

Jonathan Rokem

Politics and Conflict in a Contested City

Urban Planning in Jerusalem under Israeli Rule

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Politics and Conflict in a Contested City

Urban Planning in Jerusalem under Israeli Rule

Introduction

- 1 Planning policy is a major tool determining development outcomes and shaping the built environment. It is commonly used to build better places and promote sustainable communities and development. However, in some extreme cases, the struggle over land has taken precedence. This is especially evident in the Middle East and particularly in the Israeli Palestinian conflict. The continued international interest and media coverage from the region places the local geopolitical issues in the world's spotlight; however, it rarely looks at the underlying conditions for the emergence of these turbulent circumstances. This paper affirms that planning policy holds a fundamental impact on the positive social and spatial development of urban areas; however, in some extreme cases, the politics of conflict produce different conditions as the case of Jerusalem will reveal.
- 2 Several factors distinguish Jerusalem from other cities. Firstly, it is an important religious center for three of the world's monotheistic religions; and secondly, it is claimed as national capital by two contenders, placing it in the vortex of the Israeli-Palestinian conflict. The multidimensional nature of its divisions places Jerusalem in a uniquely difficult and symbolic situation when attempting to resolve its internal and external tensions. Jerusalem is the largest and poorest city in Israel today. At the end of 2010, the population of Jerusalem numbered 789,000. The "Jewish and Other" population totaled 504,000, and the Arab population totaled 285,000 (Choshen *et al.* 2012). As widely documented and analyzed (see for example: Dumper 1997; Bollens 2000; Hasson 2007), a significant spatial turning point of Israel's geopolitical conditions started after June 1967, when Israel occupied East Jerusalem with other territories. Following this, despite international objections, the government of Israel issued the Municipalities Ordinance (Amendment No. 6) Law, 5727–1967 applying Israeli law to East Jerusalem (Lapidoth 2006). As a result, Israel annexed Palestinian land and declared the city of Jerusalem as its united capital city.
- 3 The total area of land annexed by Israel to Jerusalem in 1967 is 71 km² (approx. 18,000 acres), of which 6.5 km² belonged to the East Jerusalem municipality (Jerusalem under Jordanian Rule) including the Old City, before 1967. The rest of the area was taken from the jurisdictions of 28 Palestinian villages surrounding the city. As a result of the 1967 occupation and annexation, the new municipal boundaries tripled in size from 38 km² to 109 km². The area of the enlarged Jerusalem municipality was increased again in May 1993 and reached 126 km² (approx. 32,000 acres) (for more details see: Rokem 2010).

Jerusalem – in the Context of 'Ethno-Nationally Contested Cities'

- 4 All cities around the world experience and contain changing levels of fragmentation formed by local and global circumstances producing socio-economic, cultural, and ethnic divisions. Some of the influential seminal works on cities have explored such phenomena. One of the earliest examples was Friedrich Engels' study of the working classes in Manchester (See Engels 1844). Contemporary examples of similar analyses abound, including: Mike Davies' account of "Fortress Urbanism" in Los Angeles (1990); Iris Marion Young's notion of "living together in difference," and Ali Madanipour's analysis of social exclusion in European cities (1998) – and numerous others. However, the former scholars' main foci lay in cities devoid of the extreme conditions of ethno-nationalistic and religious divisions. These attributes only exist in a selected minority of places; Hasson and Kouba (1996: 114) categorize this group of cities as polarized and politically divided. They claim that the conflicts in these cities are multidimensional and that within the basic religious-ethnic division, there are layers of national

division, geographic segregation, and economic stratification. While Bollens (1998; 2000) recognizes the existence of complex and varying dynamics of conflict in ethnically polarized cities, he does maintain that issues of ethnic identity and nationalistic claims of sovereignty over territory are common issues to these places. Kotek (1999: 228) applies the term “frontier city” to this group of places, differentiating it from “multiethnic” or “multicultural” cities. By “frontier” Kotek means that the divisions are not only economic or ethnic but rather that they are a combination of their location on fault-lines between ethnic, religious, and ideological wholes. Such conurbations have been a major challenge for urban policy and planning (Sharkansky 1996; Bollens 1998, 2000; Hasson 2002, 2005; Kmihi 2005; *et al.*).

