become public. In it, Biran will receive 71 dunams of land near Givat Hamatos, situated close to the main road to Bethlehem, and in return the Patriarchate will receive 25 percent of the housing units in the complex he plans to build on this land. The remaining units will be sold to Israelis.

# Properties Acquired from Palestinian families

Arab properties in East Jerusalem are seized by settlers using several methods.

(1) **Properties where a member of the family is embroiled in criminal cases** and is willing to sell everything he can for financial gain. These people are easy prey and can be tempted with relative ease. Three such examples follow.

The **Ajlouni family's** home was seized in February 2004 after a son who was entangled in drugs and criminal activities sold the family two-storey home without being authorised to do so. He also sold four housing units, though they were registered in the names of his four brothers. (Ada Ushpiz , 2004)

The home of **the Dana family** was also sold to settlers after a son was involved in the murder of another villager and left home for fear of retribution.

A plot of land belonging to **Mohamed Maraja** who had

incurred heavy debts, was similarly sold. The settlers built a seven-storey building on the plot, without a building permit

**(2) Properties where a demolition order is shortly to be executed,** and the owners face the alternative of either selling their home to settlers, and recouping at least some of their money, or losing everything. In similar cases it can reasonably be assumed that municipal inspectors pass on information to the associations concerning homes about to be destroyed, and dispatch an Arab 'straw' broker who closes the deal on the settlers' behalf. We are aware of an inspector responsible for the Silwan area who maintained close ties with the settlers and sources in the municipality. Matti Dan, a leader in the settler movement, was instrumental in halting plans for this inspector's transfer to a different area.

**(3) Properties of families that have incurred debt,** and must sell in order to remain solvent. This has been a common phenomenon over the past few years, particularly since the second intifada when the economy slowed down and many Arab workers in the construction, hotel, and hospitality sectors lost their jobs. Similarly, when both trade and tourism slumped due to the security situation, the livelihood of many families in East Jerusalem was severely harmed.

# Properties Acquired with Government Cooperation “The Klugman Report”

A major government resource to the settlers for seizing properties was the Custodian of Absentee Property, a body subordinate to the Justice Ministry. The ties between the custodian and the settlers were revealed in 1992 when Yitzhak Rabin's government set up a state commission headed by Haim Klugman, then Director-General of the Justice Ministry (Klugman, 1992).

Because the Klugman Report is something of a milestone for the disclosure of the settlers' associations conduct in East Jerusalem and their relationships with the different government agencies, an in-depth analysis of the report is worthwhile.

Haim Klugman, an attorney who was director-general of the Ministry of Justice in Yitzhak Rabin's government, headed an inter-ministerial committee that examined the way in which Arab properties were transferred to settler associations in East Jerusalem. The committee managed to penetrate the security with which government agencies attempt to cloak their endeavours and conceal information. about such transactions. In the report, Klugman himself notes that *"the Custodian of Absentee Property failed to provide any information at all"*, adding that *"the Registrar of Associations herself attempted to examine the conduct of those associations and requested reports from them, but never received a solid response"* (p. 20). Despite the difficulties and the partial picture, the committee's findings were still enough to provide an understanding of how the method worked.

The Custodian of Absentee Property had good reason to conceal information, as the entire process began with the

settlers giving the Custodian affidavits that targeted properties were 'absentee property', without his examining the veracity of the information, even though the settlers' intentions were transparent. The affidavits were signed by Attorney Eitan Geva, who represented the settlers. The method used was a circular transaction, with several stages that helped cover up any traces. The Custodian would then automatically declare the owners as absentee owners and assume possession of the property. This, despite the fact that "*..the Custodian did not visit properties, did not examine them and their value, or whether the process entailed evacuating families, and did not provide opportunities for objections to be filed*" (p. 13). Even at this early stage, there were signs that should have aroused suspicion. All the affidavits were authenticated by the same attorney, Eitan Geva. Many affidavits were given by the same person, while "*the Custodian did not make elementary inquiries into their identity, reliability, how the affiant had created contact with Mr. Geva or the Association, the source of the information, or the consideration he received for his services*" (p. 13).

Next, the Custodian transferred the property to the Development Authority, from whom it was passed to the Company for the Rehabilitation and Development of the Jewish Quarter, which in turn transferred it over to Amidar Ltd. The latter did not bother to examine the most basic details required to set the property's value, nor the degree of entitlement of the settlers who moved into and occupied the building. "*Amidar did not examine the properties that it rented to the settlers, did not try to verify the property's physical description, its location, total area, the number of rooms, and so on*" - all this in contravention of explicit directives given by the Housing Ministry (p. 13). In other cases, the property was transferred to Imanuta, which then passed it on to the possession of the settlers associations.

Previously, in 1982, the Israel Lands Administration (ILA) had dealt with purchasing land and buildings in the Old City, under directions from then Minister of Agriculture, Ariel Sharon; properties purchased by the ILA were transferred to Ate-



ret Cohanim (p. 11). Transfers to the settlers were conducted without a tendering process, *"and associations or other individuals – whether Jewish or Arab - were barred from involvement in acquiring the rights, all this in contravention of proper procedures and the Tenders Law, as well as without the payment of key money as lawfully required"* (p. 11). Renovations were carried out with state funds (p. 19), legal costs were funded by the Treasury (p. 14), as was the funding for security of the buildings - through Amidar Ltd. Funding included the maintenance of 450 communication devices and payments for land surveys (p. 14). The payment charged for properties that came into the possession of settler associations was symbolic and ridiculously low: for example, a two-storey building was rented for NIS 30 (less than \$10.00 US) per month, and a four-room building for NIS 46 per month (p. 12). Moreover, the amounts charged were not paid de facto since they were deducted from the legal costs ordered against the owners of properties (p. 14).

