

# Urban Planning Between Neutrality and Colonial Engineering: The Case of Jerusalem

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## Abstract

This paper examines the impact of ethno-national conflict on the urban planning system in Jerusalem and its high political agenda designed by the Israeli government which continues developing Jerusalem as the capital of Israel and as a metropolitan center for the benefit of its Jewish residents and their quality of life. On the other hand these policies restrict the Palestinian development and responding to their basic urban needs of Palestinian neighborhoods which have been fragmented and isolated from each other and cut off from their West Bank hinterland as a result of the infamous Separation Wall. A zoom-in view of the spatial and regulative effect of the Israeli planning on Palestinian neighborhoods will be examined, including an assessment of the plan's potential to prevent the production of space and to continue to restrict Palestinian urban right to the city.

**Keywords:** *Ethno-national conflict, territoriality Urban planning policies, divided and contested cities.*

## 1. Introduction

Jerusalem, as an ethno-nationally contested city physically segregated into Palestinian and Israeli neighborhoods and Israeli settlements, mirrors the wider Palestinian-Israeli conflict. [1] After the 1967 occupation, Israel set in motion a series of policies designed to “create facts on the ground”. To this end a two-fold strategy was adopted and implemented with great speed and energy. First, as a means of establishing a strong Jewish physical presence over all East Jerusalem, a massive programme of Jewish settlement was carried out beyond the pre-1967 dividing line. Second, the Israeli authorities sought to maintain – and if possible, even enlarge – the Jewish demographic majority by encouraging Jews to settle in East Jerusa-

lem and create Israeli territorial domination, while at the same time fragmenting Palestinian space and highly restricting the migration of Palestinians from the West Bank into the newly-annexed areas of East Jerusalem. (Romann and Weingrod, 1991)

After the 1967 war, the city was administered under a single municipal government, however, it remains spatially divided between East Jerusalem neighborhoods that are primarily Palestinian, and West Jerusalem neighborhoods and settlements in East Jerusalem that are Israeli. As a result of continuous settlement expansion, a severe spatial overlap between Palestinian neighborhoods and Israeli settlements (Figure 1.) has emerged creating multiple internal frontiers and wiping out the East-West seam line that once existed.

This has created multiple “bottleneck” situations, leading to a deeper fragmentation of the Palestinian neighbourhoods. Spatial separations are clearly visible and audible in Jerusalem. Architectural design, language, the arrangement and provision of commercial and municipal services, and dress codes are some of the signposts that delineate and augment the physical borders that separate Palestinians and Israelis. These signposts not only communicate the city's divisions; they also publically declare the political, religious, cultural and psycho-social differences between neighbourhoods and their residents.

## 2. Theoretical background: Territoriality, urban planning and conflict

Urban space has a strong geo-political dimension that takes shape in different territorial constellations and which reflects the prevailing power structures in any given society. (Castells, 1983; Harvey, 1985; Bollens, 1999) These political territorialities control, restrict and assign functions to space and effectively shape and channel urban life according to their goals. (Sack, 1986) Territorial claims and