5 Moreover, the roles they play in wider national conflicts tend to extend the occurrences within them much further than their local territorial geography. Some of the widely known examples of such cities include Belfast, Nicosia, Berlin, Sarajevo, Beirut, and Brussels; however, there is a common agreement in the literature that Jerusalem typifies one of the most complex urban territories and that a resolution there does not seem within reach (Sharkansky 1996; Sennett 1999; Bollens 1998, 2000; Safier 2001; Sorkin 2002; Hasson 2003, 2005). Jerusalem contains divisions on several grounds: historical (Israel and Palestine), ethnic and religious (Jews and Arabs), ethno-national (Palestinians and Israelis), and linguistic (Hebrew and Arabic). The multidimensionality of the divisions puts Jerusalem in a uniquely difficult situation when trying to resolve its internal and external tensions. Important recent work on cities within ethno-national conflicts have tended to privilege issues of national control and territory and have not engaged seriously enough with the urban dynamics concealed beneath the more visible national surface (Benvenisti 1996; Dumper 1997; Bollens 2000; Yiftachel & Yacobi 2004).

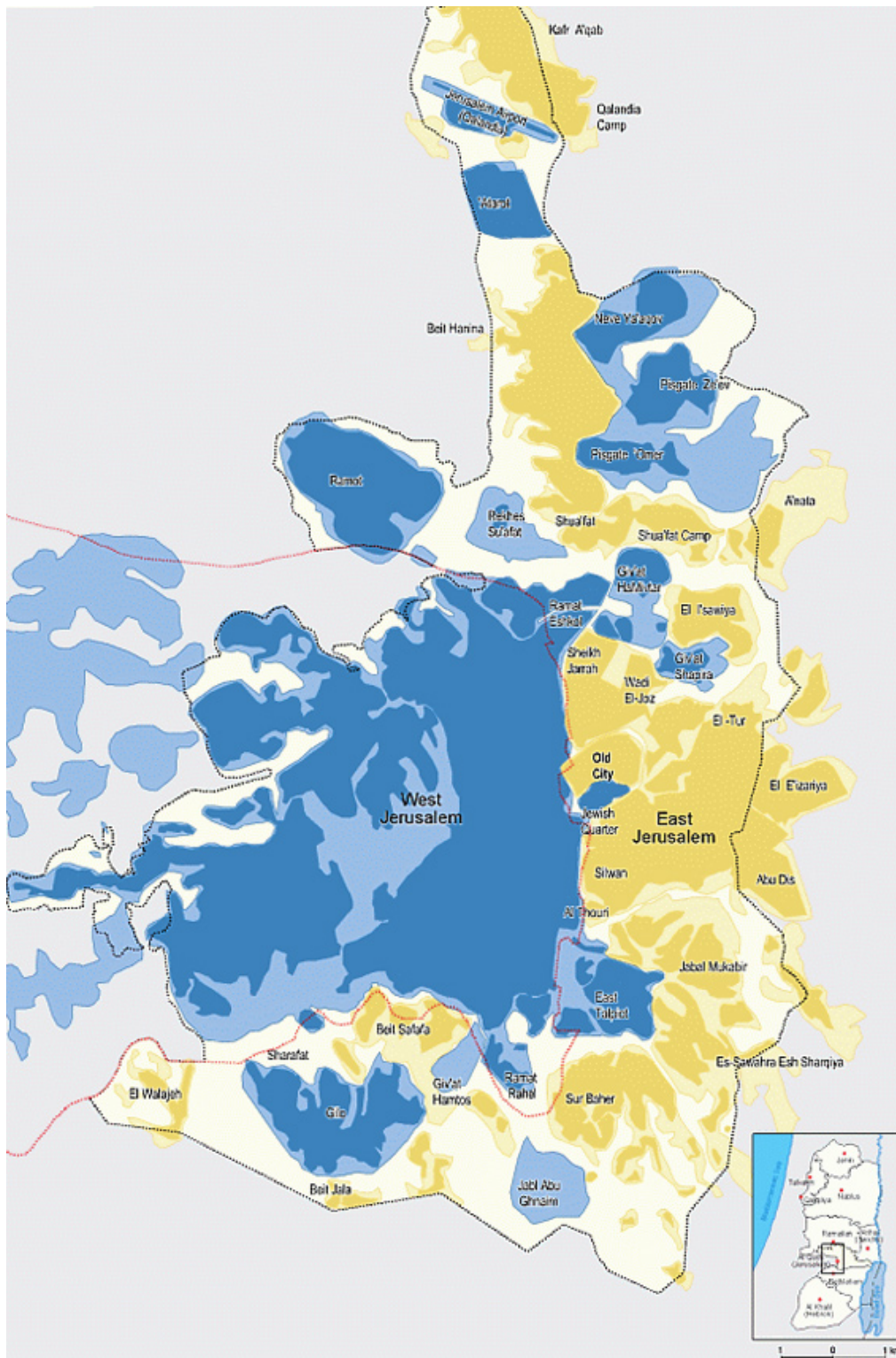
Urban Planning in Jerusalem – Historical Overview