In tandem, through the Housing Ministry itself, the government transferred financial aid to the settlers to purchase more properties. This was done via budgetary items aimed at assisting new immigrants or people entitled to housing as a social benefit (families in need) or to help collective associations (pps. 17-19). The Custodian also collaborated in transferring money from estates, under a decision by the ministerial committee for Estate Affairs. The Company for the Development of the Jewish Quarter transferred monies under the item Preserving and Maintaining National Properties in East Jerusalem even though the properties were outside the defined area of the Jewish Quarter, and even though *"it was liable to be a problem to group those properties under the definition of 'national sites and assets in East Jerusalem'."* (p. 21). The Tefhot Mortgage Bank also collaborated in this scheme, through granting loans to associations without receiving the securities that the law required (p. 19).

The committee itself found it hard to define the scope of the budgets that the state granted the settlers: *"It appears to the committee that information is incomplete because there*

*is no concentrated information collating all the expenses, and the committee was forced to collect them from several sources" (p. 17). Moreover: "in some budgetary items, money that was transferred to various property transactions was used for goals other than those defined in the budgetary items permitting the outlay of money on these goals". Hence the "existing data does not enable an examination of the total aid provided regarding each property, and if the total aid does not exceed the amount required to renovate and to bring in tenants" (p. 20). Throughout the report, there are strong indications that the funds transferred to purchase or renovate buildings in fact served to fund the association's expenses, not for the goals for which they were given. (p. 20).*

Concurrently, the state employed settlers in salaried positions, by establishing two companies engaged in locating and renovating buildings in the Old City and its surroundings - Mordot Moriah Ltd. and Even Rosh Ltd. The company's managers and employees were all members of the Elad and Ateret Cohanim associations. The ILA also employed two settlers to locate potential properties and land. (p. 10).

Instructions came from the highest echelons of the Housing Ministry. Yisrael Schwartz, manager of the Occupancy Division at the Housing Ministry, gave evidence before the committee. He was not involved in events in East Jerusalem, even though this was in fact part of his job-definition: *"I do not know who handled the question of the occupants of the buildings", he said, "the general-manager's directive was to transfer the money to Amidar".* A representative of the ILA, Mr. Babai, said this much more explicitly: *"The political level decided that every property that belonged to the ILA in the specific area would be rented to Ateret Cohanim. Two people from Ateret Cohanim located properties for the ILA. The method in which they were handed over was authorised by the then Justice Minister, Moshe Nissim"* (p. 10). Aryeh Bar, director-general of the Housing & Construction ministry, told the committee that he was unable to provide data on the identity of the people living in the buildings, because under the minister's directives, the matter was transferred for processing by the

associations themselves (p. 13). An Amidar representative, Mr. Pelled, testified that the transaction of the companies set up by settlers and the choice of their managers was not in the hands of the company itself but was "the outcome of a directive from the housing & construction minister, given to the chairman of Amidar's board of directors" (p. 16). Then Finance Minister, Yitzhak Modai, made his own modest contribution by amending the name of the budgetary item designated for apartments for entitled people - from Purchase of Apartments P.A. (Purchasable Assets) for Disadvantaged Families, Entitled to Social Benefit Housing and for Ethiopian Immigrants, to simply - Purchase of P.A. Apartments - so that settlers could also be included under this heading (p. 18).

In several documents submitted to the housing ministry, the forgery was particularly brazen. The committee discovered, by means of a claim filed by an Arab family, that proved that settlers had taken over their lands on the basis of a letter signed by a third person who declared that he was the owner, and that he was transferring his home to their possession - while the asset was in fact *an empty plot* with nothing built on it (p. 40).

The entire process described above, writes Haim Klugman, was tainted with unlawful discrimination, in contravention to proper management, and lacking any reasonable and fair tests. With a certain under-stated emphasis, the report notes that the "boundaries were blurred" between the settler associations and the housing ministry (p. 16). The greatest liability was placed on the Custodian of Absentee Property: the committee defined his conduct as highly deficient, by any criteria (p. 24). He did not exercise the slightest degree of discretion (p. 25).

# Government and Private Channels – transparent and not so transparent

## Government channels

The issue of the settlers' budgetary sources is one of the best-kept secrets in the affair of the settlements in East Jerusalem. A journalist with Ha'aretz, Nadav Shragai - who has a religious-Zionist affinity, states in his research into the battle for the Temple Mount that 60-70 percent of the budget of the settlers' associations derives from state sources. The remainder comes from donations raised abroad, using letters of recommendation from senior figures in the government, including the Chief Rabbis (Nadav Shragai, 1995)

Both state and private sources fund the settlers' operations in East Jerusalem. The governmental sources are cloaked in secrecy, and pass through various government ministries under confusing names. Until 1992, the state transferred absentee property and vast sums to the settlers through different ministries, the Housing Ministry in particular. As noted in the previous chapter, the Klugman report estimated that the government transferred approximately \$8.2 million to the settlers in order to buy buildings, and passed on an additional \$12.8 million for renovating old buildings. (Cheshin,1999) The report also disclosed that the Jewish Quarter Renovation Company transferred \$1.7 m. to the settlers, in the form of monies

originating in the Housing Ministry. A \$7 million transfer was also made to the Imanuta Company to facilitate the acquisition of St. John's hostel in the Christian quarter. (Jerusalem Post, 1990) However, that pipeline was cut off in 1993 following the recommendations of the Klugman report.

Currently the state transfers funding to the settlers via two channels– transparent transfers, and more covert, non-transparent transfers.