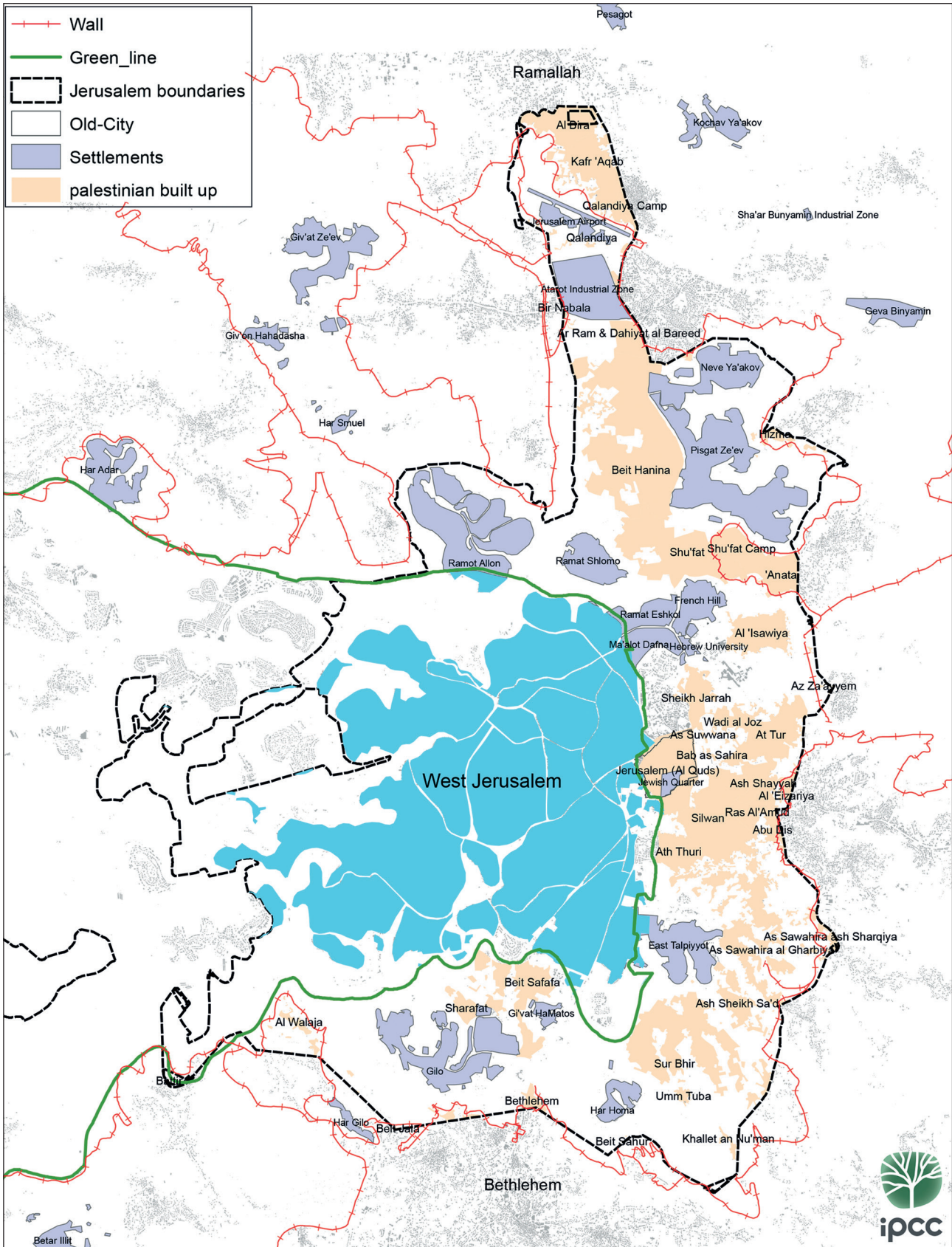


Figure 1. Jerusalem with Palestinian neighborhoods and Israeli settlements in East Jerusalem (IPCC)

space allocation are closely connected to national aspirations and group concepts of national space. This aspect involves meaning, identity and future expectations of the national narrative. In areas with ethnic minorities, dominant majorities and ethnic strife, conflicting meanings and national narratives can lead to conditions of inequality, relative deprivation, exclusion, and criminalization.

Urban and regional planning is used to conquer the landscape, determine territorialities and set the guidelines for future development. (Sack, 1986) In some cases security is also instrumentalized as a pretext for serving the interests of the dominant majority, creating spaces of separation, surveillance and control. (Bollens, 2000; Brooks, 2007; Yacobi, 2004, Yiftachel, 1995) Urban catalysts and obstacles are expressed in territorial allocations, barrier creation, laws and regulations that define legal actions and punish illegality. (Sack, 1986) Accordingly, policy prevails over the topography and its social-ecological systems, shaping a morphology that, on the one hand, encourages, facilitates and promotes certain urban activities while, on the other hand, ignores, suppresses and punishes activities of minorities. Morphology here means the physical shape and appearance of space combined with its social functions that can be private, public or institutional. (Vance, 1990)

