

Israeli Appropriation of Palestinian Cultural Heritage in Jerusalem

By: Tamara Tamimi- MIFTAH¹

Israeli Government Policy in east Jerusalem: Forced Displacement and Obliteration of Palestinian Presence

Israeli government policy in Jerusalem, commenced in 1967 when the eastern part of the city was occupied and annexed, and seeks to realize two main results. The first is to maximize the acquisition of land with the least percentage of Palestinians on it. The second result oscillates between the de-development of Jerusalem as a Palestinian center and the obliteration of Palestinian presence in the city, both of which feed into and reinforce each other. To these ends, Israel employs several measures that increased in boldness and aggression since the announcement of the Trump administration on “recognizing” Jerusalem as the capital of Israel, thus reflecting a complete and outright bias towards Israel within the framework of the Palestine-Israel conflict.

Forced Displacement:

Within the framework of maximizing the acquisition of land with the least percentage of Palestinians on it, Israel has employed three parallel strategies since the annexation of east Jerusalem in 1967: land expropriation, the maximization of the number of Jews, and the minimization of the number of Palestinians. The maximization of the number of Jews takes place through attracting local and international migration and settlement and reducing negative migration,² through the development of the tourism sector,³ as well as the higher education and high-tech industries, thus envisaging a reduction in poverty through the creation of at least 375,000 additional full time jobs, exclusively for Jews.⁴

In parallel, Israel employs a host of measures to forcefully displace Palestinians from Jerusalem. This includes changing the municipal borders of the city, administrative and punitive house demolitions, house evictions, administrative and punitive revocations of residency, and imposition of restrictions on the registration of newborns. In this regard, it is important to note that completion of the construction of the separation Wall has significantly facilitated changing the municipal borders of the city. Additionally, house evictions are also directly linked to the first strategy of maximizing the number of Jews in Jerusalem as it is coupled with settler takeover of the residencies in question. Within

¹ The Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH) is a Palestinian NGO that seeks to promote the principles of democracy and good governance within various components of Palestinian society; it further seeks to engage local and international public opinion and official circles on the Palestinian cause.

² Nur Arafah, 'Which Jerusalem? Israel's Little-Known Master Plans'(2016) Al-Shabakah: The Palestinian Policy Network <<https://al-shabaka.org/briefs/jerusalem-israels-little-known-master-plans>> 7.

³ Ibid 3.

⁴ Ibid 5.

the framework of the aforementioned measures, Israel has demolished 848 houses between 2004 and May 31, 2019, rendering 2,960 civilians homeless, 1,596 of which are minors.⁵ Furthermore, between 1967 and 2015, Israel has revoked the residency of 14,565 Palestinians, over 11,000 of which took place through the “center of life” policy.⁶ Israeli government policy of forced displacement of Palestinians is only expected to become more aggressive with the introduction of the so-called “deal of the century”. This deal not only facilitates the continuous denial of the Palestinian right to self-determination, but also presents economic prosperity as a viable alternative to addressing final status issues, including the status of Jerusalem.

Obliteration of Palestinian Presence

Furthermore, the Israeli government employs another set of measures to obliterate Palestinian presence in Jerusalem, and thus appropriate cultural heritage and national identity. These measures include the isolation of Jerusalem from the remainder of the West Bank, the imposition of an educational system that erases Palestinian cultural heritage, the prohibition and restriction of the work of Palestinian institutions and organizations in Jerusalem, the economic de-development of Jerusalem that is leading to staggering levels of poverty, and altering the features and the status of the city.

The isolation of Jerusalem from the remainder of the West Bank commenced with the annexation of Jerusalem following the 1967 war. This isolation continued subsequently through the imposition of a system of checkpoints that severely restrict freedom of movement from and to the city in the early 1990s and finally through construction of the separation Wall in 2002.

With respect to the educational system, there are 109,391 Palestinian children enrolled in the educational system in Jerusalem.⁷ The curriculum taught in schools administrated by the Israeli Jerusalem Municipality, where 41% of the total number of students in Jerusalem enroll,⁸ erases Palestinian history, culture, and narrative. Furthermore, it disfigures historical facts and the present, including claims of Jerusalem as the capital of Israel. This curriculum, additionally, mainstreams and normalizes Israeli symbols into Palestinian daily life including the flag and national anthem.⁹ It is also important to note that another 40% of the total number of students enroll in private schools that are under increased pressure to teach the Israeli curriculum instead of the Palestinian curriculum. On another level, there is a shortage of 2,000 classrooms in Jerusalem;¹⁰ this

⁵ B'Tselem: Israeli Information Center for Human Rights in the Occupied Territories, *Statistics on the Demolition of Houses Built Without Permits in East Jerusalem* < <https://www.btselem.org/deportation/statistics> >

⁶ Munir Nuseibah, 'Forced Displacement in the Palestinian-Israeli Conflict: International Law and Transitional Justice' (PhD Thesis, University of Westminster 2013) 86.