The transparent budget was determined in August 2005, when Ariel Sharon's government allocated a multi-year budget of NIS 50 million (equivalent to 14 million USD) yearly from 2006 to 2013. The budget was intended to "strengthen Jerusalem as Israel's capital." The funds were defined as being for the renovation, development and maintenance of the area defined as the Old City Basin and the Mount of Olives. This budget was transferred via the Authority for Development of Jerusalem, and was conducted as a "closed budget item", i.e. without providing details as to its exact allocation – thus ensuring the utmost freedom of action. At the same government session, a budget of NIS 10 million was also allocated, for the years 2006 to 2013, for developing tourism programs. Another NIS 80 million was allocated in 2006 for paving Road 20, which goes to Pisgat Ze'ev, (Government, 2005). Anyone at home with the terminology used by the right wing, understands that the money is earmarked for settlers' purposes, and also realizes why it is being transferred to the Development Authority and is conducted as a closed economy. We therefore have firm grounds for assuming that this budget ends up in the settlers' hands or in projects serving their goals.

Quite openly and transparently, the state finances the security companies that guard settlements, at an annual cost of NIS 40 million (approximately. 12 million USD). The state also employs many settlers as security guards and in managing the City of David archaeological site. (Knesset, 2007, Miseszhnikov 2008)

We received hints regarding the secret channels during

discussions of the Knesset's Interior Committee regarding establishing a governmental authority for the upkeep of cemeteries on the Mount of Olives. During the discussions, Knesset member Ophir Pines, chairman of the committee, attempted to uncover how much money was being channelled by different government ministries to the Mount of Olives. Large amounts were disclosed, but no one could state exactly where they went. For example, a representative of the Ministry of Religious Affairs claimed that the previous year his ministry had transferred NIS 103 million to the cemetery. A representative of the Prime Minister's office said that the government had decided to transfer NIS 50 million every year to the 'Holy Basin' area of Jerusalem, which includes the Mount of Olives. A Finance Ministry representative said that a governmental resolution had ordered NIS 480 million to be earmarked for the Holy Basin, while a representative of Jerusalem's municipality attested that it budgets NIS 330,000 to the Council of the Jerusalem Cemeteries, which also deals with the Mount of Olives.

The committee chairman, Ophir Pines, expressed surprise that none of the representatives of the government attending the discussions knew how much money actually went to the Mount of Olives. "There are representatives here from every ministry, yet none of them knows how much money was actually directed to the Mount of Olives. The government has transferred millions of shekels without tracking the use that was made of it", he remarked. (Omedia, 2008, Ami Sharon, 2008)

The picture that took shape in those discussions is that 'The Mount of Olives' has become a code phrase for transferring money to settlers. Government agencies do not know, or decline to report, where the money actually ends up, and it is also abundantly clear that the amounts stated here far exceed what is needed for maintenance of the graveyards on the Mount of Olives.

## Private (Covert) Channels

The degree of secrecy with which settlers conceal their funding sources caused a crisis when the Registrar of Non-profit Associations threatened to dismantle the Elad association if it persisted in refusing to provide details on five entities that donated \$7 million to the association in 2005. According to reports submitted to the Registrar in 2005, the association's revenues totalled NIS 41 million, (approximately US \$10.00 million) of which 38 million derived from donations. Most donations came from five donors whose identity is unclear. Thus, Elad received a \$2 million donation from Farleigh International IT., and an identical amount from Ovington World-Wide Limited. It was given \$1.5 million by Leiston Holdings, \$1.4 million from Dwide Limited, and \$250,000 from Jacobson. These donations total \$7.15 million. In other words, almost 75% of Elad's total income originated in unknown sources. The Registrar of Nonprofits was not satisfied with that list, and demanded the full disclosure of the donors' details. Although the association was approached several times, Elad persisted in its refusal and did not even file an application for immunity, as the law permits. The Registrar of Nonprofits then informed Elad that its "refusal is likely to raise suspicions that the association is not being conducted in compliance with the Non-Profit Associations (Amutot) Law and the principles of proper management. This may provide grounds for the Registrar to exercise discretion by revoking from the association its authorisation of proper management, and even requesting its dismantling". Such a step would be highly significant, as it would prevent Elad from receiving budgets from the Treasury and make it difficult to sign contracts with the state. Nevertheless, it still refuses to disclose its funding sources and apparently has good reasons for doing so. (Rapoport 11\2007)



## The American and Other Connections

Regarding the purchase of the Petra and Imperial hotels, it is noteworthy that the state refusal to disclose the transactions' financing sources to the church's legal counsel; raises concerns whether state funds are still finding their way to the settlers. It is equally hard to identify the private donors because they demand anonymity. Best-known of them all is Irving Moskowitz, who has become the patron of the East Jerusalem settlers. A group of Jewish millionaires from the United States has formed around Moskowitz, generously supporting the settlers. One of the most important financial sources of Ateret Cohanim is located in the United States, where it founded an association named the Association of Friends of Ateret Cohanim. Its reports to the US tax authorities disclose that the association raised \$2.1 million in the 2007 financial year, \$1.3 million in 2006, \$900,000 in 2005, and \$2 million in 2004. Another association operates in tandem in the USA, and raises funds for the yeshiva of Ateret Cohanim; it is called the Association of Friends of Ateret Cohanim in the USA. In 2007 it raised close to \$200,000. A journalist's inquiry published in the Haaretz newspaper in August 2009 revealed that Ateret Cohanim is duping the US tax authorities by defining their charity as earmarked for educational purposes, thus entitling them to an income-tax exemption.

