

From 'Ethnocracy' to Urban Apartheid: The Changing Urban Geopolitics of Jerusalem\al-Quds

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Abstract

In the core of this article stands an argument that while ethnocracy was a relevant analytical framework for understanding the urban dynamics of Jerusalem\al-Quds up until two decades ago, this is no longer the case. As this article demonstrates, over the past twenty years or so, the city's geopolitical balance and its means of demographic control, as well as an intensifying militarization and a growing use of state violence, have transformed the city from an ethnocracy into an urban apartheid. Theoretically, this article aims to go beyond the specific analogy with South African apartheid, the most notorious case of such a regime. Rather I would suggest that in our current market-driven, neo-liberal era, an apartheid city should be taken as a distinct urban regime based on urban trends such as privatization of space, gentrification, urban design, infrastructure development and touristic planning. I would propose that these practices substitute for explicit apartheid legislation (of a sort introduced in the South African case), bringing to the fore new participants in the apartheidization of the city, such as real estate developers and various interest groups.

Introduction

The development of urban areas in Israel/Palestine has been strongly framed by an ethno-national drive for Judaization, segregation and division (Yiftachel 2006; Yacobi 2009). Hence, ethnically mixed regions in general and cities in particular are both uncommon and by nature unplanned, often resulting from a spatial process of ethnic expansion and retreat, globally prevalent in contested urban spaces. Mixed cities were conceptualized as urban ethnocracies, or 'ethnocracies', wherein a hegemonic group colonizes, appropriates and controls a city's apparatus, producing a contested space and social instability (Yacobi 2009).

Jerusalem\al-Quds has already been defined as a clear example of an urban ethnocracy (Yiftachel and Yacobi 2002). As elaborated by Yiftachel (2006), an ethnocracy is a distinct regime type, designed to impose and expand a dominant ethno-nation's control in multi-

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ethnic territories. In such regimes, ethnicity, rather than citizenship, forms the main criterion in the distribution of power and resources. Consequently, ethnocracies typically display high levels of non-uniform ethnic segregation. Importantly, ethnocratic regimes sometimes combine a degree of political openness and formal democratic representation with political structures that facilitates the seizure of contested territory by a dominant ethno-nation. At the same time, the dominant group appropriates the state apparatus and control over capital flows, marginalizing peripheral ethnic and national minorities.

In the urban context, ethnocratic control involves forceful seizure of land, formal legislation, an exclusivist public discourse and invisible means of control. These forces are often 'muffled' under an official and legal understanding of the city as a space enabling social mobility, residence and political activism. Hence, these forces seemingly enable but practically undermine the promise of the city as a democratic arena for all of its inhabitants (Yiftachel and Yacobi 2004).

While ethnocracy was a relevant analytical framework for understanding the urban dynamics of Jerusalem\al-Quds up until two decades ago, this is no longer the case. Over the past twenty years or so, the city's geopolitical balance and its means of demographic control, as well as an intensifying militarization and a growing use of state violence, have transformed the city from an ethnocracy into an urban apartheid. Distinguishing between the two urban regimes does not suggest that urban apartheid is essentially a different form of control, but rather a radicalization of the ethnocratic phase.

The transition from ethnocratic regime into urban apartheid can be demonstrated by the way in which the Palestinian Ghetto (the product of urban ethnocratic policies) has been turned into a frontier. Ron (2003) proposes that a frontier is a territory that is not integrated into the realm of influence of a state's legal apparatus, thus enabling an exercise of 'illegal' power. A Ghetto, on the other hand, despite being a space of exclusion, is still under the influence of the controlling state law. Ron considers 1992 Bosnia to be an example of a frontier, where violent actions included ethnic cleansing. He considers the Occupied Territories in the 1990s to have been a ghetto in relation to Israel, and claims that despite the outbreak of the First Intifada in late 1987, the rough measures taken by Israel did not amount to expulsion or demographic engineering. I would suggest that this is no longer the case – for the Palestinian Ghetto in Jerusalem is undergoing a rapid frontierization (Pullan 2011), characterized by

escalation in state violence, collective punishment and the attempt to empty large Palestinian neighborhoods of their inhabitants and at solidifying the separation between Jewish and Palestinian populations. Such processes support the transformation of the city into a territorial entity under apartheid.

In this article, I wish to go beyond the specific analogy with South African apartheid, the most notorious case of such a regime. Other scholars have applied the concept of apartheid regime to cities and spaces produced, engineered and controlled along ethnic and racial lines, attempting to divide, isolate and exclude racial and ethnic minorities (Massey and Denton 1993; Abu-Lughod 1981). The reference to apartheid regimes as a wider typology of political control was well defined by [the Rome Statute](#) of the International Criminal Court, adopted in 1998 (four years after South African apartheid came to its formal end). The Rome Statute defines apartheid as ‘inhumane acts [...] committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime’¹. Indeed, according to the logic of international law, apartheid ends with the elimination of legalized racial discrimination and the transformation of the racial state. However, even an examination of South Africa post-1994 reveals the pitfalls of such an approach, and the necessity to move beyond the legal-liberal definition of apartheid as a form of control (Clarno 2015). Rather, Clarno calls to adopt a political-economic understanding of apartheid regimes (yet not in the urban context) that combines ethnic exclusion and racial capitalism stemming from neo-liberal agenda.

