

Amir Cheshin

# Municipal Policies in Jerusalem –

An Account from Within



PASSIA

Palestinian Academic Society for the Study of International Affairs, Jerusalem

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*Amir Cheshin was the mayor's Advisor for Arab Affairs at the West Jerusalem Municipality from 1984 until 1993. This book represents the free expression of its author and does not necessarily represent the judgement or opinions of PASSIA. It is presented as part of the PASSIA Research Studies Program of 1998, which is kindly supported by the Friedrich Ebert Foundation (FES), Jerusalem.*

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## Foreword

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Out of the blue in 1984, while I was working for the Jewish Agency in the US, I received an offer from the Mayor of Jerusalem, Teddy Kollek, to serve as his Advisor on Arab Affairs at City Hall.

I was surprised by the offer. I did not know Mr. Kollek personally, so I assumed someone had recommended me for the post. I was asked to come and meet him at the Waldorf Astoria Hotel, on Fifth Avenue in New York. Our meeting lasted about an hour.

Teddy Kollek grilled me on my past and my present. Later I learned he had already done his homework concerning my background using other sources. During the course of the conversation, he outlined the position and gave me to understand that the Advisor on Arab Affairs was the dominant element in the relations between Israeli Arabs and Jerusalem City Hall. He said the position was for two to three years. As I would be leaving one position for another, I began to see City Hall as a future employer for longer than just a few years, but he insisted that the role was so difficult and so arduous that I would not survive in it for long. "After a few years, you will be exhausted," said the man who would be my boss for the following ten years.

As our conversation came to an end, he told me the job was mine and asked me to return to Jerusalem as soon as possible. I cut short my stay in the US and returned in 1984 to begin the almost impossible mission of being the Mayor's Advisor on the Arabs of Jerusalem.

I fulfilled this role for over a decade, with Teddy Kollek as mayor for most of that time; for one year I served under Ehud Olmert who was elected as mayor of the city in 1993.

After leaving the position, I felt it was my duty, at least for the sake of history, to write down my recollections. Those years were unforgettable and changed the way I thought about events that were taking place at the time: the Arab-Israeli conflict, the quest for solutions to the complex problems of Jerusalem, and the efforts to discover how Israeli rule treated Israeli Arabs (and minorities in general) - especially those in Jerusalem - and so on.

Prior to the job, I was not very familiar with the subject of Israeli Arabs and the problems of Arab settlement in the city - not at the Israeli-national level nor at the Palestinian-national level. In particular, I was not aware of the failed treatment of East Jerusalem and its Arab residents, neither at the municipal level nor the national level. I had some idea of the essence of the conflict but I could not have imagined the depth of the gaps between Israeli perceptions regarding Jerusalem, unification of the city and treatment of the Arab population, and between the Palestinian attitude, supposedly unwilling to compromise, regarding the city.

My period of learning was short and tough. My predecessor, who was occupied by his new job elsewhere, did the best he could but not enough, in my opinion. Naturally, he took me to meet the people who were considered at the time to be the public leaders of the Jerusalem Arabs - the Mufti and the Chairman of the Supreme Muslim Council, Sheikh Sa'ad Al-Din Al-Alami, the Director of the Chamber of Commerce in East Jerusalem, Faik Barakat, the heads of Maqassed Hospital in At-Tur on the Mount of Olives, the heads of the Moslem Waqf in Jerusalem, as well as some of the neighborhood *mukhtars*. This was my introduction to the Arab *mukhtar* population in Jerusalem, on which I will elaborate later.

Looking back, I have no complaints about my predecessor. After all, you cannot 'learn' the problems of Jerusalem over two weeks or two months or even two years. Only after ten full years at City Hall could I have come to the conclusion that ... Jerusalem's problems cannot be learned. They must be experienced. You can gain experience by events, but no one event is like another. There are no recipes for Jerusalem's complex problems and no school will teach you how to solve them.

What Teddy Kollek had told me in New York was becoming truer by the minute. I began to understand that the municipal system had developed a dependent body, the Office of the Advisor for East Jerusalem Affairs, and anything related directly or indirectly to the local Arab

population had to go through that advisor, requiring his knowledge and/or agreement. It was very convenient for the mayor to work with the Arab constituency through a 'filter' - the advisor - who dealt with the main problems without 'troubling' the system. The mayor also expected that the advisor would solve the problems, even those the government could not deal with, let alone solve. But he was fair enough to add that I could turn to him whenever I saw fit. And this I did. Teddy Kollek's door was never closed to me.

An example: During the budget discussions for the 1986 fiscal year, I learned that the municipality's Culture Department had allocated vastly smaller amounts of money than I had thought were available for cultural activities and libraries in East Jerusalem, especially when I compared the figures with Jewish West Jerusalem. I approached the department head, and when he rejected my request, I went to the mayor. Teddy heard me out and then reprimanded me. He said I was at fault for the fact that the head of the Culture Department was discriminating against East Jerusalem. "You aren't pressuring him enough, so he is taking the liberty of ignoring cultural subjects there," he said, and continued with what he was working on.

The Advisor on Arab Affairs was the dominant player, in the mayor's view, to deal with the Arab population. At the same time, he found it appropriate to invite, on occasion, outside experts for their opinions regarding the situation and what could be done to improve things. In mid-1987 General Ephraim Sneh left his position as the army's head of the Civil Administration in the West Bank. Kollek asked him to review the subjects related to the Arabs of East Jerusalem. What more could be done for them, Teddy asked, to make them feel comfortable in the city without requiring huge budgets? After a long conversation with me, Sneh went off for a series of meetings in East Jerusalem. Several months later, he submitted the results of his work to the mayor. Although it had taken some time, the report was rather brief. I was not surprised by the findings and I have no doubt that the mayor was not surprised either. Sneh's report included the same problems that I had raised many times, and I am sure that my predecessors had also put them on the agenda from time to time. I realized the problems had long been the same - viable solutions were yet to be found.

The residents complained to Sneh about the difficulties of obtaining building permits and about the fact that the City master plans had not been completed and the process was drawing on much longer than was reasonable. In the meantime, they were being prevented from building new houses or adding to their homes in an effort to over-

come the growing housing problems. Education officials complained about a lack of schools, classrooms, and budgets. According to Sneh, the residents were complaining about the miserable level of municipal services they were receiving and particularly about the gap between those provided to the east and the west of the city.

The concept, in which the Advisor on Arab Affairs served as the main conduit for all that went on in the east, seemed to me to be wrong in its essence. I tried to change it but failed.

One of the proposals I made concerned changing the structure of the city departments providing physical services, upon which I will elaborate at a later stage.

No one at City Hall was willing to accept the proposals for change I put on the agenda from time to time. They were not willing to alter anything that might bring about an upheaval in the municipality's perception of the city's Arabs and Arab neighborhoods. The catch-cry 'United Jerusalem' can still be heard today, but no one at City Hall has ever realized this concept in practice.

## Background

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Shortly after the Six Day War of 1967, the Israeli government took the national-political step of extending Israeli sovereignty to East Jerusalem territory. This step - the annexation of territory occupied during war - had had no precedent since 1949, when the borders of the newly independent State of Israel were set. From Israel's standpoint, this move corrected a perversion of history created as a result of the 1948 'War of Independence,' in which Jerusalem was divided into two adjacent cities with no political or even pragmatic contact between them: East Jerusalem was under the sovereignty of the Hashemite Kingdom of Jordan, and the West under Israeli rule. The only link between the two was through the international bodies set up especially for this purpose - primarily the Israeli-Jordanian Cease-fire Committee, under the auspices of the UN. The annexation of East Jerusalem to Israel and the city's reunification was the hope and dream of Jews in Israel and the world over - and the dream had been realized.

Although it is true that since Jerusalem was divided in 1949 Israel did not take any operative steps, military or political, to bring about the city's reunification, it cannot be denied that operative plans existed on the shelves of the Israel Defense Forces (IDF) General Staff for the occupation of the whole West Bank and all the territory east of Jerusalem. Throughout the 19 years in which Jerusalem was divided, life on the border - the city lines that divided the city into two - was steeped in tension. On occasion fire was exchanged between the Jordanian legion and IDF soldiers posted along the border and in the no-man's land between the two parts of the city; sometimes these incidents ended in the killing of citizens and the wounding of many more.

It has to be admitted that throughout those years, Israel did not initiate conflict nor did it fan the flame to the point of outright war against the Hashemite Kingdom of Jordan and its army.



Then, in 1967, the situation changed. The triple Arab offense by the Egyptian, Jordanian and Syrian armies and the Jordanian military advance towards the west of the city, with the occupation of the UN observers' posts in the neighborhood of Armon Hanatziv, shattered the quiet and left Israel no choice but to defend its borders.

It is not the purpose of this work to discuss the processes that led to the War of 1967 or the political developments that eventually led to the cease-fire agreement. The focus here is on developments that followed the war, the annexation of East Jerusalem to Israel and the conduct of the Israeli establishment toward Jerusalem as a unified city under Israeli sovereign rule.

Israel did not stop at annexing the territory defined as municipal East Jerusalem (Amanat Al-Quds) prior to June 1967 but took over a much larger territory. This led to arguments between the 'maximalists,' such as Yitzhak Rabin, then the IDF Chief of Staff, and the 'minimalists,' led by then Defense Minister Moshe Dayan. Rabin was joined by General Shlomo Lahat, who served in a high-ranking position in the General Staff and later became mayor of Tel Aviv. The maximalists viewed the annexation through military eyes and maintained that appropriating a larger amount of territory would enable better defense of the capital of Jerusalem. The minimalists had a broader perspective that included political and international aspects of the situation. Their considerations also undoubtedly included Israel's relations with the world, chiefly the US.

When the argument ended, Israel 'won' additional lands, which were made part of Jerusalem under Israeli sovereignty, in line with legislation passed in the Knesset (Israeli parliament).

Two main principles guided Israel in the expansion of the city's borders beyond the official East Jerusalem pre-1967 boundaries. It should be stressed that security was not one of those two principles. A look at the current map of Jerusalem with the West Bank territory shows that there is no strategic or even tactical importance in the marking of those borders. It is true that when the lines separating Jerusalem from the West Bank were set, they were called 'boundaries, and not 'borders,' but no one has bothered since to correct them, even when it became clear that they were not logical and often caused great suffering to residents and confusion among the institutes in power - City Hall, the IDF, the National Insurance Institute, and others. Even at the security level, these borders have at times represented a worrying problem to those in charge of security, i.e., the IDF and the Israel Police.

The two principles that served as the basis of the expansion of the borders were:

1. To annex as much territory as possible to Jerusalem which was not inhabited by Arabs. The idea was that this would enable future appropriation of lands for Jewish neighborhoods (in the framework of the Appropriation of Lands for Public Use Law), to be encouraged by the government, but without the need to remove the Arab population and find alternative housing solutions for them.
2. To expand the borders northward to include Atarot Airport. The aim here was to turn Atarot into an international airport, i.e., for Jerusalem to serve as a gateway to and from Israel, in addition to Ben Gurion Airport. Atarot was indeed declared an international airport, but in practice the unilateral attempt failed totally. None of the world's countries recognized it, just as they did not recognize Israel's annexation of the territories occupied in the war. This step could have drawn Israel and the rest of the world into a serious quagmire, but the international community tried to avoid this as much as possible. The result: no international air carrier was prepared to operate international flights through an airport in Jerusalem. Atarot remained a small domestic airport, as it had been during Jordanian rule, serving domestic traffic and sometimes planes used by UN officers and soldiers.

Implementing the decision to expand Jerusalem boosted the territory in City Hall's jurisdiction from 38 square kilometers to 108 square kilometers, an increase of 284 percent. (In 1993, Jerusalem expanded westward bringing the territory in its jurisdiction to 123 square kilometers.)

The immediate result of this move was the inclusion of many Arab settlements in the Jerusalem district. All of these had enjoyed the status of independent villages until 1967, run by local and village councils. Thus, villages such as At-Tur, Jebel Mukabbar, Sur Baher, Beit Hanina, Shu'fat, Anata and many others became neighborhoods subordinate to Jerusalem city council and to municipal by-laws. The residents of these villages, who now became city citizens, were subject to Israeli law in all respects, be it in the fields of business licenses, building permits for houses, or municipal property taxes, which apply to both home and business.

The decision to expand the city's borders came simultaneously with the decision at the national level to strengthen the Jewish population of Jerusalem.

Since 1967, Jerusalem was considered to be the largest city in Israel, both in terms of area and population. At the same time, Jerusalem has the highest proportion of non-Jewish residents, compared with other cities around the country.

The decision to strengthen the Jewish population was accompanied by another government decision: to also preserve a demographic balance between Jews and Arabs in the city. This required several measures, namely, considerably increasing the number of housing units available for Jewish residents in the city and taking any steps possible to prevent a significant increase in building aimed at the Arab population.

Now, in addition to the debate over Jerusalem's borders, a new debate began over the status of the city's Palestinian residents.

With the outbreak of war on 5 June 1967, the city's Arab residents began thronging - or fleeing, to be exact - towards the bridges over the Jordan River and from there to Amman. The Israeli military rule, which had become the sovereign ruler in the country, aided local Arabs who were interested in leaving the city and finding refuge in Jordan. IDF soldiers would go through the streets of East Jerusalem with loudspeakers, announcing that there was free transport to the bridges. Thousands exploited this 'service,' which was carried out by the army and was therefore safer than any other way. The residents were bussed to the wrecked bridges and from there went by foot to the other side of the river, into the Hashemite Kingdom of Jordan.

With an end to battle and a stabilization of the situation, it was clear to Israel's leaders that the situation that had emerged in 1948, in which many Arabs fled and others were deported, could not be repeated. During the War of 1967 and in the period that followed there was no systematic deportation of Arabs outside Israel's borders, at least not with regard to Jerusalem. Moreover, a short time after the war, the government decided, upon the initiative of then Defense Minister Moshe Dayan, to allow Arab residents of Jerusalem and the West Bank who had either left the territory as a consequence of the war or got 'stuck' in Jordan when the war broke out, to return to their homes. Thousands of the city's Arab residents seized this opportunity and made their way back to Jerusalem.

The military administration, through the Interior Minister, conducted a census to assess the exact number of East Jerusalem residents. The 1967 census showed that there were 68,600 non-Jewish residents in

the city, representing 25.8 percent of the total population of Jerusalem with its extended borders.

Following the annexation of the east of the city to the state of Israel, there was a need to determine the status of the 'new' residents. The annexation, after all, obliged the Israeli establishment to clarify the status of the residents. The question of whether to grant them citizenship barely caused any quandary. This would mean adding some 70,000 non-Jewish citizens to the state. There was also a real fear that granting Israeli citizenship to Arab residents of Jerusalem, who held Jordanian citizenship and passports, could harm their status in Jordan; such a development was to be avoided as far as possible. Indeed, there was a willingness to preserve the inter-relations between Jerusalem's Arab residents (and those of the West Bank) and the Hashemite Kingdom on the East Bank, both at the family level and where trade and economic links were concerned. From this point of view, the government's policy on the West Bank, which had not been annexed, and to unified Jerusalem was the same. Even the 'open bridge policy,' led by Dayan right after the war, enabled Palestinian residents of Jerusalem, the West Bank and Gaza to easily make visits to and from Jordan.

The Israeli establishment's treatment of Jerusalem's Arab residents was in many ways similar to that of the military administration with regard to West Bank and Gaza residents. This treatment raises doubts since it was in opposition to the government's policy and wish to isolate Jerusalem from the West Bank so as to realize its unification; in this way, the unification idea in fact ceased.

Two principles in Israel's policy toward East Jerusalem were totally contradictory. On the one hand, the idea was to unify the city, expand the relationship between the two sides and strengthen the ties between Jews and Arabs, at least in theory, thereby attempting also to create a unified economic fabric; on the other hand, there was a clear will to strengthen East Jerusalem's dependence on the West Bank and, more importantly, on the Hashemite Kingdom of Jordan. It could be claimed that even then, in 1967, soon after the war and the city's unification the first seeds were sown toward the political future of Jerusalem and a permanent solution to its problems, about which a more detailed discussion will follow.

One cannot discuss the permanent status of Jerusalem's Arabs without at least touching on the matter of Jerusalem's borders. As has already been noted, the decision to expand the city's borders was made in 1967. The decision was implemented hastily and without much

thought, but no one ever looked closely at the results. No amendments were proposed, not even cosmetic ones that were of no political importance; so as to right the wrongs that the new borders created. The village of Sur Baher, for example, became a part of Jerusalem, but its agricultural lands lay in the West Bank. Anata was split by the 'border': part of it became a city neighborhood while part remained a village in the West Bank. The Jerusalem Anata residents, whose neighborhood became known as Dahiet Al-Salam (Neighborhood of Peace), enjoyed the full benefits of Israeli citizens, while their brothers and relatives on 'the other side' - just a few meters away - were subject to Israeli military rule. These examples indicate the lack of strategy or thinking in the settling of the borders between Jerusalem and the West Bank, or their amendment.

Other examples include: Walaja - a 'Jerusalem neighborhood in the city's south, near the Cremisan Monastery. The residents were not aware that they had been made part of Jerusalem. They have identification cards issued by the military administration; they send their children to schools in the adjacent - West Bank - municipality of Beit Jala, which also provides the limited services they receive. They are not strict about planning and building laws - and this is where Jerusalem City Hall comes in: city building supervisors decided to implement Israeli sovereignty on Walaja by ensuring that planning and building laws were enforced. They would turn up at Walaja and write out fines for building violations, or even issue demolition orders. When the bewildered residents asked what they were doing, the officials told them that they were now part of the Jerusalem Municipality and were therefore subject to Israeli planning and building laws.

The residents of Walaja contacted me in my capacity as advisor to the mayor. I visited their neighborhood and was amazed at what I saw. There was not even a decent access road into the quarter. Almost no one at City Hall, except the building supervisors, even knew the neighborhood existed. I turned to the municipality's director-general who decided that senior officials would visit the site, get an idea of its problems and needs and possibly find creative solutions that would show the residents that, despite all... they were part of Jerusalem. The visit, headed by the director-general, was conducted several days later. Numerous operative decisions were made about the services to which the residents were entitled. Among other things, it was decided that a master plan for the quarter would be drawn up and new building or extensions would be allowed, as well as the paving of an access road. Some years have gone by, and not even one of the decisions has been

implemented. No one presented a view on how the residents of Walaja should run their lives, no adequate housing was supplied for their children and no one even took the pains to ensure that these residents of Jerusalem were issued with Israeli identity cards.

At the time of writing (late-1997), Walaja residents are still battling against the Interior Ministry in order to get the Israeli identity cards - proof that they are indeed residents of the city.

Several other neighborhoods suffer from the same problem. They are situated on the edge of Jerusalem's borders but the city ignores them and perhaps does not even know of their existence - such as Zamoria, next to Bethlehem, and Bir Ona, adjacent to Beit Jala. In the early-1970s, after meeting with Teddy Kollek, the mayor of Beit Jala succeeded in preventing the demolition of a number of structures in Bir Ona that were built without permits.

The residents of these neighborhoods, like those of Walaja, are demanding to be recognized and to have the rights of all Israeli citizens - an Israeli identity card and, as residents of Jerusalem, the municipal services to which all city neighborhoods are entitled. When the residents of these border neighborhoods were not heeded at either the city or the government level, they decided to take legal steps.

As already noted, the 'border' between Jerusalem and the West Bank sometimes confused even the security establishment. The Israel Police is responsible for security matters within Israel's official territory and the IDF on the borders and in the occupied territories. I was thus surprised when an Arab man walked into my office one day, during the height of the *Intifada* [Palestinian uprising], and complained that the IDF had taken over his house, which was in the final stages of construction, and would not permit him to enter it.

I accompanied the man to his home and was astonished to find that IDF soldiers had set up a lookout point on the roof, replete with a huge projector.

It should be noted that the house was situated on the Jerusalem-Ramallah highway on a curve of the road that, during the *Intifada*, was a common point from which to throw stones at Israeli cars. For the IDF, this was a logical place to set up an observation post. The officer in charge, a lieutenant, allowed me in and I told him that the IDF had no authority to act within Jerusalem's borders, certainly not to take over a private home, without the appropriate injunctions. We then

argued about whether the house was located in Jerusalem or the West Bank. He had received an order from his superior officers to take over the house, which they claimed was in the West Bank, and he was following that order.

I took the matter to the District Commander's Office and the soldiers evacuated the house several hours later.

Confusion over the jurisdiction of these homes could also be found among residents: for example, the Iscar family from the village of Hizma. The Iscar brothers built their houses on their own private land, a little west of Hizma. They had a *bona fide* building permit, issued by the Civil Administration in Ramallah. Soon after construction began, the Israeli government began appropriating large chunks of the surrounding land and the new Israeli suburb of Pisgat Ze'ev sprouted. If that was not enough, City Hall then 'informed' them that their houses had been built without building permits. A law is a law, and like any law planning and building laws have to be enforced. Without asking for it, the Iscar family had become Israeli citizens - and in so doing unknowingly became violators of local building laws.

The brothers were tried and found guilty. Their claim that they had been issued the proper permits by the Civil Administration did not help. After paying a large fine, they requested and were granted City Hall-issued permits. The family now lived in Israel, in the middle of Pisgat Ze'ev, but carried West Bank IDs. Their lives might have gone on undisturbed had it not been for the deterioration of the security situation, which peaked in April-May 1993; then, the Israeli government ordered a closure on West Bank territory. This left the Iscars hostages in their own homes. They lived in Israel but were not permitted to leave their houses without permits, which they required as residents of the West Bank.

The family applied for Israeli IDs from the Interior Ministry. Their wish to become Israeli citizens came second to their desire to be free to leave their homes whenever they chose, without the risk of arrest. The wheels of justice grind slowly. The ministry took years before granting the family Israeli identity cards.

I have no doubt at all that the borders set in 1967 and the lack of initiative to amend them will appear high on the agenda when the subject of Jerusalem is discussed by Israel and the Palestinian Authority.

## Planning and Building in East Jerusalem

Israel's policy of strengthening the Jewish presence in Jerusalem, with its expanded borders, came into effect in the early 1970s. Two concepts that paralleled this development should be clarified, as they are sometimes confused and lead to misunderstandings over Israel's policy in East Jerusalem. They are: 'strengthening the Jewish presence in Jerusalem' and 'Judaizing Jerusalem.'

In 1967, 'strengthening the Jewish presence in Jerusalem' presented a foundation for Israeli government policy. Once the policy was officially declared, Israeli officials - both at the government and municipal levels - reiterated it constantly, expressing their support. The concept of 'Judaizing Jerusalem' is a Palestinian creation - specifically, that of the East Jerusalem Palestinian media - and is a response, in a negative tone, to the activities of various Jewish associations such as Ateret Cohanim, Atara Leyoshna, Elad (an acronym for 'To the City of David') and others (including, to a degree, the Temple Mount Faithful) whose primary aim is to strengthen the Jewish hold on Jerusalem by buying real estate in East Jerusalem, with its dense Arab population. These associations worked independently, not within official policy, but it cannot be denied that (with the exclusion of the Temple Mount Faithful) Likud-led governments supported them, almost openly.

From the early 1970s on, Israel, through the Ministry of Finance, began appropriating large areas of land in the east of the city, in line with the Appropriation of Lands for Public Use Law. There was no doubt that most of the land belonged to Arabs, though there were some cases in which it had previously been owned by Jews and had been defined during Jordanian rule as either 'appropriated property' or, by the Jordanian legislature, as 'enemy property.'

Israel was unable to appropriate lands in Jerusalem in the way it had in the West Bank. Without getting into the legal controversy, West



Bank areas were defined as occupied territory, run by the IDF through a system of military governance that later became the Civil Administration. The situation in Jerusalem was different. It had been annexed to Israel by a law passed in the Knesset, and therefore Israeli Law applied to all aspects. Israel was cautious here: the land taken over was not inhabited, so no evacuation of Arab residents was necessary, nor the need for supplying alternative housing. In the few cases where land belonging to Arab families was annexed, the residents were permitted to continue to live there and lead their lives as they saw fit. In this context, the appropriation of the Mughrabi Quarter, the demolition of buildings and creation of the public space at the Western Wall (Wailing Wall) should be stressed - as an aberration. One hundred Arab families were moved out of their homes for this purpose, and provided with alternative housing.

The main idea behind the land appropriation was to isolate East Jerusalem from the West Bank and to create a ring of Jewish neighborhoods as an urban buffer between the two. This was ostensibly another step in the policy that led to the beginning of the annexation and the unification of the two sides of the city. The basic error made by the Israeli authorities was to stop at boosting the Jewish presence without taking any significant steps that would show the local Arab public, or the world, that Jerusalem was indeed a unified city.

Following the appropriations, the government, through the Ministry of Construction and Housing, began building the ring neighborhoods: Neve Ya'akov and Pisgat Ze'ev in the north and northeast, Gilo, Talpiot and Har Homa in the south. The 'isolation' of the Arab quarters from the West Bank in fact did not lead to their being cut off from the West Bank. Instead, the policy - of both the government and the Jerusalem Municipality - helped to forge a common destiny between the West Bank Palestinians and those in East Jerusalem. This was reflected in all spheres of life - planning and building, economics, education, the social fabric, and so on.

In addition, the government also implemented a policy of 'demographic balance' in the city, aimed at preserving the relative proportion of Jew to Arab at the level it had reached in 1967, following unification. This it did via statutory planning committees, the municipality's Local Planning and Construction Committee and the District Planning and Construction Committee under the Interior Ministry.

The official statistics show that in 1967 the population of Jerusalem, with its new extended borders, stood at 266,300, of which 197,700

(74.2 percent) were Jewish and 68,600 (25.8 percent) non-Jewish<sup>1</sup>. The directives given to City Hall, as the main planning authority, were to execute the master plan of the Arab quarters so that the above proportion between Jews and non-Jews would be maintained. City Hall, the mayor and the chairman of the Local Planning and Construction Committee did not in any way protest the directives, which in fact show a preference for the Jewish public over the Arab public, in this case in the area of planning and construction, and fulfilled them properly.

Also, within the Jerusalem City Council, support for Jewish settlement in the crowded Arab neighborhoods could be heard in the factions of the coalition. Leading the 'Rightist' camp was Knesset Member Emmanuel Zissman, of the One Jerusalem faction. In his role as coalition chairman, he was often heard expressing his support for the Jewish settlers - albeit outside the Council Assembly Room, as this view opposed the official stance of his faction. Later, Zissman joined the Third Way and became a Knesset member for that movement. As mayor, Teddy Kollek had a 'practical' *modus operandi*. He knew he could not fight the 'demographic balance' policy, but he determined that a demonstration of personal dedication and commitment from City Hall's side toward the Arab resident requesting a building permit, for example, could alleviate the problem. This decision was to be personally fulfilled by the Advisor on Arab Affairs. I tried to work along the mayor's lines, and he stressed that I could come to him any time I came up against a problem. I tried to explain to him that even the most fervent goodwill of the best professionals could not help a resident build his house in an area in which either there was no approved plan or where official planning prevented that house from being built. Needless to say, his 'system' did not succeed: there is no way of helping a resident build his house legally if the law forbids him to build on his own private land.

Against the background of these political-demographic planning directives, City Hall's Planning Policy Unit, in the City Planning Department, published a pamphlet, *Potential Housing in Jerusalem*. Updated annually, the pamphlet reviews the construction plans in each Jerusalem neighborhood, Jewish and Arab, and their statutory situation, intended to serve as a guideline for those involved in building in the Arab sector.

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<sup>1</sup> *Statistical Yearbook - Jerusalem*, No. 14, 1968; Jerusalem Institute for Israel Studies, 1997.

There is a difference, which is not only cosmetic, between the chapter that discusses Jewish neighborhoods and that on Arab neighborhoods. In the latter, the existing number of housing units appears, as well as the potential number. This in fact serves as a limitation for those drawing up neighborhood master plans, as they may not exceed the potential figure.

Over the years, the city engineers and other planning professionals did not agree with the figures, which contradicted all planning logic, but they were unable to alter them as they had actually been dictated at the political level.

Thus, we find that in the village of Kufr Aqab, in the city's north, there are 590 housing units, with the maximum figure allowed in the future standing at 1,300; in other words, plans for additional housing may not exceed 710 units. These figures are from 1993, but they have not changed since because no one in the decision-making echelons, either in the government or City Hall, has tried to modify the planning policy for the Arab sector of Jerusalem, which is based on the 'demographic balance.'

Similarly, in Beit Hanina and Shu'fat, there are 4,500 housing units (1993 figure). The maximum capacity, according to the city figures, is 12,000 units, an addition of only 7,500.

In this case, city planners relied on demographic-planning considerations and drew up a master plan for an additional 17,000 units, taking into account the growth rate of the local population and its needs. The 1983-84 plan, which took great efforts and financing, was approved by City Hall and passed on to the Interior Ministry's District Planning Committee in 1984.

City approval of the plan served as a good basis for a public relations exercise regarding city policy toward the Arab sector. To unveil the plan, City Hall invited community leaders, *mukhtars*, school principals, local landowners and the press and outlined how the land could be exploited to allow for the new apartments. No one then foresaw the long and painful process that lay ahead.

The District Committee, in view of the figures, which far exceeded the directives ensuring the 'demographic balance,' rejected the plan and ordered the city to draw up another. The new plan was carried out in conjunction with the then Director General of the Housing Ministry, Amos Ungar, at the behest of Mayor Kollek. Housing Minis-

try officials played a dominant role in the District Committee and thus it was important to make decisions with them before submitting another plan. It was agreed with Ungar that the plan would include another 11,000 units (not the original 17,000). The plan took several months more to finalize at great expense to City Hall. This plan was also rejected by the District Committee, which again insisted that the number of additional housing units in the two neighborhoods not exceed 7,500. It did not help that the plan had been drawn up with the ministry's director-general.

When the plan was submitted for the third time Kollek decided to present it himself. This turned out to be a wise decision, as the committee again tried to reject the plan for different reasons. Kollek insisted that it be approved, and it was.

As further clarification, here follows a description of a master plan - one of many - that went through long painful processes. It began in the early 1980s, with initial approval given by City Hall in mid-1984. The master plan, as is known, serves as the basis for more detailed plans and only later are building permits issued. Today, at the end of 1997, the detailed building plans have not been finalized and the landowners in these neighborhoods cannot exercise their rights to build their homes there.

The situation was similar in Sur Baher and Um Tuba. City figures indicate the existence of 990 housing units in both neighborhoods. The architect, Shlomo Hiat, was told to design the neighborhoods to allow for an additional 1,360 apartments. During the design process, he found it necessary, for architectural reasons alone, to increase the area slightly. He was prevented from doing so. The city engineer rejected his request, claiming that this 'might' lead to an increase in the number of apartments, which in turn could upset the Jewish-Arab demographic balance.

In addition to the political directives, the master plans also suffered deliberate bureaucratic foot-dragging, both at the municipal and District Committee levels. This went on for years. One of the 'claims of the defense' of City officials when explaining why things were taking so long, was that the East Jerusalem Arabs had no representatives on the City Council to promote their interests and push things along. While it was true that there were no Arab councilors, this claim is otherwise baseless. City leaders and heads of the Israeli establishment were constantly declaring that Jerusalem is unified and that its Arab residents have the same rights as anyone else; they thus were obliged

to ensure that issues related to those residents and their welfare were advanced to the same degree as issues pertaining to Jewish residents, whether in the old established neighborhoods in the west of the city or the new, post-1967 quarters in the east.

The time it took to process plans for Arab neighborhoods was way beyond the accepted standard in Jerusalem. The master plan for Is-sawiya, which was initiated in 1979, took effect in 1991 - 12 years later - and the neighborhood still suffers from a housing shortage for young couples. No one asks why this is the case. Kollek, senior city officials and head of planning and construction, Avraham Kehila, who was also deputy mayor at the time, all admit openly that since unification in 1967, there has been great neglect of the city's Arab sector in all that is related to urban planning and construction.