Another figure who is well-known to us is American billionaire Ira Rennert of Brooklyn, a major supporter of the Ateret Cohanim association, and inter alia funded the opening of the Western Wall Tunnel. Also worth mentioning is the Iranian born Swiss-Israeli millionaire Nisan Hakshuri, who is the owner of the Hotel and Casino "Loutraki" in Greece and another well known financial supporter of the settlers. In a newspaper interview in 2007, he announced having donated more than 3 million dollars to the settlers.(Waitz, 2007) Yet another channel for funding is through the Russian-Israeli diamantaire Lev

Leviev and Russia's wealthiest man, Roman Abramovich, now living in England, where he owns the Chelsea football team. Both of them visited the settlers at the City of David as guests of ex-Minister Natan Sharansky.

On several occasions, state organisations have actively helped to raise funds for the settlers' associations - Ehud Olmert, while serving as mayor of Jerusalem, addressed an event organised by Moskowitz, which was aimed at raising funds for building projects in Ras-el-Amud.

# Conclusion

The presence of Jewish settlements in east Jerusalem is a classic case example of colonialism. This may be merely emphasizing the obvious, but it is nonetheless essential to underscore, given that in the international sphere an increasing number of people consent with the Jewish presence in east Jerusalem as though it is and should be the norm.

The Jewish settlers in east Jerusalem represent a classic model of colonizers.

Colonization in the traditional sense of the concept is implanting a foreign civil population within the midst of an occupied territory. The fact remains that, in accordance with international law, east Jerusalem is an occupied territory, and from that derives the fact that Israeli rule over the city is against the law.

In this case, to insure control of the land, the model of colonization is manifested through the state's encouragement of its citizens to become settlers on the land. Thus, the colonization of east Jerusalem is not different than similar processes as they occurred in Africa, Asia and even the Americas. However, in contrast to other types of colonization models, the impetus behind the colonization of east Jerusalem is not founded on economic or imperial motivations, but rather in ideology and religion. For the local original residents of the city, the consequences of the colonization are no different. Therefore, despite the uniqueness of this case, the Jewish presence in east Jerusalem still represents a classic case of colonialism.

The conclusions of this research on the Jewish settlements in east Jerusalem, will explain the extent of its sociological impact on the Palestinian population as a whole. The issue that will remain open from the description of this situation is the extent to which the settlements will succeed in changing the homogeneous character of the territory. Our view is that it is succeeding in disturbing the regional space. The sense and

character of the space will indeed be changed. In Silwan, Israel has already reached a critical mass of settlers, and the obvious changes brought about by the dominance of the Jewish population have been accepted, apparently, even by the Palestinian institutions.

Four decades after the city was "reunited" by the force of the Israeli armed forces, the city remains as divided as ever. The psychological and socio-economic barriers that fracture this city are much higher than the wall that divided the city before 1967 between its western and eastern sections. Israelis and Palestinians have become, throughout this period, citizens of two separate and irreconcilable worlds. An abyss separates them; they reside in the same spatial territory, but as though in two different planets and an undercurrent of hate rages through people's veins. The Israeli annexation project was a thorough failure. This should come as no surprise, given that Israel never really intended to fully integrate the Palestinian section of the city. Israel craved the land but not its residents and for that reason, the state has pursued an ambiguous policy of inclusion of the land, while excluding its population. The Jewish re-encounter with the "old city" engendered a passion for the physical landscape, coupled with a sense of apprehension towards the human landscape. On the one hand Israel found those sites so intimately linked with Jewish history, but on the other hand, there was also the presence of an Arab population. This reality did not fit within the people's preconceived imagery of the city. Faced with this dichotomy, the government pursued an urban policy aimed at the systematic Israelization of the eastern part of the city, while minimizing the Palestinian presence within the space.

The story of Jerusalem these last 40 years could well be called "40 years of discrimination". For that reason, Jerusalem, more than a city, is powder keg ready to explode at a moments notice.

# Appendix A: Previous Attempts to Damage the Mosques

Historically, there have been several attempts to infiltrate the earth beneath the mosques. Some of these have been relatively "civilized", others have been violent.

In 1974 Joel Lerner attempted to damage the mosques in order to stop negotiations between Israel and Egypt.

In 1981 tunnels near the Wailing Wall were found leading eastwards, towards the Dome of the Rock. The Ultra Orthodox believe it to be the site of the inner sanctum, or "the holy of holies" of the temple. The Rabbi of the Wailing Wall, Yehuda Meir Gatz, wished to pursue the completion of the tunnels, claiming that once the ceremonial tools of The Second Temple are found the Messiah will come (Mountain of Quarrel, p.216. Nadav Shragai, Hebrew). It was the then mayor Teddy Kollek that realized the potential threat posed by the tunnel and together with the chief of police pressured Prime Minister Begin to seal it.

The most serious attempt to blow up the mosques was in 1984. It was carried out by a group known as The Jewish Underground, which was comprised of 27 settlers of extensive military experience. Their social background was from the heart of the settler establishment, with some from the national-religious 'aristocracy'. Although they were renounced by the religious establishment, they attracted much admiration for the national-religious society.

In 1984 an attempt was made by "The Lifta Gang" to climb on the eastern walls of the mosques to enter the plaza

and destroy them.

It is important to reiterate that in order to engulf the entire region in flames it is not necessary to actually carry out an action on the Temple Mount. A small provocation is sufficient to cause bloodshed. In 1990 a group called Temple Mount Faithful Movement announced their intention to place a cornerstone for the construction of the temple. As a result of the violent repression of the demonstrations against this plan, seventeen Palestinians were killed. In 1996 Prime Minister Netanyahu, and then - mayor of Jerusalem Olmert, opened the Wailing Wall Tunnel. In the ensuing riots 70 Palestinians and 16 Israeli soldiers were killed, and hundreds more wounded.