Through the power of urban planning, major aspects of urban life and ethnic conditions can be affected. First, urban planning defines territorial jurisdiction. This gives it control over land and affects ethnic boundaries and development; it also gives it control of land ownership, including dispossession from land, and control over settlement patterns and the settlement of vacant lands. Second, urban planning shapes the distribution of economic benefits and costs by the way it determines spending and the provision of urban services, and in allocating resources. Third, the procedures of the planning processes dictate the level of public participation and public access to policy-making. These processes can be exclusionary, affecting the public's formal or informal participation and even the influence of non-governmental organisations in that society. Finally, urban planning affects the maintenance of group identity and the viability of groups that depend on the adopted policy. It also protects or threatens collective rights and the iden-

tity that arises from education, religious expression and cultural institutions. (Bollens, 2005)

In such cases, conflict becomes apparent in urban life and space becomes an arena for hegemony and control through the tools of urban planning.

Bollens explored the role of public policy in contested cities and the effects that urban strategies have on the magnitude and manifestations of ethno-national conflict. His work was based on interviews in the polarized cities of Jerusalem, Belfast, and Johannesburg conducted in 1994 and 1995. He employed an integrative analytic approach that combined the perspectives of political science, urban planning, geography, and social psychology. He explored the proposition that a city is a prism, not a mirror, through which conflict is ameliorated or intensified. According to Bollens, a city introduces a set of characteristics – proximate ethnic neighborhoods, territoriality, an economic system, a scale of interdependency, a sense of centrality, and an array of symbols. These factors can bend or distort the relationship between ideological disputes and the manifestations of ethnic conflict. Findings indicate that dialectics, contradictions, and unforeseen consequences are produced when nationalism intersects with an urban system. He found that Israeli policymaking in Jerusalem paradoxically produced spatial contradictions leading to urban and regional instability antithetical to Israel's goal of political control; that British policymaking in Belfast achieved short-term territoriality and differential Protestant-Catholic needs; and that in apartheid Johannesburg, the implementation of a racist ideology failed to address the distressing levels of unmet human needs amidst market-based "normalization" processes that threatened to reinforce apartheid's racial geography. (Bollens, 1998)

A review of the literature on urban conflict shows that ethnically-polarized cities host a deeper type of urban conflict than that found in other cities. Political and territorial conflicts intensify issues of service delivery, housing, and land use compatibility. (Bollens, 2000) In Jerusalem, in particular, urban planning and land use regulations are utilized by the Israeli authorities as tools to control the Palestinian minority, (Yiftachel, 2006) to limit and restrict its urban growth and development, while employing a major part of

its resources to promote Jewish-Israeli interests, including the support and development of Israeli settlements. (Bollens, 2000)

The Jerusalem which Israel occupied in 1967 had been shaped first by British control under the Mandate and then by its division in 1948 into two zones: East and West controlled respectively by Jordan and the newly created state of Israel. The following section briefly outlines these experiences.

### 3. Planning in Jerusalem from the British Mandate period to the 1967 occupation

The Ottomans, who controlled Jerusalem until 1917, had not exhibited great interest in city planning: their efforts focused mainly on inspecting buildings, issuing construction permits to erect new buildings or to renovate existing ones, and levying taxes on buildings outside the Old City walls. (Kark and Oren-Nordheim, 2001) But this changed under the British Mandate; the colonial authorities prepared several master plans for Jerusalem, with the final one being approved in 1944. These plans regulated building limitations and became the basis of lot parceling (zoning). Urban planning under the British Mandate began the process of turning Jerusalem into a majority Jewish city by integrating all Jewish neighborhoods into the municipal line, while excluding all Palestinian village's core around the Old City. At the beginning of the British Mandate, the area of Ottoman Municipal Jerusalem was approximately 13 km<sup>2</sup>, but the area of the space utilized for construction did not exceed 7 km<sup>2</sup>, including the Old City whose area is a little less than 1 km<sup>2</sup>. The municipal boundaries of Jerusalem under the British were re-defined in 1931 to include urban areas north of the Old City (Palestinian) and West of the Old City (Jewish); the boundary excluded Palestinian villages adjacent to the Old City and Jewish neighborhoods south-west of the city center. (Kark and Oren-Nordheim, 2001) As a result of the *Nakba* of 1948, the Palestinian elite, middle class and educated groups were forced to leave the urban neighborhoods of what later became (a major part of) West Jerusalem. Those fleeing eastwards numbered approximately 30,000 and had lived in eight urban neighborhoods and 39 villages, most of which were demolished after the war. (Amirav, 1992)