Another example: Plan No. 2688, better known as the Ras Al-Amud Plan, which included Wadi Qaddoum extending from Silwan to the Jericho Road, was submitted for public objections in November 1985 and only in May 1992 was it finally approved by the Interior Minister. In 1997, 12 years later, it still has not been finalized ...

Plans for Abu Tor also took 12 years to be passed (1977-89), Beit Safafa 13 years (1977-90), and At-Tur and the Mount of Olives, including Ash-Shayah, 13 years.

It should be noted that during those years, thousands of apartments were built in the new Jewish neighborhoods of East Jerusalem.

The foot-dragging method served one aim: to reduce Arab construction in the city and thereby limit the increase of the local Arab population, ensuring the strategically-required demographic balance.

Another example can be found, during the *Intifada*, when residents of Jebel Mukabbar and Sawahra complained to me, not for the first time, about the impossibility of obtaining building permits. They claimed the city 'forced' them to start building without the necessary permits. I looked into the matter and found that the plans had in fact been discussed by the District Committee, headed by Eliahu Suissa, the Interior Ministry's district head. He told me the committee had decided to visit the site in question. I asked when they intended to do this and he replied, half smiling, that these were not such safe times, being the *Intifada*, so they were waiting. I suggested they make the visit accompanied by the border police. Without saying so, he rejected my sug-

gestion. The plans for these neighborhoods are still pending approval at the time of writing.

No one disputes the fact that the various aspects of planning in the Arab sector, whether conceptually (the demographic balance) or pragmatically and technically (deliberate bureaucratic foot-dragging), caused a slowdown in the rate of building in Arab East Jerusalem.

The main difference between the Jewish and Arab sectors in matters of planning and construction is the simple fact that in Jewish Jerusalem, the case is made for public building on land defined as state-owned, even if it was formerly appropriated from Arab, or Jewish, owners to the Israel Lands Authority. In the Arab sector, most land is privately owned and intended for the family dwelling on it. Any delay in approving plans directly influences the individual, his welfare, and his housing possibilities.

The planning oversights found in the Arab sector of Jerusalem show unequivocally that Jerusalem is not a unified city. There is a huge gap between the official statements and the real situation. Planning and construction is one of the areas where this gap is blatant, though it is not the only one.

This sad reality left Jerusalem's Arab residents with several options.

1. The first was to simply accept the situation and abstain from residential building, with the direct result being increasingly crowded conditions. The statistics show that the housing density in the Arab sector is far higher than that in Jewish Jerusalem<sup>2</sup>. In 1986, out of 92,200 families in Jewish neighborhoods, 1.5 percent lived in conditions in which there were three persons to a room while for the Arab sector that figure was 32.6 percent for the same period. *The Statistical Yearbook* shows that over the years average per room density in Arab quarters (2.2 persons per room) was twice that of the Jewish sector (1.1 persons per room).

The clearest example of crowded housing conditions in the Arab sector, which are due mainly (though not solely) to the difficulties entailed in obtaining building permits, can be found in the Old City. *The Statistical Yearbook* shows that in 1992, 28,700 people resided in the Old City (4,700 in the Christian Quarter, 2,200 in the Armenian

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<sup>2</sup> *The Statistical Yearbook - Jerusalem, 1996*, Jerusalem Institute and Jerusalem City Hall.

Quarter, 2,300 in the Jewish Quarter, and 19,600 in the Moslem Quarter). The average population density was 33 persons per 1,000 square meters, which was higher than the following year when it was 31.1 persons per 1,000 square meters. But a closer examination of each separate quarter reveals that in the Jewish, Christian and Armenian quarters, there was almost no growth in population density between 1987-92. On the other hand, in the Moslem Quarter, this figure was 41.2 in 1987 and 44.6 in 1992. The 1996 figures show a serious worsening of housing conditions in the Arab sector in Jerusalem. Compare these figures with those of 1996, when the average density in the Old City stood at 35.2 persons per 1,000 square meters; but the figure went up only slightly in the Jewish, Christian and Armenian quarters, while in the Moslem Quarter it was much more significant - to 48.7 persons per 1,000 square meters. In 1996, there were 21,300 residents in the Moslem Quarter.

Planning was not the only cause of these crowded conditions. Economic problems were another important factor. The *Intifada*, which broke out in 1987, caused a major decline in average per family income in the Arab sector in Jerusalem. Other reasons included the Gulf War in 1991, which caused a slowdown in tourism to Israel in general and Jerusalem in particular. Moreover, the numerous closures Israel imposed on the Occupied Territories caused East Jerusalem to be cut off from potential sources of income in the West Bank.

My office, the Office of the Advisor, was flooded with residents' requests for help. After having their requests for building permits rejected by the City they were ignorant and innocent enough to think they would find solace in the advisor's office. They did not understand - or did not want to understand - that an advisor, despite his closeness to the mayor, did not have supernatural powers. He could not swing a building permit if the Urban Planning Department had informed the person making the request that "We regret to inform you we cannot process your request for a building permit as planning has not yet gotten underway in the area in which your request has been made...." or, "The site on which you have requested to erect your house has been designated as a 'green area' in the master plan and as such construction is forbidden on that site."

Mayor Kollek believed that one of the advisor's roles was to accompany the person making the request between the various bureaucratic stations and help him 'cut corners' until such time as he was granted the desired permit. Teddy did not understand that even he, as mayor, could not help if the area in question was still in the planning stages

or, alternatively, unfortunate as it is, if the resident found himself caught up in a system that was not at all interested in helping its Arab residents in distress.

In light of this difficult situation, I decided that it should be my role, in addition to the various other missions I had set for myself, to advance building plans. I did the best I could. I met often with the city engineer and held endless meetings with the city planning officials. The results were scant. I discussed the matter frequently with the mayor and tried to explain that City planning, based on the demographic balance policy, which was flawed from the outset, was likely to fail, if it hadn't done so already. The mayor said that policy was dictated to City Hall by the Interior Ministry. He was right. However, I have to admit, I did not feel that he was acting aggressively to change that policy, as he did in so many other cases. Nor did the ministry and its District Director, who also served as the chairman of the District Committee for Planning and Construction, make much effort to change the situation - on the contrary. Early in my post, in 1984, the person filling both those roles was Rafi Levy, a close associate of Kollek. I do not recall that City Hall, or the master plans it submitted for building in the Arab sector, enjoyed much cheer during the time Levy served as the District Committee chairman.

I will not forget the episode in which I complained to District Committee officials that it was taking as long as two or three months between the committee's discussion on a given plan and the result being handed over to City Hall to continue the process. I was infuriated and frustrated by their response, which was... that their typewriter did not work. Moreover, I was naive enough to believe that excuse. I used all the influence I could to ensure that they were given a new typewriter by the municipality. By then, I was not totally surprised to realize that this would not necessarily speed things up.

Rafi Levy was replaced by Eliahu Suissa, of the ultra-Orthodox Shas Party, who later became the Interior Minister in Binyamin Netanyahu's government. As district director he operated in a way that discriminated against construction plans for the Arab sector. When I tried, on various occasions in my official capacity, to expedite discussions, he would sometimes reply that he had no intention of speeding up the process, that first the committee had to visit the site in question, but as these were difficult days politically, what with the *Intifada*..... things would have to wait. Thus, he was armed with a 'good' reason for postponing any plans for the Arab sector.



2. The second option available to the local Arab population was to build outside Jerusalem's municipal limits. Their crowded conditions increased insufferably and many found alternatives close by, in the West Bank. Jerusalem's Arabs, after all, consider the periphery of the city as Jerusalem proper. Until 1967, the land defined as the East Jerusalem municipality - *Amanet Al-Quds* - was quite small but the Jerusalem district - *Muhafazat Al-Quds* - was large, and included settlements such as Al-Izzariya, Abu Dis, Ar-Ram, Dahiet Al-Barid, and others. The State of Israel did not recognize the concept 'Jerusalem district'; Israeli Law and Knesset regulations recognized only the official borders set by the state. The Israeli legislature and the ruling institutions recognized Jerusalem with its post-1967 extended borders.

The dire housing situation and the desire to improve their living conditions forced many local Arabs to leave the city and set up homes in neighboring areas. For years this was encouraged by the Israeli authorities, and well suited their policies. The Palestinian residents did not view the trend as moving out of the city.

Thousands found relatively simple and cheap housing solutions in peripheral quarters, such as Ar-Ram in the north. In 1967, this was a small and unimportant village, which has since turned into one of Jerusalem's bustling residential centers, with a current population of some 30,000. Over the years, Israel was obviously aware that the city's Palestinian population was moving into West Bank territory, but nobody responded. On the contrary: no one in the Israeli establishment tried to dispute the 'right' of Jerusalem's Arabs to move out of the city limits to the West Bank. The residents, however, retained their right to vote in Jerusalem's municipal elections, to the point that the various parties' election campaigns - especially One Jerusalem, led by Teddy Kollek - took their activities to the people outside of Jerusalem in the hope that they would vote on election day, despite the fact that they now lived elsewhere and they were only 'theoretical' city residents. To date, no one has tried to change the Jerusalem addresses that appear on their Israeli identity cards.

One of the first of the few government aid initiatives, conducted in conjunction with City Hall, to ease the Arab housing problem in Jerusalem actually took place in West Bank territory - in Al-Izzariya.

The idea for the initiative dated back to a meeting between then Defense Minister Moshe Dayan and Mayor Kollek, at Dayan's request. The meeting was held in the renowned King David Hotel and was documented. Among the topics discussed was how to ease the hous-

ing problem for local Arabs, with Dayan proposing the erection of an Arab neighborhood in Al-Izzariya, on condition that this would not require land appropriation.

Military officials found suitable land in the village, which was defined as state-owned even during Jordanian rule in the region. The Housing Ministry, City Hall and the Bank of Jerusalem (Bank Yerushalayim), which arranged generous mortgages, courageously met the challenge: scores of apartments were built in an area that later became known as Al-Masrua. The only prerequisite for potential buyers was that they had to be Arabs and residents of Jerusalem.

The local Arabs were suspicious of the initiative, coming as it was from the Israeli establishment. Their first concern was over the status of the land - couldn't they lose their right to Israeli identity cards if they moved out of Israeli territory to the West Bank and would their social security rights remain intact? Only when they received assurances from the relevant bodies - the Interior Ministry, the Ministerial Committee for Jerusalem Affairs, etc. - that their rights would be maintained did the apartment-buying begin in earnest.

The Housing Ministry and the Bank of Jerusalem made sure that buyers were Jerusalem Arabs. But those managing the project made some mistakes. First, eligibility was not always checked, i.e., whether applicants were indeed in need of such housing; nor was it ensured that only the real target group - Palestinians - (and not Israeli Arabs living in Jerusalem) purchased apartments in the project; also, some people bought the apartments, with such good conditions, for investment purposes, never having intended to move out of their original residences.

The first Al-Izzariya project was deemed a success and paved the way for a second, this time a 'build your own home' project. The Housing Ministry parceled out land in plots of 500 square meters and, again, targeted them at Jerusalemite Palestinians. By now some lessons had been learned, e.g., this time, Israeli Arabs were not permitted to join the list of buyers. Also, in order to allay any fears potential buyers might have of losing rights, a large, festive event was held at Beit Agron, Jerusalem's press club, presided over by officials from the Housing Ministry, City Hall and the Bank of Jerusalem. Promises were made, orally and in writing, that residents moving out of the city to Al-Izzariya would not lose their rights and that their IDs would not be taken from them, nor would they lose monthly social security payments. The project was enormously successful, and planning on Phase

Three began. The land was available - and still is today. But the budget dried up and the plans remained on paper.

The Israeli authorities kept their promises, but in part only. For the years immediately following the project, those who had bought apartments in Al-Izzariya were able to hold on to their Israeli IDs, but later the Interior Ministry claimed that moving to the West Bank was equivalent to moving abroad, and the blue cards were confiscated.

Social security payments stopped with the change in the residents' addresses. Pleas by those who had moved to Al-Izzariya that they had been promised their rights would not be harmed fell on deaf ears. The National Insurance Institute (NII) replied - and correctly - that the promises were worthless from the outset, that the NII operates in line with regulations and laws passed by the Knesset, and no other body. It was the Ministerial Committee for Jerusalem Affairs that had decided that the residents' rights would remain intact.

The Jerusalem/Al-Izzariya residents had no choice left but to appeal to the High Court of Justice. The long legal battle eventually bore fruit. The High Court ordered the NII, through the Knesset Labor and Social Affairs Committee, to amend the regulations so as to rectify the matter for those who had, after all, moved out of the city so as to slightly improve their situation.

Many others who built their homes in the periphery of the city are still vulnerable to having their status as Jerusalem residents contested and their IDs revoked. The NII, too, exploits every opportunity to cut monthly payments to residents who are otherwise eligible.

As noted, the two phases of Al-Izzariya project were among the only government initiatives pertaining to public building for Jerusalemite Arabs.

The apex of building for Jerusalem Arabs is the Nusseibeh complex (Shikunei Nusseibeh). In the 1970s, a deal was made with engineer/businessman Mohammed Nusseibeh. Encouraged by City Hall and the Housing Ministry, he purchased private land in Beit Hanina and built four large buildings that would bear his name. He was given all the required backing from the ministry and the municipality, and apartment-buyers in the project received generous mortgages and loans. Today there are some 500 Palestinian families living in the complex.

Another initiative, of 54 units, went ahead in Wadi Al-Joz. The Housing Ministry built the project on state-owned land and aimed it mainly at Israeli Arabs living in Jerusalem.

The ministry asked a Jerusalem construction firm to build and market numerous other apartments on an additional, adjacent plot in Wadi Al-Joz. The company has done nothing about it for years.

At one point during the *Intifada*, a distinguished delegation of Israeli Arabs came to see me and told me of their distress, particularly their feelings of having been rejected both by the Jerusalem Arabs, who perceived them as fifth columnists, collaborators and traitors, and the Israeli establishment, particularly the army and police. In the wake of the serious incidents that had taken place in Jerusalem around that time, no distinction was made between the Israeli Arabs who had been living in the city since 1967 and the permanent Palestinian residents of Jerusalem. This delegation of Israeli Arabs requested that a piece of land be allocated to them for residential purposes. I well understood their feelings and suggested to the Housing Ministry that their request be met. The ministry agreed, on condition that the entire project would be financed by the residents. The group got organized and hired the services of a large and well-known construction firm, but their dream of an Arab neighborhood in Wadi Al-Joz was nipped in the bud: the government changed, and Likud hard-liner Ariel Sharon took his place as the new Minister of Construction and Housing. The plan was shelved. The land is still available, but only time will tell what will become of it.

Within the city, government initiatives were responsible for only about 550 apartments for Jerusalem Arabs, and some tens more in Al-Izzariya.

3. The third option available to residents as a means of easing their housing problems was illegal building.

Time continues to pass without master plans being approved, and those that have been approved no longer meet the population's needs; parallel with this is a growth in illegal building. The Khalil Shakirat family, of the Sawahra Quarter, has been living in a bus since the house they built without a permit was demolished by the City in 1993.

City Hall has never succeeded in overcoming the problem of illegal building, and certainly not in preventing it. The needs of the people

were more powerful than the supervision capability of the powers that be. District Committee Chairman Suissa took it upon himself to fight the phenomenon. He failed. Even a system he quite efficiently organized, with inspectors, vehicles and clerks, was not able to quell illegal building. When Ehud Olmert took over the reins of the City from Kollek in 1993, he joined the Interior Ministry's efforts by demolishing illegal structures. Even his success was only partial.

The subject of illegal building in East Jerusalem has never left the public agenda, occupying the time of politicians, journalists, and other public figures and professionals.

One group of five public figures decided to fight the matter in court. They are Knesset Member Uzi Landau (Likud), Dr. Dan Bahat, formerly the Jerusalem district archaeologist for the Antiquities Authority, Arie Brochim, who was City supervisor for building in East Jerusalem for many years (though failed, like most of his colleagues), Professor Ariel Cohen, the Tsomet Party's representative on the City Council, and Ezra Yakhin, formerly a member of the pre-state Stern Gang and a settler in the Bet Hashiva Quarter in Beit Hanina. The results of their claim are not relevant here. The point is that it is extremely difficult, if not impossible, to overcome the problem of illegal building in East Jerusalem. Even if we assume that some of this building is politically motivated - snubbing the right of the sovereign ruler to enforce building laws - the vast majority stems from a real need of the people to solve their grave housing problems.

As Mayor Kollek's advisor on Arab Affairs, and later as Olmert's, I often claimed that the problem began with illogical planning that does not meet the needs of the population or its growth rate. Jerusalem's Arabs, I said, are forced to overstep the law because the establishment does not leave them any other choice. I tried to explain to urban planners and city leaders that Arab building, unlike Jewish building, is private and not public. What is a person to do when he is forbidden from building a house on his own land? Even the move to neighborhoods outside the city limits requires cash that is not necessarily available to these residents.

The bottom line: the authorities prohibit residents from building and do not offer them alternatives.

## The Personal Status of East Jerusalem Residents

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When Israel extended its sovereignty to East Jerusalem and the area within the jurisdiction of the Jerusalem Municipality increased, over 68,000 'new' residents were added to the State of Israel. There had been some dilemma over the depth and extent of the annexation; now the question arose of the personal status of Jerusalem's residents.

The Municipalities Law, which was augmented on 28 June 1967 by the Interior Minister, with special authority extended by the Knesset, to include East Jerusalem, does not refer to the status of the citizens in the annexed area who had suddenly and reluctantly become residents of Israel. International law forbade Israel from changing their permanent status, and obliged Israel to take responsibility for their welfare.

The official line explaining the change in the law to include East Jerusalem, expounded by Foreign Ministry and other spokespeople, was that it was aimed at preventing discrimination between Jews and Arabs and would allow Jerusalem City Hall to supply equal municipal services to both sectors.

On 26 June 1967, a hasty census was conducted to determine who was a resident of Jerusalem. For years this census served as an important test of the rights of the city's residents - and whether or not they were considered citizens of Israel.

From the outset it was obvious that the status of Jerusalem's Arabs would be different from those of the West Bank although it would be impossible to separate the two - technically, socially or in economics and trade. A resolution along these lines was made by the Ministerial Committee for Jerusalem Affairs in September 1967.

The country's leaders realized it would not be possible, or desirable, to impose Israeli citizenship on East Jerusalem residents, but it could not be ignored that they lived in Israeli sovereign territory, which had been officially annexed. Israeli propagandists claim even today that citizenship was an option for East Jerusalem Arabs, but only a few took it.

Clearly, Israel was not interested in increasing the number of potential non-Jewish voters. That is one of the main reasons for the policy of not imposing citizenship on them.

Even years after the city's unification, the number of East Jerusalem Arabs requesting to become Israeli citizens was negligible. Those who did, did so surreptitiously and feared possible reprisals. The East Jerusalem branch of the Interior Ministry had very clear instructions that anyone applying for Israeli citizenship should be dealt with only by the Jewish staff. I was often approached by local Arabs secretly requesting my assistance in obtaining citizenship. I helped them willingly, and naturally kept the matter confidential.

It is no secret that the Israeli establishment, even if it stressed that citizenship had been offered to these people, never encouraged it - to say the least. Anyone requesting citizenship was forced to go through rigorous bureaucratic processes, which worsened with time as the number of applicants increased. I myself sometimes heard senior Interior Ministry officials say things like, "Why should he get citizenship? Wouldn't it be more worth his while to get citizenship of an Arab country, and leave here?"

Ministry officials never bothered to try and understand the reasons behind the requests for citizenship by Jerusalem Arabs. They would put as many obstacles as possible in their way while, at the same time, those applicants saw tens, hundreds and thousands of new Jewish immigrants granted Israeli citizenship automatically as soon as they stepped off the plane. "Why them, and not us long-time residents?" they would ask.

The ministry made it conditional for an applicant to relinquish his Jordanian citizenship. Because the Hashemite Kingdom of Jordan was then considered an enemy country, Israel would not recognize dual citizenship. By relinquishing his Jordanian passport - which was supposed to be deposited with the ministry - that person would no longer be able to cross the bridge and visit Jordan. In practice, not many people 'relinquished' their Jordanian citizenship and they did not

hand in their passports to the Israeli authorities. So how did they get around it?

The method was simple and no secret. Before the applicant went to the Interior Ministry he would go to the police and report his passport missing. He would have a police receipt acknowledging this fact and, so armed, would go to the ministry. It was a no-choice situation, and this became accepted as 'relinquishment.' The practice was widespread, with many Jerusalem Arabs becoming Israeli citizens in this way while maintaining their loyalty to the Hashemite Kingdom of Jordan. The fact that the new Israeli citizen had to sign a form declaring loyalty to Israel did not bother anyone. In other words, they enjoyed both worlds - full citizen's rights in Israel and in Jordan, as soon as they crossed the bridge.

With autonomy given to parts of the West Bank, the number of East Jerusalem Arabs applying for citizenship grew. This can be explained by the fact that many of them wanted an 'insurance policy' in view of the uncertainty of the future. The Israeli authorities were not enthusiastic about it, primarily out of concern that many of the applicants were not residents of Israel according to Israeli law, i.e., they did not live in Jerusalem, but in Palestinian Authority territory, although they held Israeli identity cards. This led the Interior Ministry to start examining each and every application carefully, with the result being long waits before the applications were approved.

Neither Israel nor the residents of East Jerusalem were interested in cutting off the ties between the city and the West Bank, nor in separating the two populations or in harming their relationship with the East Bank - Jordan.

Eventually, the Arabs of East Jerusalem became permanent residents of Israel but not citizens.

There is a significant difference between a permanent resident and a citizen. This fact was not known to East Jerusalem Arabs in 1967, although it is doubtful that they would have opted for citizenship even if they had been aware of the difference.

Moshe Dayan's 'open bridge policy' (discussed in Chapter Two) is a clear example of how Israel viewed the relations between Jerusalem and West Bank residents and those in Jordan. The ability to cross over to Jordan and back again relatively simply allowed life on both Banks to continue more or less normally, socially, in terms of family, and



especially economically. Thus, agricultural, industrial and other types of products continued to move from the West Bank to Jordan and from there to the rest of the Arab World. Jerusalem Arabs maintained their ties with the Arab World, and many of them, for economic and other reasons, opted to live in Jordan or other Arab states. Wages were much higher in those countries, especially the Persian Gulf, and they would send money home, bringing in considerable income to many families in Jerusalem and the West Bank.

As permanent residents, Jerusalem Arabs were permitted to vote in local (not national) elections. Moreover, a permanent resident could be elected to the City Council and even run for mayor. But the facts speak for themselves: since the city became unified in 1967, there has not been one Arab representative on the City Council. Teddy Kollek openly encouraged such a development, but the political and internal circumstances of Palestinian Arab society prevented anyone in the east from running. The presence of an official Arab resident from the east of the city would mean recognition of a unified Jerusalem - and there was no consensus on this subject among the Palestinian leadership.

The immediate result of this stance was that the Palestinians had no say in what went on within the municipality. There were Arab senior officials in various posts in the system, but not at the decision-making level, which naturally impacted on East Jerusalem.

The official line taken by Israel when explaining the lack of municipal services in East Jerusalem was that it was due, in part, to the lack of Arab representation at City Hall. There is an element of truth to this, but the fact is that Israel has not taken any real steps since 1967 to give East Jerusalem Arabs the feeling that they are indeed part of a unified city in which all residents are equal, regardless of color or creed.

In addition to having no council representative, East Jerusalem Arabs remained essentially uninvolved in local politics - to the point where they barely turned out to vote. In fact, the number of Arab voters in municipal elections following annexation in 1967 was higher than in 1993 - during the *Intifada* - when only 6.25 percent of eligible Arab voters (about 5,000 out of a possible 80,000) went to the polls. The previous elections also saw a small Arab turnout. Teddy Kollek's One Jerusalem faction made major efforts to urge these people to fulfill their duty as citizens, undertaking major pre-election campaigns in all quarters, where the dominant and leading figure of the political effort was the neighborhood *mukhtar*. At such meetings, Mayor Kollek and

the other faction members would throw around promises about a better future, improved city services and increased budgets for Arab neighborhoods. Any complaints made by residents were noted and they were given the impression that indeed Jerusalem was one, and that this faction - aligned with the Labor Party - could change the existing situation. Even if the change would not come as quickly as hoped, they said, One Jerusalem was still better than the alternative - the Likud Party. Indeed, no political faction other than One Jerusalem had a chance of winning the Arab vote. As soon as the same handful of people who usually voted realized that even One Jerusalem could not better their situation - or was not interested in doing so - they began to vote with their feet and ignore the elections, too. That was most certainly the case in 1993 and is one of the many reasons Teddy lost and the Likud candidate, Ehud Olmert, won.

The annexation of East Jerusalem gave local Arabs, as residents of Israel and in line with Israeli law, many rights not enjoyed by Palestinian residents of the West Bank. Israeli propagandists highlight these rights as a real privilege and reiterate the cliché - especially in moments of national and security-related crisis and tension - 'Jerusalem Arabs have a lot to lose' and therefore it is hard to believe that their behavior, in the national battle, resembled that of their brethren in the West Bank.

East Jerusalem residents - permanent residents of the State of Israel - carry Israeli ID cards. This is not a privilege but a basic right of any permanent resident. East Jerusalem Arabs who, due to the circumstances, were forced to leave the city for overseas or the West Bank, did their utmost to retain their Israeli IDs, which also allowed them freedom of movement within Israel, the West Bank and Gaza - unlike their counterparts in the West Bank, who had IDF-issued IDs. In this way, many who moved to the Jerusalem periphery - outside the city limits - did not bother to officially change their address. Thousands living in Ar-Ram, north of the city, or Al-Masrua or Al-Izzariya, still have ID cards that give their old address - in the Old City, Silwan, etc. One Jerusalem officials knew how to exploit this absurd situation in the elections and campaigned in those places, bringing in quite a number of additional votes.

Also, Jerusalem Arabs, like any other [non-Jewish] Israeli residents, had the 'right' to drive with Israeli license plates. No one can deny that this was a boon during tough times, security-wise, as it allowed almost complete freedom of movement within the country.

The annexation of East Jerusalem also meant residents were eligible for National Insurance Institute (NII) benefits - another significant source of income. Monthly child payments can be quite high, especially in the case of large families with a low income. And old-age pensions, in some cases, are the only income source for residents who do not receive a pension from their work place.

Former NII Director General Mordechai Zipori was well aware of this situation. At the peak of the *Intifada*, he decided to make his own 'contribution'. He gave the order to stop pension payments to some 1,000 elderly East Jerusalem residents. For those for whom this was their only income, with no family to assist them, this was like a death sentence. Zipori's justification was that it was time to reevaluate the eligibility of the pensioners in question. The NII sent them letters telling them to show proof at the East Jerusalem branch that they still lived permanently in Jerusalem. Because of the 'efficiency' of the mail service, some of the letters never arrived; in other cases, the pensioners were physically unable to go to the NII office.

Zipori made his move without the knowledge or coordination of City Hall, and infuriated City welfare department workers in the east. Needless to say, Mayor Kollek got wind of the situation quickly. As his Advisor on Arab affairs I stressed the gravity of the situation and the potential consequences. When he called Zipori in the NII Director General realized that Teddy would not give in: the decision was reversed.

Health care, in the framework of the national health funds, is another right enjoyed by Jerusalem Arabs and not those in the West Bank. Quite recently, Israel passed the National Health Law, according to which all residents are eligible to free health care. This is particularly important for anyone needing expensive treatment that requires hospitalization and/or surgery.

All these rights were jeopardized in the case of residents who moved beyond the city limits to the periphery, or abroad. One of the saddest cases I came up against was that of the Abu Sulat family.

Basima Abu Sulat, of Jerusalem, married a resident of Nablus and moved to his house there. They had a baby girl. One evening, during the *Intifada*, they were driving in downtown Nablus in a car with Israeli license plates that belonged to one of Basima's Jerusalem relatives. Someone threw a bottle of acid at the car, injuring Basima and her daughter. They were taken to a local hospital and transferred to

Hadassah Hospital in Jerusalem the following day. Basima, an Israeli resident with an Israeli ID, believed that the NII would cover the cost of the hospitalization for her and her daughter. Instead she was informed that they were not eligible as they were not considered residents of Israel. The family then contacted me. Looking into the matter, I found that NII regulations determined that because she had moved 'out' of Israel's borders - to Nablus - she and her daughter were not considered residents. I did what I believed to be the natural thing and turned to the head of the Civil Administration in the West Bank, General David Shachaf. His response did not surprise me: Basima and her daughter were indeed residents of Israel and as such the NII would have to cover her medical costs.

The bureaucratic process continued for about a year, but the wealth of correspondence between the Head of the Civil Administration and the NII yielded nothing. Shachaf then 'softened' somewhat and agreed to cover the cost of the little girl's treatment, but not Basima's. With no other options I decided to seek out a contribution and turned to the Jerusalem Foundation, which willingly made the payment - of just \$400 - to Hadassah Hospital.

Had Basima been an Israeli citizen and not just a permanent resident, she would not have had this problem.

With experience, I learned that the Israeli establishment had itself well-covered for such situations and there was deliberate discrimination between a Jewish resident and an Arab resident who had moved from Israel to West Bank territory. The 1987 NII regulations state clearly that "The law applies to a person who lives in the region [of the West Bank or the Gaza Strip - A.C.] or works there as if he were living or working in Israel if he is an Israeli citizen or eligible to immigrate to Israel in line with the Law of Return." In other words, the Jewish resident has social security rights if he lives or works in the West Bank or Gaza, and as only Jews may immigrate in line with the Law of Return; the Arab resident has no such rights.

The situation was even worse for residents of the West Bank and Gaza regarding the NII as they received no coverage whatever, except in the case of work accidents.

Another Kafkaesque NII-related episode took place in 1987. An IDF soldier, Ben Shimul, decided to lash out at Arabs following one of the Jewish murders that had taken place in Jerusalem around that time. His method of revenge? He stole a shoulder missile from the army,

brought it to Jerusalem, hid it among the bushes opposite the Jerusalem Cinematheque (not far from the Old City) and waited. Soon, an Arab bus owned by a Hebron-based company came by, carrying Arab laborers on their way home from work to Hebron. The soldier aimed the missile at the bus and fired. The result: one dead and numerous wounded.

Almost immediately, I decided to visit the wounded in Hadassah Hospital. I walked into the emergency room and one of them, a resident of Hebron, not a young man, was lying on a bed weeping. No one was with him. I approached, thinking he was in great pain, and tried to talk to him. His pain was not so bad, he said, adding he was not hurt too badly. He continued to talk, in Arabic, but because of his sobbing I did not understand. Finally, he said he was too poor to be able to pay for his medical treatment. I tried to calm him and assure him that in such instances the bill is paid by the government. He did not seem to believe me and the crying did not abate. I told him I would take full responsibility for payment if it came to that - but it would not. I gave him my card and wished him a speedy recovery.

Several weeks later, the same man walked into my office one day, unannounced. At first I did not recognize him, as he was much improved since the day of the attack. I thought he was coming to thank me for the visit. Instead, he told me, weeping again, that he had received a bill of some several hundred shekels from the hospital for the emergency treatment. He showed me the document. I couldn't believe it. Where was he going to get the money, he asked me? I was the one who had promised him it would be paid for by the authorities.

I reiterated my promise to him and phoned the hospital's accounts department to clarify the matter. I quickly discovered that the department had mistakenly sent the bill directly to him and that he owed nothing. His relief was total, and he smiled in gratitude. He finished his coffee and I gave him back the bill, on which I had jotted down the details of my conversation with the hospital. He left and returned home.

My involvement with the NII led me to turn directly to the then Minister for Labor and Social Affairs, Ora Namir. Following one of the meetings of the Knesset's Labor and Social Affairs Committee, which discussed NII regulations and the rights of Jerusalem Arabs, I felt it my duty to contact Namir and propose that new regulations be instituted so that they would also apply to city residents who left Jerusalem for

the West Bank. The minister staunchly opposed the idea. Doing so would look like the territory had been annexed, she said, and that was the end of that.