Recently the most provocative intrusion into the mosque area was made in November 2000 by Ariel Sharon, when he entered the grounds accompanied by a large contingent of police. As is well known, this led to the second intifada, after six Palestinian demonstrators were shot by police.

## **Current Activity Creating Potential for Crisis**

There is no lack of Rabbis who openly preach their wish to harm the Mosques. Some prominent rabbis in this category are:

Rabbi Israel Ariel wrote in 2004 that the disengagement was a punishment for neglecting the Temple Mount. According to him, if the Lord doesn't have a residence then the people of Israel do not deserve one – and therefore He throws us out of our land. In Rabbi Ariel's words, "if we make the Lord a residence, he will reside inside of us".

Rabbi David Dudkevitch, the Rabbi of Yizhar and of the region of Samaria, says that the Jewish weakness in the site of the shrine radiates onwards over the entire country, just as a pain in the heart affects the entire body. The solution he pro-

poses is to take immediate action and to start working towards the return of Jewish control over the Temple Mount.

Elizur Segal, who teaches in the Yeshiva of The Jewish Idea in the Tapuah settlement, wrote an article praising Baruh Goldstein for his willingness to sacrifice himself for the people of Israel. (Goldstein was an American expatriate settler living in Hebron, who in 1994 massacred 29 Palestinians.) Elizur continued to write that anyone interested in pursuing the teachings of Maimonides must aspire to blow up the mosques and plow their debris with bulldozers.

There are currently several activist groups leading the campaign for an Israeli presence on the Temple Mount. Though not strictly settlers, they offer strong support to settler activity and disruption to peaceful relations between Jews and Arabs. The key players are:

Gershon Salomon, head of the Temple Mount Faithful Movement. According to him, he who controls the Temple Mount has that right to the entire Land of Israel. On the other hand, he who relinquishes control of the Temple Mount must be doubted as the sovereign of the Land of Israel.

Josef Elboim, head of the Movement for the Foundation of the Temple. This group maintains a constant presence on the Temple Mount, and organizes tours there every Tuesday.

Rabbi Shlomo Aviner, head of the religious school (Yeshiva) Ateret Kohanim in the Muslim Quarter. In a convention in 1990 Aviner was quoted saying that the Wailing Wall Tunnel is a first step towards the construction of The Third Temple (ibid, p.247).

Rabbi Israel Ariel, head of the Temple Institute. In the same conference, Ariel said that the tunnel should be a bridge towards the temple. If he had a bulldozers at the time of the occupation of the old city, he would have razed the Temple Mount (ibid, p.247).

Rabbi Yossi Palai, head of the To the Mount Association. This organization performs a monthly ritual that involves a walk around the walls of the Old City.

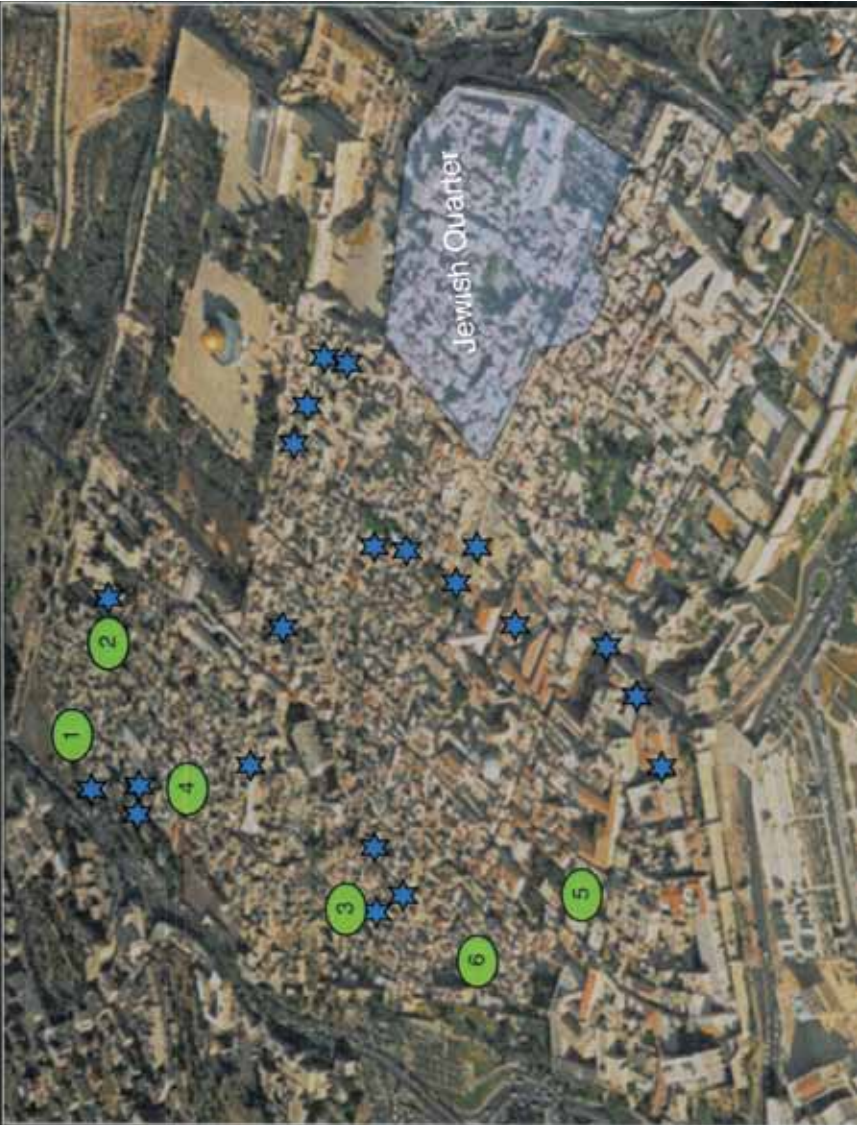
The Kakh and Kahane Hai movements and members of the Yeshiva "The Jewish Idea" in the settlement of Tapuah. It should be noted that though these groups are monitored by Israeli security forces, of prime concern to them would be



an individual who is not a member of any of these groups. Such a person, acting independently, would be much harder to track. There is a great potential for such a person to be found amongst “the hilltop youth” in the area of the settlements of Yizhar, Itamar and Tapuah.