6 To comprehend the complexity of Jerusalem’s spatial and social fabric, it is important to briefly outline its 20th century history. In 1917, the rule of Jerusalem was taken over from the late Ottoman Empire by the British Mandate. The shift in the governing power radically altered the position of the city from a remote provincial town at the edge of the vast Ottoman Empire to the capital of the British Mandate in Palestine. The British Mandate planning policy strengthened the position of the Old City and developed the New City in relation to its historical core. The British established new plans and erected monumental buildings in Jerusalem. Some of the most gifted urban planners of the time prepared master plans for the city’s development, some of the more dominant ones being Ashbee & Geddes Scheme (1922) the Holliday Scheme (1934) and the Kendall Scheme (1944). After the end of the 30-year British Mandate and the creation of the state of Israel as a result of the 1948 War¹, Jerusalem was physically divided into two separate parts: the East (Jordanian side) and the West (Israeli side). For the next 19 years, the two sides of the city developed individually as entirely separate entities with a militarized border zone constructed along the cease-fire line through the city’s historical heart by the Old City walls.

7 Two differing planning objectives were dominant in the Israeli planning of Jerusalem before 1967. One treated Jerusalem as a weak frontier city on a hostile border with the Jordanian Hashemite Kingdom. This resulted in shifting planning westwards and neglecting the old divided historical center. The other objective took the assumption that Jerusalem and the west side of the city center should be strengthened to symbolize the Israeli capital. Generally the divided city was a stable reality: “the separation line became a fixed fact in the minds of the people” (Schwied 1986: 109). Jerusalem officially became a divided city. On each side of the borderline, both Jordanians and Israelis began to develop their part of Jerusalem. The Jordanians concentrated mainly on expanding their suburbs beyond the Old City walls, mostly to the North (Sharon 1973: 132). The first master plan for the Israeli part of Jerusalem, Scheme 1950, planned for the expansion and development of the city. The succeeding 1959 Outline Scheme (master plan) adopted most of the Scheme 1950 regulations and is the last statutory authorized master plan for Jerusalem until today (further details about this in the contemporary overview below). Planning during the next 19 years concentrated on the development of new