In mid-1993, when Labor was in power, the Interior Ministry, under Haim Ramon, began carefully examining who was in fact a resident of Jerusalem and who had moved out of the city. The ministry's actions caused a great flurry, especially among those Arabs who had moved away. Palestinian and Israeli groups came out in opposition of the ministry's steps, which they believed would nullify their rights. The measures were in fact another stage of the 'demographic balance' policy announced in 1967. In this case, the balance was 'preserved' by invalidating the status of those who lived outside the city limits for at least seven years. Such actions brought about a period that became known as the 'quiet transfer.'

But, in fact, Israel achieved the opposite results. Hundreds of families that had moved away, fearing they would lose their rights, returned to Jerusalem. Recent years have seen this trend increase. It should be noted, however, that a large number of them return to fictitious addresses so as to satisfy the Israeli requirements, which will grant them all privileges that apply to residents of Jerusalem. I would not be surprised if it emerges that, as a result of the national census, conducted in 1995, the number of Arabs in Jerusalem is much higher than we know it today.

Government policy, which aspired to a thinning out of the Arab population in the city caused the reverse to take place, and brought many Arabs back. Moreover, as well as the Jerusalemites who 'filtered' back in to the city there were many West Bank Arabs, who had otherwise nothing to do with the city or who married Jerusalemites and decided to live there. For many of these, the law suggests that they did not have the right to live in Jerusalem.

The significant increase in the number of residents caused problems of employment and housing. Moreover, the problem of crowded housing conditions, which was very serious because of the demographic balance policy, became even worse with the influx of the 'illegal' residents.

The Israeli authorities began to sense that the influx of West Bank residents to Jerusalem represented a problem that had to be dealt with. The matter was put on the agenda of the Committee for the Security of Jerusalem, headed by then Inspector General of the Police,

Chief Commander David Kraus. No one on the committee was aware of the extent of the problem - whether tens, hundreds or thousands of families were involved, where they lived exactly, and whether they were concentrated in a few neighborhoods or spread throughout East Jerusalem.

The committee's preliminary findings showed that some of the families lived in houses they had built with city-issued permits. It emerged that, in granting building permits, City Hall practice was to ask only for proof of property ownership and not proof that the person building was a Jerusalem resident; in this way, building permits were issued to people whose address was in fact in the West Bank. Since then, City Hall has insisted on residency in Jerusalem as a condition for obtaining such permits. But West Bank Arabs found a way around this, if they very much wanted to build in the city: they granted power of attorney to their relatives or lawyers in Jerusalem.

The committee decided to survey the extent of the problem, and how to overcome it. It hired the services of a research company which, several months later, presented the committee with the names of 200 Arab families, residents of the West Bank, who were living in Jerusalem illegally.

The next stage was to figure out how to get these illegal residents back to the West Bank. The 'project' included finding them suitable housing and jobs there.

The discussions and plans continued over a long time and Commander Kraus's position as Inspector General of the Police came to an end. His successor, Chief Commander Ya'akov Terner, after examining the matter, removed it from the committee's agenda, claiming it was political. His view was that the government had to make a decision in principle on the subject and only then could all the other relevant authorities - the Police, Interior Ministry, Civil Administration, and so on - fulfill their mission.

The government did not make any operative decisions about moving those residents out of the city.

One cannot write a chapter titled, "The Personal Status of East Jerusalem Residents" without referring to the residents of the refugee camp in Shu'fat. This, without a doubt, is a sociopolitical time bomb, which no Israeli government official to date has looked into properly; nor has a clear view on the subject been expressed.

In a later chapter, the problem of water in the camp will be discussed in greater detail, but the time will come when the Israeli authorities will have to finally sit down and seriously deal with the entire set of problems found in Shu'fat camp.

The residents of the camp, most of whom are refugees from 1948, carry food cards supplied by the United Nations Relief and Works Agency (UNRWA). Their status is the same as all Jerusalem residents who became permanent residents of Israel following the War of 1967. But their future, unlike the others, is intertwined with a political solution that pertains to the 1948 refugees.

In other words, although it seems that the problem facing the Israeli government concerns only the West Bank and Gaza, in fact - through Shu'fat refugee camp - there is a direct link to Jerusalem. We must assume that the joint Palestinian-Israeli committee discussing the Palestinian refugees in the peace talks will also discuss these refugees, despite the fact that the camp is situated on Jerusalem's borders, within Israeli territory.

Israel - the government and Jerusalem City Hall - have tried on occasion to find solutions to the refugee camp's problems and because they were well aware of how 'hot' the subject was politically, they focused on the 'humanitarian issues': "We must find a solution to the humanitarian problem of the refugees without harming their political status," or, "We have to find a way to rehabilitate the residents of the camp and find them housing with more tolerable conditions," or, "We must improve the infrastructure of services in the camp so as to improve the residents' living conditions..."

I can recall one time, a year or two before the *Intifada* broke out, when Teddy visited the camp during one of the Moslem festivals. We were in the home of one of the *mukhtars*, with some of the local dignitaries and the heads of important families, when Teddy asked the notables what they would think if it was decided to rehabilitate the camp and improve living conditions there without - he stressed - harming the refugees' political status.

The group was embarrassed and some answers were stammered. Finally, one of them said the matter was political and not for the residents to decide. He said they would not agree to any measures that might in any way threaten their political status as refugees and potentially hurt their rights in the future.



The visit ended. We had had no idea of the enormous sensitivity to the question of even the smallest change to the Palestinian refugees' living conditions.

The day after, one of the lead articles in the Jerusalem daily, *Al-Quds*, stated that the Jerusalem Municipality and the government were planning to alter the political status of the refugees in Shu'fat camp. The article continued with the staunch and uncompromising position of the residents and the camp leaders that they would not allow any change to their status or to the camp conditions without a political solution to the problem in its entirety.

At the end of 1997, it could again be heard that City Hall - with Mayor Olmert at the helm - intended to revamp the refugee camp. The plans included demolishing existing structures and building new apartments, and while the building was underway residents would be moved to temporary housing. The Israeli media portrayed the matter quite optimistically and noted that an agreement at some level had been reached with the Palestinian political leaders. I doubt that. It is my assumption that at this stage there is no agreement, understanding or even communication between Israel and the Palestinians, at any level, regarding physical changes to the camp and the rehabilitation of its residents, even if those changes are humanitarian only.

Discussions on the permanent status of Jerusalem, no matter how difficult, will have to include the status and rights of the residents of Jerusalem. The rights of a Jewish Israeli living in the West Bank are vastly different from those of the Jerusalem Palestinian living alongside. The authorities operate in line with the law; but the law, on occasion, discriminates between residents, between Jew and Arab. This must change.

It is inevitable that the discussions and negotiations between Israel and the Palestinian Authority, particularly regarding the status of Jerusalem residents, will require that Israeli Law be amended so as to grant rights to Palestinians who moved out of Jerusalem to the West Bank.

## The Leaders and the Leadership

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As soon as I assumed my post as Mayor's Advisor on East Jerusalem Affairs (the title of which I changed to Mayor's Advisor on Arab Affairs) in 1984, I realized that there was no real local leadership, in the full sense of the word, in East Jerusalem. This can be explained by the fact that while Jordan had maintained control until 1967, it had not encouraged the emergence of a local leadership or power and even repressed such attempts, fearing they could present a political danger to the central rule in Amman.

Against this background, Israel's main link to the local Arab population was along two primary channels: the official contact with the ruling institutions in the West Bank and Jerusalem, which had inherited the reins from Jordan, and the Mufti of Jerusalem, Sheikh Sa'ad Eddin Al-Alami who held a range of positions, including that of Chairman of the Supreme Moslem Council, Chairman of the Board of Governors of Al-Quds University, and Head of the Shari'a Court, to name a few. He held a place of honor in the Arab and Moslem society the world over. The local ruling institutions with which City Hall had relations included the Moslem *Waqf*, whose main contact was the *Waqf* engineer, Adnan Al-Husseini, later to become the Jerusalem *Waqf* director-general; the East Jerusalem Chamber of Commerce, headed by Faik Barakat; the East Jerusalem Electricity Corporation, then headed by Anwar Nusseibeh; and others.

All these officials, appointed by Jordan as its successors, represented the core of the official institutions and served the local population as such. They did not recognize Israeli rule over Jerusalem and certainly not Israeli sovereignty in East Jerusalem. That is one of the main reasons no Arab was ever permitted to present his candidacy for election to the City Council.

In view of the non-recognition of the government of Israel and its sovereignty over Jerusalem, the heads of the local Jordanian institutions saw Jerusalem City Hall and the municipal system as their only possible pragmatic Israeli interlocutor. The only other real Israeli interlocutor was the Israel Police, which to its public represented the rule of power, law and oppression.

One of the Israeli bodies that tried to establish deeper relations with the religious Moslem establishment in the city, though in vain, was the Ministry of Religious Affairs, which believed that anything religious in the city should fall under its auspices. But any attempt ministry officials made to contact the religious authorities in the east were either ignored or channeled to City Hall.

Relations with Christian leaders in Jerusalem were totally different. They were handled, both at the government and municipal levels, through the Israeli Foreign Ministry and not the Mayor's Advisor on Arab Affairs. These relations were good. The heads of the Christian churches recognized the Jerusalem municipality and its mayor. They never declined invitations to receptions and other gatherings, diplomatic or social, organized by the mayor or the Israeli government. Moslem leaders, on the other hand, were never seen at any such gatherings.

It should be said, to Teddy Kollek's credit, that he insisted on maintaining good relations with the heads of the religious institutions, Moslem and Christian. He was well aware of national and religious sensitivities and he had an incredible diplomatic sense. Even in times of crisis he knew how to navigate situations and prevent things from deteriorating to an intolerable level, and if there was a need to yield in order to achieve something at a later date - or to ensure calm - he was the first to do so. He knew how to show respect to the city's Moslem and Palestinian leaders, and they reciprocated. In informal discussions with him, they expressed their regret that he was not re-elected in 1993, and said they missed the days when Teddy was mayor.

That was the channel of communication with the official East Jerusalem system.

So there was not a real leadership in the east. Israel did not try (even if it had, it would not have succeeded) to encourage, build and develop a local leadership that would represent a stable backbone for the delicate relations between it and the local Arab population.

Incidentally, I feel the need to highlight here recommendations made by various 'experts,' who claimed - and still claim - that we made a mistake by not nurturing a local leadership in East Jerusalem. But leadership cannot be nurtured from outside; it must develop from within a society. The outsiders can cooperate with a blossoming leadership, develop close relations, assist it in its community and so on, but they cannot make it grow.

The second channel of communication with the East Jerusalem Arab population was via the traditional local leadership, the *mukhtars*.

Soon after assuming my post at City Hall, I had the opportunity to meet members of the Arab public and East Jerusalem notables. It was at the farewell party Teddy had organized for my predecessor in the large City Council hall, and many people attended, both Jews and Arabs. Among them were all the neighborhood *mukhtars* from the east - over 55, I was amazed to learn; they served as the main contact between City Hall and local Arabs. I also learned that their appointments were made by the city, as are other selected positions for people who can serve as efficient conduits between the local ruling administration and the public, though they were not necessarily accepted as community leaders. In fact, the *mukhtars* were representatives of their own extended families.

In the neighborhoods that were made up of more than one *hamula* (clans), or a *hamula* that had split over the years into more than one, there was a need to appoint more than one *mukhtar*, hence their large number. In Beit Safafa, for example, there were four, three of whom served the part of the village that was under Jordanian rule until 1967 and one the part that was under Israeli rule. In Jebel Mukabbar and Arab As-Sawahra there were eight, each one representing his own clan.

It reminded me of something I had learned while at the Hebrew University of Jerusalem, studying the history of Islamic states. During Ottoman rule in the Middle East, the *mukhtars* were powerful and influential. A comparison between the 'classic' *mukhtar* and his Jerusalem counterpart of the 1970-80s made the latter look quite absurd. The post-1967 Jerusalem *mukhtar*, whether he was appointed by the previous Jordanian administration or Jerusalem City Hall, had almost no authority - other than a rubber stamp. But with that rubber stamp he could work wonders: assist in obtaining building permits, wedding or divorce certificates, and much more. These came at a high price,

however. I spoke to the *mukhtars*, discretely, on countless occasions about the sums they were charging for their 'services,' but they all denied the phenomenon and swore 'on the Prophet' that they worked voluntarily and with no charge. The *mukhtar*, they all stressed - without exception - fulfills his duty to the public. At that party in City Hall I was amazed to see so many *mukhtars*. I quickly realized that he did not represent the neighborhood but only his own extended family, the *hamula*.

It was the clan that initiated the request to City Hall to appoint a *mukhtar*, following the death or resignation of the incumbent. In the request, known as the *mathbata*, the clan heads would sing the praises of the candidate and ask the mayor to appoint him officially. The newly appointed *mukhtar*, after being congratulated by the heads of the security services, would then hold a large party, a *hafla*. A similar procedure then went on with the Jordanian authorities. Thus, the new local *mukhtar* would have the green light to operate both for Israel and Jordan.

The *mukhtar* represented a good and simple solution to the forging of ties between the city and East Jerusalem's Arab population, and he filled roles that did not necessarily fit his job description. Example: when the head of a foreign state visited Israel, as a visitor of the government, it was customary for the president and the mayor to meet him at the entrance of Jerusalem and present him with bread and salt. The entourage would include city notables - chief rabbis and Church leaders. Moslem spiritual leaders were also supposed to join this group, but as they did not recognize Israeli authority they did not cooperate in these exercises. The *mukhtar* would fill in. I was often asked to prepare for the arrival of several *mukhtars* at such receptions.

When I joined City Hall in 1984 I discovered a world I had never known before. I was surprised to learn, for example, that except for the central business district in East Jerusalem, mail was delivered by the *mukhtars*. The Postal Authority found that this was an apt solution to a logistical problem: many of the streets have no names, houses have no numbers, and the names of many residents are extremely similar, making mail distribution an almost-impossible task for an outsider.

The *mukhtar* would come to the central post office in Salah Eddin Street, pick up the letters and parcels for his neighborhood and take responsibility for delivering them. It is perhaps not surprising that many items of mail, especially bills, did not reach their destination: in

this voluntary capacity, the *mukhtar* did not receive any remuneration for this service, except for transportation costs from his home to the city center.

I decided to make some changes to this system. After extensive talks with the Postal Authority mailmen were appointed, even to the village-like quarters of East Jerusalem.

For Israel, the *mukhtar* was never a valuable interlocutor, neither politically nor at any other pragmatic level. But the fact that the *mukhtars* had no replacement in their communities gave the impression that the Israeli establishment could not manage without their services and involvement.

They demonstrated their power to this effect soon after the *Intifada* broke out in late-1987. Sur Baher, in the south of the city, was one of the 'hot spots' at the time and border police were having a hard time suppressing the disturbances.

One day, the three Sur Baher *mukhtars* burst into my office and angrily submitted their resignations. When I suggested we find a compromise, they told me how the night before, during serious disturbances, border police decided on a 'solution'. They ordered the *mukhtars* to get in their jeep and, through loudspeakers, order the local youths to stop the violence. The *mukhtars* refused to do so, claiming that was not the role of the *mukhtar*. Within the four walls of my office they spoke frankly, saying they had no control of the situation and submitting to the orders of the border police would most certainly have cost them their lives. I tried to get them to retract their resignations, but to no avail. I thought about the residents of Sur Baher, who would now have to do without the services of the *mukhtars*.

Over the following months, I did not hear one complaint about the absence of these services. Then one day, I got word from the *mukhtars*, albeit indirectly, that they would reconsider returning to their positions, if they were to receive a request to that effect, in writing, from City Hall. I turned down this illogical proposal and suggested that the City would consider the matter if the *mukhtars* themselves would show the initiative. My reasoning was that if someone had announced his resignation in writing, it was up to him to retract it in writing. They of course refused, and to the best of my knowledge there are still no *mukhtars* in Sur Baher.

The *mukhtar* system was not successful, but to tell the truth there was no alternative. In East Jerusalem there was no leadership that served as an appropriate address for a dialogue on municipal-related matters. More precisely, the political leadership aligned with the Palestine Liberation Organization (PLO) and its various factions, which had emerged in East Jerusalem before 1967 and soared in the years that followed, was rejected by Israel at the municipal level and most certainly at the government level. There were representatives of unions - doctors and engineers, and so on - and political representatives of PLO factions who managed to get a leg into existing Israeli bodies, such as the East Jerusalem Chamber of Commerce, and their activities were political. Other Palestinian individuals and groups - Orient House and Faisal Husseini, for example - were far from being considered potential partners for dialogue at the time, especially not openly. These national-Palestinian elements got their encouragement and public support during and after the *Intifada* years. That period marked the emergence of the new Palestinian leadership, which pushed the previous traditional leadership aside.

Parallel with the traditional leadership and the national-Palestinian leadership, there was a small group of professionals and business people City Hall considered as part of the pro-Jordanian stream. But they had no political clout, not even in recent years, over what went on in East Jerusalem.

This group of about 30-40 people was not afraid of holding open discussions with City officials. But because it was not recognized as representing the public, nor did it request such status, the dialogue had no political impact.

The mayor was totally at ease hosting this group and being hosted by it. There was always a very sociable air at the meetings and they provided a chance for Teddy and his aides to hold open discussions with East Jerusalem residents. But they did not represent the social atmosphere, because this group in fact had little contact with the general public and expressed primarily its own thoughts and aspirations regarding the future of the city.

Occasional visits to the city by Professor Bernard Lewis, a Middle East expert and a personal friend of Teddy, provided opportunities for such get-togethers. Professor Lewis had numerous friends in East Jerusalem, including some members of this group. The list of Jewish and Arab guests who would be invited to these get-togethers barely changed over the years... nor did Professor Lewis's analysis of the

situation. Of the theories he expounded there was one that was particularly favored by the guests - his 'carrot and stick' policy.

"You Israelis have a strange policy," he would say. "You have a rather thick stick... but no carrot at the end of it."

The meetings more or less fizzled out after Kollek left office, and the members of the group did not have much reason to meet with him anymore.

About two years after he retired, Teddy called for another meeting - again during a visit to the country by Lewis. Unlike those of previous years, this meeting was long and tedious. Teddy realized they no longer had a point, at least not in the familiar format.

Before I get into the social upheaval brought about by the *Intifada* in East Jerusalem, the City's efforts in including Arab neighborhoods into the 'neighborhood administration' project should be mentioned. The City Council rejected a proposal to set up boroughs in the city, so Kollek, with the advice of experts, began pushing another idea - the 'neighborhood administration' project. The concept was that municipal services could be improved if operative decisions regarding neighborhoods were made together with local representatives (an administration) and not by professionals at City Hall alone. The residents would have to elect a local committee, democratically, and that committee would then inform the City about neighborhood priorities and needs pertaining to physical development and social and cultural spheres. The idea was being implemented in several Jewish neighborhoods and there was a willingness and interest, especially by Mayor Kollek, to try it in the east as well.

There was the belief that, if and when the time came, such neighborhood committees - which, on the one hand, manage local interests autonomously and, on the other, are closely linked with Israel - could help provide a political solution to the question of Jerusalem.

The first neighborhood selected for trial was Beit Safafa, two-thirds of which had been under Jordanian rule prior to 1967. After a brief discussion with the local *mukhtars*, and following heavy pressure from the *mukhtars* in the parts that were previously Jordanian, the proposal was rejected. The *mukhtars* saw it as a political move that would highlight their cooperation with Israel, and they were not interested in that.



At-Tur was the next choice. Prior to 1967 it had been outside Jerusalem's boundaries and run by a village council, headed by Mohammed Abu Al-Hul. Like other villages, when Israel moved into East Jerusalem, unified the city and expanded the borders, its council was dissolved.

This time City Hall did not directly suggest that a neighborhood committee be set up but rather proposed to local leaders that they and the City jointly build a local central sewage system. The City's role in this 'joint project' was to fund the planning and building of the system, supply raw materials and supervise the contractor, who would be chosen locally. The cost of labor was way beyond the means of the residents so local leaders requested that the City allow them to raise funds abroad. City Hall was well aware that this meant money from the coffers of the PLO and Jordan but decided to ignore the source of the cash in this particular case. At-Tur leaders were told that the City would not probe the source of the funds but they must be used for the specific purpose of building the sewage system.

The project took several years, and the result was an excellent sewage system. On the basis of this success, City Hall proposed to local leaders that a neighborhood committee be set up to promote other similar projects. Such a committee could also advance other local social needs. But leaders were scared - scared that behind this innocent offer there was a political motive that would eventually compel the residents to recognize Jerusalem's unification. After some time, the local leaders requested permission to go to Jordan to discuss the matter with the PLO and get its approval for the plan.

Armed with an official letter from City Hall - which stressed that the purpose of such a committee was solely to serve local residents and their needs, and to improve municipal services - a small delegation headed for Jordan, and returned soon after with the go-ahead from the PLO.

With this success in hand, the City approached Beit Hanina, which also joined the 'neighborhood administration' project, and works that were undertaken were welcomed by the local residents.

During the *Intifada* there was another attempt to include Beit Safafa in the neighborhood administration project - this time the *mukhtars* agreed.

But despite the fact that the neighborhood administration project was showing signs of success, things were not all rosy. Not all residents - especially those who were in any way involved in internal Palestinian politics - approved the open cooperation with Jerusalem City Hall on such a day-to-day level, even if it served the interests of the local Arab community.

The neighborhood administration was torn in two directions - between the City and its role in serving its own local community. When the *Intifada* broke out and strike days were declared, the administration had no choice but to uphold the strike order. City Hall, the professional supervisor of the administrations throughout Jerusalem, tried to understand and accept the conduct of those in East Jerusalem - even in Beit Hanina, where the administration head decided to don his desk with the flags of both Israel and the PLO. (Some municipal officials refused to enter his office for that reason.)

The City overshot the aim of the neighborhood administration project in one main area - budget. Community leaders running the project maintained constant contact with City officials and had to prove to the residents that this contact was for their good. It was difficult and sometimes impossible to prove that when funds were chronically short. Arab neighborhoods in the project received far less funds than did their counterparts in the west of the city. And funds, of course, spell progress. Without signs of progress it was hard to prove viability to residents. Moreover, sometimes the question of authority among those in charge of the project was raised - in which spheres could it operate freely, without the need for City approval? I will discuss this matter in greater detail at a later stage.

While these issues were argued, the *Intifada* changed everything.

The *mukhtars* went 'underground' and nothing was heard of them. They came to City Hall on only a very few, exceptional occasions, usually when they had some urgent personal problems. In such instances they would use their 'free pass' into City Hall and the Office of the Mayor's Advisor, spill out their troubles and complaints, and expect swift - and elegant - solutions. If there was doubt about the *mukhtar's* ability to represent his community prior to the *Intifada*, his status diminished even further during and after it. A new leadership was showing signs of sprouting and filling the social vacuum.

During the *Intifada* years, to the best of my knowledge there was just one attempt to appoint a *mukhtar*. That was in the Silwan Quarter. A

number of *mukhtars* and other notables came to my office one day with a petition to appoint a new *mukhtar*, in place of one who had died. My stance was that no new ones should be appointed, especially not during the *Intifada*, since they had proved their inefficiency and powerlessness. But after pressure from the delegation, residents and members of the candidate's clan, I agreed to recommend the appointment to the mayor. Teddy signed the appointment and invited the new *mukhtar* to his office. He never showed up. He had gone abroad without bothering to tell us that he could not keep his appointment ...

One of the most important social consequences of the *Intifada* was the emergence of the new leadership, which was young and dynamic and possessed initiative and a clear political identity. This leadership, even if it first sprouted in the pre-*Intifada* days, did not have any impact at that time; Israeli security services were very efficient and intelligence information was much easier to obtain. Once the uprising got going, the control of the security forces was weakened, particularly in the field, and the new leadership had much greater freedom of operation.

This leadership organized itself in small neighborhood cells and began operating as neighborhood committees. Suddenly, there were scores of such committees - in Issawiya, Nazlat Abu Sawi in Ras Al-Amud, Kufr Aqab in the city's north, the neighborhoods of Konbar and Bashir in Arab As-Sawahra, and elsewhere. The new leaders were identified with different nationalist Palestinian factions, some PLO-aligned and some from other streams, such as Hamas. There is no doubt these committees were given the green light not only for their various political activities but also in order to approach the City for cooperative projects related to municipal services.

Interestingly, in the quarters involved in the neighborhood administration project - At-Tur, Beit Hanina and Beit Safafa - there was not the same new activity, even though City Hall had set up the committees and supported them financially. One would have assumed that especially in these neighborhoods the PLO would have wanted to make its mark and replace the old leadership with the new, but this did not happen.

It should also be noted that the role of the *mukhtar* - if it existed at all - was peripheral in the establishment of the new leadership.

No one could argue that municipal services, which had been lacking through the years (to say the least), did not deteriorate even further during the *Intifada*. City workers were not always able to enter Arab neighborhoods. When local youths started smashing street lights, City workers would keep coming in to change them until there was an operative decision not to fix street lights in East Jerusalem at all. To the best of my knowledge, this decision has not been reversed to date.

In another incident, a main water pipe was deliberately damaged in Abu Tor. Water department workers who came to fix it were stoned by local youths. City Hall had no other choice but to stop the supply of water to the quarter until clan leaders could ensure that the work could be carried out without trouble, which it was.

Even trash could not be removed without problems in East Jerusalem. Youths would block the roads with the large city trash carts and interfere with the flow of traffic, including public transport. In some cases, City Hall decided to remove the garbage carts, and then trash would pile up with no one to remove it. There were also instances in which city garbage trucks were stoned, and then City Hall would stop garbage collection on those roads.

The City worked on the premise that services should be continued despite the disturbances and the uprising itself. It was decided that it was not for City Hall to intervene in political matters but just to do the job it was supposed to do - supply municipal services. At the same time, no compromises were to be made regarding the safety of municipal workers or property, even if it meant temporarily halting services.

It was in this situation that the new local committees began operating. Through the Mayor's Advisor, they requested cooperation with City Hall in order to improve the deteriorating services. I was naturally very keen to find a partner for this purpose in the Arab neighborhoods. During the *Intifada* I had become increasingly fed up with the *mukhtars'* role, which had not even been satisfactory in the years before. Ties between the city and the new committees became stronger all the time, and I thought it appropriate that they should be extended to social, educational and cultural spheres, as well as youth and sports. In order to 'institutionalize' the committees, I suggested that they open offices in the neighborhoods. City Hall agreed to pay the rent and phone bills and provide some office furniture. I believed that with a small administrative and development budget the committees

would be able to convince the residents that cooperation with the City could have positive results.

City Hall knew that each neighborhood committee had its own political 'patron' who would have to approve every cooperative project with the municipality. We did not look into who the 'patron' was. In some cases we knew it was the PLO's center faction, Fatah, in other cases Hamas, and in others the various factions that rejected the idea of any cooperation with Israel. The committee's political alignment was not of primary concern if the committee was willing to cooperate with City Hall to improve local services.

Sad to say, the City failed in this area, too. It lost a golden opportunity to make a mark on some of the neighborhoods in Arab East Jerusalem through these new, young, energetic committees. Mayor Kollek wholly supported the new leadership. We viewed the establishment of the committees as an extension of the neighborhood administration project. Teddy wanted to encourage them and, at the same time, asked that they make efforts to advocate similar developments in neighborhoods where such an initiative did not yet exist.

But Teddy was unable to budge the municipal systems and advance cooperation with the new committees, including the allocation of appropriate funds, which might have proven to residents that it was worthwhile for the committees to work with the City. The City did not even manage to cover the expenses pertaining to rent and phones for the committees in the offices we had approved. Furthermore, each committee had a part-time clerk working in the office who required payment. Despite the mayor's 'directives' the funds - the oxygen - was not found to breathe life into these new bodies.

City Hall had proven once again that there was no clear policy regarding East Jerusalem. No discussion really examined the phenomenon that was taking place before our very eyes. The only conclusion that could be reached was that there had been no change in how the city related to the east, even following the *Intifada*-induced traumas.

At one stage, I thought it would be useful to arrange meetings between the neighborhood committee leaders and city department heads, to create a link between those giving the service and those receiving it and thus forge a working relationship between the two sides. The meetings did take place, but the department heads were unwilling to alter their work patterns in any way or to let go of the Mayor's Advisor on Arab Affairs as an intermediary between them and

the neighborhood committees. This meant the chance was lost: instead of strengthening the committees and enabling their members to prove their ability at the local level, we discouraged them.

One of the most blatant instances of City helplessness was the attempt to set up a sports field in Issawiya, one of the 'hard-core' neighborhoods during the *Intifada*. In 1992, a local committee was established. There could not have been a better opportunity to renew the dialogue with local leaders that had been cut off with the outbreak of the uprising.

In the committee's early days, its members asked City Hall for budgetary assistance to renovate its old sports field. The local sports groups included members of the Shabiba (Fatah youth), some of whom took active roles in the *Intifada*. I believed it was essential to find the money for them. A sports field and football games were a thousand times better than throwing stones and molotov cocktails. But as I thought there was no way City Hall would approve it, I went to Teddy. It was around the time of his 80<sup>th</sup> birthday, and he had received considerable contributions for the occasion. He decided to allocate the necessary funds for the Issawiya sports field - NIS 240,000 (about \$80,000). It was finally approved in late 1992 and I had the chance to pass on the good news to the local committee. Some months later I found out that the field had not yet been renovated, so I went to the head of the engineering services department, to which the money had been transferred. He told me, unabashedly, that the money had been redirected and that there was no longer a budget for the sports field renovation. Time passed; elections were held. Olmert became mayor. I approached him on the subject. He understood the problem and said promises should be kept. He asked me to write him a memo on the subject, which I did. Issawiya is still waiting for the budget to renovate its sports field. Promises should be kept, the mayor said. But at City Hall they have forgotten what a 'word of honor' is.

Still, there is perhaps one ray of light in this murky picture: the local committee in Issawiya is extremely active. Despite its poor financial situation and the little funds it gets from the City, the committee members have not given up and promote various activities and projects, such as a sewage network that could not possibly have been built without the enthusiasm of the residents.

In social areas, we managed to get the City Welfare Department and the Jerusalem Foundation to establish a unique and innovative kindergarten in the quarter, in which the mothers are actively involved.

Parallel with local committee activities, the neighborhood administration project continued to operate, although the *Intifada* made it harder for the administration to get things done as some residents considered it a city agent. The budget issue became more and more dominant and committee members and residents began to ask, "What's the point?" Aside from the budget issue, it was essential to examine the subject of the neighborhood administration's authority.

Over the years, I claimed that just as there were differences on many subjects between the east and west of the city, it was not necessary to create neighborhood administrations in the east that were identical to their counterparts in the west. This was particularly true because East Jerusalem was going through a social-economic-political trauma in the wake of the *Intifada*.

I was referring both to the supply of services to East Jerusalem and the granting of authority to the neighborhood administrations. I had often presented the issue to Teddy and I raised it with him again prior to the 1993 elections, noting that increasing the administrations' authority could convince the PLO and its leader, Yasser Arafat, to encourage Jerusalem Palestinians to vote on election day, thereby boosting Teddy's chances for re-election.

The mayor saw this as both a pragmatic and a political step. He called in an influential Palestinian businessman to discuss the matter, someone close to Arafat who could deliver a message to the chairman. It was agreed at the meeting that Teddy would write to Arafat, using the man as an intermediary. The letter was to be delivered to the man at the meeting and not directly to Arafat. It said:

*Dear Abu ...,*

*When we met several days ago, you asked me if there was a chance of setting up additional neighborhood administrations in Arab quarters. Over the years I have supported increasing their number on condition, of course, that it was the residents who believed such cooperation with City Hall would be advantageous in improving municipal services.*

*We are still offering the same conditions to any new administration established in defined geographic areas as those applying to existing administrations.*

*There is a body in Jerusalem that serves as an umbrella for all the neighborhood administrations, Jewish and Arab alike, and there is no doubt that this body helps us greatly in assisting the residents. If, in addition, the Arab neighborhood administrations meet to discuss the subjects unique to those neighborhoods and communities, we will not oppose such a move - indeed, we shall welcome the initiative because it will help us to improve municipal services to residents.*

*I wish you every success and look forward to our continued cooperation.*

*Yours sincerely,*

*Teddy Kollek*

The letter indicates that Kollek had no objection to the establishment of an administrative body that would oversee all the Arab neighborhood administrations.