⁷ Palestinian Academic Society for the Study of International Affairs (PASSIA), *Education in Jerusalem 2016* (PASSIA, 2019) < http://passia.org/media/filer_public/9a/f5/9af5f866-9b3e-4a0d-8e9a-0f1461e40ff3/edu_final_en2019.pdf > 3.

⁸ Ibid 4.

⁹ Ibid 11.

¹⁰ Ibid 5.

shortage affects approximately 70,000 Palestinian children. As such, if educational services are provided to these Palestinians, the Israeli curriculum will be imposed on them.

Another strategic move is the targeting of Palestinian national and political institutions. The closure of the Orient House and Chamber of Commerce in the early 2000s has created a vacuum in the Palestinian national and social fabric and subsequently had a significant impact on Palestinians in Jerusalem. The Orient House served as the primary Palestinian national institution that provided both political and social support to Palestinians in the city. Its closure has led to an absence of any supportive framework for Palestinians in Jerusalem in terms of residency rights, house demolitions, and legal support. Furthermore, the Chamber of Commerce provided significant support to Palestinian merchants in the city. In its absence, Palestinian merchants have become an easy target for Israel through the imposition of discriminatory systems of taxation and fines, coupled with the creation of “alternative” neoliberal markets in close proximity to Palestinian markets in the Old City, such as the Mamilla Mall. Additionally, the absence of these national institutions has facilitated and led to decreased resistance to altering the features of the city, including continuously changing the names of the streets, imposing restrictions on the right of freedom of religion and worship, and most recently the construction of the light train that connects west Jerusalem to Israeli settlements located on occupied Palestinian territory in east Jerusalem encouraging the expansion of illegal Israeli settlements. Another such example is the recent construction of the cable car between Silwan and the Old City. These changes have severe implications on the preservation of cultural heritage and identity in the city.

The lack of national support coupled with staggering levels of poverty, which stand at 80 percent,¹¹ has led to a sharp increase in individualism as well as fragmentation of the Palestinian national fabric, with each Palestinian concerned with their own welfare and the maintenance of residency status. Furthermore, these dire economic conditions are leading to staggering levels of school dropouts, with the total rate of dropout for Palestinian Jerusalemite students in all academic years standing at 36.23%.¹² Most school dropouts occur in secondary school with the vast majority of the male students entering the Israeli black labor market and the girls forced into early marriages.

Lastly, Palestinian Non-Governmental Organizations working the field of culture and with Palestinian youth are continuously being targeted through closure of the organizations, shutdown of events, and detainment and imprisonment of employees. This is primarily taking place through the enforcement of the prohibition of the receipt of any type of funding from the Palestinian Authority. Furthermore, bureaucratic procedures at the financial and institutional licensing levels impose severe restrictions

¹¹ Centre for Continuing Education, *Reality of Palestinian Children's Wellbeing in Occupied East Jerusalem: A Participatory Community Case Study Analysis of Five Marginalised Neighbourhoods* (CCE, 2014) 14.

¹² PASSIA (n 7) 11.

and challenges on the work of these Palestinian organizations. This includes, for example, the freezing of the bank account of the Palestinian National Theatre and the shutdown of its events multiple times under “security” pretences of instigating incitement and violence through political events and performances. The impact of this is further exacerbated through the creation of “alternative” frameworks in the form of “community centers” for children and youth that are administrated by the Jerusalem Municipality and local councils.

Impact on Palestinian Youth

The entirety of these measures of forced displacement, de-development of Jerusalem as a Palestinian center, and the obliteration of the Palestinian presence in the city has severely impacted Palestinian youth. The specific targeting of Palestinian youth through drugs and prostitution has further exacerbated the impact of these policies. This is manifesting in the erosion of Palestinian cultural heritage and national identity among these youth.

Furthermore, the targeting of youth through extrajudicial killings, imprisonment, and torture is leading to increased rates of domestic and community violence in Jerusalem, and is propelling youth migration.