**Appendix B:**  
**Ateret Cohanim**  
**Fundraising**  
**Brochure**  
**For Purchasing**  
**Properties in**  
**East Jerusalem**  
**-October 2009-**

# OLD CITY PROPERTY VIEW



1 Beit Sha'ar HaPrachim

2 Beit Boreasch

3 Beit HaBidur

4 Beit HaNess

5 Beit HaSha'ar HaChadash

6 Beit HaKorban

☆ Properties owned by Ateret Cohanim



# S U M M A R Y

Property	Area (in square meters)	Apartments	Potential Occupancy (in families)	Nearby Properties
<b>THE OLD CITY</b>				
1. Beit Sha'ar HaPrachim	400	5	3 or 4	Two (in Flowers Gate Complex)
2. Beit Boteach	350	4	4	None
3. Beit HaBidur	350	4	4	Adjacent to Beit Baruch
4. Beit HaNess	500	8 (small apts)	5	Beit Duran
5. Beit HaSha'ar HaChadash	140	2	2	None
6 Beit HaKorban	450	4	4	Near Beit HaSha'ar HaChadash
<b>TOTAL</b>	<b>2190 SQ METERS</b>	<b>27 APTS</b>	<b>22 NEW FAMILIES</b>	
<b>THE YEMENITE VILLAGE</b>				
7. Beit HaChatyar	550	4	4	Near Beit HaDvash
8. Beit HaMughtar	400	4	4	Adjacent to Beit Yehonatan
9. Four Land Plots	2000	Communal + residential buildings	6 to 12	Benvenishtti Trust, Beit Yehonatan
<b>RAMBAN NEIGHBORHOOD</b>				
9. Beit HaSlichah	230	2	2	Near Shepherd Hotel
<b>KIDMAT ZION</b>				
10. Plots project	10,000-15,000	-	-	Beit Sarah, Beit Ha'Achim

# THE OLD CITY



*Ohel Yitzhak synagogue, completed and opened for prayer on Rosh Hashanah of last year- 5769- can be seen below the Temple Mount in the Old City of Jerusalem*

The heart of Jerusalem is calling out to us. Six properties, all registered in the Tabo (the Israel Land Registry), are now up for sale. The properties represent an opportunity to bolster the Jewish community in the Old City of Jerusalem with another twenty-two families, putting the Jewish population of the Old City, not including the Jewish Quarter, at over one thousand people.

At a time when the United Nations and countries around the world are plotting to finally wrest Jerusalem and its holy places from the Jewish hands, a strong Old City with a stable Jewish population becomes vital to our ability, as a nation, to maintain control over our spiritual center. Ateret Cohanim and you will make that happen.



# BEIT SHA'AR HAPRACHIM בית שער הפרחים



Perched alongside the walls of the Old City, and part of the future neighborhood of "Sha'ar HaPrachim", that, when built, will house twenty-one families, a synagogue, kindergartens, a mikvah, and a recreation area. The property will give the future neighborhood a vital connection to the main road to the south.

<b>Total Area</b>
<b>400 m<sup>2</sup></b>
<b>Current Use</b>
<b>Residential</b>
<b>Future Use</b>
<b>Home to three-four Jewish families</b>
<b>Rights for purchase</b>
<b>Tabo (registry)</b>
<b>TOTAL COST</b>
<b>\$1.7 million (including broker's fees, overhead)</b>



OLD CITY

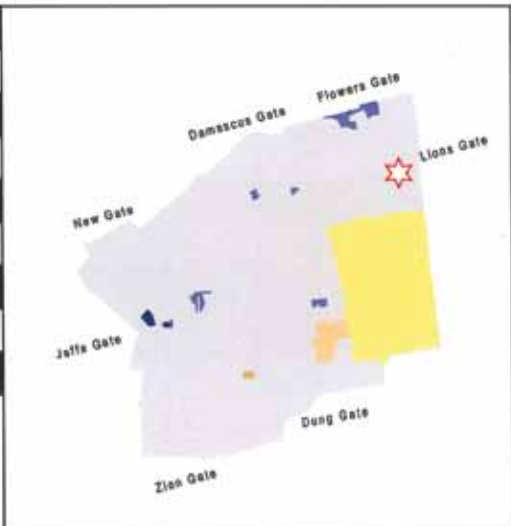
# BEIT BOTEACH

## בית בוטח



Minutes from the Lions Gate and Har HaBayit- the Temple Mount, in an area where few Jews live today, full Tabo (registry) rights will allow us to create new homes with a spectacular view of Har Habayit.