- neighborhoods on the western outskirts of the city with the growth there being infinitely greater than on the Jordanian side. Israeli areas close to the borderline were mostly slums and were not regarded as safe places to live due to frequent sniper fire and hostility of the Jordanians. The 1950 and 1959 master plans reflect the reality embedded in the planners' belief foreseeing the city will remain divided with no indications of any future hope for changes in the status quo.
- 8 The 1968 master plan, prepared in 1966-67 by Hashimshoni, Schwied, and Hashimshoni prior to the outcome of the 1967 War, planned a "reunified" Jerusalem at a time when it was against all expectations and common planning objectives, challenging the common state of mind that held the city's division as permanent (Hashimshoni *et al.* 1972). By the time the 1968 master plan was ready for submission, the 1967 War had ended and the urban space was once again under one planning authority – thus the geographical reality had generated conditions increasing the potentiality of the plan: "Until 1967, Jerusalem was a sleepy town. Its issues were considered as mainly local municipal issues – important issues, but local. After 1967, the issues were different, the issues became national politics" (Schwied 1986: 112).
- 9 As a consequence of the 1967 War² between Israel and its Arab neighbors, a single political entity once more controlled the city of Jerusalem: Israel. The Israeli government through its Ministry of Interior and the Jerusalem Municipality made an almost immediate effort to shape the urban fabric according to its needs and political aspirations. Israel, with the Ministry of Interior and the Jerusalem Municipality as its main legislative arms, has been responsible for urban planning and policy for the last 45 years, keeping a clear separation between Israeli and Palestinian living areas clearly visible in the location of disconnected living areas in the map below, dating from 2008. (Fig. 1).

Fig. 1.



Map of the current Jerusalem Municipality boundary (Palestinian neighborhoods marked in brown and Jewish neighborhoods in blue).

Source: Arab Studies Society - Mapping & GIS Department 2008.

- 10 The Israeli planning policy after the 1967 War was to effect an overall “reunification” of the city, putting emphasis on the newly united historical center. “Early urban planning proposals considered the reorientation and eventual linkage of the two major business centers of West and East Jerusalem” (Romann and Weingrod 1991: 41). The general aim of the aforementioned 1968 Master plan was “[to] establish an urban structure for a unified city, freely accessible both locally and internationally, functionally suitable as the Capital of the state of Israel” (Sharon

1973: 135). The 1968 Plan demonstrated the same spatial awareness of Jerusalem's special qualities, which were common in the mandatory plans of the past, and responded with restricting construction and leaving open spaces around the Old City. Special emphasis was put on the historical nucleus. A strict control of building heights around the Old City walls was maintained from previous plans.

11 The focal guidelines of the 1968 Master plan evolved around using planning policy and growth to integrate the city's infrastructure and development. The Jerusalem Municipality, within days after the 1967 reunification, started the "integration of services and infrastructure" between the two sides of the city (Dumper 1993: 81).

12 Mayor Teddy Kollek, who would become the central figure in the development and management of Jerusalem for the next quarter of century, established an international panel of experts in the early 1970s to review the 1968 Master Plan and take part in the building of "reunified Jerusalem" (Wasserstein 2001: 217). The mayor held high hopes for the planning and development of central Jerusalem:

We are deeply immersed in the city planning to improve the quality of life in Jerusalem. Our present planning focuses upon the Old City and its immediate surroundings. We are developing a green belt around the Old City at great expense. Jerusalem is, I believe, the only city in modern times to create, by purchase, a large central green area such as was preserved by the Boston Common, New York City Central Park, London's Hyde Park, and the Bois de Boulogne of Paris more than a century ago (Kollek 1980: 12).

13 When referring back to the British Mandate plans for the city, David Guggenheim, one of the architects involved in the planning of the historical center after 1967, notes: "There was a clear interest in developing the central area around the Old City as a bridge between East and West Jerusalem, erasing the old division line" (David Guggenheim Interview, 11 June 2006). The planning of the city center evolved around the uniqueness of Jerusalem, the centrality of the holy city, and the desire to create a buffer zone that would be made an archaeological zone and open space surrounding the Old City (Turner 2003: 97). However, Israeli urban planning discourse in Jerusalem, as mentioned earlier, has been influenced heavily by the wider national political conflict. Since 1967, the main policy has been the drive to unite the city under Israeli sovereignty as indicated in the 1968 Master plan (discussed in detail below).