At the end of the first Arab-Israeli War in 1948, the West Bank (including East Jerusalem) was de facto annexed by Jordan; and administrative institutions were transferred from East Jerusalem to Jordan's capital Amman. In 1953 the Hashemites granted East Jerusalem the status of "amana" (trusteeship) and made it the "second capital" of Jordan, but this was primarily in response to the Israeli government's attempt to force international recognition of West Jerusalem as its own capital. Plans to formalize its status by constructing Jordanian government offices were never implemented. The municipal boundaries of East Jerusalem remained the same as that defined in the early 1950s (expanded from 3 km square to 6 km square) and no development budget was allocated for Jerusalem. All efforts of Palestinian elected parliamentarians from Jerusalem to allocate funds for the city's development faced obstacles by the Jordanian bureaucracy and their will to channel all investment to Amman and the East Bank. Thus, in the absence of any investment in the city, or any corresponding increase in the powers of East Jerusalem's Municipality, or any permanent location of institutions of national importance, the conferring of this new *amana* status remained largely a cosmetic exercise. (Rubinstein, 1980)

### 4. East Jerusalem after 1967

Following the occupation of East Jerusalem in June 1967, the Israeli government confiscated more than 30,000 dunums (34% of the territory of East Jerusalem) of Palestinian land for the building of new Jewish settlements. [2] From 1967 until 2022, 12 settlements have been built in East Jerusalem housing a population of 239,940. (OCHA, 2011, Jerusalem Institute for Policy Research, 2023) In addition, large tracts of privately-owned Palestinian land (31,000 dunums) were designated "green areas" through zoning ordinances. As a result of these policies, Palestinian neighborhoods (i.e. built up areas and land available for future development) consisted of only 14% of East Jerusalem. Israel imposed a restrictive policy on Palestinian construction and economic development which led to the emigration of Palestinians from the city to new areas developed as suburbs.

The Israeli settlements form loop belts that disrupt Palestinian geographic and demographic conti-

nunity. These settlements were established to achieve territorial, demographic, physical and political control, and at the same time to obstruct the development of Palestinian neighborhood and land reserves. Palestinian areas, on the other hand were developed by the disparate private initiatives of land owners (usually on family land) and small-scale contractors, without physical plans or the support and incentives of the central and local governments, and with only limited financial, technical, and administrative resources. The urban area of East Jerusalem is basically organic and informal. Areas around Palestinian built-up areas are designated as “green open spaces”, i.e. not available for future expansion, whereas areas around Jewish settlements are zoned as “unplanned”, i.e. available for future proposals for change in the land use. (Margalit, 2006, p.37) In a typical planning system, designating space as “open” is a requirement to protect greenery and to keep urban open spaces both on the neighborhood level and on the broader regional level. However, in the case of East Jerusalem this regulation is used to restrict Palestinian growth and development and to isolate and “protect” the Israeli settlements.

Experience also shows that the so-called “green” Palestinian areas are used as a “reserve” that will later serve the expansion interests of Israeli settlements. In the past decade, there have been at least two cases of these so-called “green areas” being turned into sites for the development of settlements: Har Homa or Homat Shmuel (land belongs to the Palestinian town Beit Shaour and called Jabal Abu Ghneim ) which was established in 1996 with a total area of 3,650 dunums (including future expansion area) and a population of 2,925 by the beginning of 2005 increased to 25,500 by end of 2021, and Rekhesh Shu`fat (Ramat Shlomo), which was established in 1994 with a total area of 1,314 dunums and a population of 15,680 by end of 2021. (Jerusalem Institute for Policy Research, 2006, 2009/2010, 2023)

Municipal Jerusalem’s Palestinian neighborhoods can be classified into four groupings. The first is the Old City which has an area of less than 1 square km. The second is made up of neighborhoods developed on village lands where the core village (but not its land) was excluded from Israeli municipal boundaries, such as Kafr `Aqab, Beit Hanina, and `Anata. The third grouping is

neighborhoods developed as an expansion of core villages annexed to the municipal boundaries. Examples of this would include Silwan, Al `Isawiya, As Sawahira, Beit Safafa (a village that was divided between 1948 and 1967) and Sur Bhir. And the fourth grouping is made up of urban neighborhoods from the 19<sup>th</sup> and early 20<sup>th</sup> centuries that remained in the Eastern section of the divided city, e.g., Sheikh Jarrah, Wadi al Joz and Bab as Sahira. It is worth noting that most of the Palestinians that live in urban neighborhoods were refugees created at the time of the 1948 Nakba.