The envoy left, with the letter in his hand. When he returned he said we were to meet with Arafat, that the response was positive. The chairman was looking into the matter and would most likely give the green light for Jerusalem's Arabs to take part in the elections. At worst, he would not oppose their voting even if he decided not to encourage it.

The facts speak for themselves. The elections were held and Palestinian turnout was almost nil. Teddy lost the city reins to Ehud Olmert.

The end of the Kollek era at Jerusalem City Hall also marked the end of the neighborhood administrations.

The new City administration wanted to concentrate on the matters that pertained to the Arab neighborhoods. The official line was that in this way municipal services could be improved to that sector. But, in fact, it was a way of imposing close, 'efficient' supervision over anything done there. The Mayor's Advisor on Arab Affairs became the mayor's political advisor on East Jerusalem. It was the advisor's role,



even if he did not know the Arab sector well and did not speak Arabic, to deal with all municipal matters in those neighborhoods.

The committees began to sink. They stopped operating in the way that had typified them previously.

Eventually, we heard that the decision to reduce their status and profile had been made by Mayor Olmert himself because, he claimed, they had been set up by Kollek, to assist his election campaign. That is of course completely untrue - as the committees sprouted from within the neighborhoods, partly as a result of the *Intifada* and certainly with no City involvement. City Hall wanted to exploit the committees so as to improve municipal (and maybe political) involvement and improve local services to Arab neighborhoods. The Mayor's Advisor on East Jerusalem was supposed to respond to this. Unfortunately, he did not.

It is a great shame that we lost this golden opportunity to forge these aspects of unifying the city.

## Services to the Residents and the Municipal Budget

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**O**n 15 October 1997, the Jerusalem weekly *Kol Ha'ir* ran an article headlined: "Government ministries ordered to implement plan to retake control of East Jerusalem." The sub-headline stated: "The plan calls for the Justice Ministry to look into [local] lawyers, the Environment Ministry to check air pollution, the Health Ministry to set up an institution for the mentally handicapped, etc."

The article, by local reporter Gidi Weitz, expounded on the matter.

"The ministries recently received the order to again take control of East Jerusalem and strengthen Israeli sovereignty. The ministries can thus be expected to start dealing with issues in the city's east including some which have never been addressed and others, which have not been dealt with since the outbreak of the *Intifada*... So as to overcome city workers' fear of going to East Jerusalem - the main hurdle in implementing the plan - Avigdor Kahalani [Minister of Internal Security - A.C.] has ordered a police escort on such visits. Within the framework of the plan, the Justice Ministry will examine all lawyers working in East Jerusalem and supervise local accountants... The Infrastructures Ministry will survey the Electric Company there...

The Environment Ministry will conduct air and noise pollution tests and identify any dangerous substances in work places and schools... The Health Ministry is to prepare a comprehensive plan for health services... The Education Ministry will increase the number of its school supervisors and inspect curricula ... The Transport Ministry will deal with taxis and road safety... Security officials believe the Palestinian Authority (PA) will

oppose the increased government involvement in East Jerusalem and will attempt to thwart the plan.”

The article, which appeared in the year Israel was celebrating, with grand festivities, the 30<sup>th</sup> anniversary of Jerusalem's unification, begs the following question: Israel has claimed sovereignty over East Jerusalem since 1967; is it really only now, 30 years on, that the Israeli government is implementing *full* sovereignty over the eastern side of the city?

It is no secret that City Hall and the Israeli government both failed in their objective of unifying the city where public services to the Arab population are concerned. No one, not even a foreigner, could fail to detect the differences at all levels between the east and the west.

One of the central problems Jerusalem City Hall had to deal with immediately after the War of 1967 - and it is still in a quandary over the matter - was the expansion of the territory under municipal jurisdiction.

Right after that war, City Hall found itself trying to deal with a problem that had no precedent. Extending the city's boundaries meant that a large number of new neighborhoods were brought into its domain and area of responsibility - places that had previously been agricultural villages, and they were considered differently from East Jerusalem while under Jordanian rule. Dealing with these new neighborhoods, which were in fact agricultural or semi-agricultural villages, caused City Hall untold technical and physical difficulties regarding the supply of appropriate services. The structure of the municipality and the tools at its disposal were simply not suited to the purpose.

The biggest dilemma was how to treat the Arab neighborhoods. The difficult birth pangs that began immediately after the War of 1967 did not yield the desired fruit and the continued failure to overcome the problem can still be seen.

It seems that aside from the technical difficulties in supplying essential services to East Jerusalem, there was no real desire to overcome the tough urban problems, not regarding the allocation of resources and not even at the level of demonstrating concern. In the political echelons, both municipal and governmental, there was a clear policy that was meant to show local residents and the whole world that the city was united, that its residents were equal in the eye of the law, without discrimination, and that they enjoyed equivalent municipal services. But the neighborhoods in which the decision-makers lived did not

drop to the level found in other quarters and a situation was created in which the concept of a 'unified city' represented for the residents of the east an empty cliché, far from their reality.

#### SANITATION AND GARBAGE COLLECTION

Not long after accepting my post, I received a number of complaints about the level of municipal services in Um Tuba, the city's southernmost quarter; the complaints focused on sanitation and garbage collection. I went to visit Um Tuba with the head of the sanitation department. When we got there he kept asking me if it was indeed within Jerusalem's jurisdiction and not the West Bank. He was 'stunned' to find that no city sanitation services were provided at all, not even street-cleaning. Um Tuba simply did not appear in the department's work plan. But the visit did not change the department's attitude to the quarter very much: that was in 1984 - 17 years after the historic 'unification'... Today, in 1998, sanitation services in Um Tuba are far from satisfactory and still do not come close to those enjoyed in West Jerusalem.

The name of the game is most certainly 'budget', and perhaps 'good-will' as well. Terms like 'equal treatment', 'comparison of services' (between Jewish and Arab neighborhoods), 'just distribution of city funds', etc., all became 'clichéd' after being overused by City leaders without resulting in any positive change.

The laconic responses residents would get to their justified complaints became absurd after a time: "There is no budget," or "Discussion on the matter has been postponed and it will be budgeted for next year..."

From the word go, I set a rule for myself, as a matter of policy, that I would meet, discuss with and listen to residents at every opportunity and on any matter troubling them that pertained to the citizen *vis-à-vis* the authority, be it at the municipal or governmental level. I was therefore delighted to receive an invitation to take part in a Kol Israel radio program in Arabic, presented by Yitzhak Ben-Ovadia, better known by his radio name Zaki Al-Mukhtar. The program was a forum for listeners' complaints and questions in any field that concerned relations between the resident and the governing authority.

I became a regular visitor to the program. Although it fulfilled the policy I had set for myself, I realized I was filling in for the people who should be answering - city leaders and department heads. Most questions referred to garbage disposal, poor sewage facilities and bad

roads (or no roads). Worst of all, I found myself feeding listeners' false hopes, making promises I knew would not be kept, speaking in the name of those responsible without the authority to do so. After some time, I decided I had to stop my radio appearances.

During the 1993 election campaign, the City director-general declared that this time he would not 'go down' to the Arab streets to convince voters to turn out *en masse* on election day and vote for Teddy. He said he could no longer deceive them in the way he had in every election campaign since 1967.

It was, in fact, regular practice: members of the One Jerusalem faction would hold election gatherings and brag about how the faction would have a positive impact on the lives of the residents if they would vote for Teddy as mayor again. Between elections, the residents, even if most of them did not vote, for political reasons, would express their anger and bitterness about the politicians' promises that were never kept.

The professional heads of departments in the physical and social services did not cease to complain about the lack of funds. In preparing the lists of priorities before the annual budget talks, many department heads tried to use the Office of the Advisor on Arab Affairs to get extra funds to deal with Arab issues. We want to help the Arab sector, they would say, but we don't have the appropriate budget. This lobbying became systematic in many cases, but did not have the anticipated results. The department heads made the Arab sector secondary in their priorities almost as a matter of course. When the city administration 'forced' a department head to change his priorities in favor of the Arab population, inevitably an argument ensued, which would always end in additional funds being channeled to specific urgent problems - or to the following year's budget talks.

Over the years, I realized that there had to be a conceptual change to the municipal structure, particularly regarding those departments that supplied physical services. The change had to reflect the reality, otherwise the City would not be able to supply the proper services. In other words, it was not only the budget that was disrupting the supply of services to residents. There were other factors as well.

It was my view that, just as there was a separation between the social departments dealing with education, culture, social work, youth and sports for the Jewish and Arab sectors, the same idea could apply to physical services. Separating units within the departments could make

things more efficient, in general, and in this way services could be adapted to the needs of the population in question. I realized that the supply of municipal services in East Jerusalem, physical as well as social, had to be tailored to the needs and culture of the community in question and its traditions.

Example: When I asked why the residential neighborhoods built on the terraces of Silwan, Ras Al-Amud, Wadi Qaddoum and others did not receive efficient sanitary services, I was told that the topography did not allow municipal vehicles to enter them. And when I asked why City Hall did not procure appropriate vehicles for the topography - small vehicles, tractors, etc. - I got that same old response - the budget. It should be noted that in the Old City, for example, the municipality could not remain indifferent to the problem of garbage disposal, and used donkeys to get around the narrow alleyways.

My realization that radical structural changes to the municipal departments were required in order to improve things was the result of my day-to-day work and countless conversations with residents due to the serious problems in the Arab sector. I will discuss two such instances in further detail here.

The winter of 1991 was particularly harsh and many parts of Jerusalem suffered from flooding. Arab quarters suffered worst of all. The reasons included the hilly topography of East Jerusalem, the lack of proper drainage and the poor quality of building, especially in the case of structures built without permits. Even the old people could not recall such a hard winter.

One night I was called about serious flooding in Silwan. The drainage and sewage line that traverses the neighborhood burst, causing serious flooding in the direction of the homes in the *wadi*. In one house, the inhabitants were trapped and drowning. One family member dug a hole in a wall to let water out. Clearly, this was a problem that required immediate action. I called the workers on the sewage roster who were supposed to respond to such calls day or night. They refused to come, using the security situation as their excuse. I got the Border Police to agree to send them police escorts. But they still refused, and said they would deal with the problem the following day. A day or two later I bumped into one of the sanitation workers, an Arab from Silwan, and he said he would have come straight away if he had known.

The second incident, possibly even more serious, strengthened my belief that City Hall was not built to supply constant stable and efficient services to the Arab sector.

But first some background is required.

#### WATER SUPPLY

The Shu'fat refugee camp, located near Anata, is the only Palestinian refugee camp inside Israeli borders. It was set up by UNRWA in 1965, after Jordan decided to evacuate the 1948 refugees who were housed in the Jewish Quarter of the Old City.

In 1967, several days after the war, an agreement was signed between the Israeli government and UNRWA through the Israeli Ambassador to the UN, Michael Comay, and UNRWA Commissioner General Dr. Lawrence Michelmore. The agreement refers to the relations between the international agency and the Israeli government regarding the refugee camps in the West Bank and Gaza, including the camp in Shu'fat even though it is situated inside Israel proper. The agreement thus gives this camp a unique status. The territory on which it is situated is defined by Israel as Israeli but the refugee camp has extra-territorial status, meaning that the Israeli government and the Jerusalem Municipality have no control over what is done there, including in the areas of services and municipal taxes.

The agreement states that Israel will, at its own expense, supply water to the refugee camps at public water points only. This privilege applied to the refugee camp in Shu'fat as well, although for years it was hooked up, with UNRWA's help, to the municipal water network without the knowledge of City Hall. This did not bother the municipality as long as the monthly water bill was paid... by the Civil Administration in the West Bank.

Time passed and the *Intifada* broke out. The Civil Administration began to feel economically pinched and its income fell because of the growing recession and the dwindling number of tax-payers. It started to assess where it could cut corners, so as to uphold the obligations it had to the local population. One of the first 'victims' was the camp in Shu'fat, which after all was inside Israel; moreover, the administration discovered that the camp was linked to the city water supply, which meant that City Hall should be charging the residents directly for water use. In view of this discovery, the head of the Civil Administration

informed the City that as of January 1989 he would cease paying the camp's water bills.

City Hall tried to find ways to hold negotiations with the camp residents so as to reach an agreement on water payments. Meetings were held with UNRWA heads and local *mukhtars*; ads were placed by City Hall in the local Arabic papers, and flyers were distributed in the camp. Consultations were held with ministers, including Ehud Olmert, who at the time had the Arab Affairs portfolio, and Foreign Ministry officials. But no solution was found. The residents claimed that in such a difficult period, with economic pressure growing because of the *Intifada*, it was bad timing to start charging them for water use. Moreover, they had been exempt from water charges since the camp's inception more than 20 years earlier, so why should they have to start paying now?

The Foreign Ministry took a passive stance and refused to raise the matter with UNRWA headquarters in Vienna, Austria. Ministry officials spoke plainly: the ministry would not object if the camp was cut off from the city water supply, on condition that such a development would not cause problems for the government in the international arena.

Eventually, with no other choice at hand, City Hall turned off the camp's water supply... but the residents reconnected themselves. The water department cut out part of the pipeline, but the camp residents overcame this problem, too. Finally, the department took out the entire part of the pipeline that led to the camp and UNRWA began filling the water reservoir inside the camp ... with water brought from city-supplied sources.

A ministerial meeting was held at Olmert's office to which Mayor Kollek was invited. Then Interior Minister Arye Der'i was shocked to hear that the refugees' water supply had been cut off and ordered City Hall to reconnect them. When Teddy asked who would pay, Der'i responded, "Turn the water back on and we'll discuss payment later." City Hall did not respond to the minister's order. Water supply was not renewed and the ministry never discussed covering the deficit caused by the free supply of water to the camp refugees' homes.

The final outcome of the story is not clear. City Hall 'does not know' where the camp gets its water, but the residents have a constant supply.



### *MAINTENANCE AND PUBLIC PARKS*

Arab neighborhoods were also neglected when it came to subjects like maintenance and the building of public parks.

Mayor Kollek had excellent relations with the government of Holland, and he succeeded in getting an annual contribution of tulips from there. He asked those responsible for the city gardens to ensure that tulip bulbs were also planted in East Jerusalem. But his requests went unheeded. Tulips have never been seen in public areas in the city's east. City gardening officials claimed that flowers were picked from public gardens in the east, and that was why they would not put tulips there, but no one ever bothered to look into that claim or right the situation.

I decided it was time to raise my proposal to change the structure of city departments. Teddy agreed to put it on the agenda and called a meeting. Prior to the meeting, I gave the City director-general a working paper on the subject, and he distributed it to the department heads.

My proposal was rejected. The heads of the departments supplying physical services - water, sewage, gardens, roads, etc. - claimed they saw no reason to split the departments to cover both sides of the city. Some of them attacked the proposal, claiming that services provided in East Jerusalem were absolutely satisfactory. The real problem, they maintained, was a chronic lack of funds; there was no deliberate neglect of any sector. I disagreed. The department heads would not allow their work patterns to be altered and 'autonomous' units to be set up in the east. This would have forced them to allocate greater funds to the Arab neighborhoods, which, in turn, would mean lowering the level of service to quarters in the west, which they refused outright. The 'politicians' among them said that my proposal would split the city in two, while everyone else was making the effort to demonstrate that Jerusalem was a united city.

### *THE MUNICIPAL BUDGET AND ITS DISTRIBUTION*

A brief word on the City budget is pertinent here. City Hall's budget is split into two:

1. *The regular budget* - which is made up of various taxes, levies and fines paid by residents. This budget is aimed at day-to-day municipal activities, such as street-cleaning, refuse disposal, road and sidewalk maintenance, upkeep of public gardens and salaries for City workers.

2. *The exceptional budget* - which comes from external sources such as ministries, foundations, contributions, sales of municipal properties, etc. Project development, infrastructure and construction come under this budget.

And now for a little 'secret': The government, recognizing the need to allocate special funds to Jerusalem City Hall so as to bridge the gaps between the level of services provided in the west and the east, transfers special funds for this purpose to City coffers each year. This budget, code-named the 'special development budget', was redirected to other projects which, while important, did not serve the specified purpose at all.

For example, in 1994 the government transferred over NIS 30 million (some \$10 million) - about 6.6 percent of City Hall's development budget for that year. In the 1994 budget report, the development budget (part of the exceptional budget) is outlined as follows:

- "In 1993 several municipal projects were concluded, e.g.,
- The construction of the City Hall complex, including the move of workers into their new offices;
  - The construction of the "Teddy" football stadium in Manhat (Malcha);
  - The construction of the zoo in Manhat.

"...The establishment of the City Hall complex and the concentration of workers in one central place will undoubtedly contribute to the improved efficiency of the municipal administration and enhanced services to the residents..."

No one would argue the value of these projects to residents or the fact that they represent a considerable improvement in services - even to Arab residents. At the same time, it was obvious that a large chunk of the special government budget allocated to improve infrastructure and services in East Jerusalem was redirected into these projects, which City Hall announced with such pride. Not a word of protest was heard.

The 1994 budget report also refers to a challenge the water and sewage department set for itself: "connecting the city's rural areas to the sewage system, at an estimated budget of some NIS 50 million (\$17 million)."

But no NIS 50 million projects took place in 1994 in Arab areas. It was an almost systematic exercise, to inflate the budget report with

impressive numbers but when the moment of truth arrived there was always an excuse for why the planned budgets were not sufficient.

Teddy was always bothered by the poor services provided to the Arab sector. Time and again he would encourage the department heads to improve services there. And yet he did not find a way to redirect large municipal budgets for this purpose. He was concerned, partly due to political logic, that doing so would mean lowering the standard of services to the Jewish neighborhoods, where most of his voters lived.

He would often discuss the matter at the ministerial level and sometimes directly with the prime minister.

In 1986, there was talk of changing the official government attitude to the Occupied Territories, with emphasis put on the fundamental need to develop public services and infrastructure as a condition for finding a solution to the urgent problems of residents. The matter of US intentions to help fund such activities through Jordan was also raised. Around that same time, large sums of money from the 'joint committee' of Jordan and the PLO were channeled into the West Bank and invested in factories and infrastructure development.

In August that year, Teddy appealed to then Prime Minister Shimon Peres for help:

"Sadly, Jerusalem has been left out of all plans for development. Since the city's unification, although we have invested small amounts in Arab quarters, the gap between east and west is still great, and even bigger than before. I have reiterated the gravity of the situation to the government countless times, but to no avail. Although every prime minister [since 1967] has been in favor of improving services and living conditions none has allocated sufficient funds for this purpose... In recent years we have often asked that adequate funds be put at City Hall's disposal to enable us to deal with the pressing problems. These problems pertain to development and infrastructure, education, and deteriorating social services, which could have serious negative implications in the area of security and relations between the two sides of the city... We ask that \$25 million be made available to City Hall... in order to overcome... the problems..."

In April 1991, Teddy again approached the Prime Minister, this time Yitzhak Shamir:

"For many years there has been a misunderstanding over the economic capability of Jerusalem City Hall to deal with its unique needs... For over a year and a half we have been calling on all ministries to help in essential areas, but nothing has budged... On another subject, strengthening the unity of the city ... by improved treatment of tough physical and social problems in East Jerusalem: developing activities in that sector, even on a limited basis, so as to create local employment and educational and cultural centers, would reduce the level of hostile tension between the two sides of the city."

Neither Peres nor Shamir - nor any other prime minister since Jerusalem's unification - treated Kollek with the dignity warranted of a mayor whose city houses two populations that have no possible meeting point, which makes life close to impossible.

In his capacity as the chairman of the Jerusalem Foundation, Teddy worked wonders. The Foundation funded the construction of kindergartens and schools, gave money to youth clubs, old-age groups and municipal libraries, etc. One of its most important contributions in the social sphere was the construction of the Central Arab Library, which drew Arab students from all around the city.

Believing in the necessity to help the City overcome the lack of public libraries in Arab areas, the Foundation called for - and received - contributions to purchase a mobile library that would reach even the farthest neighborhoods at least twice a week. The project was enormously successful until the *Intifada*. Then, local youths decided to wreck the library's activities - and they succeeded. The library was often stoned, and the driver - an East Jerusalem Arab - risked his life traveling around in the vehicle. After sustaining significant damage, City Hall decided to move the mobile library to the western neighborhoods, where it still operates.

There are numerous other large projects - initiatives of Teddy - that cannot be ignored, including the Kupat Holim (health fund) clinic in Sheikh Jarrah. The clinic, which doubles as a hospital, serves thousands of local Arab residents and is a fine example of coexistence: Jewish and Arab doctors and nurses working alongside one another in harmony.

Teddy continued to be troubled by the situation. He kept asking himself and his aides, what more could be done to ease the harsh conditions in East Jerusalem? He expected his advisors and close associates

to find a 'wonder cure' that would solve the situation... without causing a major financial burden to the City.

In Autumn 1993, he launched a new proposal that he hoped would bring new ideas to improve the situation.

Reuven Merhav, a veteran of the Mossad (Israeli secret service), had just left his post as Foreign Ministry director-general. He was considered an expert on the Arab sector and had extensive administrative experience. Teddy asked him to head a team, comprised of high-level City officials, that would put a great deal of thought into how best to advance issues related to East Jerusalem. Teddy was looking for gimmicks - solutions that would not cost a great deal but that would improve the existing situation.

The 'Merhav Team' lasted for over a year. The results - nil.

During the team's early days, Merhav asked: "How does the regular budget used by City Hall for standard activities (salaries, cleaning, street-lighting, gardening, road and sidewalk maintenance, etc.) compare for the west and the east of the city?" It was a good question; no one could give a good answer.

In fact, no one at City Hall even knew the size of the regular budget for East Jerusalem. Municipal 'logic' dictated that since the city was united, there was no distinction between Jewish and Arab neighborhoods from a budgetary point of view. But of course that was not the case. This episode exposed the great deception carried out by City department heads who controlled purse strings intended for all quarters but, with no difficulty whatsoever, discriminated against Arab neighborhoods without it appearing in the budget report.

Merhav demanded that the matter be investigated and that the regular operating budget for the Arab neighborhoods be determined. I proposed that the investigation be conducted by an external, independent body, so that there would be no concealing of information. I knew the picture would not be good. But City leaders and decision-makers decided that if such an investigation were conducted by an outsider, it could spell trouble for City Hall and, heaven forbid, leak out to the press, so that idea was rejected.

In the end, the assistant treasurer conducted the investigation, aided by the director-general's assistant. It was reasonable to assume that they had no reason to confuse the real picture.

They submitted their report several weeks later and the results were as bad as could be expected. Everyone had known there was a huge gap between the budgets for the east and the west, but not the extent of the difference.

The findings showed, among other things, that City departments allocated to the Arab neighborhoods between 5 percent (e.g., the sports department) and 12 percent (e.g., the education department, which receives its funds from the Ministry of Education and Culture) of their total budgets. The report, of which there were only two copies, was presented to the mayor and the director-general. It was not leaked to the press nor was it distributed to City officials.

Strange as it seems, nothing was done following the investigation. Budget priorities were not altered, and City departments received no additional funds to correct the discrepancy in the level of municipal services provided to the Arab neighborhoods.

The report appeared on the City agenda again at a later time. Following the 1993 elections and the establishment of a new City coalition, Ehud Olmert decided to examine the problems of East Jerusalem.

Several months after taking office, in May 1994, a seminar was organized aimed at discussing all the relevant topics and problems of the city's Arab sector. Titled, 'Municipal Conflicts and Dilemmas in East Jerusalem,' participants included some members of the City Council, all department heads and other senior officials.

In his opening remarks, the mayor said that the seminar was aimed at discussing how best to deal with issues related to municipal services in East Jerusalem, with the underlying premise that, as Jerusalem was a united city under Israeli sovereignty, norms of equality should apply to all sectors of the city.

Most participants were frank and portrayed a pretty gloomy picture of the situation. Department heads pointed the finger at the top echelons of City Hall, which pressured them, persistently, to improve services to Jewish neighborhoods. With no other choice available, this was achieved at the expense of Arab East Jerusalem. The inferior services supplied to the Arab sector did not raise any complaints ... except, of course, from the residents.

I am sad to say that as Advisor on Arab Affairs, I did not have the chance to lecture before this dignified forum although I had more experience than anyone else at City Hall on the subject; I was, how-

ever, able to speak briefly during a panel discussion. There, I 'revealed' to them the existence of the report put together by the Merhav Team that showed blatantly how the City treats its Arab residents. The participants were stunned.

The next day, the conference was covered in the media. One paper ran a lead headline, to the regret of the mayor, referring to the exposure of the report that highlighted the discrepancy in budget allotments.

During the seminar, the mayor defined six areas that were to receive priority in the preparation of the 1995 budget:

1. Enhancing Jerusalem's status as the capital of Israel and a major cultural center;
2. Strengthening and promoting the education system in all areas;
3. Improving access to and from the city;
4. Developing and strengthening the tourism infrastructure;
5. Developing and expanding the social and physical services provided to East Jerusalem [underlined in the original]; and
6. Improving the efficiency of municipal departments.

It is worth noting that Olmert, who had called for the seminar in view of the unique problems found in East Jerusalem, ranked the subject fifth on his list of priorities.

In light of the seminar and the gloomy situation presented there, Olmert decided to have an in-depth investigation into the subject conducted by a professional team. A committee, headed by the City director-general, was appointed and in the long months that followed, it probed the topics related to municipal services in East Jerusalem.

On 5 February 1995, nine months after the seminar, the committee published its findings. The opening remarks stated the following:

*"City Hall decided that it would not accept the growing lag in municipal infrastructure services provided in East Jerusalem. For that reason, the mayor appointed a committee, headed by Director-General Ilan Cohen, to thoroughly review and outline the services provided to non-Jewish neighborhoods and to detail the gaps found between those services and residents' needs. The committee was also asked to recommend practical ways to reduce the gaps. This marks the first time since the unification of the city that such a comprehensive project has been undertaken on this subject, representing a basis for deci-*

*sions by the mayor and the City administration."* [Emphasis on last sentence appears in the original.]

The claim that this was the first time since 1967 such a report was prepared is untrue. Over the years, several attempts were made to deal with the core of the problems and the gaps in municipal and government services provided to Arab neighborhoods. There were numerous reports and tens of working papers on this subject. The only thing they had in common was the fact that none of them yielded results.

In 1986, a large-scale project was conducted that detailed the flaws and the needs in Arab East Jerusalem neighborhoods. Carried out by one of the engineers in the town-planning department, the report, which included detailed work plans, reached the mayor's desk but was shelved immediately. The sums required to begin to realize the plan were simply too large, the mayor believed.

Several years later, Jerusalem architect Shlomo Eshkol, at City Hall's request, mapped out the needs of the community regarding sports. During his preparatory work, he asked for my assistance and I gave it willingly. We traversed East Jerusalem for days. Eshkol submitted a thick volume that took into account the existing situation and needs predicted for the future. The part on East Jerusalem was shameful. He showed that in the area of sports there was almost no existing infrastructure for the Arab sector, and the little that did exist was the result of residents' initiative and donations from the Arab World, or, in limited amounts, from the Jerusalem Foundation. City Hall had provided nothing since 1967, except for a few basic installations in several public schools.

In his quest for the ultimate solution to the problems of East Jerusalem, Teddy asked the Jerusalem Institute for Israel Studies to research the subject of municipal services there. The institute appointed Amnon Ramon to conduct the research. I spent many days with him assisting him as best I could. He also met with all the relevant department heads. The results were grave and gloomy. The research was never published. The differences between what the east of the city received and what the west received were so serious that there was no point in printing them unless they were accompanied by a solution, even a partial one. But the only real solution was a decent budget, and this was never found.



In 1994, the Jerusalem Institute and the Ministry of Defense publishing house brought out a collection of articles titled, *Jerusalem: A Look at the Situation*. Amnon Ramon's research was featured in the chapter, 'Municipal Services for Residents of East Jerusalem', which was co-written with another Jerusalem Institute researcher, Yisrael Kimchi, who had previously headed the planning policy unit in the City Engineer's Office. They painted a gray picture in the 20-page chapter. It is important to note their conclusions and recommendations, as well as the results of a public opinion poll held in 1987-88.

The poll asked: "Are you satisfied with the services provided by Jerusalem City Hall?" The responses were as follows:

- 43 percent - satisfied or reasonably satisfied;
- 16 percent - not satisfied;
- 41 percent - not satisfied at all.

Similarly, Kimchi and Ramon note in their conclusion,

"It seems the vast majority of the Arab public - 84 percent - is not satisfied with the standard of municipal services provided in East Jerusalem. This figure is not surprising...

"There are two main bottle-necks in East Jerusalem - in the statutory-physical planning and in education. Promoting statutory planning could greatly assist in the paving of roads, improving sewage and water networks, etc....

"Promoting the education system, especially by developing areas such as social services in schools, psychological advice...

"Great importance is attached to the involvement of residents in the areas of municipal services. One way to achieve this is to increase cooperation with the neighborhood administrations in areas such as road paving, garbage collection, and so on. Increasing their involvement could contribute to raising the level of local education as well. It could develop to the point of making the residents and their representatives in the administrations responsible for local education. Neighborhood administrations could be set up in additional neighborhoods and their authorities expanded...

"In areas of physical development, the Arab sector requires much greater resources...

"Simply copying municipal services... from the west of the city to the east... is not the correct approach. In many fields... the services have to be tailored to suit the needs of the Arab sector. Surveys and preliminary research works, as well as the Arab population's involvement in defining their needs, is the key to a comparison of the municipal services for all the city's populations."

Thus, the conclusions hit on the main points.

In the foreword to the book, its editor, Ora Ahimeir, who is also chairperson of the Jerusalem Institute, writes: "This collection of articles enriches the well of knowledge about *Jerusalem*... We bring here another book to join the many that have been written about *Jerusalem*."

#### EDUCATION

Ramon and Kimchi were right when they stressed that one of the toughest problems regarding the flawed municipal services provided to the Arab sector touches on the field of education.

I do not intend to touch on all areas of social services in this work. The education system in East Jerusalem serves as a typical example of the failures of the Israeli establishment in dealing with Jerusalem's Arab population in most social spheres.

Arab schools in Jerusalem can be classified into three main categories:

1. National-public schools, run by Jerusalem City Hall in conjunction with and funded by the Israeli Education Ministry. Prior to 1967, these schools used the Jordanian curriculum and were controlled and funded by the Jordanian Education Ministry.
2. Tens of public schools and kindergartens around the city, run by the Moslem *Waqf*. As these were also previously funded by Jordan they used the Jordanian curriculum, as was the case in the West Bank, until the transfer of power to the Palestinian Authority in September 1994.
3. Many private schools and colleges, including those belonging to the various streams of the Church. These have their own curriculum and the budget is covered partly by tuition fees and partly by the Church or foreign governments.

It should be noted that the education system run by City Hall, budgeted by the municipality and the Education Ministry, represents less than 50 percent (!) of the educational institutions in East Jerusalem.

In 1996, there were more than 24,000 pupils studying in 33 institutions in the municipal education system, and some 30,000 in 36 private and public educational institutions that have nothing to do with City Hall. In other words, more than 50 percent of Arab educational institutions in East Jerusalem are not controlled or supervised by the municipality.

In 1967, soon after unification, the Education and Culture Ministry decided to apply the Israeli school curriculum, which was commonly used by Arab schools in the rest of the country, to East Jerusalem schools as well, i.e., those that fell in Category one.

That was a major sociopolitical mistake. First, there was no attempt - and arguably no goodwill - to try and deal with the problems and start a pragmatic discourse with schools in the other two categories. Second, in view of the political circumstances and tension, no dialogue was created between the Israeli establishment, at the national government level, and the official Arab and Palestinian leadership in Jerusalem.