Urban Planning in Jerusalem – Contemporary Overview

14 Indeed, as the historical overview above has revealed, since 1967, urban planning policy has been a tool used to spatially enhance the dominance of the Israeli Municipality control over urban space, thus asserting its sovereignty. Yet, beyond the Israeli rhetoric declaring Jerusalem as a unified city, its planning policies have reflected the paradigm of a colonial city; both state and city governments have pursued the same general policy, which has persistently promoted the Judaization – that is, the expansion of Jewish political, territorial, demographic, and economic control – of Jerusalem (Yacobi, 2012). In more details, over the last 46 years, Israel has used its military might and economic power to relocate borders and form boundaries, grant and deny rights and resources, shift populations, and reshape the Occupied Territories for the purpose of ensuring Jewish control. In the case of East Jerusalem, two complementary strategies have been implemented by Israel: the construction of a massive outer ring of Jewish neighborhoods which now host over half the Jewish population of Jerusalem, and the containment of all Palestinian development, implemented through housing demolitions, legally banning Palestinian construction and development, and the prevention of Palestinian immigration to the city.

15 Following the construction of the separation wall (also known as "the security barrier"), Israel is in the process of annexing 160 km² of the Occupied Territories in addition to the 70 km² annexed immediately after its occupation of East Jerusalem in 1967. This area includes the Ma'ale Adumim and Giv'at Ze'ev Settlements, the Gush Etzion Settlement Bloc, and the Beitar Illit Settlement. The wall enforces Israel's *de facto* political borders in Jerusalem and transforms it into the largest city in Israel geographically. On the other hand, the geographic

continuity and the functional integration of the Palestinian neighborhoods are damaged and these neighborhoods are completely isolated from their *hinterland* (Yiftachel and Yacobi, 2002).

16 Israel claims that the formal reason for building the wall is to prevent suicide bombers from entering the city from the West Bank. The building of the wall has caused severe disruption in the daily life of the Palestinian population living on the West Bank and depending on East Jerusalem for employment and commercial activities. In reality, the result has been a mass migration of Palestinians from the West Bank re-locating inside the municipality (walled) borders. The building of the wall has vigorously changed the demographical balance, increasing the Palestinian percentage in Jerusalem. Ironically, this contradicts keeping a Jewish majority in the city, the main priority of Israel's planning policy in the past 46 years. Following the expansion of the city at the end of the 1967 War, the total population of Jerusalem stood at 266,000 inhabitants, 74% Jews and 26% Arabs and others (Chosen 2005: 11). The Palestinian sector has constantly expanded compared to the Israeli one. It is forecasted that in the year 2020, the city's Jewish population will decrease to 62.2% while the Arab and others population will consist of 37.8% of the city's inhabitants (Chosen 2005: 15). The demographical balance in Jerusalem has been in constant change. The increase in the Palestinian population stands in contradiction to the Israeli government's and the Jerusalem local municipality's policy to maintain a Jewish majority in the city – what has been termed “the battle over demography.” (Fenster, 2004: 96).

17 Another central issue in Jerusalem is the question of sovereignty (Benvenisti 1985 *et al.* 1; Baskin & Twite 1993: 16; Klein 2003: 54). This concept is one of the most complex and controversial notions in constitutional and international law. “Sovereignty generally refers to a situation of absolute political authority over a given territory” (Baskin & Twite 1993: 11). Indeed, as a result, most of the world's nations and organizations, including the United Nations, are disinclined to recognize Jerusalem as the capital of Israel. This is because the city's Eastern parts are seen as an occupied territory that is not a legitimate part of Israel but of the West Bank³. The East Jerusalem population was granted special status after the 1967 War and given Israeli residency. The purported aim was to integrate them into the city while claiming they were to receive equal legal rights. This differentiates them from other West Bank residents and technically gives them the right to vote in the municipal elections as well as the use of the city's social services. East Jerusalemites commonly claim the municipality is illegitimate and have since 1967 expressed their protest by refraining from voting in municipal elections (Romann and Weingrod 1991: 193; Hasson and Kouba 1996: 120).