The erosion of Palestinian cultural heritage and national identity is manifesting among Palestinian youth in the increasing use of the Hebrew language and listening to Hebrew music in daily life. Additionally, youth are disenfranchised with political involvement and activism, with this extending even to the social and community level. At a deeper level, many Palestinian youth no longer identify as Palestinians, but as Jerusalemites and sometimes even at the level of the neighborhood they are residing in, such as Silwan, Sheikh Jarrah, or Old City. The most dangerous aspect of the impact of these policies is the migration of Palestinian youth from Jerusalem, which has been continuously increasing according to Palestinian national figures in Jerusalem.

Israeli Policies in Jerusalem as a Violation of International Law

Israeli measures employed towards the forced displacement of Palestinians and the obliteration of Palestinian presence are a flagrant violation of international law, including humanitarian law, human rights law, and criminal law.

The annexation of east Jerusalem in and of itself is illegal. Codified into Article 2(4) of the UN Charter, international law prohibits the acquisition of territory through the use of force. Furthermore, Article 43 of the Hague Regulations requires the occupying powers to respect and refrain from amending the laws already in place, unless truly necessary. Accordingly, the annexation of east Jerusalem was declared several times null and void by both the UN dozens of times, most recently in Security Council Resolution 2334. These resolutions emphasized the inadmissibility of acquisition of territory through war, called upon Israel to withdraw from the recent occupied

territories and rescind all measures and refrain from taking any further measures to change the status of east Jerusalem in light of their invalidity.

Furthermore, Israeli measures violate numerous human rights of Palestinians including self-determination, non-discrimination and equality before the law, collective punishment, right to life, freedom from torture, right to liberty and security of person, freedom of movement, residency rights, freedom of assembly and association, protection of the family, labor rights, social security, right to an adequate standard of living, right to education, and cultural rights, to name a few.

Lastly, Israeli measures constitute war crimes and crimes against humanity. This includes but is not limited to targeting of civilians, destruction of property, forced displacement, crime of apartheid, and settlement expansion.

Over fifty years of occupation it has become clear that Israeli policies and measures in Jerusalem are clearly designed to Israelize the city through forcefully displacing Palestinians and subjugating those who remain to surrender and relinquish their right to self-determination. As such, this requires immediate intervention by the various stakeholders through the adoption of concrete measures, including:

- 1. Review agreements and memoranda signed with Israel:** governments and parliaments should review and amend agreements with Israel until it complies with international law and ceases its policies and practices in Jerusalem. This should include trade and arms agreements, as well as cultural and educational memoranda of understanding and agreements.
- 2. Imposition of a ban on the import of settlement products:** the occupation of Palestine, including Jerusalem, has been rendered a profitable endeavor in light of the lack of activation of the economic dimension of international law enforcement. This should be addressed through firstly an imposition of a ban on importing settlement products, which should steadily extend to the imposition of sanctions on Israel until it complies with international law.
- 3. Support and lobby the International Criminal Court to open an investigation into Israeli crimes in Jerusalem.** The State of Palestine has referred the situation in Palestine to the International Criminal Court. However, the Office of the Prosecutor is yet to open an investigation into the many crimes Israel continues to commit. This should be remedied by lobbying the Court to open an investigation and hold Israeli officials to account.
- 4. Review priorities in funding to Palestine.** Numerous governments and international organizations provide funding to Palestinian civil society organizations in Jerusalem. However, this funding has been decreasing and is pooled towards the economic empowerment of Palestinians, which is severely restricted by Israeli policies and life under occupation. Furthermore, various

Parliaments have been passing legislation that restricts funding to organizations that adopt and support the Boycott, Divestment, and Sanctions movement, a move in and of itself that negates democratic values of freedom of expression and thought. As such, Governments and parliaments should not only cease to pass these legislations and live up to the values they claim to uphold, but also should prioritize funding to Jerusalem in programs that seek to preserve cultural heritage and reinforce Palestinian national identity, with a particular focus on organizations that work in culture and that target youth. The importance of this funding serves to provide spaces and platforms at the community level for youth engagement and mobilization

5. **Prioritize participation of Palestinian Jerusalemite youth in international platforms and forums.** The voices of Palestinian youth, and particularly those from Jerusalem, are continuously underrepresented in international forums that pertain to issues concerning youth and the wider framework of the Palestinian cause. Nation States and UN Committees, should continuously strive and prioritize the presence of Palestinian youth in these platforms, particularly as they are disproportionately impacted by armed conflict.