The result: a unilateral decision by Israel, in coordination with and aided by Jerusalem City Hall, to invalidate the Jordanian curricula in municipal schools and replace them with Israeli ones. Effectively, this meant that two types of curricula were used side by side in Arab public schools in East Jerusalem - the Jordanian curriculum, taught with the knowledge of the Israeli Education Ministry but not under its auspices, and the Israeli curriculum, at the behest of the Education Ministry, which also footed the bill.

Private or public Arab schools that were run by private bodies, such as the Church or the Moslem *Waqf*, maintained their independence with no professional or financial involvement from Israel's side. Over the years, City Hall tried to enhance its contacts with the educational institutions it did not control, to try and hold a dialogue and have professional cooperation at some level. But these attempts came to naught. The *Waqf*, for example, was not willing to have any kind of dialogue with the City for political reasons. The lack of trust towards Israel reached such great proportions that not even minimal professional cooperation was possible.

These schools continue to run their curricula independently. Their boards do not request and are not given any real assistance, neither in the form of money nor equipment, by the City or the Education Ministry, except for tiny sums granted annually by City Hall to a small number of Christian-run schools. Schools supervisors appointed by the City or the ministry are not allowed to enter these schools for the purpose of supervising curricula and teaching. Teachers and administrators are appointed independently, without Israeli involvement.

The decision to nullify the Jordanian curriculum, as noted, was wrong. It caused many pupils to leave the municipal schools in preference for the others, which remained within the Jordanian educational framework.

This was not simply a political decision but a practical one, too. It was obvious that Arab high school students who had studied according to the Israeli curriculum could not take Jordanian matriculations exams, and this would block their way to institutes of higher learning in the Arab World.

Leading Israeli education officials were in an embarrassing situation. The pupils were fleeing to education systems to which the City and the Israeli Education Ministry did not even have access, nor, as an Israeli institution, the smattering of an idea of what was taught there. In one extreme case, the number of pupils at a municipal high school fell from 600 in 1967... to 11 in 1970.

Mayor Kollek eventually decided that the wheel had to be turned back, and that the Jordanian curriculum had to be reinstated in the city schools that were funded by Israel. This was no easy challenge. The Education Ministry fiercely opposed the idea of a Jordanian curriculum in schools in Jerusalem, which was under Israeli sovereignty. The battle over the issue continued until 1974, when a ministry-appointed committee proposed that two curricula be offered and the student be allowed to choose whichever he preferred.

The first curriculum was to be referred to as the Jerusalem curriculum, which was the Jordanian one with some additional study hours; the second was the Israeli curriculum.

It should be obvious which curriculum was selected by East Jerusalem school students. The Israeli curriculum was taken off the agenda of the city and the ministry.

It had taken about seven years for the Israeli education system to wake up and realize the inevitable: that it was impossible to enforce the Israeli system on a public that had no interest in it whatsoever. Children and youths cannot be educated via a curriculum that does not meet their expectations or those of their parents.

So in 1974 the Jordanian curriculum came to be used in municipal schools, as it was in other public schools in East Jerusalem and in the West Bank. The City education system, like its counterparts in East Jerusalem, found itself, as was the case in 1967, again leaning on the professional authorities at the district office of the Jordanian Education Ministry in Bethlehem, which dictated the guidelines for the entire region, East Jerusalem included, regarding implementation of the curriculum, exams, matriculation and exam results.

But this was not the end of the battle. The Israeli Education Ministry insisted on adding study hours and new subjects - Hebrew language and social studies - to the Jordanian program. This initiative was to be lauded, especially regarding the Hebrew, but because they were not part of the official Jordanian curriculum, passing exams in these subjects was not a condition for moving up a class and, therefore, they were taught at a rather low level.

Despite its legal obligation, the Education Ministry did not fulfill its duties absolutely.

The law stated that the ministry had to fund the municipal education system, even if that system operated according to the Jordanian curriculum. This the ministry did; however, ministry officials refused to fund teacher training courses that were supposed to take place during vacations. Over the years, denying teachers access to these courses harmed the level of the teachers and principals and thus, the entire municipal system for the Arab sector.

In the early 1990s, City Hall decided to fund this area itself, filling the role that should have fallen on the Education Ministry. Finding itself facing a *fait accompli*, the ministry had no choice but to take over the funding of the training courses for teachers and principals.

That was a very important and necessary step. The *Intifada* was still underway and there was lots of pressure from different angles on the Arab education system in East Jerusalem, although not accompanied by the threats experienced in the West Bank. It was important to pro-

vide the teachers and headmasters with training courses and enrich their professional knowledge.

Another important aspect of these courses was the venues at which they were held: usually in Israeli institutes for higher learning, such as the Weizmann Institute, the Hebrew University of Jerusalem, etc. This was important for creating an atmosphere of coexistence and enhancing the contact between Jewish and Arab teachers who often took part in the courses together. There is no doubt that this activity had a positive side, contributing not only to the teachers' professional enrichment but to a healthy atmosphere between Jewish and Arab teachers.

Many such activities were held during Teddy's term in office. He supported them wholeheartedly. I was thus surprised when, during his term of office, a school book was published in Hebrew aimed at primary school pupils in Jerusalem that, I believed, raised a lot of question marks.

In 1992, the Education Ministry decided that every school child should learn something about the place in which he lives. This wise decision applied to Jerusalem as well. A team of professionals from the ministry and City Hall spent a long time preparing the material, with the result being a book, *Jerusalem, Our City*, aimed at all public schools in the city. It was not given to Arab pupils learning under the Jordanian system, but I innocently assumed that the book would contain some chapters on East Jerusalem, for after all Jerusalem is a united city. In the foreword to the book, Teddy Kollek wrote:

"...There is no doubt that our settlement, Jerusalem, is very special and unique. Now, as you start to learn about Jerusalem... learn about it systematically... get to know its unique features... religions, peoples and culture, life as delicate coexistence that is slowly developing in the direction of peace..."

Undoubtedly these are very important words and critical for the target audience of pupils. The inherent message had to be conveyed by Teddy, who had spent his entire life working in the name of harmony between ethnic groups and the greatest possible degree of normalization between the peoples.

However, the words did not match the content or spirit of the book.

The Arab population and their neighborhoods get barely a mention in the book. Almost all maps and illustrations ignore the eastern part of the city. In a chapter titled, "City of Neighborhoods," the authors present eight pictures of different city quarters, new and old. Not one is an Arab neighborhood! Nor do the Arabs - neither Christian nor Moslem - feature in the image presented of the typical Jerusalemite. The role of the Moslem religion in Jerusalem life and the importance of Al-Haram Ash-Sharif (a name that is not even mentioned in the book) get only passing mention in the book.

I decided Teddy should see the book. He was furious and wrote a sharp letter to Deputy Mayor Dalia Itzik, who then held the education portfolio at City Hall and would later become a member of the Knesset for the Labor Party.

He also wrote an angry letter to the education and culture minister. The ministry acknowledged the blunder and decided to correct it. They sent one of their representatives to me. We spent several hours together and I lectured him about the way I thought the city's Jewish students should be taught regarding the problems and complexity of relations between the religions and ethnic groups. But nothing was done. The book's format was maintained.

During the *Intifada*, the financial situation of the Arab schools that did not come under City supervision was dire. The disturbances led to the closure, for long or short periods, of educational institutions, teachers' and principals' salaries were not paid on time, and some parents encountered economic difficulties that prevented them from paying school fees. City Hall had a responsibility, within the framework of the Compulsory Free Education Law, to take responsibility for any pupils who for whatever reason found themselves outside the study wheel. The City had to prepare to absorb all the Arab pupils in Jerusalem in case there was a total collapse of the Arab education system in the city.

But City Hall was not built for such a huge challenge. Only then did the municipality and the Education Ministry begin to realize that the very existence of the Arab education system, public and private, in Jerusalem removed a huge financial burden from City and government coffers. City Hall began working on an operative plan for the absorption of Arab students who would find themselves left out of the system.

The central problem was - and still is - where was the money going to come from? No answer has ever been given. The plan was never completed. The assumption was that even if all the Arab public edu-

cation systems would collapse a suitable budget would always be found for education, unless City Hall, Israel, would not be allowed to take over those systems.

Schools that were not supervised by the City were also a target for cooperation, particularly private schools where the possibility of dialogue, even if not open, was greater. City Hall set up some financial and other benefits for private schools willing to cooperate professionally. The extent of the benefits depended on the extent of the cooperation; this began as a dialogue between the school management and City education officials and extended to teachers' participation in training courses together with other teachers and principals in the municipality, through to taking total control of the school in question and making it a City-run institution, including funding and supervision.

The plan was never executed. There was one school (I will not name it here) that agreed to the professional cooperation idea and submitted all the required material, including a full list of students and a request for financial aid. But it did not receive anything due to bureaucratic hurdles at the Education and Culture Ministry.

The municipal education system in East Jerusalem suffered from a severe lack of buildings and facilities, and still does. The responsibility for such structures lies with the Education Ministry. But the ministry, despite persistent pressure from City Hall, could not meet the expensive challenge of providing the necessary buildings in East Jerusalem. With little choice left, it was decided that the 'solution' would be rented buildings. These buildings, which are found in almost all the Arab neighborhoods, do not meet the criteria set by the Education Ministry, which pays their rent. But no other solution has yet been found.

The shortage of buildings for education continues to be a serious problem in Arab Jerusalem. At the same time, it should be noted that the number of classrooms built for East Jerusalem pupils has grown significantly in recent years:

- In 1993, out of 132 classrooms that were built, 15 (11.36 per cent) were earmarked for Arab schools;
- In 1994, out of 128 classrooms that were built, 19 (14.84 per cent) were earmarked for Arab schools;
- In 1995, out of 139 classrooms that were built, 60 (43.16 per cent) were earmarked for Arab schools;



- In 1996, out of 176 classrooms that were built, 60 (34.09 percent) were earmarked for Arab schools.

Quite some time before the 1993 elections, after which Teddy Kollek had to vacate the mayor's seat in favor of Ehud Olmert, I suggested that, in the framework of the election campaign, he encourage the local Arabs to vote by promising them greater involvement in day-to-day administration. As an example, I proposed that neighborhood committees be allowed to run the school system, funded by the City, in their own quarters. Teddy accepted the idea but did not know how to implement it. But when it was realized that this meant the responsibilities of City education officials would be reduced, no one was willing to support the idea, not even the mayor.

In December 1993, several months after his election, I sent a memo to Mayor Olmert knowing that the education system in the West Bank was about to undergo change due to the talks between Israel and the Palestinian Authority. With the understanding that the education system in Jerusalem and the West Bank were linked to the same administrative education system, I wrote:

"It can be assumed that the curriculum that will replace the Jordanian curriculum used today will - sooner rather than later - reach Jerusalem as well. Even if the private schools (not under the control of City Hall and the Education Ministry) adopt it, it will have implications on the municipal education system (a 'fleeing' of students from the city system and application of the curriculum in our schools).

"Stopping the process will be impossible! And an attempt to do so could have exactly the opposite effect of our intentions."

Olmert then asked the head of the education department, Nissim Salomon, to write an evaluation of the situation. He did so, and a few days later a meeting was held in the mayor's office.

Participating in the meeting was also Meshulam Amit, deputy mayor and the head of security at City Hall. A member of the Tsomet faction on the City Council, Amit had been chief of the Border Police before becoming a politician. I wondered to myself what he was doing at the meeting, trying to figure out what he had to do with education in the city.

I made my position perfectly clear at the meeting: there was a need to initiate cooperation with the Palestinians so as to create a unified education system - better and more efficient than the one at hand - and to nurture a better atmosphere in our relations with the Palestinian population in Jerusalem so as to achieve the aim that had been set in 1967 of a 'united city'.

I quickly realized that this was the wrong forum for what I was saying, that the aim of the meeting was not how to deal with the 'problem' but how to foil the effort and create obstacles for those trying to push the Palestinian curriculum in the Arab schools in Jerusalem. Amit stated that all means should be used, including force, to prevent any change to the existing situation. Of course, nothing came of the meeting. The 'practical' proposals raised there that were not rejected outright would not have been accepted by anyone at the government level, and certainly not at the international level.

The financial troubles of the private schools in East Jerusalem combined with City Hall's attempts to halt the application of the Palestinian curriculum locally were the subject of an article in *Kol Ha'ir* on 25 February 1994, headlined, "Olmert educates the PLO."

The article stated that,

"Senior officials at City Hall discussed, in secret, ways to prevent the PLO taking control of schools and curricula in East Jerusalem. The officials formulated a covert plan aimed at achieving this goal. The plan, recently submitted to Mayor Ehud Olmert, recommends negotiating with the PLO Israeli control of the curricula and making private schools subordinate to the Jerusalem municipality..."

Later developments showed a different picture. In 1993-94 Israel held a series of meetings with Palestinian Authority representatives as part of the talks paving the way to autonomy in the West Bank and Gaza.

The talks were held in Taba, Sinai, close to Israel's border with Egypt. Among the subjects on the agenda was the transfer of authority to the Palestinians regarding the education system in the West Bank. It was agreed by both sides that this responsibility would be transferred to the Palestinian Authority in September 1994. City Hall, of course, was not involved in these talks because the discussion pertained to autonomy in the West Bank and not - yet - Jerusalem.

But the Israeli delegates ignored one essential point - or, possibly this was not a question of ignoring but rather of negligence and ignorance of the facts: since the Arab education system in Jerusalem, based on the Jordanian curriculum, was linked, professionally, to the Jordanian Education Ministry's office in Bethlehem and since responsibility for education-related issues in the West Bank, including Bethlehem, was being transferred to the Palestinian Authority, logic would have it that education in East Jerusalem would also be transferred...

This basic fact was overlooked by the Israelis heading the negotiations and City Hall. But the Palestinians realized how to exploit the situation. They followed the lines of the logic and the written agreements.

In September 1995, a year after that particular agreement was implemented, when the school year began in Israel, including East Jerusalem, the 'bitter' reality became clear in Olmert's court. All the schoolbooks that had been distributed to pupils in the municipal system were embossed with the Palestinian Authority symbol. The books were delivered to the schools by the ministry's district office in Bethlehem, and Bethlehem had been transferred to the Palestinian Authority, at least regarding education issues, and therefore... Jerusalem was an inseparable part of the agreement.

When Olmert heard this, he ordered, both in his capacity as mayor and as head of the education department, that all the books in question be retrieved and that the Jerusalem symbol be stuck on top of that of the Palestinian Authority. It was assumed that only the symbol had been changed, not the content. As noted, this pertained to less than 50 percent of the Arab schools in Jerusalem. So what about the rest? There, the books with the Palestinian Authority symbol continued to be used because neither City Hall, Olmert, nor any other Israeli official, had the right to take one step past the door.

Between 1994-96, the Palestinian Authority Education Ministry managed to change not only the symbols on the books - replacing the Jordanian eagle with the Palestinian eagle - but also the curriculum. The heads of the education department at Jerusalem City Hall still maintain that the Arab education system in the city continues to operate according to the Jordanian format, but this is obsolete policy. Everyone knows that the curriculum used in East Jerusalem schools, whether or not they fall under City Hall auspices, is the Palestinian one, which in itself is not so different from its Jordanian predecessor ... except that it is Palestinian.

In talks I held with numerous key education officials at City Hall, they admitted that the policy of ignoring the new situation persisted and even though the schools use the curriculum dictated by the Palestinian Authority, the mayor and other officials insist that this is not the case.

Incidentally, the geographical atlas long used in Arab schools in Jerusalem and other municipal schools - since Jordan controlled the system, and with no objection from City Hall - contains no details about Israel. The map that should name Israel is titled the 'Hashemite Kingdom of Jordan and Palestine.'

Olmert's persistent objection to the Palestinian curriculum and anything that might enhance the contact between municipal schools and the Palestinian Authority is well expressed in the following episode:

To mark the end of the 1995 school year and the implementation of the Palestinian curriculum, at least in name, the principal of the primary school in Issawiya invited Faisal Hussein, who held the Jerusalem portfolio in the Palestinian Authority, to take part in the school celebrations. This was not unusual: in my experience at City Hall I learned that it was common practice to invite local personalities to events at the local schools. But City Hall saw this, quite rightly, as an irregular political step: not only was no City official invited, but the local personality to be invited was no less than the Palestinian Authority representative responsible for Jerusalem.

Mayor Olmert was furious.

He gave an order to prevent Hussein from attending the event. The Israeli police did not have to submit to City orders, and its chief became 'convinced' that the event could lead to unwanted tension and even local disturbances and therefore decided to take the necessary steps, including road-blocks, to stop Hussein's attendance. When Hussein heard what was going on, he acted wisely: he did not even try to get close. The headline in the papers was his.

It has already been noted that 84 percent of Jerusalem's Arab residents are not satisfied with the level of service provided by City Hall. Nevertheless, in the present situation regarding municipal structure and the distribution of budgets, no significant changes in the approach to East Jerusalem can be expected. The solution must be drastic and extreme, even if it leads to a change in Israel's ideological perception.

*FUNCTIONAL DIVISION OF SERVICES*

The proposal I submitted to the mayors, which was rejected, could, with appropriate changes, solve the problem of the quality of services granted to the Arab resident in the city.

The proposal refers to functional independence of services in Jewish and Arab neighborhoods, i.e., creating independent service units for the Arab sector. These units would also be independent in their budgets and work methods, and they would be answerable to professional managers within the Arab sector.

There are those who claim that physical services should not be treated like social services, i.e., that those who provide physical services in the Arab sector do not require training or experience different from that in the Jewish neighborhoods. It is this mistaken belief, among other things, that caused the level of service in Arab neighborhoods to deteriorate to what it is today.

Others claimed that granting functional independence to services in the Arab sector could, heaven forbid, lead to Jerusalem's division. But this claim is baseless, too. The departments providing social services, such as sports, education, culture, social work, etc., are completely split for Jewish and Arab neighborhoods. This never caused the feeling that such a functional structure could lead to the division of the city.

Even the subject of naming streets in the Arab quarters caused arguments at City Hall, and the subject was raised numerous times by the City Council.

Street-naming would seem to be a pretty humdrum issue. What could be problematic about naming streets and numbering houses in those streets? Why is Arab society undecided about such a clear-cut subject that is essential in daily life? Well, it seems, there is indeed a problem.

In 1967, with the unification of the city and especially the extension of its boundaries, City Hall found that in most Arab neighborhoods that had been annexed, the streets had no names and the houses no numbers.

In the Old City, this problem did not exist. There, all streets and alleys had names and clear street signs in Arabic and English. City officials and the committee for municipal names simply had to add a Hebrew version of the street name to the signs.

The problem existed in neighborhoods farther away, which had been outside the city's borders until 1967 and run by village councils. Even in Silwan, which is very close to the Old City, there are no street names to this day; the same goes for Abu Tor, At-Tur and others.

In our modern age, the absence of street signs and house numbers is especially problematic for the bodies such as the Postal Authority and the phone company, Bezek. They were not able to provide proper services to residents without a real address. Mail distribution was difficult and phone bills did not reach consumers, resulting in phone lines being cut off because of 'non-payment'.

Many meetings were held with Postal Authority and Bezek officials, and different ideas were raised, most of which required the City to give the streets in the Arab neighborhoods names, as elsewhere.

I tried to solve the problem through a community initiative, the advantage being that the neighborhood committee was supposed to and had the authority to solve such problems.

One of our attempts was in Beit Hanina. I approached the head of the neighborhood committee, Ziad Darwish, an Arab Israeli, and explained the problem. He agreed to deal with it.

Several weeks later I received a list with the local committee's suggested names for the streets. I was surprised by it: they were all names of Arab settlements that existed before 1948 and Israel's independence. Some still existed, now using other names. For example, Um Rashrash was Eilat, Askalan-Ashkelon, Bir Saba- Beersheba, Yaffa-Jaffa, Pluja-Plugot, etc. I knew at once that this list would not be approved by the City - there was no way the committee for names would agree to call streets in East Jerusalem after former Arab settlements for fear that it would highlight Palestinian nationalistic tendencies.

A phone call to Darwish clarified the situation. The neighborhood steering committee had decided to map Beit Hanina - which extended several kilometers along the Jerusalem-Ramallah highway from south to north - parallel to the map of Palestine: thus, the northernmost street in Beit Hanina would be called Baniyas, referring to the site in the north of the country by the same name; in the middle would be Bir Saba (Beersheba); and the southernmost street would be called Um Rashrash, like the one-time locality in the far south of the country.

I did not submit the list for approval. I knew it would be rejected instantly. It was decided, in coordination with the neighborhood committee, that a new list would be submitted composed of names of flowers and trees, prominent Arab and Moslem personalities from history, and writers and poets. It worked. All the street names were accepted by the City committee.

The determining of names for streets was always a sensitive issue and required the agreement of local residents, particularly in a place like East Jerusalem. If the majority did not approve, the name was usually rejected. The following example illustrates this point.

One of the consequences of the War of 1967 was the unification of Beit Safafa, which had been divided between Israel and Jordan since 1949. Two-thirds were on the Jordanian side and a third in Israel. The street in the middle ran over both sides of the border, and had no name.

Soon after the city's unification, the municipality took a step that, it later emerged, was not so welcome. It called the street that separated the two parts of the village 'Unification of the City Street'. The community would not have it. Signs that were erected were wrecked and taken down. There were protests and demonstrations, with the local population calling for the name to be dropped. Local leaders stated, and rightly, that the name had political connotations. Beit Safafa residents, at least in the part that had previously been Jordanian, did not recognize the unification and most certainly did not want to create a historic-political fact in their village. After consultations, which this time were held together with local leaders, the name was changed to 'Unification of the Village Street'. The signs remain till today.

The 'effort' of giving names to streets in Jerusalem's neighborhoods is not over. City Hall does not attribute the exercise much importance and it is low on City priorities; but the residents do not complain either.

We return now to the matter of the functional division of services between the two sides of the city.

The best example of such division and the creation of functional autonomy between the Jewish and Arab neighborhoods was the working method of the Jerusalem District Electricity Company and an initiative funded by the Israeli government.

The veteran company supplied electricity throughout Jerusalem until 1949. Following the city's division, it began supplying services to all the towns and villages within its franchise zone - a radius of 50 kilometers from the entrance to the Holy Sepulcher in the Old City, excluding West Jerusalem. Thus, it covered East Jerusalem, Ramallah, Al-Bireh, Jericho, Bethlehem, Beit Sahur, Beit Jala, and the hundreds of villages within this large area.

After 1967 and with the construction of new neighborhoods and settlements in the West Bank, the Electricity Company's operations grew exponentially. It was responsible for all the electrical infrastructure work in the towns, villages and new neighborhoods, as well as for supplying electricity on a running basis. The company did not alter its working methods, despite the fact that it was using antiquated and expensive techniques and the amount of work hindered its efficiency. There were many problems and the number of complaints, particularly during winter rains, was huge.

In 1987, the government decided, upon the recommendation of the Minister of Energy, to reduce the franchise area and remove the Jewish city neighborhoods and all Jewish settlements from the company's domain.

In December that year, one particularly stormy night, in a complex procedure whose groundwork had taken months, all the Jewish neighborhoods were cut off the network, including the Jewish Quarter in the Old City, and were immediately hooked up to the Israeli Electricity Corporation.

The subject of Jerusalem's division regarding electricity supply, as a result of the separating of the Jewish and Arab neighborhoods, was not raised during the preparatory discussions, nor at any time later. Today, ten years after that winter night, there is no change in the situation. The Arab company has stopped generating electricity for economic reasons, and buys it from the Israeli company, reselling it to consumers in Jerusalem's Arab neighborhoods and the periphery, and even making a profit. No one complains that this functional division of electricity supply indicates a division of the city as a whole.

- The year 1997 was a turning point in City Hall's approach to the Arab neighborhoods. In downtown East Jerusalem infrastructure development can be felt. The sidewalks are paved with bricks, sewage lines have been replaced, new drainage systems have been built and the pace is increasing. The outside observer can only be surprised by the



past decisions of the mayor that are now being implemented. Residents are also happy. In fact, the developments are taking place at an unprecedented pace. And where is the budget coming from? Surprisingly, from the American government, which decided to fund numerous projects as a counterbalance to Israel's decision to start the controversial building project in Har Homa. The money is channeled through the government to City Hall. Or, more precisely, is supposed to be channeled... On 7 November 1997, the following item appeared in *Kol Ha'ir*:

"The government has withdrawn its decision to develop East Jerusalem - Early this year, it decided to transfer NIS 130 million (about \$40 million) to City Hall for development projects in East Jerusalem, but it has transferred only NIS 58.4 million (\$18 million)."

It reads on:

"The government ministries have thus far transferred to City Hall just NIS 58.4 million of the NIS 130 million that the government decided to invest in infrastructure development in East Jerusalem... The Finance Ministry transferred just NIS 22 million of the earmarked NIS 60 million and the Interior Ministry did not transfer one *agora* [penny] of the NIS 10.1 million it had allocated for the purpose... The report indicates that most of the investment projects underway in East Jerusalem are being implemented in neighborhoods that border on Jewish neighborhoods and areas where there are concentrations of Jewish settlements..."

After many years of work with and for the Arab sector, I reached the necessary conclusion that only 'functional autonomy' regarding the supply of city services to Arab residents could present a solution to the relations between those providing the services and the Arab sector.

## Settlements and Settlers

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The concept of a united or unified Jerusalem has been interpreted in different ways over the years, and it is sometimes difficult to bridge the resulting gaps. This difficulty reflects the gap that exists between the Left and the Right in Israel.

Still, for the most part, the interpretation has been theoretical, even academic. The Right in Israel took things a step further and began turning the ideological theory into practice.

The various governments of Israel have considered and treated Jerusalem differently from other territories occupied in the War of 1967. This territory was annexed, boundaries were extended, and new Jewish neighborhoods were built with thousands of apartments for veteran Israelis and new immigrants alike - all in accordance with the government's aim of strengthening the city, the nation's capital, and the Jewish sector throughout the city.

For local right-wingers, these steps were not enough to fulfill their ideological demands and did not reflect their national-religious aspirations - not in Jerusalem nor in the West Bank.

These aspirations were not always compatible with government policy, and because their motives were national-religious-ideological there was no room for a dialogue between the ideological Right and at least some of the governments. Left-leaning governments viewed Jerusalem as an entity that granted equal rights, in line with Israeli Law, to all residents, Jewish and Arab. Even if they failed in achieving this aim, at least this was their outward approach, and they opposed friction brought about by the creation of Jewish settlements in already-crowded Arab neighborhoods.

Leftist governments, like Teddy Kollect, would often be heard saying that Jews had the right to live anywhere in Jerusalem... but that when

moving into certain neighborhoods timing was a consideration and harmful friction should be avoided in all circumstances. Teddy, as mayor and as a man of vision, was constantly trying to prevent huge sums being invested in the purchase of buildings in the Old City, Silwan and other Arab neighborhoods where prices were low; he did so both because of the sensitivity of the issue and the danger of making such deals and because he was trying to encourage young Jewish couples to move into the new neighborhoods that were being built.

Right-wing governments, on the other hand, preferred to focus not on issues of equality but on the right of Jews to live wherever in the city they chose. In principle, they did not nullify the Arabs' right to do the same but of course factors prevented a wave of Arab 'settlement' in Jerusalem's Jewish neighborhoods to the point where it was almost non-existent. These factors included:

- The lack of an organized Arab-Palestinian-national movement;
- Palestinian Arab families preferred not to live in Jewish areas;
- The negative attitude of the Jewish public to Arabs living in Jewish quarters and the creation of mixed neighborhoods;
- The inconvenience due to language barriers, lifestyle, educational facilities and institutions; and
- The local Arab society in general discouraged the phenomenon.

#### *JEWISH SETTLERS AND SETTLER GROUPS IN THE OLD CITY AND SILWAN*

Jewish ideological-national settlement has been felt in East Jerusalem, particularly in the Old City, since 1967. Numerous organizations operating in this territory - such as Ateret Cohanim and Atara Leyoshna - have been predominantly funded by contributions from the Jewish Diaspora, and primarily for the purpose of buying up real estate and property rights from residents and tenants.

During Likud rule in 1988-92, the settler movement won encouragement and financial assistance from the government to move into crowded Arab neighborhoods in Jerusalem, with the driving force behind this being Likud stalwart Ariel Sharon, then Minister for Construction and Housing.

When Labor came to power in 1992, Shimon Peres, the new Foreign Minister and acting Prime Minister, appointed an inter-ministerial committee to examine the matter of buildings in Jerusalem that were leased or bought by private groups or individuals with state money or any state assistance.

The committee exposed a reality that was not new, but no one knew the extent of the situation until the committee submitted its findings. Vast amounts of state funds, in addition to contributions, were used by these groups to buy up real estate in the Old City and Silwan.

The friction between the Jewish and Arab populations, which had known ups and downs around the city, became insufferable in the 'mixed' neighborhoods and the potential for an eruption was evident.

On 17 March 1994, several days after that hideous massacre committed by Dr. Baruch Goldstein on Moslem prayer-goers in Hebron, I penned a letter to Mayor Olmert saying the following:

"The growing tension in the Old City and Silwan and the friction between Jews and Arabs in Jerusalem makes me realize that what happened in Hebron could happen in Jerusalem as well, in one way or another, in the alleyways of the Old City. The awful scenario that I envision would begin with the murder of Jews, even a small number, in the Old City, possibly yeshiva students or tourists. Immediately following such a development, yeshiva students in the Old City, led by the most extreme among them, could be expected to rampage through the Moslem Quarter and shoot at Arabs indiscriminately. I want to emphasize that the Israel Police establishment is not capable of dealing with the problem. Every day we get complaints from Arab residents, some justified and others provocative, regarding the behavior of policemen, especially border police, in East Jerusalem in general, and the Old City in particular. This week, for example, the police blocked access to the neighborhood of Musrara and ordered the closure of stores there for a day and a half as collective punishment. This followed an incident in which a car was set on fire in the local parking lot and was the result of a desire to pressure the storeowners to turn in the instigator.

"Regarding the Temple Mount - Al-Haram Ash-Sharif - it seems the police are acting blindly and (still) do not understand the importance of the Temple Mount to Moslems all around the world. Especially at a time when central rule and sovereignty are not in Moslem hands they view all activities concerning this holy place, even those where Israeli rule is not involved, as post-1967 official Israeli policy: the setting alight of the Al-Aqsa Mosque by the crazed Australian, the violent entry into the Temple Mount by an attacker wearing IDF uniform and the subsequent killings, the October 1990 events in

which 17 Moslems were killed on the Temple Mount, and the entry by groups of provocative, extreme Jewish groups to the Temple Mount area under the auspices of the police..."

My letter went on for pages, relating issues and incidents that exacerbate the tension between the Jewish and Arab communities in Jerusalem, especially in the Old City.

I never sent that letter to the mayor.

Understanding the reality and the dominant figures involved, I realized the letter would not contribute to any change in the situation and that deterred me from sending it. But several days later I made some notes for myself: walking through the alleyways of Hebron - Beit Hadassah, Beit Romano, Tel Rumeida - I could see these reflected in the alleyways of the Old City. The inter-relations between Jews and Arabs in Hebron and Jerusalem are remarkably similar and are based on the powerful presence of Jews amidst a crowded Arab majority.

We have a tendency to play down the almost-daily friction between the Arab residents of the Moslem Quarter and their Jewish neighborhoods in the Old City, out of a desire to highlight the city's unification. This friction is regarded as a series of passing episodes that need not be treated seriously, but the facts speak for themselves.

The permanent Jewish presence in the Moslem Quarter is based on a massive demonstration of security, the extent of which depends on circumstances. The moment the tension between the two sides rises, the presence of police, border police and privately hired security guards increases. Even on a regular day, without being exposed to special events, there is no difficulty in discerning between a Jewish house and an Arab house in the Old City's Moslem Quarter. Aside from the *mezuzah* affixed permanently at the entrance of the Jewish house, it looks like a miniature fort. Some of them have intercoms, and you have to identify yourself before being allowed in. Others have permanent security guards outside who earn a very decent salary, paid by the Jewish residents of the Moslem Quarter.

On the whole, the relations between the Jews and Arabs in Jerusalem can be divided into two categories according to the places of residence of the Jewish population.