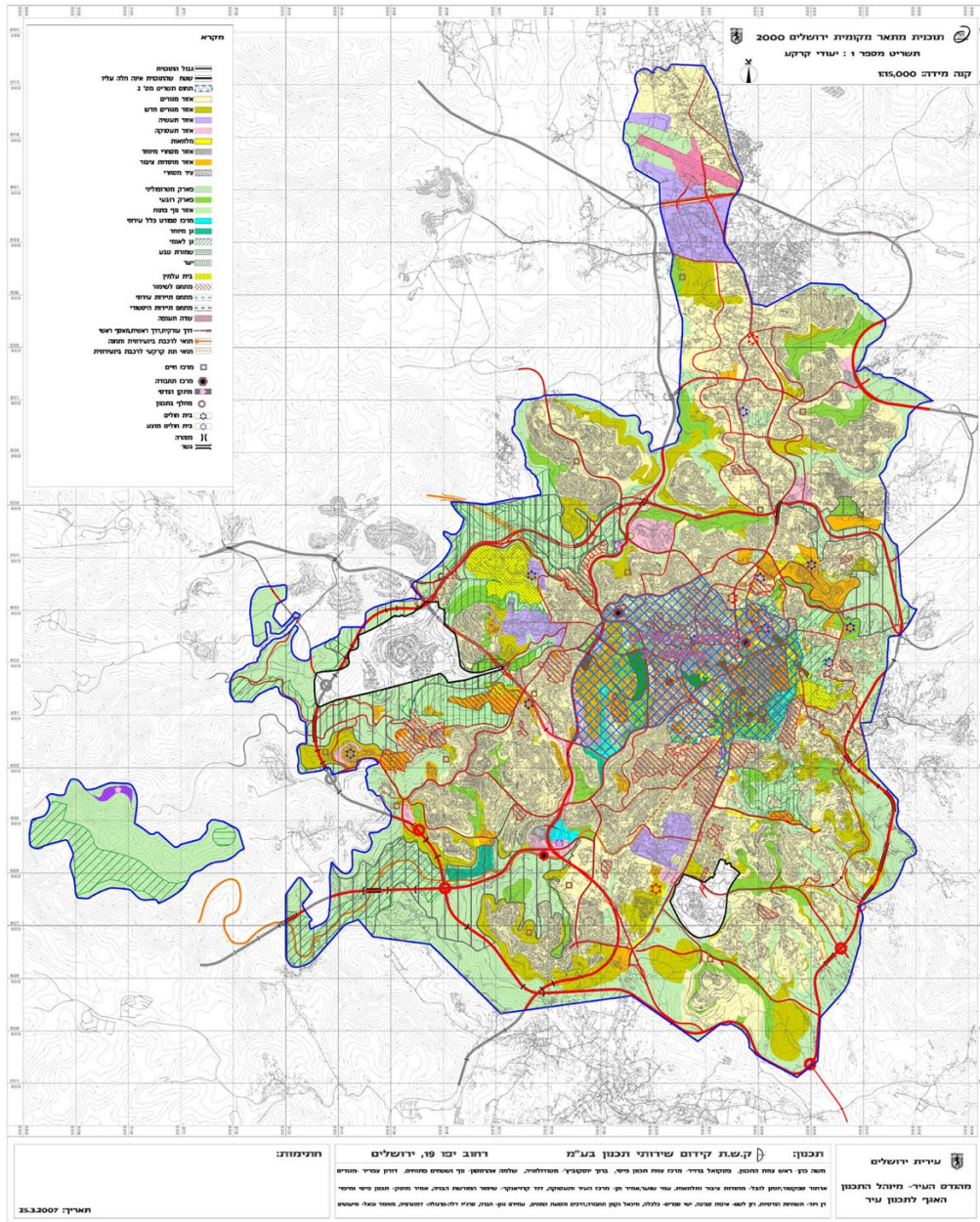
18 Since 1967, the policy employed by the Jerusalem municipality has been affected by the Israeli national political discourse. The principal Israeli policy has been “reunifying” Jerusalem under Israeli sovereignty while the Palestinian Eastern population sees the integration of East Jerusalem as illegal “annexation.” In ethnically divided cities, urban planning policy can take a major role in enhancing spatial and social division (Bollens 2000). The unequal funding of urban planning and construction projects between the Eastern and the Western parts has resulted in a city split into two distinct growth poles, with the crossover parts and old border areas remaining mainly neglected division points between the two sides.