The restrictions placed on Palestinian development and the excessive use of the designation of “green area” have forced inhabitants of East Jerusalem to migrate towards Jerusalem’s outer boundaries. Since the mid-1980s, between 40-60% of Palestinian Jerusalemites (i.e. those with East Jerusalem ID cards) have had to reside outside the municipal boundaries. (Nasrallah, 2006) The scarcity and cost of land in the city is, of course, a major reason for this. By contrast, lands are more readily available in areas around Jerusalem and at more reasonable prices compared to the city. But other significant factors have also fuelled this migration. The first factor is Israeli restrictions on the construction and development process, particularly the difficulty of obtaining building permits in the city in comparison to areas in the West Bank (which include the areas surrounding Jerusalem) subject to Israeli military administration laws. The second factor is the imposition of high construction taxes and municipality fees that cannot be borne by individuals. By contrast, construction initiatives on the Israeli side are undertaken by public parties or by the private sector, which leads to lower fees and taxes due to the higher density and low cost leased state land. The third factor is the difficulty of registering land ownership, since most lands in Jerusalem have not been through a process of parcelization and registration.

The development of these suburbs was also accelerated by the establishment of the Palestinian Authority (PA) in 1994 as many of its ministries and institutions were located in Ar Ram and Dahiyyat al Bareed. Banks and other public and private institutions also started to operate from these areas nearby East Jerusalem, encouraged until 2001 by the PA which saw the space as a springboard for

active political claims on areas inside the city. This policy changed during the second intifada when the PA moved its ministries and institutions to Ramallah. (Nasrallah, 2006, pp.378-379) In 1996, the Israeli authorities unintentionally brought a halt to this suburbanization by introducing a new “centre of life” policy that required Palestinian Jerusalemites to prove, by presenting a myriad of documents, that their “centre of life” remained within the Jerusalem municipal boundaries – or risk losing their residency status and the Israeli social benefits package that comes with that status. Palestinian residents were forced to show that they worked in the city, had paid all their property and municipal taxes, and that their children went to schools in Jerusalem. (Margalit, 2006; Brooks, 2007) The move was regarded as a direct attempt to freeze out East Jerusalemites who had migrated to the suburbs. While previous Israeli regulations had only threatened those living overseas with the loss of Jerusalem residency, the new law effectively considered the growing suburbs as foreign territory, and caused thousands of suburban Palestinian Jerusalemites to panic and return to residing inside the municipal boundaries.

The wave of returnees to the city not only stunted suburbanization but also caused a housing shortage, overinflated housing costs, and overcrowding of serious proportions in East Jerusalem. Many of those returning from the suburbs moved in with their relatives or endured poor housing conditions; some simply maintained two addresses, one inside the city, one outside. This return flight not only affected residents, but also businesses. Approximately one-third of Al-Ram’s businesses and small manufacturing workshops moved from the suburbs to areas within municipal Jerusalem, particularly to Beit Hanina and the industrial area of Atarot. (Brooks, 2007)

A second wave of panicked migration back to the city took place after 2002 in response to the Israeli construction of a series of walls, fences and barbed wire, patrol roads, and army watchtowers in the Jerusalem area – actions which are a continuation of the policy of severing East Jerusalem from its West Bank hinterlands. The Separation Wall blocks access to the city centre through the establishment of permanent checkpoints, which, more often than not, mean long waits and unpre-

dictable travel times. These realities make a daily commute impossible and heighten the need to reside within the city itself. While maintaining an “alibi” address inside the city boundaries was once a pragmatic solution for some commuters, this is no longer a feasible option. (Nasrallah, 2006, pp. 378-379)