Numerous densely populated Jewish neighborhoods were built in Jerusalem, mainly spread along the boundaries dividing the city from

the West Bank. Alongside these neighborhoods, Arabs live in neighborhoods that date back to olden times.

The second category belongs to those same religious groups that uphold that religious-national-messianic ideology that claims that Jews are duty-bound to settle in all parts of the Old City and East Jerusalem, in neighborhoods outside the ancient city walls. The fact that an Arab population currently occupies these places does not prevent such groups from investing efforts - financial, legal and other - in 'redeeming' the properties there and settling them with Jews. And since we are dealing here with a lofty aim based on a profound ideology, it is believed that all these efforts sanctify the aim.

One of the leading proponents of Ateret Cohanim, Matti Dan Hacohen, said to me on several occasions:

"The Old City belongs to the Jews. It is our duty to ensure that Jews settle it. We have to make every legal effort, and the stress here is on legal, to remove the Arab residents of the Old City and settle it with Jews instead."

He continues: "I know it is a difficult mission, very difficult. Every generation has to contribute its part to realize this aim, even if it takes two or three hundred years."

Indeed, Ateret Cohanim did not spare any effort or cash in purchasing properties in the Old City in order to have Jewish families move in or transfer them over to yeshivas. Other organizations made it their purpose to purchase houses with Arab residents: Atara Leyoshna, whose headquarters is in Khalidiyye Street in the Old City, and Elad, which concentrated its efforts in Silwan.

In 1982, a special committee was set up within the Israel Lands Administration whose task was to deal with the subject of purchases in the Old City. The committee, the initiative of then Agriculture Minister Ariel Sharon and operated in line with his instructions, transferred to Ateret Cohanim properties in the Old City whose right had been fully paid for in cash. Since that time, the regulations have changed.

Goodwill and national ideology are not enough. The wave of settling in the Old City and outside of it requires considerable financial sources both for purchasing buildings and renovating them. An 'easy' solution to this was found - money from the Israeli government, at the direction and behest of Ariel Sharon, by this time Minister for Construction and Housing.

An almost perfect solution to the financing of settlement activities was found as early as 1990, at a meeting held in the office of the Housing Minister with the participation of Matti Dan Hacoheh, still the driving force behind most of the purchases in the Old City, and Meir Davidson, who would later be appointed by Mayor Olmert as the Deputy Mayors' Advisor on East Jerusalem.

At the meeting, the minister directed that apartments owned by the administrator-general, the administrator of abandoned property and the Development Authority, would be purchased by the Housing Ministry from a budget intended for buying apartments for new immigrants and another budget for improving housing conditions in Jerusalem.

Minister Sharon also told the state housing company, Amidar, to renovate these properties in the Old City, relying on an article in the ministry budget referring to building and renovating apartments, as had been done in the Jewish Quarter of Hebron. Settler groups in the Old City, Sharon said, would carry out implementation.

In order to institutionalize the system of finding suitable buildings in the Old City, buying them, renovating and settling them with Jewish families, a 'purchasing committee' was set up in 1991. Arie Bar, the Housing Ministry director-general, sent notification of the appointments of the committee members.

In addition to purchasing properties, the committee was supposed to transfer funds and renovate them.

In order to locate buildings and transfer information for the purpose of declaring them abandoned properties or for facilitating their purchase, two additional associations were established - Mordot Moriah and Even Rosh -, which were involved in all stages of the transfer of properties from their Arab owners to Jewish settlers.

The system was simple. Representatives of these two groups working inside and outside the Old City spared no effort in identifying properties that could be registered as abandoned. The fact that Arab families had been living in these buildings for tens of years did not deter them at all. On the contrary - they saw this as a golden opportunity to 'buy' apartments in the Old City and Silwan.

Once the property was identified, it was registered with the administrator-general as abandoned. By law, the administrator-general may then sell it as such exclusively to the Development Authority. Such properties then automatically become the property of the Israel Lands

Administration (ILA), i.e., the state, and may be rented to anyone the ILA deems appropriate; in this case, the representatives of such associations. Since there are already people living in the flats, the point of negotiation begins by informing them that despite the fact that they have been living there for years, maybe even generations, the property belongs to the state and they are unwanted squatters.

The negotiation then moves to a phase of determining the compensation to be paid to these Arab families when they leave the apartments. That, at least, is the case in the more positive scenarios.

The most outstanding case of aggressively taking over Arabs' homes happened in Silwan in 1991.

All the footwork for taking over houses in Silwan was done by Elad over a long period and in almost total silence - right through from the investigative work, information-gathering and endless conversations between Elad representatives and Arab residents, primarily about their relatives who lived in what could be defined as 'abandoned' properties. The next stage was to prepare the paperwork, to issue evacuation orders to tenants and then, in broad daylight, to take over the properties with court orders in hand as well as police protection.

Two communities live side by side in the Moslem Quarter: Jews and Arabs. Such was the case before the city was divided in 1949; then, Jews and Arabs sometimes even lived in the same compound and the old-timers say relations were reasonable, with each side keeping to his own. No one claimed full ownership of all the territory. Things changed after 1967, with the city's unification, and the rise of the national-Orthodox-messianic elements who felt it was time to redeem the Old City and settle it anew with Jews.

Since then, their efforts to find, purchase and settle properties have not abated, even when it means pushing out Arab residents.

The activities of the Housing Ministry, its head Ariel Sharon, the associations set up by the ministry and the administrator-general all served as the background for the establishment, in 1992, of the Committee for Examining Buildings in East Jerusalem. The Committee is also known as the Klugman Committee after its chairman, Haim Klugman, a lawyer and then director-general of the Justice Ministry.

The committee submitted its findings to the government in September 1992, about a month after being set up. The Labor government did not implement any of the recommendations made, other than that



then Minister of Housing, Binyamin Ben-Eliezer, ordered a halt to the transfer of government funds for the purpose of buying properties in East Jerusalem. This order did not extend to the private security firms hired by the settlers in the Old City and Silwan, whose presence the Labor government justified by saying it could not forsake the settlers, even if their activities totally opposed its own policies and values.

This lack of response by the government to the Klugman Committee's findings led Jerusalem lawyer Danny Zeidman to petition the High Court of Justice against the Justice Minister who, on the one hand had appointed the committee, based on a decision by then Foreign Minister Shimon Peres, and on the other did nothing to implement its recommendations.

Teddy Kollek, who supported the setting up of the committee and was very satisfied with its findings, which threw light on the actions and activities of Ateret Cohanim and Elad, pressured Labor leaders, in vain, to accept the committee's counsel. Teddy was most surprised by the reaction of a former Minister of Agriculture and director of the ILA, Labor stalwart Arik Nehemkin.

Nehemkin was full of compliments for the 'great guys' at Ateret Cohanim. This did not please Teddy at all; a letter he wrote to Nehemkin to this effect in mid-1992 received no response. In September that year, after Nehemkin's reactions had been reported by the media, Teddy decided to write him again, this time taking a stronger tone:

"I read your response and praises for the 'great guys' at Ateret Cohanim. Needless to say, I have not changed my opinion about these 'great guys'; you apparently disagree. I only hope that the investigations currently underway regarding the purchase of properties will not reveal that you, too, were a partner to the actions that deviate from standard practice..."

Teddy concluded his letter by saying: "Maybe this time I will be honored with a response."

Of course, Nehemkin could not remain indifferent to such a letter and his response said the following:

"I did not think you intended for me to respond on the matter, but if you are so interested: while I was head of the ILA, I met several times with the spokesman of Ateret Cohanim and I was impressed. Keep in mind that this was before the *Intifada*, when Jewish-Arab relations in the city were better and I

saw nothing wrong with helping Jews settle in all parts of the Old City (in line with the law and common practice). In one case in which you opposed transferring them the property deeds, I was prevented from doing it and there is no better sign that you were aware of our activities...

"I believe that Ateret Cohanim was used as a tool by Housing Minister Ariel Sharon and under his influence turned into something not so positive, possibly even damaging. But if they are put back on track and with the right cooperation within the framework that matches our new policy, they will again serve as a positive element in coexistence in the city."

Nehemkin's statements show total ignorance on the one hand and the turning of a blind eye to the real situation on the other, regarding Jewish-Arab coexistence in the Old City since 1967 and in Silwan since Elad people took over the homes of Arabs. Anyone who says, "Jewish-Arab relations in the city were better" at the time does not know what he is talking about. Unfortunately, such ignorance did not stop with the former Agriculture Minister but extended to the government. Those on the right were aware of the almost-daily friction between Jews and Arabs in the Old City over the years but saw it as a way of life, as inevitable. It should be recalled that the political leadership brandishing the right-wing ideology prevents, in part, an almost messianic leadership led by none other than Ateret Cohanim.

At the same time, Teddy also began a long series of correspondence with as many decision-makers as possible to try and ensure that the Klugman Committee report would not simply be shelved.

He began with the Justice Minister, David Liba'i, to whom he wrote:

"I am searching for a way, at the very least, in the case of properties where there are signs that they were illegally declared as 'abandoned', for them to be returned to their owners immediately. This subject is of the highest public importance."

Teddy was extremely perturbed at the lack of initiative on the part of the government, a Labor government, to implement the committee's recommendations.

Indeed, the government gave the impression that it was not really interested in dealing with the subject of settlements in the Old City and Silwan, and its implications, beyond appointing a committee to

investigate the situation - not even if there were suspicions of criminal acts by Housing Ministry officials.

It was Teddy's dream that in cases where there existed substantial evidence that properties had been taken from their Arab residents by using forged documents and lies, the properties in question would be returned to their rightful owners.

In September 1993, Teddy wrote again to the Justice Minister, detailing not only some of the legal aspects but sending Liba'i a clear party-political message. Teddy was always apt at exploiting his affiliation to the Labor Party for municipal needs that could tout the horns of Jerusalem and his own, as mayor:

"If we are interested in proving to the city's Arab residents that something has really changed in the government's policy, we must deal with the sense of injustice that they feel regarding this subject.."

In this way, he extends the subject beyond the grabbing of houses in Silwan:

"Even in the concessions and gestures made to Arabs in the territories, there was almost no decision-making regarding Jerusalem's Arabs, and only after concerted efforts over months, with the involvement of a number of ministers, was a gesture made to eight families who had appealed for family reunification. Meant as a gesture to the city's Arabs, considering the amount of time it took to reach that decision, it no longer had much value."

In February 1993, Teddy met with the Police Minister, Moshe Shahal, and recruited him to the effort for the Arabs of Silwan:

"It seems to me that after [the Klugman Committee] conducted the investigation and found that the declaration of properties as abandoned was not carried out legally, the situation should be returned to what it was and those Arab families who lived in the properties for tens of years should be allowed to return to them... Leaving the situation as it is does not solve anything and will not calm the storm stirring among Jerusalem's Arabs. A solution is of great importance to our ability to continue to strive for coexistence in the city."

Kollek's offensive continued. The matter of Silwan and the Klugman Committee findings looked like a matter in which it was possible to succeed in a relatively short time, whilst securing great prestige for the Arabs. It should not be forgotten that this took place about eight months before municipal elections. Teddy, who greatly regretted that in his many years in office he did not have many successes in the area of municipal services and family reunification, believed the Silwan episode would end in victory and bring with it Arab votes.

Teddy's next target was the State Comptroller, Miriam Ben-Porat. He wrote her a detailed letter, which he concluded by saying:

"It is enormously important to correct the wrong done to a number of Arab residents of the city and from their point of view justice has to be seen, not just done through a long and wearisome complicated legal process. As mayor of Jerusalem, I believe this matter is of the greatest urgency. Leaving the situation as it is does not solve anything and will not calm the storm stirring among Jerusalem's Arabs. A solution is of great importance to our ability to continue to strive for coexistence in the city."

Then, after many long discussions and correspondence with government ministers, Teddy wrote to Prime Minister Yitzhak Rabin in April 1993:

"I am writing to you regarding the confiscation of properties in East Jerusalem and Jewish settling of areas with a dense Arab population that took place during the term of the previous government... An investigation of the matter turned up a very grave picture... exposing serious deviations of authority by those with power, outlay of state funds for purposes not designated, the spending of public money without supervision... suspicion of criminal acts and a serious conflict of interests by those who conducted the purchase of the properties and their settling... The state admitted that the declaration of certain properties as abandoned was done illegally but it does not take a stand regarding nullification of that declaration. It seems that following the investigation, the government, led by you, must decide as soon as possible to return the situation to what it was and enable the families in question to again live in their homes... As mayor of Jerusalem I believe it is of the greatest importance to right this wrong, which, in some cases, would be seen as an act of great political importance that

would assist us in our future struggle for the unification of the city under Israeli sovereignty.”

Kollek sent a similar letter to then Health Minister Dr. Ephraim Sneh, whom he admired and with whom he had discussed the problems of East Jerusalem, as well as to Professor Amnon Rubinstein, Minister of Energy and Infrastructure, and, in August 1993, to Attorney-General Dorit Beinisch.

“...Yesterday I met with the Prime Minister on the subject. He is willing to have a government resolution that will declare a policy that properties in East Jerusalem may not be declared abandoned if their Arab tenants have been living there for a long period...”

Following Kollek's conversation with Rabin, a team was set up to prepare the material ready for a cabinet meeting.

The only achievement Teddy made as a result of his endless efforts on this matter was a change in the policy regarding the declaration of a property as 'abandoned', in line with his conversation with Rabin. He failed in his aim to have the properties taken over by Elad returned to their rightful owners, even though it was quite obvious the process had been carried out illegally. Not one of those properties was returned, whether as a result of the Klugman Committee findings or of Teddy's tireless pressure on the Prime Minister and the ministers of the government.

It did not take much to ignite the fuse that would explode all the illusions there were regarding coexistence in the Old City. The Jewish residents, armed with their messianic ideology, viewed the Arabs as only passing visitors in the eternal city, which belonged to the Jews.

Take, for example, the 'bridge over the roofs of the markets'.

#### *'THE BRIDGE OVER THE ROOFS OF THE MARKETS'*

Among the real estate purchased by Atara Leyoshna was the largest property close to the Old City markets. It was known as Galicia Court. The main institution there was a large yeshiva whose many students spend most of their waking hours in prayer and study. Adjoining the rear wall of the yeshiva synagogue was the Khan Al-Sultan Mosque. Both Jewish and Arab residents lived alongside the yeshiva. It should

be noted that there were never violent incidents between the two; the Arabs did not like the situation but they accepted it as a given.

The shortest route to the yeshiva in Galicia Court and to the apartments there was along an old bridge over the roofs of the markets - the butchers' market, the silversmiths' market and the perfume market. The Moslem *Waqf* did not like the idea of this short cut because the roofs belonged to the *Waqf*, according to its director Adnan Al-Husseini, but the matter was never raised on the public agenda.

The wooden bridge over the market roofs rotted over the years. Atara Leyoshna, as the patrons of Galicia Court, decided to replace it with a new, large metal bridge.

To change a temporary situation - and everyone agreed the wooden bridge was temporary - to a permanent one, with a massive iron bridge, requires a City building permit. This did not occur to Atara Leyoshna's people, whether by ignorance or deliberate decision to ignore City building regulations; worse, it totally ignored the sensibilities of many Old City residents. The preparations for the new bridge were carried out unbeknown to the municipality or the police in the Old City.

City Hall learned of the situation when things were on the brink of exploding.

One morning, at the height of the *Intifada*, word reached City Hall that tens of traders in the Old City were gathered on the roofs of the markets, near Galicia Court. City officials had no idea of what was going on. When they reached the scene, they found the chief of the Old City police station, Avi Fedder, present. Scores of people were there - hordes of storeowners, local Moslem leaders, including the director of the Moslem *Waqf*, Al-Husseini, and Sheikh Ekrima Sabri, who would later be appointed the Mufti of Jerusalem by the Palestinian Authority. Facing them, in Galicia Court, were Atara Leyoshna's people. Both sides were shouting - in Hebrew and in Arabic - with each claiming exclusive right to the territory. The rickety wooden bridge was gone and in its place was the massive iron bridge. The people who had come to lay it were discussing its final positioning. It was obvious that the fight was going to get physically violent at any time. Just then, Fedder ordered that the work be stopped until the situation was clarified. The bridge people put down their tools and left the area. Fedder turned the matter over to City Hall.

City Hall began discussions on the matter along two tracks. One was with Atara Leyoshna, mainly regarding the execution of the work without a building permit. It was not so much a matter of principle, as 'light' building aberrations were quite normal in the city. But the legal aspect served as an excellent base for City Hall to freeze the situation or, more precisely, return it to what it was previously.

The second track was between City Hall officials, from the Office of the Advisor on Arab Affairs, and the Moslem *Waqf*, headed by Al-Husseini, sheikhs and their advisors. These meetings took place in the *Waqf* offices in the Old City, not far from the bridge in question.

The *Waqf* officials had a clear stance. The markets had been built by the *Waqf* years before and that made them and their roofs *Waqf* property. The street below the roofs and the entire infrastructure below the street were City property and therefore its responsibility. Fierce arguments ensued over these claims, with the end result being a feeling of having reached a dead end. City officials began to talk about a more practical subject - the bridge and its future. They wanted to reach a situation in which the bridge functioned, because without it the 'Galicia' residents would be cut off from convenient and safe access. The *Waqf* was determined that everybody should get out of this place. The professional advisors stressed to the *Waqf* officials that there should be a bridge at that place, if not the new iron one then something else. The residents and yeshiva pupils of Galicia Court could not be left cut off from everything and had to use this long and dangerous path.

Eventually, a compromise was reached between City Hall and the *Waqf* - reversing the situation to what it had been before. That sounds reasonable, but how does one achieve that? The old wooden bridge had been thrown away, so was the intention now to build a new wooden bridge? City officials found that the *Waqf* did not oppose this idea and that this would indeed serve as a compromise. The representatives of Atara Leyoshna said that they too, in principle, supported the plan but then they took City Hall by surprise by saying they could not bear the cost, having spent their budget on the iron bridge.

Thus, the City had little choice but to fund the new wooden bridge. It continues to serve both Arabs and Jews.

If the impression given thus far is that there is never a dull moment in the Old City, here are another few examples:

The yeshiva students and other residents of Galicia Court found a short-cut out: they affixed a ladder on the wall of the mosque adjacent to the synagogue and would climb it, then walk along the mosque roof, hop down to the courtyard of the mosque and use its stairs to reach the street.

Needless to say, local Moslems did not like this idea. They removed the ladder and fenced off the roof. In turn, Atara Leyoshna lodged a complaint that they had done so without a building permit. City officials were smart enough to leave this matter alone.

Another more serious incident - one that could not be resolved simply by talking over a conciliatory cup of coffee - took place during the *Intifada*, and it left a heavy mark on the relations between Arabs and Jews in the Old City.

One day, local police received word that a hand grenade had exploded, having been dropped through one of the light and air vents of the markets - in this case, the produce market. City officials raced to the scene, where they found many police, border police and other security agents, who had already closed off the area. One peddler was dead and numerous others were injured. The police investigated the matter and although it looked like Jews had committed the vicious act they did not rule out the possibility that an Arab had tossed the grenade to incite the already-tense situation.

City officials feared violent repercussions, and settlers in the Old City were concerned about acts of revenge by Arabs. They approached the Mayor's Advisor on Arab Affairs - the natural address for issues related to conflicts between Jews and Arabs in the city.

For years, Atara Leyoshna had claimed that they had a fine relationship with their Arab neighbors; at a time of crisis, they too needed the assistance of City experts.

The police took the necessary measures to ensure the safety of the local Jewish residents, and the City searched for ways to restore the calm and coexistence that had previously prevailed.

City officials held meetings with the Arab merchants in the Old City to try and calm things among the local Arab public. The atmosphere was very tense. Clearly, the Arabs pointed the finger at the Jewish terrorist who had succeeded in one abominable act to destroy the *status quo* that had, for the most part, prevailed for so long.



The Arab merchants and City officials reached the conclusion that the murderer, even if he was Jewish, was not a resident of the Old City. They also understood there was an urgent need for a meeting between local Arabs and Jews to try and allow the coexistence to continue.

The Arab merchants eventually agreed to such a meeting, after discussing the matter with their leaders. The Jewish response took some time too, as the Jews lacked trust in their Arab neighbors, especially in such situations. They wanted to know what such a meeting could yield. They did not have particular demands but wanted to know that life could return to what it was without them having to pay a price for the murder. Obviously, no one could know what the outcome of the meeting would be.

It was agreed, through City officials, that the meeting would take at the Old City police station one evening. I arrived first, followed by the Arab representatives. We waited for the Jewish delegation... but they never showed up. They later gave a very vague excuse for not coming, saying they did not see the point in such a meeting at that time.

The settlers' view of the world did not leave room for doubt regarding their behavior toward their Arab neighbors. Ateret Cohanim and Atara Leyoshna people demonstrated particular friendliness when there were visitors, trying to prove that they had a good relationship.

#### *THE SHUVU BANIM YESHIVA*

One of the most serious points of tension in the Old City was, without a doubt, the Shuvu Banim Yeshiva in Khalidiyye Street. The street was named after the Khalidi family, which had lived in Jerusalem for many generations. Their descendants lived in the same place until they were forced to move when the yeshiva began settling the area.

The Shuvu Banim Yeshiva is known for its extremist position, and its relationship even with Jewish neighbors is not always smooth. It is an Orthodox-messianic ideology that drives its students, to the extent that the yeshiva was, is and will remain on the public agenda in the city.

It is relatively easy for the yeshiva to hide its conflicts with the other local Jewish groups, but disputes with the Arabs, which are usually political, cannot be concealed. They usually end with police complaints from both sides, but the police rarely delve into the problem.

The Arabs felt the police were ignoring the matter because they did not want to have to confront the tough core of Jewish settlers in the Old City.

In one instance, yeshiva students marched in the direction of the Western Wall. On the way, they overturned a display table at a souvenir store, destroying ceramics and other wares. The owner immediately lodged a complaint with the police, who came and even nabbed the culprits and took them in for questioning.

Several days later, I tried to find out what had happened. I was amazed at what I was told by the police: "Unfortunately, the suspects got away and we have not been able to find them." The policeman was smiling while he told me this.

Shuvu Banim made the headlines on numerous occasions, once in connection to a meeting of the Knesset Interior Committee in which Teddy Kollek participated. There, he described sharply the crude behavior of those at the yeshiva toward their Arab neighbors. He accused them of throwing waste, even human waste, on residents of the first floor of the yeshiva building. Yeshiva representatives responded by lodging a complaint of libel against the mayor, which was later revoked - in return for an apology by Teddy for the harsh things he had said.

One of the most serious incidents of recent years is related to the yeshiva or, more specifically, to one of its students, but it reflects the militancy of a large proportion of the Jewish population in Israel, particularly in Jerusalem, regarding Jerusalem's future and the trend of Jewish settling in the city's Arab neighborhoods, especially the Old City.

Several months after the *Intifada* broke out in 1987, there was a brutal stabbing murder of one of the Shuvu Banim Yeshiva students, Eliahu Amadi. In the struggle, Amadi managed to pull the knife away from one of the attackers and wound him. It was this that led to their capture soon after.

Amadi, who was newly Orthodox, came to the yeshiva from one of Jerusalem's problem neighborhoods, Shmuel Hanavi. All these elements, which include ideological power, a will for revenge and blind hatred of Arabs, led to the inevitable explosion.

Hours after the murder, scores of Orthodox Jews and yeshiva students from around the city, as well as Amadi's neighborhood friends and supporters of Meir Kahane, held a noisy and violent protest march through the Old City, sowing seeds of destruction wherever they

could. They broke anything at hand, set stores and houses alight, including the grocery store right opposite the yeshiva from which they obtained their supplies.

The police were not ready for a demonstration of this size. Troops began streaming in, aided by the IDF. The next day some said the number of policemen and soldiers reached 3,000. They did the best they could to stem the tide of destruction.

The Arab residents of Khalidiyye Street fled their homes, fearing for their lives. They gathered at the nearby cotton market. City officials tried to reason with the Shuvu Banim people, but to no avail. The Arabs wanted to return to their homes but no one could guarantee their safety. The City provided them with mattresses, blankets and basic commodities pending a solution.

Two days later they went home, to find that serious damage had been done by the rioters. Kollek found some outside funds to help them repair some of the damage.

Ateret Cohanim later tried to organize a '*sulha*' - a ceremony of forgiving and making peace. Its people were troubled by the events. Any upset in the relations between local Jews and Arabs was to their detriment. They found that, ideology aside, in day-to-day living one had to preserve some kind of balance that would allow normalization and stability.

The *sulha* was organized between Jewish residents of the Moslem Quarter and Moslem representatives. Ateret Cohanim head Matti Dan, who requested my involvement, initiated it.

It was not a difficult task. The local Arabs agreed that something had to be done to try and return to the *status quo* and their willingness to meet with the Jews was not surprising.

The meeting, under the auspices and with the advice of the Mayor's Advisor on Arab Affairs, took place in the clinic of local Jewish dentist Dr. Geula, which was very close to the yeshiva and the site of the murder. The room was small for all the participants but they squeezed in. There was a warm atmosphere of neighborliness and all present understood that the cruel murder could not upset continued common living of both sides in the Moslem Quarter. The dialogue was quite smooth... but things quickly got out of hand.

In the street, shouting could be heard. A well-known extremist settler, Yuri, who opposed any attempt to hold a dialogue with the Old City Arabs, tried - and succeeded - to disrupt the meeting to the point of no return. On his own, he held a noisy protest outside the clinic and a riot soon broke out. The participants left the meeting and did not return.

In light of the rumors of what was going on between Shuvu Banim and its Arab neighbors, Knesset member Dov Shilansky (Likud), then chairman of the Knesset Interior Committee, decided there was a need for a committee tour of the Old City and the places in question. In my official capacity, I was invited to take part in the tour and did so, happily.

The group arrived at Shuvu Banim at the appointed time and was given an explanation by the yeshiva heads. Shilansky lapped up every single word. I wanted to raise the matter of the Arab residents' complaints about the behavior of the yeshiva students but did not dare. The forum was inappropriate.

Towards the end of the visit, the hosts announced that one of the Arab neighbors wanted to say something to the group. I was very pleased with this development, and even more pleased when I saw the neighbor - one of the main complainants about the yeshiva students and one who had suffered greatly because of them.

As he began to talk, I cringed. He praised the students and the warm, friendly relationships they all had. Shilansky was pleased and the yeshiva heads were beaming with smiles. The Arab would have gone on, but Shilansky cut him off for lack of time, and the meeting ended on an optimistic note.

I tried to tell Shilansky that what he heard was not true at all, that the Arab neighbor had either been seriously intimidated or bribed. But Shilansky turned and said to me: "Didn't you hear what the Arab had to say?"

The ideology of the Orthodox fundamentalist right is that the whole of the Old City belongs to the Jews. This begs the question: Is there even a possibility of holding negotiations on coexistence and equality between the two sides?

*SETTLER'S BEHAVIOR*

The story of Rafika Salaima is living testimony of the behavior patterns of settlers, who sometimes use their messianic ideology violently. Usually they just disparage, sometimes humiliate, their Arab neighbors, as they question the legitimacy of their right to be in the Old City.

Rafika Salaima has been living in the Old City for many years. A widow, she raised her family there, in Hasariya Street, on the corner of Khalidiyye Street, very close to the Atara Leyoshna Yeshiva and Shuvu Banim. As her children grew up and left home, they moved to apartments not far from Rafika.

One day in 1992, I received a strange complaint that Salaima had housemates who had taken water from her pipes without her permission. I went to the house and met with her and, over a wonderful cup of coffee that she prepared, I heard the story.

For years she had lived in that same place until one day she learned that it was not her house at all. Atara Leyoshna, as part of their efforts to redeem the Old City, informed her that the property was officially 'abandoned' and therefore did not belong to her but rather to the state. They took care of all the paperwork and Salaima and her family found that they were now sharing their house with a number of Jewish families. In fact, they gave her the basement. Rafika, who had seen wars and battles, did not think it was worth fighting the 'invaders' as she realized she did not have a chance against a group that enjoyed government support.

The area of her 'flat' was now very small, so we drank our coffee in the garden. I really pitied her, especially as she had to go down the stairs to the basement every time she wanted to bring something.

I was quite amazed at her story, but even more so at the fact that her main complaint was against City Hall and not the settlers.

City Hall had sent her notification of non-payment of a water bill, announcing the water would be cut off if the bill were not paid. The figure was huge. She explained to me that the settlers had connected themselves to her water supply and were freely using her water. I went to the meter to see for myself and saw that there was in fact only one meter, with lots of plastic pipes coming out of it, although several families lived on the premises. I understood at once.

I first asked the water department to nullify the threat of disconnection, stressing the fact that the Jewish families would be disadvantaged by such a move as well.

The next step was to disconnect the settlers from Rafika's water supply and compel them to have their apartments hooked up to the city water supply. A long series of letters then followed with the water department. Every few weeks I took it upon myself to visit Rafika and check if there were any developments. Months passed and nothing changed. It should be noted that in such a case it is possible to stop the water supply to the offenders, issue a police complaint against them and charge them. But this was not done.

In the meantime, Rafika's bill just kept getting bigger. The settlers continued to use her water, and she continued not to pay.

Almost two years went by. In June 1994, the city water department sent a letter to Atara Leyoshna demanding that they have the settlers - Rafika's neighbors - hooked up to the city water supply.

Near the Old City's Herod's Gate, there is a Jewish family living in a house whose rights were purchased by Ateret Cohanim. The legality of the purchase is disputed. Because of its location in the Moslem Quarter, the family receives its electricity from East Jerusalem, as do local Arabs.

One day I received a phone call from one of the Ateret Cohanim leaders who told me that the family's electricity bill had not been paid for some time and the Electricity Company had cut them off. "As you are on the board of the Electricity Company, I am asking you to get them to reconnect the family and we will pay the bill." When I asked why the bill was not paid he explained that in the garden there were large projectors, for security reasons. The projectors consumed a lot of electricity and the family was not willing to pay. It seemed a strange story, but I thought to myself that the family could not be left without any electricity. He promised the bill would be paid first thing the next morning. I accepted his promise at face value and called Mohammed Ali Al-Husseini, chairman and director of the Electricity Company. I told him the bill would be paid the next morning and he gave the appropriate orders to reconnect the electricity for the Jewish family, which was done in some hours.

The story could have a rather banal ending had the bill been paid as promised. This time I had to follow up the promise as I had conveyed

it to Husseini myself - and a word of honor in Arab culture must not be broken. The bill was eventually paid, after a long period, and not before the electricity was cut off again.

Relations between Jews and Arabs in East Jerusalem are very fragile. It is enough for one side to tip the scales slightly for it to cause a major problem. City Hall often finds itself refereeing between the two sides.

One night my home phone rang at 3:30 a.m. When I picked it up, no one responded. In the background I could hear the *muezzin* calling Moslems to dawn prayer. I had no idea who was making me listen to the *muezzin*. I hung up, angrily. The next night, and for nights after, the same thing happened. Eventually, the caller decided to make her intentions clear: speaking Hebrew, she said, "If we can't sleep, you're not going to sleep either, nor is Teddy Kollek." She then hung up.

I decided to go to the police. I had a hunch who was behind the calls, and it turned out to be right. The police tapped the phone and caught him in the act.

The offender, who was neither Orthodox nor particularly extreme in his views, lived in the East Jerusalem neighborhood of Beit Hanina with his wife and children, as had a number of other Jewish families since 1967. He was bothered by the voice of the *muezzin* from the nearby mosque. He called me scores of times. I tried to explain to him that he lived in an Arab quarter and had to show some degree of tolerance as, I was sure, his neighbors demonstrated towards Jewish customs and beliefs.

He decided to stage a personal battle. I was not willing to be his victim. After lodging a complaint with the police, it was decided to charge him. I do not know what happened in the end. He continues to live in Beit Hanina and the *muezzin* continues to call Moslems to prayer several times a day, including before dawn. I can only assume that he decided that, despite everything, the only solution is tolerance.