<b>Total Area</b>
400 m <sup>2</sup>
<b>Current Use</b>
Residential
<b>Future Use</b>
Home to four Jewish families
<b>Rights for purchase</b>
Tabo (registry)
<b>TOTAL COST</b>
\$2.75 million (including broker's fees, overhead)



OLD CITY





# BEIT HABIDUR

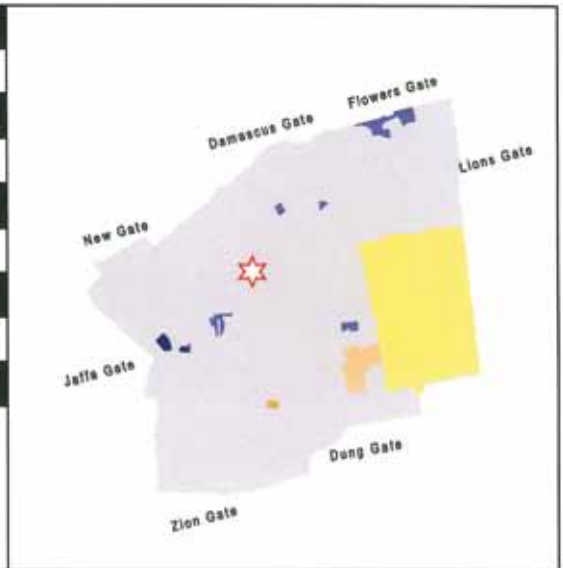
## בית הבידור



The two isolated Jewish families of Beit Baruch in the Christian Quarter are desperately in need of nice Jewish neighbors. Four new families in an adjacent property- Beit HaBidur- will make that happen.

The roof features a fantastic view of the Temple Mount.

<b>Total Area</b>	400 m <sup>2</sup>
<b>Current Use</b>	Residential
<b>Future Use</b>	Home to four Jewish families
<b>Rights for purchase</b>	Tabo (registry)
<b>TOTAL COST</b>	\$1.75 million



OLD CITY



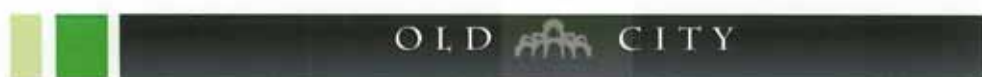
# BEIT HANESS

## בית הנס



Close to the Flowers Gate compound, in the north-east of the city, and down the street from Beit Duran, our newest apartment, Beit HaNess- the House of Miracles- is an important walking route that Jews do not use, because for the moment, there is no Jewish presence in the area. Five Jewish families will change this situation.

<b>Total Area</b>
500 m <sup>2</sup>
<b>Current Use</b>
Residential
<b>Future Use</b>
Home to five Jewish families
<b>Rights for purchase</b>
Tabo (registry)
<b>TOTAL COST</b>
\$2.75 million (including broker's fees and overhead)



# BEIT HAKORBAN

## בית הקרבן



Only minutes from the New Gate, not far from “Beit HaSha’ar HaChadash”, Beit HaKorban, in a particularly attractive part of the city, will strengthen the Jewish presence around the New Gate.

<b>Total Area</b>
<b>450 m<sup>2</sup></b>
<b>Current Use</b>
<b>Residential</b>
<b>Future Use</b>
<b>Home to four Jewish families</b>
<b>Rights for purchase</b>
<b>Tabo (registry)</b>
<b>TOTAL COST</b>
<b>Being negotiated</b>



## BEIT HASHA'AR HACHADASH בית השער החדש



Strategically located between the Jaffa and the New Gates, and in an area with no Jewish presence, minutes from the Petra and Imperial Hotels, Jewish life will flourish even while surrounded by the major churches and Christian patriarchates of Jerusalem.

<b>Total Area</b>
140 m <sup>2</sup>
<b>Current Use</b>
Residential
<b>Future Use</b>
Home to two Jewish families
<b>Rights for purchase</b>
Tabo (registry)
<b>TOTAL COST</b>
\$1.3 million (including broker's fees and overhead)



OLD CITY



# YEMENITE VILLAGE



*Israeli stamp commemorating the establishment of the Yemenite Village. The first dwellings in the neighborhood can be seen in the bottom half*

Once home to one hundred and fifty Yemenite families who began arriving in Israel in 1882, the Yemenite Village, emptied and destroyed during the 1920's and 1930's and abandoned in 1938, is coming back to life.

Since 2004, eight Jewish families have made the village their home. Jewish life has rebounded with the creation of a synagogue and a kollel. Future plans for the revival of the village include the restoration of the old synagogue, construction of a community center and museum, and reclamation of hundreds of square meters of Jewish property.



# NEIGHBORHOOD PLANNING



The four plots of land indicated in blue in the map on the right, spanning over 2,000 square meters, had once belonged to Yemenite Jews. They were purchased, with a loan, from the General Custodian of the State of Israel. We plan to build a Yemenite Heritage Center, a synagogue, a mikveh, study rooms, and two residential buildings on these plots, G-d willing. The remains of the historic synagogue are indicated in yellow.

<b>Total Area</b>
<b>2000 m<sup>2</sup></b>
<b>Current Use</b>
<b>Residential</b>
<b>Future Use</b>
<b>Residential &amp; Commercial (see above)</b>
<b>Actions</b>
<b>Completion of registration and planning</b>
<b>TOTAL COST</b>
<b>\$700,000 (including planning and registration)</b>



# BEIT HAMUCHTAR

## בית המוכתר



Just below Beit Yehonatan, a 7-storey building purchased in 2004, is Beit HaMughtar (with blue outline), the original house of the Jewish muchtar - or elder- of the Yemenite Village, Rabbi Aharon Maliah.

The building is also adjacent to two plots that we own, upon which, G-d willing, we'll buil more homes.