19 Up until today, planning and development in Jerusalem has been officially determined by the last statutory authorized master plan dating from 1959. The 1959 Scheme, prepared at the time when Jerusalem was a divided city, includes only the Western part of the pre-1967 Israeli Jerusalem. Therefore, it has little relevance in determining planning and development in the current conditions. This means that without an updated master plan, for almost 50 years, the Municipality, the Ministry of Interior, and other government departments have shared the development and planning without an overall legally binding document. The recent “Master plan 2000” (analyzed in further detail below), was published in 2004 and has to date not received statutory approval. The reason no master plan has been legally approved over the years was a lack of agreement among policy makers. Consequently, the actual development of Jerusalem has had little relation to the 1959 Scheme and has relied on various local detailed plans without any overall coordination of the city's development. This has manifested itself

in planning policy incongruity and ambiguity resulting in lack in overall plans to pursue the city's growth.

20 As mentioned above, a new outline plan for Jerusalem, the "Jerusalem Master plan 2000"⁴ (Fig. 2), is the first comprehensive plan to include both East and West Jerusalem and, as such, it addresses Israeli governmental policy with regards to maintaining a demographic balance in an undivided city. The underlying principle of the Israeli planning policy in Jerusalem is to establish a large, unified city with a dominant Jewish majority. The plan proposes a population objective of 60% Jewish to 40% Palestinian, maintaining such a demographic balance in the future.

Fig. 2.



Jerusalem Master plan 2000.
Source: Jerusalem Municipality Planning Department.

21 The Jerusalem Master plan 2000 is an improvement of existing plans. However, the benefits the Palestinian residents will derive from the plan are nominal. Thus, while the plan provides new potential for residential development, it simultaneously introduces a number of building restrictions that, *de facto*, make it almost impossible for residents to actually make use of these new possibilities.

- 22 For example, the Jerusalem Master plan 2000 does not determine detailed land usages, and therefore cannot be used to deliver building permits. In order to develop new areas contained in the plan, there is a need for detailed local plan which regulates the type of land usage which is legally required to receive a building permit. However, for the majority of the Palestinian areas in East Jerusalem, there are no valid local outline plans, consequently, these areas will remain neglected.
- 23 The Jerusalem Master plan 2000 planning approval process to date has been politically contested by Israeli decision makers. In 2004, the first version of the Jerusalem Master plan 2000 was made available to the public for consultation. In this version, a total area of approximately 11.8 km² was allocated for new development of Jerusalem neighborhoods. Of this, only approximately 2.3 km² (less than 20% of the area) was allocated to Palestinian neighborhoods (as opposed to 9.5 km² for Israeli neighborhoods).
- 24 In April 2007, the plan was approved by the local planning committee and handed over to the district planning committee for approval. From mid-2007 until May 2008, the district planning committee held intensive discussions and eventually approved the deposition of the plan for public objections. Following this phase, the planners were expected to make the required changes and the plan was supposed to be deposited for final review. This has yet to happen.
- 25 Members of the Jerusalem city council were the cause of the delay. They submitted a detailed document to the Minister of Interior claiming that the approved plan discriminated against the Israeli population, in favor of the Palestinian population. The Minister of Interior holds overall responsibility for planning policy and stands at the head of the planning hierarchy. The Minister ordered the head of the District Planning Office to delay the approval. Hence, the reason the Jerusalem Master plan 2000 has not been legally approved is lack of agreement amongst Israeli policy makers.
- 26 It is interesting to note that the largest mobilization by Israeli citizens against a single development project in Jerusalem (with a total of 16,000 planning objections presented to the planning commission) was organized against the so-called “Safdie Plan” (Outline Plan 37/1, foreseeing the construction of about 20,000 housing units over an area of 26.6 km² of open space to the west of Jerusalem), mostly by environmentalist organizations; since 2006, the protest has been so far successful in sinking the plan. The housing crisis in West Jerusalem prompts Israelis to use land in the eastern part of the city for themselves; in fact, the government approved outline plans for the disputed “E1” area – a relatively vacant part of the Eastern outskirts of the city on the West Bank. The area is crucial in connecting the north and south parts of the West Bank and crucial in any future creation of a viable Palestinian state.