Indeed, tolerance is the name of the game. I received so very many complaints over my years at City Hall regarding the *muezzin*, from many neighborhoods. One of the more surprising came from the suburb of Ma'alot Dafna, a Jewish neighborhood set up after 1967 in the no-man's land between East and West Jerusalem. I was surprised in this case because there is no mosque nearby.

The 'problem' turned out to be the *muezzin's* calls from Sheikh Jarrah, which in the silence of the night extended to the Jewish neighbor-

hood. I tried to use my influence with the *Waqf*. Al-Husseini promised to deal with the matter. But the complaints continued to stream in, daily. I talked to Al-Husseini again, who explained to me that they do not allow the mosques to alter the volume of the loudspeakers, and that in this case the *muezzin* was also hard of hearing, which was the reason the loudspeakers at this mosque in Sheikh Jarrah were louder than others. The complaint was transferred to the police, and it was decided to charge the *muezzin* personally. This was the first - and to my knowledge the last - time a Moslem man of religion was tried for noise pollution emanating from a mosque's loudspeakers.

Jewish settling in the Old City and other parts of East Jerusalem is a holy mission in the eyes of those who promote it, and they will take any steps that will bring them closer to their goal.

The political upheaval of 1977, which saw the Labor government replaced by a Likud-led one, brought the proponents of the settler ideology closer to their goal. The 'bulldozer' in these matters was Ariel Sharon, and whatever his capacity - Minister of Agriculture, Minister of Housing - he always found a suitable way to fulfill his dream to be 'patron' of the Jewish settlers in Eretz Yisrael, even at the cost of huge amounts of government money and even if it meant evacuating, sometimes by force though with *bona fide* legal orders, Arab families from their homes so that Jews could move in.

#### WADI HILWE - THE 'CITY OF DAVID'

One of the most sensitive areas of Jerusalem, archaeologically and historically, is around Wadi Hilwe - the City of David (Ir David) - on the way to Silwan. The area was declared an archaeological site during the British mandate. At this very place, in 1991, Sharon, as Housing Minister, approved a plan for 205 apartments.

As soon as word of this got out, the protests started flying in. One of the first protesters was Antiquities Authority: Jerusalem District archaeologist Gideon Avni. Young and talented, and known for his moderate views regarding archaeology and politics, he wrote to the deputy mayor and chairman of the Local Planning and Building Committee Avraham Kehila, stating:

"I have heard unofficially of a plan to build a few hundred apartments in the City of David area... This is an ancient site and the historical core of the ancient city of Jerusalem, one of the most important archaeological sites in the city... It has



been defined as an archaeological site and for development for this purpose... The Antiquities Authority strongly opposes any change in the purpose of this land for residential purposes..."

Kehila responded shortly but clearly by saying: "Jerusalem City Hall has always treated this land as an archaeological site that must not be built on. Any building plan will be opposed by the municipality."

Instead of this being the end of the story, things developed differently. Avni was not satisfied with this exchange of letters. He understood that the idea of putting down the idea of building in the City of David, which was backed by Sharon, could not be so simple. In April 1992, he sent another, much more detailed letter to Housing Ministry director-general Arie Bar following a meeting he had had with him:

"This is without a doubt the most important and central archaeological site in ancient Jerusalem and it contains a large deal of evidence of life in the city from the 4<sup>th</sup> Century BC, especially regarding First Temple times, when Ir David was in the center of the city... The Antiquities Authority is insistent that the purpose of this land remain archaeological, as defined in the master plan, due to its cultural, historical and national importance."

Avni went on in his letter to explain that prior to any building activity, there would need to be major archaeological digging that would be very costly and, after which, there was still no guarantee building would be permitted. Should it be decided to preserve the archaeological findings in their place, building would most certainly not be permitted. A technical team of some 20 archaeologists and over 100 workers would be required, and the time needed would be about six years, at a cost of some NIS 70 million, he estimated.

In the City of David incident, as so many others, Sharon tried to cynically use the law passed a short time earlier that sped up the process of building permits for new immigrants.

This led a group of people to petition the High Court. They included Jerusalem city councilor Sara Kaminker, Professor Rachel Alterman of the Technion's Faculty of Architecture and Town Planning, and Ornan Yekutieli, Jerusalem city councilor and deputy mayor. The petition stated, among other things, that it was obvious the planned flats were not intended for new immigrants or for homeless people. These were spacious luxury apartments, meant for the wealthy.

The episode took on national proportions, with many protesting for and against the plan. It was constantly covered in the media as well.

At that time, late 1991, the Knesset Interior Committee toured East Jerusalem to get an idea of how much illegal building was going on among Arab residents. It was a difficult tour, and I tried to explain to the participants and the committee head, MK Yehoshua Matza (Likud), with not much success the reasons for such illegal building. I quickly realized the tour was politically motivated, the aim being to explore ways to stop illegal building in Arab Jerusalem.

The promenade at Armon Hanatziv was on the tour as well. From there we looked at the view over the city and, to the north, I pointed out a large chunk of empty land that was earmarked for the City of David from Wadi Hilwe down through the wadi at Silwan. This land was a continuation of the archaeological site of the City of David. I explained to the committee members that this land was free of buildings because it was a declared archaeological site and one of the most important in the city. They nodded their heads and agreed that no building should take place there. I stressed my point and they reiterated their understanding of the situation. And then I let off my 'bombshell' - that in this sensitive area the Housing Ministry, at Sharon's initiative, was planning to build 200 apartments. They were taken by surprise, but Matza immediately asked me to refrain from bringing up political issues during the course of the tour...

Among the opponents of Sharon's plan was the head of the Hebrew University's archaeological institute, Professor Yoram Zafrir. He sent a very terse letter to the Interior Minister, Arie Deri, requesting/demanding, in the name of all the teachers and students at the institute, to prevent changing the status of the City of David land from a large archaeological site to a residential zone.

"We, the teachers, researchers and students of the archaeological institute of the Hebrew University, protest the intention of the Housing Ministry to declare the City of David as land for building and oppose the plan to make it a residential area. Such a plan will destroy the landscape of Jerusalem and surviving ruins and wipe out the view of the City of David that has prevailed for thousands of years... No one has the right to destroy the place from which Jerusalem sprouted and build on the rocks where Joshua walked, or on the relics of burnt houses where Jeremiah wept, or the mines from which the Hasmoneans took stone to build their walls... We write this

out of a sense of anxiety and concern for one of the most precious areas of land that we have, with no connection to politics. We call on the citizens of Israel and lovers of Jerusalem throughout the world to raise their voices against this plan..."

When Mayor Kollek received a copy of this letter he saw fit to express his admiration to Professor Zafir for the effort. "My position is known and I have expressed it on numerous occasions," wrote the mayor:

"On that hill Jerusalem was founded and there David declared it the capital of Israel... Thousands of tourists have visited the site and learned of Jerusalem's beginnings. The Housing Ministry plan ignores the national and cultural importance of the place and the grave harm to the natural landscape of the City of David that could be anticipated if it is implemented... We must ensure that it remain an open archaeological park that will enable continued research in the future... I believe our sovereignty over Jerusalem is strong and will withstand even without building a residential neighborhood in the City of David..."

Mendel Kaplan, the chairman of the Jerusalem Foundation and formerly of the Jewish Agency, was among the first proponents of the archaeological digs at the City of David. The Jerusalem Foundation contributed over \$1 million to the excavations there. Obviously he was among the opponents of Sharon's plan. In a letter sent by him to the regional committee for planning and building it said, among other things:

"We vehemently oppose the insensitive plan for one of the most important sites - if not the most important - in the history of the Jewish people. Implementing the plan would be the height of stupidity and will cause irreversible damage to the site... I understand that in line with the report of district archaeologist Gideon Avni that the necessary excavations prior to commencement of building will cost some \$30 million, i.e., \$150,000 to each tenant, and that is for the archaeological work alone..."

The public battle at the formal and professional level lasted many weeks. In addition, there was a very lengthy legal battle.

Kollek, who headed the campaign opposing the ministry plan, wrote to the state attorney, Yosef Harish, asking for a legal opinion regarding the role of the special committee for building for residential and in-

dustrial purposes. (Sharon wanted to use that committee to speed up the request for the City of David.)

The City of David and other 'residential' plans the Housing Ministry initiated indicated to Teddy that the state attorney might be the appropriate address to legally block the escapades of Sharon and his men on all the available land in the city. The City of David and the Herod's Gate were just two examples of this.

On 15 May 1992, Kollek wrote to Harish:

"I write to you with some urgency about a matter of the highest importance in which there has been unreasonable use of planning and building processes in the committee for building for residential and industrial purposes, which was established according to the law in 1990.

"The aim of this law was to determine the parameters for special building arrangements for approving building plans when there was an urgent need for housing and employment - for absorption purposes, young couples, the homeless and the unemployed. It is now being used in a negative way with a cynical use of the lack of a local planning authority at the order of the said law. Today, the Housing and Construction Ministry is requesting sped-up processes with no connection to the aims set by law and implemented by a local planning authority. I would like to present you with two examples of this: one is the plan for 205 units in the City of David, and the other is a narrow complex of three dunams near the Herod's Gate - some 200 apartments aimed for yeshiva students."

(We will discuss the Herod's Gate complex in greater detail below.)

In the City of David matter, Teddy concluded his letter thus:

"To the best of my knowledge, this act by the ministry is in opposition to the law and severely harms the city of Jerusalem, the capital of Israel, and its residents. I requested that it be examined and I would be grateful to hear your opinion about the legality of the ministry's activities..."

In this way, Teddy also got Harish involved in the legal battle. In his capacity, he was unable to express opinions that have political aspects. At the same time, Harish informed the chair of the Committee

for Building that the plans up for discussion were not compatible with the latest version of the law, dated 15 June 1992.

The battle was eventually won. Israel had never known such sharp differences of opinion in the government - in this case, Ariel Sharon - and the public - academics, lawyers, students, etc.

On 19 July 1992, district head of planning for Jerusalem Eli Suissa wrote to Tel Aviv lawyer Dror Strum regarding the City of David: "In response to your letter I must tell you that I do not intend to operate against the law."

The absurd plan for 205 apartments in the City of David was taken off the public agenda.

Today [1998] Sharon is Minister of National Infrastructure. The possibility of the City of David plan coming to life again should not be discounted.

Sharon is not a desperate man. At the same time as the City of David episode, another 'residential' plan was born - again at his initiative: the Herod's Gate complex in the north-eastern corner of the Old City. In this case too there was wrongful use of the law in speeding up the processes for permits.

On this matter, Teddy wrote the following to Harish:

"The Housing Ministry wants to build 200 rooms, each with kitchenette and bathroom so that they represent independent apartments. These rooms are just about six square meters, which makes a joke of the term 'apartment,' when the complex is intended to house yeshiva students, and for the yeshiva itself. This is also an ancient site for which the Antiquities Authority has requested many months to research the area and save relics in case this turns into an urgent project...

"These examples (the City of David and the Herod's Gate) are not intended for new immigrants or homeless people. The City of David project will take some seven years to implement, and the Herod's Gate project is for a yeshiva, not a residential complex *per se*, which will also take years to complete."

SETTLER'S ATTEMPTS TO TAKE OVER ARAB PROPERTY IN EAST JERUSALEM

Sharon's eyes and ears, as well as those of his associates were open to any possibility of establishing Jewish settlement in the heart of Arab areas. The more dense the Arab population, the more satisfied they were with the challenge.

On 9 April 1992, the Jerusalem weekly *Kol Ha'ir* ran a headline: "State tries to take control of Ambassador Hotel." Since 1967, the Ambassador Hotel in Sheikh Jarrah has served as a kind of symbol of Arab-Palestinian nationalism. It was occupied by the IDF immediately after the occupation of Jerusalem in 1967 and there the military governor for the West Bank set up office. Now the paper was stating that "The administrator-general, who is serving as a conduit for the transfer of properties to Ateret Cohanim, claims that the owners of the hotel are residents of the West Bank and therefore he stakes a claim on the hotel."

This was enough to get the attorney general to send a stiff letter to the administrator-general, demanding that he show legal purchasing rights or a contract that would indicate his right of ownership.

This attempt by Ateret Cohanim did not succeed. The hotel remained Arab-owned and run, was renovated and is one of the nicest hotels in East Jerusalem.

Another attempt to put Jewish families in the heart of East Jerusalem concerned the Central Post Office building, on Salah Eddin Street, the main thoroughfare and center of trade and economy in East Jerusalem and of great significance to the West Bank as well.

The post office operated from there from 1967 until it moved to new premises. No sooner was it gone than the greedy eyes of Ateret Cohanim representatives were focused on this very attractive property in the heart of Arab Jerusalem. They wanted to renovate it and move in 25 Jewish families, proving to the world that coexistence is a fact of life, even a *mitzvah*.

City Hall did not like the idea. The friction between Jews and Arabs had reached a peak and there was no need for new problems. And this was such a central and sensitive location. The Finance Ministry agreed that the timing was not right and that the site was not suitable.

On the 2 p.m. news on Kol Israel radio, the announcement came over:

"The Housing Ministry has announced it will be unable to provide housing for the families of 25 yeshiva students associated with Ateret Cohanim in the building that was previously the Central Post Office in East Jerusalem. The Finance Ministry auditor-general told the Postal Authority that only the ministry has the right to decide on such a property purchase or rental. The property will be transferred to that ministry and will be designated for use by income tax and other offices..."

The settling of Jews in the middle of Arab centers could have been a natural and normal process had it not been accompanied by Orthodox-mystical-radical ideology...and if the Arabs had not constantly felt that their land was being annexed.

There are so many stories of anxiety over such possible annexation - inside and outside the Old City. Take the Abu Sbeitan family, for example, which had lived for generations in At-Tur/Mount of Olives. Few years ago, one of the family heads decided to try his luck in the US.

He was enormously successful there until the tables turned. His business started going downhill, his health failed, he went bankrupt, and died. He owed the American banks considerable sums of money so they put a lien on his property and auctioned what they could. There was no political involvement at all, just business. The rest of the family was aware of the situation and accepted it. They also knew that Abu Sbeitan had a big house atop the Mount of Olives, close to the Augusta Victoria Hospital and next door to the previous Patriarch of the Armenian community, Shaha Ajamian.

The one person who was not indifferent to the situation was Ateret Cohanim patron Erwin Moskovich, a resident of Florida, but a staunch supporter - and provider of funds - of the settler movement in East Jerusalem.

He bought the house in question and gave it over to Ateret Cohanim to set up the Beit Orot Yeshiva. The head of the yeshiva was MK Rabbi Benny Eilon, of the rightist Moledet movement, and its patron was MK Hanan Porat, of the National Religious Party.

At the time of purchase, Moskovich and his followers knew that the land adjacent to the property was intended as a local girls' school, but that did not bother them at all.

The yeshiva students started moving in, and quickly the place was crowded. They started extending, and ran into a small 'problem': the land they were using was intended for the school.

Beit Orot was well aware of the situation, but this did not deter it from expanding. The task of negotiating the matter with the government was given to Porat, and he started with the 'lower' levels of City Hall officials. There was no common language to be found. He wanted the land to expand the yeshiva, while City Hall, the city engineer, the head of the education department and advisor on Arab affairs wanted the girls' school erected.

We were coming from two opposing directions. The location of the yeshiva, in the middle of an Arab neighborhood, was not good news and, we knew, would not lead to understanding and coexistence between the two sides. In the future, it could be dynamite that would bring only trouble.

Nor could the abysmal lack of classrooms for Arab school children (girls especially) in At-Tur be ignored. At the time, many were studying in rented apartments around the area.

Nothing came of the many discussions and tours between Porat and City Hall's 'lower echelons'. He was furious and said: "I can see that I will not solve the problem at this level. I have to see Arik [Sharon] and get him to talk to Teddy. Only Arik will be able to pressure Teddy..."

But the talks between Sharon and Kollek yielded nothing either. And Teddy reiterated to Porat that the land was intended for the girls' school and not for Beit Orot.

Furthermore, Teddy was a believer in separating the two communities, saying that coexistence in Jerusalem could only take place if the friction between Jews and Arabs was minimized.

The situation remained. Every so often Beit Orot would commit some building aberrations, and nothing was done about them. These included fencing off the property, which requires a building permit; the fence still stands.

As long as Teddy was mayor, the situation did not change and City Hall insisted that the land would be used for the girls' school. Then in 1993, Ehud Olmert was elected as mayor. This gave the new guard at City Hall a chance to prove it was looking to the right, showing that its



idea of the city's unification was to increase the Jewish presence, even at the expense of the Arabs.

Olmert wanted to pave the way for the expansion of the yeshiva. It was perfectly in line with his policy of promoting Jewish settlement in all parts of the city. His biggest obstacle was the existing plan for the school.

He was very cunning in his solution to the problem. Holding the City education portfolio, he was responsible for the education of *all* the city's children - Jewish and Arab. The plan for a school could not be nullified unless the head of education in City Hall declared that the intended land was not crucial for setting up an Arab girls' school.

And so, on 30 December 1993, a letter reached the mayor's desk from Nissim Solomon, head of education at City Hall, saying that the Education Department was willing to release that particular plot of land for the school, as it could be established elsewhere in the vicinity.

Clarification was sought with the previous head of the Education Department, Michael Gal, and it was found that what Solomon had written was far from the truth. No one had agreed to release the land from its original purpose or agreed on an alternative site. City Hall, and especially Education Department officials, knew that the main problem in setting up schools in Arab East Jerusalem was the lack of availability of land.

In other words, Olmert had 'invited' such a letter.

The school is still far from being realized; nor is any alternative site in the offing.

The future of the empty site next to Beit Orot was obvious from the outset. It can be assumed that the arguments will continue, and one hopes they will not turn violent.

This is far from an isolated example of how the Israeli establishment treats the subject of education facilities for the Arab sector in Jerusalem.

The municipal Mamoniya Girls' School is thought to be the best girls' school in the city. It has 1,200 pupils. For years, the City had a plan to expand the curriculum to include a range of subjects and technologies. A new modern building was planned in Wadi Al-Joz for this purpose, to be financed by the Education Ministry. All necessary bodies, including, in 1988, the Interior Ministry's District Planning Commit-

tee, headed by Eliahu Suissa (who would become Interior Minister in Binyamin Netanyahu's government) approved the plan for the 7,835 square meter school.

City Hall got started with the building so as to finish it as quickly as possible. But some unexpected problems turned up. The Hyatt Regency Hotel, which is located a short distance from the proposed school site, suffered greatly during the *Intifada* with the number of guests diminishing constantly due to the violent acts taking place. The hotel administration decided to oppose the establishment of the Arab girls' school so close to the hotel and called on the Interior Ministry to stop the building work.

Representing the hotel, Jerusalem lawyer Z. Harmolin appeared before the District Committee and explained his objections. The argument between the hotel's legal aides and City Hall officials pushed committee chairman Suissa to propose that they ask for an evaluation from security authorities, i.e., the police, before making a final decision. No one, except Suissa, could have known that the decision was in fact intended to sabotage the school project.

The District Committee discussed the matter again on 16 December 1990, armed with the police evaluation. Suissa read the document, signed by the chief of police, opposing the school.

"There is no doubt," wrote police commissioner David Kraus, "that the school will pose a security risk due to its location at such an important junction. The proposed school will increase the difficulty of traffic flow in nearby Wadi Al-Joz ..."

Suissa pointed out that an opinion by the General Security Services was even more negative. But no one other than him had heard this opinion, and it was never given in writing. It was decided to "accept the opposition and reject the plan in line with the evaluation submitted to the committee."

But the matter did not end there. Two of the committee members protested the decision, claiming a solution could have been found to the security issue raised by the police. Another meeting was held where it was found that in fact there were two police evaluations, one contradicting the other. The police commissioner claimed the school was a security hazard while the Police Minister, Haim Bar-Lev, said it was not. The matter was postponed until March 1991. Clearly, the professional argument had now become political.

During the *Intifada*, police commander Haim Albaldez was called in to City Hall to brief the administration on the situation. He was asked for his opinion, too, on the school. He said he initially opposed the plan but after closer examination, the chief of police agreed to its establishment.

Mayor Kollek was extremely peeved.

"I suggest we don't discuss the matter. On the basis of the principle (given in the police evaluation) I could order all the Arab schools in the city to be closed. City Hall is going to fight the matter. We will go to the High Court. We think a grave mistake is being made..."

Shraga Biran, senior lawyer of the Hyatt, was not happy with developments. The City, though ordered to stop building work, continued with the frame. He decided to get the Prime Minister, Yitzhak Shamir, involved, writing to him on 19 April 1991:

"City Hall has built the frame of the school in a highly sensitive area, with no coordination with the relevant bodies and without their knowledge... The hotel's occupancy, despite major efforts, is extremely low because tourism bodies around the world associate it with the territories..."

Biran asked the Prime Minister to order the District Committee to freeze discussions on the school and transfer the matter to the Ministerial Committee for Jerusalem. The letter was sent to Interior Minister Deri, who replied to Biran that the decision made at the District Committee meeting of 23 April 1991 was still valid. So the school was not approved, and nor was an adjacent building for teacher training courses and special education.

Teddy did not cave in. He decided to fight the battle to the end, believing in the need for the Arab school even if he would need to compromise on some of its features so as to ensure security.

In late 1991, the City's deputy legal advisor, Yitzhak Eliraz, sent a letter at the behest of the mayor to Suissa asking for an additional discussion on the subject. Now City Hall was agreeing that the building be used as an institution for handicapped children and those needing special education. He included a professional opinion by Elwyn Jerusalem head doctor Danny Shor on the subject of the children:

"There are 42 children with medium-serious retardation who suffer, in addition to their mental retardation, from physical handicaps... They are aged between 3-14, and some are in wheelchairs, while others need various degrees of assistance..."

This idea was first raised at the April 1991 committee meeting, until one of the committee members asked: "Is there a difference between a stone thrown by a retard and that thrown by a normal child?"

No one asked in return whether handicapped children, as described by Dr. Shor, are capable of throwing stones...

Teddy decided to take legal action. He was the first mayor in the country's history to petition the High Court against the government.

The court approved some of his claims and forbade the District Committee from changing the intended purpose of the building.

As noted, the District Committee's intention to discuss the change in status was the initiative of the Housing Ministry, whose minister saw it as a great opportunity to fulfill one of his aims: to set up neighborhoods for Jewish residents in the heart of the Arab population of Wadi Al-Joz and to use the building intended as a school.

Sharon's plan was extremely simple. He intended to use a local olive grove and additional local land to set up a new Jewish residential complex.

Teddy could not agree to the plan and this caused him to lodge his petition. In order to strengthen the City's position in advance of the District Committee meeting, Teddy called in his old friends who were both City Hall and General Security Services veterans, Reuven Hazak and Peleg Radai, who now ran an investigation and security firm. They looked into the matter and found that "there is no link between the location of the school and terror activities... We see no security problem related to terror with the establishment of the girls' school..."

In the meantime, reorganization was going on in the police force. The Jerusalem area was made a district, headed by Rafi Peled, who would later become chief of police. Teddy's request that the subject of the school be raised again was accepted. He knew that if his proposal to turn the building into a special education center was accepted it could later be transferred to its original purpose as a high school for girls.

The Knesset Interior Committee, headed by MK Matza, joined the picture too. The committee members toured the site with Teddy, who did not usually attach much importance to Knesset members and their power of influence in such cases, but because of the importance of the matter he decided to give them of his time.

They were not interested in what he had to say. MK Rehavam Ze'evi (Moledet), for example, had a long list of 'practical' solutions for the building: a police club, IDF training school, the Beit Orot Yeshiva, and so on.

Teddy's appeal eventually reached the National Committee for Building and Planning, which made its decision on 23 February 1993: "There is no reason, security-wise, preventing use of the land for a special education school for 42 disabled children... or even 200 disabled children." The committee conditioned its final approval on approval from "the Jerusalem Security Committee or any other body with authorization from the police force."

The Jerusalem Security Committee never raised the matter, and the school never got off the ground. There was a strong feeling that the matter was all tied up. Even after Labor came to power the situation did not really change; after all, the head of the District Planning and Building Committee, Suissa, did not change - nor did his attitudes towards the Arab population. It was he who had tried to bury the Mamoniya School idea in the first place.

Towards the end of Teddy's reign, he tried to appeal to the High Court one more time to get the Interior Ministry - now under Yitzhak Rabin - to approve the school for the disabled. But by the time it reached the court, Olmert was in power and he was not interested in such an entanglement with the ministry so he canceled the petition.

City councilman Ornan Yekutieli (Meretz) did not give up. He renewed the court appeal and a compromise was reached in which the purpose of the land was not to be changed pending another meeting of the District Committee.

It was a real victory. Considering the council coalition, he could not have hoped for a better result. When the matter reaches the committee, it will be simple to change the building's purpose.

The building is still standing, waiting. No one knows what the future has in store for it, one can only guess... Recently there have been ru-

mors that the Hebrew University is negotiating its procurement with City Hall.

#### THE CASE OF THE 'SMALL WALL'

Ateret Cohanim and Atara Leyoshna are the driving forces behind Jewish settlement in the Old City and in Jerusalem in general. They were not only successful at purchasing apartments but also at anything to do with strengthening the hold on the Old City. The 'Small Wall' (Hakotel Hakatan) is another example of this.

They wanted to take control of the 20-meter-long Small Wall, which extends from the Western Wall, near the Iron Gate, to the mosques in Al-Haram Ash-Sharif, the Temple Mount - an extremely sensitive zone.

The place was very important to Ateret Cohanim, as it saw it as a means to strengthen the Jewish presence in the Moslem Quarter and make sure it was felt all the time. The Small Wall is little more than a courtyard surrounded by homes where tens of Arab families live, but Ateret Cohanim targeted this place, driven by its national-Orthodox ideology. Even the *Waqf's* Al-Husseini was aware of it.

Many of the apartments overlook the Temple Mount - making this location ideal in the eyes of Ateret Cohanim supporters. They wanted the Small Wall.

The Small Wall has been, is and will remain a focus of friction and conflict between Jews and Arabs. It is closely associated with the controversial Western Wall Tunnel which, when opened, led to violent encounters between the IDF and Palestinians, and left 100 people dead on both sides.

In order to conduct the excavations for the tunnel and expose the Western Wall for its entire length, it was necessary to dig below houses in the Old City. Many of these houses, hundreds of years old, do not have secure foundations, and some of them are of great historical significance. Harming them would be disastrous. Add to this the fact that these buildings are politically contentious, and you have a serious conflict, Israeli-Arab, Jewish-Moslem - a time bomb.

When the tunnel workers reached the Small Wall whole floors of apartments crumbled straight into the tunnel. Severe cracks appeared in many others and the buildings were declared condemned. The Moslem *Waqf* building was also damaged. The *Waqf* blamed City

Hall, which was compelled to come and assist in renovating the *Waqf* building.

Ateret Cohanim<sup>A</sup> continued to use the Small Wall area, holding festive gatherings and prayers there. These were *Intifada* days, but still one day Ateret Cohanim representatives came to City Hall with the 'humble' request that the scaffolding on the buildings be removed. "We use the space for small events, such as bar-mitzvas, circumcisions, etc., and it is too small for our needs. We want to enlarge it, as it was before."

I had a bad feeling about this. The mayor's policy was to minimize conflict, especially in the Old City, and this request could exacerbate it. I suggested they discuss the matter with the police commander in the Old City, Avi Fedder. I was surprised when I heard that he supported their request, that he did not think it would be seen as incitement. This totally contradicted my own view.

Al-Husseini raised the matter with me in a routine meeting we held, and expressed the *Waqf's* total opposition to the plan. I was given to understand that the relationship between the *Waqf* and the Jewish associations operating in the Old City, if such a relationship existed, was undergoing a crisis of trust. In contrast to Commander Fedder, Al-Husseini thought that removing the scaffolding would indeed lead to violence between the two communities and thus the *Waqf* opposed it strongly.

I formulated my own recommendations on the matter and submitted them to the mayor.

Around that time, the UN president was visiting Jerusalem, holding meetings with the mayor and Moslem leaders, and the latter raised this issue with him.

He asked for Teddy's involvement in the matter. He did not have to elaborate. Teddy promised him the scaffolding would not be removed - moreover, that it would become an inseparable part of the '*status quo*' understandings between the various religious groups in the Old City.

The scaffolding, though ugly and unnecessary, is still there. Only time will tell when it will be removed and for what purpose.

## Al-Haram Ash-Sharif – The Moslem *Waqf* and the Temple Mount

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The Arab-Israeli conflict took on the serious appearance of a national-religious battle primarily after the War of 1967 and the unification of Jerusalem, which was not recognized by the Arabs.

The physical proximity of the two sides to each other, in a Jerusalem with no fences, walls, or barriers to separate its range of communities, created a complex and fragile reality that often resulted in a violent explosion.

The basis of the relations between and among the many religious and ethnic groups in the city and between the Israeli and Moslem establishments is the '*status quo*.'

The *status quo* can be defined as the result of the agreements and understandings, whether written or oral, that have developed over the years at the initiative of the central rule so as to preserve the delicate and sometimes impossible relationship between the various religious groups in the city.

The *status quo* determines modes of behavior in Al-Haram Ash-Sharif, the Temple Mount, for example - who may enter and when, who holds the keys, and what should be allowed and disallowed on Moslem and Jewish holidays.

The *status quo* is dynamic, and adapts to the times. It cannot be changed, but rules may be added, depending on events in Jerusalem. For example: no national flag may be waved at Al-Haram Ash-Sharif, according to the Moslem establishment. This was the case during the Ottoman period through British Mandate times and even during Jordanian rule in Jerusalem. No Israeli has challenged this, officially or unofficially.



With this background, one can understand the anger of the Moslem establishment when the police in the area around the mosques in the Old City decided to affix a small Israeli flag, made of paper, to the wall of the police station.

It was the initiative of one officer. Because it was an individual initiative and not a change in policy at the political level, one would think it would have been easy to deal with the matter and reverse the process. That is what actually happened, but not before the event made big headlines in the press, highlighting the sensitivity of the Temple Mount and the relations between Jews and Arabs in Jerusalem.

No one can deny that the flag symbolizes sovereignty. The Moslem establishment in Jerusalem never recognized Israeli sovereignty over the Temple Mount or over Jerusalem in general. This did not stop Israel from claiming such sovereignty, which extended to the mosques. From Israel's point of view, there was a clear distinction between Israeli sovereignty and administrative control over Al-Haram Ash-Sharif, which was the prerogative of the Moslem establishment.

In the War of 1967, IDF paratroopers, using a strategy that cost the lives of many soldiers captured the Old City of Jerusalem. The basic principle was that no heavy arms should be used, no cannons, tanks or planes, so as to minimize the possibility of damage to sites that were holy to all religious groups or to historic monuments.

Paratroop commander General Motta Gur, later the IDF chief of staff and Minister of Health, waved the Israeli flag as soon as they were inside, atop the dome of the Temple Mount, and made a declaration that would quickly become famous: "The Temple Mount is ours." This symbolized Israeli sovereignty. Within no time, Defense Minister Moshe Dayan ordered that the flag be removed. He understood the great sensitivity of the act, particularly on top of the sacred mosque.

Since that time, Dayan has been the target of ceaseless attacks by extreme right-wingers, especially those who tout the ideology that the mosques must be 'removed' and the Third Temple built in their stead. The Temple Mount Faithful, led by Gershon Solomon, continue to attack Dayan even today, years after his death, as the first of many who 'erred' by weakening Israeli sovereignty over the Temple Mount.

The sensitivity of the place was so high that the Moslem *Waqf* was reprimanded for allowing an Israeli minister to even approach the area of the mosques in his official car.

Haim Bar-Lev, in his capacity as Minister of Police, was touring Jerusalem and at the request of Teddy Kollek also visited Moslem leaders. A short time before the visit, Bar-Lev had been in a car accident and still had difficulties walking. We thus requested that the *Waqf* allow his car to enter the compound, through the Lions Gate and to the steps that led to the mosque. The permit was given and the visit took place without incident, including the meeting with local Moslem leaders.