<b>Total Area</b>
<b>2000 m<sup>2</sup></b>
<b>Current Use</b>
<b>Residential</b>
<b>Future Use</b>
<b>Home to four Jewish families</b>
<b>Rights for purchase</b>
<b>Ownership from Jewish owners, protected tenancy from Arab resident</b>
<b>TOTAL COST</b>
<b>\$1.6 million (including broker's fees and overhead)</b>





# BEIT HACHATYAR

## בֵּית הַחַטְיָאָר



On a plot just north of the historic Yemenite Village stands a unique, two-storey building, most of which was built in the early part of the 20th century.

It was built by one of the wealthiest Arab families in Jerusalem, who live there until today.

<b>Total Area</b>
750 m <sup>2</sup> *(house is on 500 m <sup>2</sup> of land)
<b>Current Use</b>
Residential
<b>Future Use</b>
Home to four Jewish families
<b>Rights for purchase</b>
Tabo (registry)
<b>TOTAL COST</b>
\$1.75 million (including broker's fees and overhead)



# RAMBAN NEIGHBORHOOD



*Future Ramban Neighborhood. The Shepherd Hotel is the large building in the wooded area, in the center of the photo*

G-d willing, we will build the Ramban Neighborhood on the grounds of the home of the late Muft Hajj Amin Al-Husseini, Hitler's well-known Arab accomplice. The land was bought from the State of Israel in the 1980s after the lands had been transferred to the government. It will link an important area for governmental buildings with the Shimon HaTzadik Neighborhood, Mount Scopus, and the Hebrew University, and downtown.

What better use could be made of an area was once the home of a notorious anti-semite than for the creation of new Jewish life, in the very heart of Jerusalem.

# BEIT HASLICHA

## בית הסליחה



Adjacent to the former home of the Nazi Muslim leader Mufti Hajj Amin Al-Husseini is a building that was once home to his gardener.

<b>Total Area</b>	
<b>200 m<sup>2</sup></b>	
<b>Current Use</b>	
<b>Residential</b>	
<b>Future Use</b>	
<b>Home for two Jewish families</b>	
<b>Rights for Purchase</b>	
<b>Ownership</b>	
<b>TOTAL COST</b>	
<b>\$700,000 (including planning and registration)</b>	

# KIDMAT ZION



In the 1920's, a group of Jews who called themselves "the Teachers and Tenants Society" purchased vast areas of land on one of the slopes of the Mount of Olives, with the intent of building a Jewish neighborhood in the only place in Jerusalem where one can see the Temple Mount and see the realization of the prophesy in the Torah (book of D'varim)- "It shall dwell between its shoulders".

Over the past decade, Ateret Cohanim has been advancing a city plan to finally realize the dreams of the "Teachers and Tenants Society" and build a Jewish community at the eastern edge of the city. The first stage of the project will be to build 300 residential and communal buildings (map- red perimeter). Five hundred additional units will be built in following stages (map- yellow perimeter).

Today, ten plots of land may be purchased from their Jewish owners, in order to streamline the planning process and prevent any difficulties in launching the project.

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**Meir Margalit** Ph.D, Haifa University, is a researcher of the history of the Jewish community under the British Mandate. He is now serving a second term as a member of the Jerusalem City Council representing the left-wing party Meretz and works as a field coordinator for the Israeli Committee Against House Demolitions (ICAHD). He worked for over 20 years in education and community development in Jerusalem. Dr. Margalit's experience in the municipality has given him knowledge of its inner workings and he continues to work closely with colleagues there, sharing information and doing political analysis.

Margalit is an expert on issues related to municipal policies in East Jerusalem and has published much research about these issues, including "Discrimination in the Heart of the Holy City" published by IPCC, 2006, and "No Place Like Home - House Demolitions in East Jerusalem", published by ICAHD in 2007. Margalit wrote the entry "Settlements in East Jerusalem" in the Encyclopedia of the Israeli-Palestinian Conflict, published by Lynne Rienner, 2010.

Margalit serves as a consultant for many international organizations, including the United Nations Office and other diplomatic delegations in Jerusalem.

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MINISTERIO  
DE ASUNTOS EXTERIORES  
Y DE COOPERACIÓN



הוועד הישראלי נגד הריסת בתים  
The Israeli Committee Against House Demolitions  
الحركة الإسرائيلية ضد هدم البيوت



*"Meir Margalit, devote his life to justice, his commitment gives hope that humanity is not lost. In this book, where facts speaks the thruth, he expose the manipulations to erase reality and the colonization of East Jerusalem by joint policy of Israeli government, private organizations and settlers. In this book, a powerful tool for justice, he expose the policiy of colonization from land and homes of the Palestinian population , is important to be read by everyone so no one could say "i did not know"."*

Luisa Morgantini,  
Former Vice President of the European Parliament.

*"This thorough and incisive research sheds light on the incremental Israeli ethnic cleansing of greater Jerusalem. Written by an activist and an academic it is both informative and challenging. Students of the Arab-Israeli conflict and the committed activists for peace around the world can not afford missing this crucial contribution to our understanding of the reality in Palestine in general and in Jerusalem in particular."*

Ilan Pappé,  
Prof. of Middle East Studies, Exeter University, UK.

*"Dr. Meir Margalit is a scholar and a respected and admired activist for peace, justice and human rights in Jerusalem.*

*And from that perspective he offers us in this book, a uniquely in-sightful and fully documented exposition about the present reality in East Jerusalem, thereby giving us the tools we need to work toward solutions based upon equality, justice and human rights. This book is essential read for all concerned with peace and the future of the city of Jerusalem, especially at this time when it has acquired an urgency of historic proportions as the key for peace or ongoing conflict in the troubled Middle East.*

*This book is an outstanding contribution to the understanding of the political, spatial and human dimension of the issues involved."*

Ziad AbuZayyad,  
Founder & Co-Editor of the Palestine-Israel Journal.