The lack of zoning and planning and the proliferation of Israeli bureaucratic red tape that must be negotiated in order to obtain a building permit has forced those who return to the city to build illegally. Most buildings constructed between 1996 and 2003 in Palestinian East Jerusalem following the “center of life policy” were unlicensed and built on lands that lacked planning and zoning or that the percentage of building rights was very low and highly insufficient and did not meet the basic needs of expansion and development. But the construction of a house even “illegally” ironically grants a legal right to reside in the city: the houses built without permits are registered in the municipal tax record, an essential proof that Jerusalem is the “centre of life” of the owners (in addition to proof of workplace, education, and health insurance) . Building illegally, of course, risks the entire investment as such properties are under threat of demolition by the Israeli authorities. Indeed, 1484 unlicensed houses were demolished in the period 2000-2011. (Margalit, 2014) In addition, owners have to pay fines for the unlicensed construction; Margalit reports that between 2001 and 2005, US\$29.6 million was collected by the Israeli municipality in fines from East Jerusalem Palestinians. (Margalit, 2006,p.25)

The majority of housing provision for Palestinians is based on self-housing built on private land. Self-housing does not exploit all the building rights proposed by the plan. The Master Plan assumes that building will use 100% of the land (nominal building ratio), when it is more likely to be 40-50% (real building ratio). The lack of Palestinian developers to undertake mass housing projects – due to the long and complex planning and legal process – prevents a shift from the organic development of private self-housing provision to a mass housing development model where building coverage is maximized while the cost of building permits is lowered. An organized private sector is necessary to deal more efficiently with the 22 different authori-

ties and departments that authorize housing projects at the municipal and governmental level.

## 5. Conclusion

Since 1967, the Israeli state has created “facts on the ground” by building settlements in an attempt to influence discussions on the status and future of Jerusalem. Since the 1993 Oslo Accords, Israel has intensified this classical spatial policy to secure its territorial and demographic goals and to prevent a situation where East Jerusalem could serve as a capital and a metropolitan area for a future Palestinian state. On the macro and at the guidance level, the plan does not deal with the developmental requirements of the Palestinian population of East Jerusalem. It also assumes total subservience of East Jerusalem to West Jerusalem without considering the national socio-cultural specificity of East Jerusalem and the severance of East Jerusalem from its hinterland and the rest of the Palestinian territories.

In general, the Israeli planning focuses purely on Jewish national goals and totally ignores Palestinian national and urban rights. It does not even consider the multicultural, multi-religious, and multinational status of Jerusalem; on the contrary, it institutes Israeli sovereignty and Jewish identity. It considers only the Jewish part of Jerusalem and its relation to Jewish settlements of East Jerusalem and the West Bank, while totally neglecting the functional and spatial relations of East Jerusalem with Ramallah and Bethlehem, which have been severed by the Separation Wall even the policy is pushing Palestinian housing construction to areas outside the wall in order to reduce the percentage of Palestinians in Jerusalem.

By strengthening and empowering Jerusalem as a capital for Israel, the plan denies Palestinian national rights and ignores the fragmentation of the Palestinian urban fabric that has resulted from the Separation Wall. It codifies a shift in approach from a rhetoric of unification to one of separation and puts emphasis on the spatial differences between the different populations. The slogan and goal of unity initially served to shift Jerusalem from being a frontier/border city to an extended united Jewish metropole.

The policies implemented by all Israeli govern-

ments towards the Palestinians in East Jerusalem can be summarized as constituting four elements. The first is to preserve restrictions on Palestinian development by limiting implementation, rather than through restrictive land use planning. The second is to define expansion areas as sites for future detailed planning (which would take a long time and face many bureaucratic hurdles). The third is to allow low building percentages and building heights and a low number of housing units per plot compared to Israeli settlements in East Jerusalem and neighborhoods in West Jerusalem. The fourth element is to adapt restricted regulations for Palestinian neighborhoods, e.g., regarding public space, parking solutions, road system, sewage, etc.