But the matter of his entry by car angered the heads of the *Waqf*, who were appointed by the *Waqf* ministry in Amman. They argued that if Anwar Nusseibeh, a former minister in the Jordanian government who lost a leg in the War of 1948, was not permitted to enter the compound by car, nor was Sheikh Sa'ad Al-Din Al-Alami, the Mufti of Jerusalem and chairman of the Supreme Moslem Council, who was aged and not in good health, then why did the *Waqf* permit an Israeli minister to enter that way? The matter passed and was almost forgotten...

The *Waqf* representatives, who are responsible for the administration of Al-Haram Ash-Sharif, sometimes conduct renovations there. Due to the sensitivity of the place, such actions usually raise questions by Israel. Are the renovations legal? Are City building permits required for the work? Since 1967, the *Waqf* has not asked any Israeli body for permission to carry out such work.

When Israelis do ask the *Waqf* heads questions they are usually met with the reply that no Israeli building permits are required for the work. Unofficially, they claim that they have no intention to inform Israel of such work or request permits in the mosque area, which they do not recognize as Israeli territory.

In one case of renovations, the Israeli police, which saw itself as responsible for implementing planning and building laws, without having been asked to do so, decided to forbid the entry of small tractors and trucks bringing building materials to the site. An argument ensued that lasted several days. The police claimed that in line with the rules pertaining to Al-Haram Ash-Sharif, vehicles were forbidden to enter the area. A compromise was eventually reached. The materials were taken in and quiet was restored. The response of the *Waqf* was not long in coming...

When renovation work began in the kitchen of the police station, which also served as a base for the border police, not far from the mosque, a new and much larger refrigerator was ordered. The simplest way to bring the fridge in was through the Lions Gate, across the

Al-Haram Ash-Sharif compound and to the police station. The police request for this was rejected.

"You must remember," said the *Waqf* heads to the police, "the rules of the Moslem *Waqf*, which do not allow any such vehicles into the mosque compound... certainly not a large fridge..." The fridge was brought in, with great difficulty, through the Old City alleyways.

In 1967, immediately following the war, Prime Minister Levi Eshkol called a meeting of all religious heads in the city, including the Moslem *Waqf*, and outlined Israel's policy regarding freedom of religion and freedom of access to the holy sites. The *Waqf* leaders accepted his statements at face value and quote his promises every so often, when the need arises.

No one can deny that access to the holy sites in the Al-Haram Ash-Sharif compound has been harmed many times following violent events, particularly during the *Intifada*.

Young Moslems who wanted to protest Israeli rule in the territories and Jerusalem used their freedom of access to Jerusalem and the holy sites on Fridays - their Sabbath - to hold wide-scale disturbances. They attacked police troops in the area, which forced the police to respond by preventing their entry to the Temple Mount area. Police supervision of who went in had its own consequences - there were fewer disturbances although these youths still saw the Temple Mount as convenient ground for rioting.

One of the more serious incidents in recent years - though not the most serious - was the kidnapping of an armed border policeman and the forceful intervention of a special anti-terror police unit.

It took place one Friday in the summer of 1989. The number of Moslem prayer-goers on this Sabbath was particularly high. Prayers ended as usual soon after noon, after which the youths began as usual the unofficial 'ceremony' of demonstrations and disturbances. The ritual was the same each time: the older men hurried to leave the area through the open gates, in advance of what they knew would follow. The 'program', which was always likely to get violent, was not meant for them. Of course, they did not oppose the *Intifada* - heaven forbid - but they did not want to be part of it. Some of the rioters would undoubtedly spend the weekend in the police lock-up, either in the Old City or in downtown Jerusalem at the central police station in the Russian Compound.

The youths prepared themselves well for the Friday 'program' as did the police, who were always on highest alert on *Intifada* Fridays. They would stand on the roofs overlooking the Temple Mount, headed by district commander Yosef Yehudai and his officers. Police photographers were also out in force, with long telescopic lenses and video cameras ready to accumulate evidence and information about the rioters, if necessary.

The youths were familiar with the police 'tricks'. As soon as they approached Al-Aqsa they took their *keffiyas* out of their pockets and covered their faces to make them impossible to identify. With time they got smarter and smarter: police started figuring out ways of identifying them by looking not only at their faces but also at what they wore, so the youths began bringing two sets of clothes to Friday pray~~ers~~ers and changed before leaving.

One Friday, when prayers ended and the older men left the area, the youths began their almost-routine protest march during which they chanted "With our soul and blood we will liberate Palestine," and "There is no god other than Allah," the volume rising constantly. There were hundreds of them, carrying placards supporting the *Intifada* and condemning Israel and its partner, the US, and the crowds were all chanting after the leader of the march, who was carried on the shoulders of others. He was waving a huge PLO flag the whole way. The huge crowd covered the distance between Al-Aqsa and the Dome of the Rock in minutes, and then the violent part began, the stone throwing. The target was the building where the police sharpshooters were posted, along with any 'guest' from the security establishment - the secret service, the IDF, or City Hall.

Yehudai ordered anyone who did not have to be atop the building to leave. It was getting dangerous. Stones were flying, and anyone not fast enough to get his head down could get hurt. All the while, the senior officers of the special anti-terror unit were waiting for the order from Yehudai to burst into the crowd and 'make order'. But Yehudai stood there, tense.

This was another regular Friday... Until the youths broke their routine and started to burn Israeli and American flags. This infuriated the police officers.

Yehudai gave the word to charge into the mosque compound, restore quiet and teach a lesson to the rioters who were defiling the Israeli flag.

The police charged from the Mughrabi Gate, near the Western Wall towards the Temple Mount, using tear gas and sometimes shooting rubber bullets to try and stop the rioting, flag burning and, if possible, catch the ringleaders.

The fighting lasted many long minutes until it was learned that one of the policemen had been injured and kidnapped, taken into Al-Aqsa - along with his pistol - by one of the rioters.

For the police, this represented a break in the unwritten, unofficial *status quo* that existed between the two sides. The police pushed the crowds toward Al-Aqsa and the demonstrators moved inside, locking the doors from within.

It was obvious the police would not retreat until the missing policeman was found. They issued an ultimatum. The protesters knew they had gone too far and released the injured officer amidst all the commotion. He was taken to hospital.

That was not the end. There were a lot of Moslems in the mosque. The door was locked from the inside and clouds of tear gas were permeating the air, some inside the mosque. Those inside were feeling its effects. The police insisted on retrieving the pistol that had gone in with the captured policeman. They were even willing to let the crowd disperse quietly. They too understood that the day's events had deviated from the norm, but they were not willing to return to normal without the weapon.

A City official, who had been present all along, left the roof with Yehudai and went to the street level. They began negotiating with Moslem leaders - the head of the Waqf and the manager of the mosques. The police told them they were willing to forgo further action if they got the gun back. The gun was 'released' and returned to the police. The huge crowd began coming out of the mosque and dispersed quietly into the alleyways of the Old City. Another Intifada Friday was over.

For Teddy Kollek, who strongly believed in the *status quo* and in dialogue between the two sides, it was obvious that something had to be done to restore relations between the police and the Moslem establishment. He proposed a meeting between police inspector general Ya'akov Terner and the city's Moslem leaders. I brought the proposal to Yehudai. The chief of the Temple Mount police station was also there. The conciliatory meeting, I told him, could take place in the office of the Mufti, Sheikh Sa'ad Al-Din Al-Alami, in Al-Haram Ash-Sharif. This

was to give the Arab side a sense that they were the hosts, which would definitely lend a better atmosphere to this type of meeting.

The Temple Mount police chief did not agree. He proposed holding the meeting at the police station. "You also have to show them who is in charge," he said, in front of the head of the Jerusalem police. "And if they don't want to come we'll drag them in..."

I was stunned. I knew that this officer, who was responsible for security on the Temple Mount, was no fan - to say the least - of the *Waqf* officials, with whom he was in daily contact. Now I understood why. I said that we could hold a fruitful dialogue only on their turf.

I believed the situation required the intervention of the mayor. I told him what had happened and he discussed the matter with Turner, telling him that the meeting would take place at the Mufti's office.

The meeting was held, including a tour of Al-Aqsa Mosque. The Mufti showed his guests the damage that had been done by gas grenades he claimed were thrown in the mosque. The police stated that no grenades were thrown inside. If both sides continue in this way, the truth never comes out.

The *Waqf* had gathered all the grenades and rubber bullets that remained in the mosque compound following the events and displayed them for all to see, including the police inspector-general and the mayor. When did they intend to throw these things out, they were asked? When things get quieter, they replied. The exhibition still stands, on view for anyone entering Al-Aqsa Mosque.

After the tour, the *Waqf* officials raised complaints that were known to the police for years: the behavior of border police often aggravates prayer-goers, especially women. The *Waqf* again asked that it be given the keys to the Mughrabi Gate, and again it was turned down. The police and City Hall, it was agreed, would deal with other issues that were raised.

One of the more positive outcomes of that Friday's events was that the police, pressured by Teddy, decided to take a more tolerant stance on Fridays thereafter. As long as regular events were contained within the mosque compound and not in the surrounding alleyways, the police would not move in to the Temple Mount area during prayer time and would refrain from using force. The police would not respond to stone throwing on the building where they were posted or to flag burning.

These decisions were not accepted lightly by the police.

It should be stressed that Mayor Kollek had great sway in having these decisions accepted by the police. One phone call from him to the police minister, Haim Bar-Lev, determined the new operative policy of the police at the Temple Mount.

Teddy had an interest in maintaining quiet in matters related to the *Waqf*. The *Waqf*, after all, was the main conduit of dialogue - indeed, the only one - between City Hall and the Moslem leadership in Jerusalem, which did not recognize Israeli sovereignty in the city, and especially not at the Temple Mount - Al-Haram Ash-Sharif.

Despite the declaration by Prime Minister Eshkol that administration of the holy sites at Al-Haram Ash-Sharif would remain in the hands of the *Waqf* and the Supreme Moslem Council, the Moslems feared provocation from the extreme Right among the Jews. These fears have not abated. They were reduced somewhat when Israel's chief rabbis, as early as 1967, issued a rabbinical (halachic) decision forbidding Jews to enter the Temple Mount, the site of the Holy of Holies. And, indeed, orthodox Jews do not go there, at least, for the most part.

The Temple Mount Faithful do not see things that way. Their ideological dream is to remove the mosques in the compound and build the Third Temple. They are so strongly driven that they do not care that their actions could have grave repercussions, and even cost lives, as happened in October 1990.

That was without a doubt the most serious turn of events in Jerusalem since 1967.

It was Succoth (the Feast of Tabernacles), one of the three Jewish pilgrim festivals. The Temple Mount Faithful announced that they would be making the pilgrimage, and bringing with them the cornerstone for the Third Temple. This was of course absolutely depraved.

There was no doubt they would not be permitted to enter the compound, with or without any cornerstone. Such was the message given to the group's leader, Gershon Solomon, by the police.

The Moslems were wary of what might happen. The lack of trust of Jerusalem's Moslems in City Hall and the local police had grown over the years, and despite the words of calm that were uttered by the Israeli side, the Moslem leaders called on believers to all turn out at Al-Haram Ash-Sharif and defend themselves.

Jews also turned out in force at the Western Wall that day for the special Succoth prayers.

The consequences were tragic.

A special committee was set up to investigate what took place. It seems that at a certain time, the Moslems began throwing stones over the walls of Al-Haram Ash-Sharif, some of which fell over the Western Wall where thousands of Jews were praying.

In addition, for reasons that are not clear, and against all logic, border police opened fire on the Moslems, killing 17 of their number. This traumatic event will not be forgotten.

The clothes of the dead, drenched in blood and showing bullet marks, were displayed at the entrance of the Islamic Museum next to the entrance of Al-Haram Ash-Sharif.

Several months later some senior officials from the Ministry of Religious Affairs contacted me and said it was unacceptable to allow the clothes to remain on display in a museum that is visited annually by thousands of tourists from around the world.

I, in turn, contacted the *Waqf* officials. They agreed to remove the clothes but said the timing was not right and asked that we be patient. Tension was still high, they claimed, and taking away the clothes at the museum could harm the feelings of the families of the dead and might meet with opposition, possibly even violence.

I contacted them again after some time and was met with a similar response. This went on and on. The end of the story: the clothes won a place of honor in the museum, getting a permanent display space in a cabinet made especially for them. No one who enters the museum can miss the exhibit.

The *Waqf's* only direct contact with Israel, other than through the police, was with City Hall. The Ministry of Religious Affairs very much wanted working contact with the *Waqf* but were refused for political reasons, based on the Moslem's lack of recognition of Israel and Israeli sovereignty over Jerusalem, particularly over Al-Haram Ash-Sharif. Still, meetings between the *Waqf* and City Hall were held regularly and in good spirits. The Moslems knew they had an address at City Hall - the Office of the Advisor on Arab Affairs - to which they could turn when any problem arose.



For all these years, Al-Haram Ash-Sharif has been a sore point in relations between Jews and Arabs. Even those Jews who have avoided going there have not stopped dreaming that one day the Temple will be built at the site.

Likud veteran Dov Shilansky was among those who supported the idea that the 'Temple Mount is ours.' This was no longer a catchphrase but a fact of life. As head of the Knesset Interior Committee, Shilansky would organize regular tours to places that reached the headlines. And so, after that tragic day, the Knesset Interior Committee went to tour the Temple Mount. As the mayor's advisor, I accompanied the tour.

Police commander Yehudai did not rely on luck for the tour and organized some 800 troops to guard the visit.

The *Waqf* was informed of the visit and made sure that one of its lower-level representatives, the head of the guards, Abu Im'ad, would wait to receive the delegation at the entrance of Al-Haram Ash-Sharif to accompany them. The *Waqf* felt that sending a higher-level representative could be interpreted as recognition of the Knesset delegation.

One of the important stops on the visit was at 'Solomon's Stables', which Rightist MK Geula Cohen had claimed was being used by the Moslems for concealing weapons.

The truth was, that at the time, the *Waqf* was having the place restored and cleaned. There was a big difference between this and concealing weapons. Israeli archeologists brought in to see what was going on said that the *Waqf* was doing a very good and professional job with the restorations.

When we reached the site, the *Waqf* representative told Shilansky and the delegation that no weapons were concealed there and that the *Waqf* was renovating it so as to rent it out... as a mosque that could hold 10,000 worshippers.

I was surprised by this announcement but because it did not come from a senior *Waqf* official I did not take it too seriously. I had no idea that he was divulging a secret that would be revealed to all in 1997.

At the end of the visit, a battery of journalists was waiting for Shilansky. The first thing he told them was about the plan for Solomon's Stables. No one attached much importance to this and it did not make big headlines in the Israeli press. Furthermore, no one delved

into the matter. Even if we had, we would probably have been told that we should not pay too much attention to what we heard from the head of the guards.

City Hall's relationship with the *Waqf* began long before 1967. The City uses a lot of *Waqf*-owned buildings for providing services to residents, or as schools; even the central bus station in East Jerusalem is a *Waqf*-owned property. The City pays - or is supposed to pay - rent for use of these properties.

In my official capacity, at the initiative of the *Waqf*, I looked into the matter of rent paid by City Hall. The *Waqf* claimed it had received no payments in years. The finance department at City Hall told me the *Waqf* had refused to accept payment because it did not recognize Israel. When I asked how was it that for years it had accepted rent payments so why, along the way, did it suddenly refuse this money, the 'experts' did not have a satisfactory answer.

The *Waqf* leaders then told me they refused to accept inappropriate payments that were calculated according to the wrong exchange rate, which led to serious under-paying.

We set up a joint committee and met a number of times on this issue. We reviewed all the properties used by the City, set a tariff rate for rent and calculated our debts until that point, promising to make the payment as soon as possible.

Several days later, I was given a check for NIS 700,000 (\$250,000). The amount was half of that owed. I was then told that the other half had been paid as income tax.

When the check was delivered to *Waqf* head Al-Husseini, he returned it, saying the *Waqf* did not pay income tax. He could not tell me that the reason was that it would not pay taxes to the 'occupier', but he said that the *Waqf*, as a non-profit organization, is exempt from taxes. I said that this only applied to such organizations registered in Israel. He then said that for political reasons it could not be registered. Even if I did not completely agree with him, I decided to look into the matter further.

I got nothing out of the City Finance Department and could think of no other way except asking Teddy to check with the Finance Minister. I was sure that this could solve the problem. Teddy did call the minister, Avraham Shochat, and got an official response - but it was negative.

The City still owes the *Waqf* a huge amount of money. But City Hall is not bothered. The *Waqf* does not want to, and cannot, appeal to a court in Israel for political reasons. After all, it does not recognize Israel.

There is no doubt that Al-Haram Ash-Sharif will be a central subject in the relations between Israel and the Palestinian Authority and it can be expected to be raised in many discussions between them.

This will bring Israel face to face with several dilemmas. One is its relationship with Jordan and King Hussein, because of the Palestinian Authority's claim that the mosque compound should be run by it. A seemingly inter-Arab matter could put Israel in a complicated position. Another problem is 'relinquishing' control and sovereignty over the Temple Mount. The Israeli government will have to make some difficult decisions and it is doubtful if it will be able to face them. Aside from the extremist Temple Mount Faithful, the government will face pressure from millions of Jews at home and abroad who will oppose such a move within the framework of international agreements.

The existing situation allows the *Waqf* to independently run all matters relating to Al-Haram Ash-Sharif. Opening hours and any renovation work, etc., that is conducted are decided upon by the *Waqf*, and this is in agreement with Israel, even if some things are done that are not in line with Israeli Law.

Israel appreciates and understands that changing the *status quo* at the Temple Mount could bring about an impossible situation that would bring, first, worldwide Moslem pressure, followed by heavy international pressure on Israel.

The question the Israeli government must ask itself is: What price is it willing to pay in order to meet the pressures and still avoid changing the *status quo*?

## Conclusions Regarding a Possible Solution

In December 1988, just one year after the outbreak of the *Intifada*, a document was distributed throughout City Hall, titled, '*Topics for Discussion in Evaluating Operative Policy in the Arab Sector of Jerusalem.*'

I must say that, unfortunately, no serious meeting ever took place either at City Hall or in any government forum to define national policy in East Jerusalem, other than those countless meetings about strengthening the Jewish presence in the city, finding new sites for settlements, and government assistance to the city's Jewish residents. The integration of local Arabs into the 'unified' Jerusalem was never on the agenda, not at the social, economic, or any other level. There were some bodies, outside City Hall, such as the Jerusalem Foundation, that saw the need for involvement in planning and funding joint activities to try and encourage harmony, even momentary, between the two populations.

But back to the 1988 document, which stated:

"...The more complex element of long-term policy concerns the Arab sector, for various reasons. The central reason is that this is a population with a strong culture upon whom the city's unification was imposed, and although it benefits from equality of rights, legally, it must live in the capital city of the state of Israel and according to Israeli Law, which it did not choose. The proportionally large number of Arabs in the city and their geographical proximity to those in Judea and Samaria [the West Bank] give added weight to this population and its ability to significantly influence events in Jerusalem, and its destiny.

“The aspiration of the establishment of a Palestinian state with Jerusalem as its capital adds political weight to the motivation of Jerusalem’s Arabs, today and for the future...”

Even after distribution of this document, written by a senior official at City Hall, no serious discussions were held concerning the future of Jerusalem and how to integrate its Arab residents.

Since 1967, Jerusalem has never performed like a unified city. And when the *Intifada* came it exacerbated the sensitivity and the detachment that could be found between east and west, and the gaps and lack of commitment between the two populations living there.

An observer of East Jerusalem would not be able to detect much Israeli presence other than some police, or border police roadblocks on main thoroughfares between the city and the West Bank. Indeed, the Israeli presence is peripheral... it barely exists.

The number of Jewish visitors, and tourists in general, to East Jerusalem has also dropped dramatically since the *Intifada*, even in the Old City, although their numbers are high at the Western Wall and in the Jewish Quarter. Every terrorist act reduces those numbers even further, causing a decrease in the income of many East Jerusalem residents whose businesses are tourism-related.

On the other hand, celebratory ‘demonstration’ visits by national-Orthodox Jews are conducted. At these times, the alleyways of the Old City are crowded with people, waving the Israeli flag, singing and dancing. Then, the Israeli Police, Border Police and IDF are out in force, accompanying the revelers.

The Right will tell you that Jerusalem is a united city. But anyone who really knows something about it will say that that is not the case at all.

And yet, neither the Jews nor the Arabs are interested in rebuilding the large concrete walls that once divided the city and prevented free access from either side.

Thirty years of life together, side by side, has taught them the advantages of this freedom of access.

Parallel with the atmosphere of unification that Israel has tried to create in the city since 1967 signs of division cannot be ignored; most of

them are the result of pragmatic Israeli policy - or, rather, the lack of policy - regarding the city's Arabs.

As noted earlier, the Arab Electricity Company supplies electricity to the Arab neighborhoods and to towns and villages around Jerusalem - Ramallah, Al-Bireh, Bethlehem, Beit Sahur, Beit Jala, and Jericho. The Israeli Electricity Company deals with Jewish neighborhoods and Jewish settlements in the West Bank. The two companies have very good working relationships, but operate thoroughly independently.

No Israeli figure would admit that the electricity supplied by the two companies is different for the two populations. Even when it was decided to reduce the Arab company's franchise in East Jerusalem, by transferring the Jewish areas to the Israeli side, no one at City Hall or in the government said that the 'autonomy' of the Electricity Company in East Jerusalem indicates a division in the city or damages the unity of the city.

As for public transportation in East Jerusalem, it can only be defined as total chaos.

Street joke-tellers refer to the 'Ford Transit Syndrome' in East Jerusalem: hundreds, if not thousands, of owners of Ford Transit mini-buses have set up their own bus stations and shuttle people all around town. In addition, there are scores of taxis, previously owned by Israelis and sold to East Jerusalemites, although they are no longer licensed and are usually not insured.

But no one says a word, not at City Hall, not in the Transport Ministry, not the police, and worst of all not those who suffer most - the owners of legitimate Arab bus companies and taxi-drivers. They do not dare, either out of fear or solidarity, to lodge a complaint against their brothers ... autonomy in the sphere of public transportation!

Education is one of the most important areas of our lives. Arab schools in East Jerusalem use the Palestinian curriculum. As discussed in greater detail earlier, there are various education systems in Jerusalem - for secular Jews, for Orthodox Jews, for Haredis, and for Arabs.

No one would claim that the curricula that differ from that implemented and supervised by the Education Ministry increase the gaps between both sides of the city and exacerbate its division. The Haredi community does not use the national-Orthodox curriculum and the national-Orthodox does not use the state system. But the Arab school

system is different from all others in the city. Even the Arab municipal schools use the Palestinian system, but they do not in any way resemble the private schools operating in East Jerusalem.

Nor is harmony felt in social aspects of life. I once asked the director of the Israel Museum to advertise the museum's events in Arab papers as well as Israeli papers. He refused on the basis of lack of budget. But even if he would have done so, it is doubtful whether this would have brought Arab visitors to the museum.

Planning and building rules in Jerusalem, in theory, are the same for east and west. But in practice that is not the case at all. Although in East Jerusalem there has been a lot of private building, especially in 1997, it is nothing compared to West Jerusalem, particularly regarding public building, which has been colossal in Jewish Jerusalem but ignored by the government, the Housing Ministry and City Hall in Arab Jerusalem. Thus, there is a dearth of housing in East Jerusalem, especially for young couples.

We have always emphasized that social integration is not the aim, not from the Arabs' point of view nor the Jews'. There was never an intention, at any level, to have the two sides mingle fully.

The physical separation, with Jews in the west and Arabs in the east, came to an end with the building of Jewish neighborhoods in East Jerusalem, but even then the trend to keep apart continued. The geographic closeness of Arabs and Jews living in the same neighborhood does not necessarily create a trend or a desire to approach each other socially. Jerusalem's Arabs speak Hebrew, at varying levels, for practical reasons. The Jewish majority, on the other hand, is far from becoming versed in Arabic.

The Martin Buber Institute, at the Hebrew University of Jerusalem, holds language courses - Hebrew for Arabs and Arabic for Jews. The courses are held at the same time so that the two groups also have an opportunity to meet each other. While the number of Arabs interested in such courses is growing, the number of Jews is falling.

At one point during the *Intifada*, there was an initiative by the Jerusalem Foundation and City Hall to organize a summer day camp for Jewish and Arab children. Finding children to attend the camp - the cost of which was fully covered by contributions - was an almost impossible mission. Parents on both sides were dubious and had their preconceived ideas. Some Arab families refused to send their children

for political reasons. Jewish parents feared that a social connection might develop between their daughters and Arab boys.

The camp did take place, but the experience indicated that without a lot of preparatory work to try and do away with myths and preconceived ideas it is doubtful whether it is possible to create a social fabric of life alongside one another.

The number of Jews living in Arab neighborhoods, aside from those doing so because of a national-Orthodox ideology, is tiny, and the number of East Jerusalem Arabs living among the Jews is almost nil. Having said that, it is not so rare to find '1948 Arabs' living in Jewish quarters of the city. Many will recall the violent incident involving Kach leader Rabbi Meir Kahane and his men after they 'discovered' Arab families living in apartments in Neve Ya'akov, in the city's north.

Teddy was once 'caught out', speaking at a Likud branch meeting, when he said he did not want Arabs living in his street. But this can be heard from many Jews who staunchly support a unified Jerusalem without striving for social integration between Jews and Arabs. On the other hand, there are thousands of others who do actively support social and professional integration.

Still, the indications of the city's division are greater than those of its unity.

I can only conclude that our continued common life in Jerusalem, Arabs alongside Jews, requires a different kind of administrative organization than has existed until now.

Nor can the political aspect be ignored. Today, unlike in the past, there is Palestinian political involvement in various aspects of life in Jerusalem. The Palestinian Authority's connection with the city, at whatever level, and the direct connections between the leaders all play a role in what goes on.

In 1997, the Likud-led Israeli government and Likud mayor Ehud Olmert attack these phenomena. But in fact they do nothing. The question is, can something be done, or should the situation be seen as a *fait accompli*?

Several years ago, a number of Palestinian friends from East Jerusalem asked us to enable them to revive the East Jerusalem municipality to allow them to deal with their municipal problems. At the time, City



Hall encouraged local initiatives that advanced neighborhood issues and local services. I discussed the matter with Teddy and told the group we would not object, if two conditions were met: that they would deal with municipal issues only, and that the group would not call itself City Hall. They did not return.

In 1995, about a year after I left my post, I was asked to prepare my views on the activities of City Hall in the future and how things might be done. I called the document, "Jerusalem - One City, One Mayor, Two Local Authorities and a Roof Municipality to Oversee Them."

I presented the paper and my positions to a group of Palestinian academics and Palestinian Authority members. One of the questions I was asked was, "Why one mayor if you mention two authorities?"

As I said, that was in 1995. In the two years that have passed, the reality has changed, and so has Jerusalem. Palestinian involvement has increased. Even if their political involvement is below the surface, and even if Palestinian Authority leaders deny such activity, it is there. Municipal-government involvement, on the other hand, has diminished. Although the Israeli authorities invest more resources and more building is being carried out, roads are being paved, sidewalks are being built and sewage facilities are improving, the general feeling among residents is growing detachment.

One can hear more and more voices at City Hall and in the government calling for practical steps towards unifying the city, expanding the Israeli presence and sovereignty... what this means, practically speaking, is expressed in increased implementation of the law in East Jerusalem in all aspects: public transport, tax payments, dealing with illegal peddlers, etc. At the same time, there are initiatives concerning increasing Jewish settlement in Arab neighborhoods, in places where small groups of Jews have been living in recent years; in other words, more building for Jews in the Old City, settlers moving into existing properties in the Old City and elsewhere, all aimed at strengthening Israeli sovereignty in East Jerusalem.

These activities could well have the opposite effect of that intended and boost the friction between Arabs and Jews to the point where it is intolerable. When that day comes, pressure will increase, at home and from abroad, to allow the Palestinians to run their own lives with minimal involvement by Israel.

The only conclusion that can be reached is that progress must be made in a direction that will allow the Arab residents of East Jerusalem to run their lives independently - whether that means dividing the city or granting them functional autonomy. There is no other way. Any other solution, sooner or later, will be worse for both communities, which neither side wants. That would take us way back to the days, between 1949-67, when reinforced concrete divided the city.

My proposal refers to elections for two municipal bodies - municipalities, each with responsibility for its own community - a municipal council for Jews and another for Arabs. These would each be headed by a mayor who would be elected in that part of the city. Electoral zones would be based on neighborhoods and not on an ethnic-religious basis.

The elected bodies would run administrative systems that would deal with all municipal matters. They would have operative, budgetary and functional independence.

A forum, headed by the two mayors, would be the basis for municipal decision-making. The forum would be professional, consisting of senior officials from both municipalities and would meet regularly to solve common technical and other problems.

The big question remains: what should be the nature of the borders between the two sides?

Since the 1970s when Jewish neighborhoods started going up in East Jerusalem it has been impossible to talk about that area as 'Arab' or as West Jerusalem as 'Jewish'. There should therefore be a new code of behavior for each side, which would be legally independent entities, *without* concrete borders between them.

The Old City, which is complex enough from an urban point of view but doubly so from a national-Orthodox perspective, should be treated separately and a wise and creative municipal solution should be sought. There is no reason why, if both sides agree on the process at the outset, they should not find the ultimate solution even for the Old City.

What should be the relationship between the two municipalities and the central rule? Obviously, Jerusalem will continue to be the capital of the state of Israel, so the municipality for Jewish Jerusalem will have to be linked with the Israeli government. The municipality that will

run the affairs of the Arab neighborhoods will be directly linked with the Palestinian entity responsible for the West Bank.

The nature and location of the boundaries between the two sides has not been finalized. This subject must be closely examined. It is possible that the boundaries that exist today will be reviewed and altered, even cosmetically, so as to adapt to social needs. Arab neighborhoods cut in two by the boundary today should be unified. There is nothing preventing a neighborhood that straddles the boundary with the Palestinian Authority from being annexed to and managed by it.

The final boundaries must be mutually agreed upon by the Israeli government and the Palestinian Authority.

## Epilogue

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I dealt with the subject of Arabs in Jerusalem for over a decade. I saw, I studied, and I gained knowledge and experience. One cannot remain indifferent to reality in Jerusalem.

Teddy Kollek, who served as mayor for 28 years, from 1965 to 1993, would often refer to the almost-impossible mosaic that was Jerusalem: 35 different Christian sects, Jews who hailed from over 100 countries, many of whom suffered humiliation in their homelands - often Islamic countries - which did not have democratic regimes. Add to this the Arabs who became residents of the city and of Israel in 1967 without asking to do so. Large social, religious and ethnic differences can be found among them as well. Those from Hebron are different from those in Jerusalem, and things are not always smooth between them. Gazans do not particularly like either of the two. The Hebronites are slowly 'occupying' Jerusalem, moving into all neighborhoods, buying and renting properties, and the veteran residents do not necessarily welcome this.

The old leadership, the Husseinis, Nashashibis, Nabulsis and others, once bought themselves a place of honor in society and in Palestinian economics, but today their rank is falling and it is doubtful whether they have a say in the political, economic and social developments now taking place.

The Hebronites are taking over trade in and around the city.

Israel moved straight into this quagmire in 1967, expanded the city limits and tried to strengthen its Jewish hold on Jerusalem. It succeeded in populating new neighborhoods in East Jerusalem with over 150,000 Jews - almost the same number as Arab residents.

The settlers exercise their right as Jews to live anywhere in the city they choose. For the most part, they enjoy the backing of the Israeli leadership.

The settlers often do not hesitate to take measures to fulfill their goals at the expense of the Arab residents of the city. The mayors - previously Teddy Kollek and now Ehud Olmert - publicly declared that a Jew has the right to live anywhere he likes but stressed that they oppose creating friction between the two communities that might lead to violent conflict. Both men have made the same declaration. Teddy actively opposed any phenomenon that led to violence and bloodshed between Arabs and Jews. Olmert, despite his declarations, has offered the settlers moral support and participated in fund-raising campaigns for them.

Time will tell what the solution for Jerusalem is.

We hope and pray that this solution will not result in the shedding of more blood.