Conclusion

- 27 Israeli planning policy in Jerusalem constructs the social world in an explicit approach, shaping social practices. These practices enable particular “privileged speakers” (Israeli decision makers) to manage and dominate planning policy and development.
- 28 There has been a long-standing position in the literature that Jerusalem has a slim prospect of becoming a truly open and united city. This paper acknowledges the view that under the current political circumstances, there is little hope to see a complete solution to the Jerusalem problem. Even so, the assertion made by Scott Bollens (2000) that urban policymaking should not await a larger peace process but can be a powerful tool in local conflict management and a facilitator of more profound political solutions is important and relevant to the case of Jerusalem. In this sense, urban planning and policy should be viewed as distinct and essential instruments in reaching better cooperation in the absence of national overarching policy solutions. However, in the last 46 years planning policy in Jerusalem has been dominated by the local municipality, backed by the central Israeli government, it has been employed as a tool to implement and maintain a Jewish majority in the city. However, on the ground, this overarching goal has predominantly failed.
- 29 The development of the Jewish areas in Jerusalem continues by expanding the Israeli housing, commerce, and employment sectors, based on approved local outline plans in both the Eastern and the Western parts of the city. At the same time, there are no approved local outline plans

designated in the Palestinian neighborhoods; the economy of East Jerusalem will continue to depend on that of West Jerusalem and will remain dilapidated.

30 There is an urgent need to move towards a use of urban planning to foster genuine resolutions in Jerusalem. This requires a major shift from the dominant Israeli one-sided planning policy to a localized shared dimension. In the current turbulent conditions in the Middle East, such a shift seems evermore remote. However, there is a need to move from one-sided planning objectives to actual planning implementation that encourages transformation benefiting all the city's residents prior to any long awaited overall resolution.

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Notes

1 War of Independence (Israeli name) or Naqba “The disaster” (Palestinian name); to simplify, the common term 1948 War will be used in the following study.

2 The 1967 Six Day War between Israel and its Arab neighbors ended in the occupation by Israel of the West Bank, Gaza strip and Golan Heights.

3 The West Bank, including Eastern Jerusalem, was taken from Jordan by Israel in the 1967 War.

4 Jerusalem Master plan 2000 – Jerusalem Municipality Planning Department – (Hebrew): http://www.jerusalem.muni.il/jer_sys/publish/HtmlFiles/13029/results_pub_id=24819.html

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Droits d'auteur

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Résumé

This paper asserts that urban planning is a critical tool in designing an effective, attractive, functioning city. A strong urban planning system provides a way of balancing the interests of various groups (public and private) and communities within the city – under an umbrella that protects the public interest, and allows the city to flourish. In Jerusalem, where planning and ethno-national politics merge, the system of urban planning has been used over the last few decades to achieve Israeli national political goals, bolstering the Israeli population and its control of the land in the city, and limiting the urban development of, and control of land by, the Palestinian community. The paper starts with a brief review of contested cities literature, continues with an analysis of Jerusalem's urban planning history and concludes with a more contemporary analysis of planning and politics in the contested city of Jerusalem.

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Keywords : Jerusalem, Urban Planning, Contested Cities, Israeli-Palestinian Conflict