But the failure to completely restrict Palestinian demographic growth has forced the Municipality to actively ‘exclude’ Palestinians from many forms of urban life in Jerusalem through the implementation of the Master Plan. The current trend of migration of middle, educated, and professional classes to Ramallah (which has become the economic and administrative centre of the PA) complies with Israeli exclusion policy which has aimed to exclude Palestinians from Jerusalem politically, economically, and culturally. Jerusalem is thus far more divided as a result of the 1967 “unification” and resulting Israeli domination. What is required for the stability of the city, however, is the promotion of Jerusalem as an urban functional entity where urban planning is a bridging tool which creates leverage to build two capitals for two states rather than being a tool used to destroy this possibility.

## Endnotes

1. The definition of ‘contested cities’ used in this proposal are cities where there is disagreement over ownership and political control of the city. United Institute of Peace special report No. 32, “Divided Politics/ Divided Societies”, June 1998
2. One dunum = 1,000 square meter = 1/4 acre

## References

1. Amirav, M. (1992), *Israel's Policy in Jerusalem since 1967*, Stanford University, Stanford.
2. Bollens, S.A., (1998), "Urban Planning amidst Ethnic Conflict: Jerusalem and Johannesburg", *Urban Studies*, Vol. 35 No. 4. pp. 729-750.
3. Bollens, S.A. (1998), "Urban Policy in Ethnically Polarized Societies", *International Political Science Review*, Vol. 19, No. 2, pp. 187-215.
4. Bollens, S.A., (1999), *Urban Peace Building in Divided Societies: Belfast and Johannesburg*, Westview Press USA, Westview Press UK, Oxford.
5. Bollens, S.A. (2000), *On Narrow Ground: Urban Policy and Ethnic Conflict in Jerusalem and Belfast*, State University of New York Press, Albany.
6. Bollens, S.A. (2005), *Urban Space, Conflict and Cooperation*, Unpublished manuscript, Irvine.
7. Brooks, R., (ed.), (2007), *The Wall: Fragmenting the Palestinian Fabric in Jerusalem*, IPCC, Jerusalem.
8. Castells, M. (1983), *The City and the Grassroots: A Cross Cultural Theory of Urban Social Movements*, Edward Arnold, London.
9. Harvey, D. (1985), *The Urbanization of Capital*, Baltimore: John Hopkins University Press, Baltimore.
10. Jerusalem Institute for Policy Research. (2005, 2006, 2009/2010 and 2023), *Jerusalem, Statistical Yearbooks*.
11. Kark, R. and Oren-Nordheim, M. (2001), *Jerusalem and its Environs: Quarters, Neighborhoods, Villages 1800-1948*, Hebrew University Magnes Press & Detroit, Wayne State University Press, Detroit.
12. Margalit, M. (2006), *Discrimination in the Heart of the Holy City*, IPCC, Jerusalem.
13. Margalit, M. (2014), *Demolishing Peace, House Demolitions in East Jerusalem*, IPCC, Jerusalem
14. Nasrallah, R. (2006), "To The Suburbs and Back: The Growth and Decay of Palestinian Suburbs Around Jerusalem", Misselwitz, P. and Rieniets, T. (eds), *City of Collision: Jerusalem and the Principles of Conflict Urbanism*, Birkhäuser; Basel. pp. 337-382.
15. Rubinstein, D. (1980), *The Jerusalem Municipality under the Ottomans, British and Jordanians*, In *Jerusalem: problems and Prospect*, 84.
16. Romann, M. and Weingrod, A. (1991), *Living Together Separately: Arabs and Jews in Contemporary Jerusalem*, Princeton University Press, Princeton.
17. Sack, R. (1986), *Human Territoriality: Its Theory and History*, Cambridge University Press, Cambridge.
18. Vance, J.E.J. (1990), *The Continuing City*, The John Hopkins University Press, London.
19. Yiftachel, O. (1995), "The Dark Side of Modernism: Planning as Control of an Ethnic Minority", Watson, S. and Gibson, K. (eds.), *Post-Modern Cities and Spaces*, Basil Blackwell, Oxford. pp. 216-234
20. Yiftachel, O. (2006). *Ethnocracy: Land and Identity Politics in Israel/Palestine*, University of Pennsylvania Press, Philadelphia.
21. Yacobi, H., 2004, *In-Between Surveillance and Spatial Protest: The Production of Space of the "Mixed City" of Lod*, *Surveillance and Society*.

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