In other words, in our current market-driven, neo-liberal era, an apartheid city should be taken as a distinct urban regime based on urban trends such as privatization of space, gentrification, urban design, infrastructure development and touristic planning. These practices substitute for explicit apartheid legislation (of a sort introduced in the South African case), bringing to the fore new participants in the apartheidization of the city, such as real estate developers and various interest groups. Moreover, political economy analysis of current apartheid urbanism also reveals the new trends of racialization and exclusion as well as new patterns of mobility in the city.

¹ <http://www.crimesofwar.org/a-z-guide/apartheid/>

The innovation of the approach outlined above stems from the fact that contested urbanism has been studied along two separated lines which are often understood as contradicting each other, and studied separately: one is the ethno-national contested city and the other is the neoliberal city. In the former that dominates the discourse, the first generation of literature on the 'Jerusalem conflict' focused on the city being 'divided', as a 'top-down' subject of Israeli national aspirations. This literature analyzed the colonial power of the state from the perspective of its legislative, planning and military mechanisms. Recently published works (e.g., Pullan et al. 2013; Dumper 2014) can be seen as a second-generation analysis of the city, offering a more nuanced understanding of urban processes. These present Jerusalem as an arena of highly-charged power relations, a contested space that is continuously produced and reproduced by 'bottom-up' protest, global forces and a wide spectrum of political institutions (NGOs, religious organizations, professionals).

In the specific context of Jerusalem, though, some of the processes discussed in the extant literature can be seen as even more radicalized: over the last few years, groups of Jewish settlers have colonized new houses in central Palestinian neighborhoods such as Sheikh Jarrah and Silwan; Jewish worshippers were murdered in a synagogue by Palestinian residents of Jerusalem; closures were imposed on Palestinian villages; and more generally, Israeli military forces and Palestinian protestors alike were involved in escalating tension and clashes around the city. But the logic behind the increased 'security' measures fails to solve the conflict, facilitating, instead, the process of apartheidization, as I will elaborate presently.

The making of colonial space

'Jerusalem is the eternal capital of the Jewish people, a city reunified so as never again to be divided... Our people's unparalleled affinity to Jerusalem has spanned thousands of years, and is the basis of our national renaissance. It has united our people, secular and religious alike' (PM Benjamin Netanyahu, May 21, 2009)².

The statement above, by Israeli Prime Minister Benjamin Netanyahu, expresses the mainstream Israeli understanding of the city as 'unified Jerusalem,' a fixed urban space, a given subject of Israeli sovereignty and ethno-national aspirations. But in fact, the city of

² See: <http://www.haaretz.com/news/netanyahu-jerusalem-holy-sites-will-remain-israeli-forever-1.276465>

Jerusalem is manufactured continuously by geopolitical practices, which include not merely military occupation but also colonial planning and demographic engineering.

As widely documented and analyzed (see: Pullan et al. 2013; Dumper 2014), a turning point in Israel's geopolitical situation occurred in June 1967, when Israel occupied East Jerusalem and other territories. Following this occupation, and despite international objections, the Israeli government issued the Municipalities Ordinance (Amendment No. 6) Law, 5727–1967, applying Israeli law to East Jerusalem. As a result, Israel annexed Palestinian land and declared the city of Jerusalem to be its united capital. This stage in the colonization of East Jerusalem was heavily based on legal measures in the form of expropriation of Palestinian land into (Israeli) state hands.

The next stage in the process was the rhetorical device of incessantly declaring that Jerusalem is a unified city. In this regard, planning policies have clearly reflected the paradigm of an ethnocracy; both state and city governments have pursued the same general policy, which persistently promoted the Judaization of Jerusalem – i.e. the expansion of Jewish political, territorial, demographic and economic control. More specifically, over the past five decades, Israel has used its military might and economic power to redraw borders and recreate boundaries, to grant or deny rights and resources, and to move populations around for the purpose of ensuring Jewish control. These all served a common goal, which was to construct a new cognitive map for the city and thus normalize its occupation.

From a planning perspective, this stage is characterized by the construction of settlements ('satellite neighborhoods') in East Jerusalem and by an extensive building of infrastructure (Pullan et al. 2007; Nolte and Yacobi 2015). As a complementary step, a series of Master Plans were drawn in order to limit the growth of Palestinian neighborhoods in the city (Bimkom 2013). Indeed, as suggested by Jabareen (2010), planning in Jerusalem has been based on geopolitical strategies aiming to control demography, to expand the jurisdiction of the city through expropriation of Palestinian land and to exclude the Palestinian inhabitants of the city from planning processes.



Figure 1: Har Homa settlement neighbourhood under construction

While the above illustrates a clear example of urban ethnocracy, i.e. using ‘neutral’ practices such as planning and its democratic façade as a legitimate tool of spatial control, in the following section I will identify a shift into a more radical policy of apartheid. This stage is linked to the construction of the Separation Barrier, which allowed Israel to annex another 160 km² of the Occupied Territories, in addition to 70 km² annexed right after the 1967 occupation of East Jerusalem. The Barrier enforces Israel's de facto political borders in Jerusalem, and transforms it into the largest city in Israel, in geographical terms.

Moreover, the route of the Separation Barrier creates a de facto *Cordon Sanitaire* between the walled city and the Palestinian hinterland. The geographic continuum and functional integration of the Palestinian neighborhoods are disrupted, isolating them completely from their hinterland. One of the results of this process is the escalation in the number of Palestinians working in West Jerusalem (Shtern 2015). Since 2011, almost 50 percent of the labor force of East Jerusalem has been employed in the Jewish sector of West Jerusalem and other cities in Israel. Indeed, while Jerusalem remains a colonial city, its strategy has also been transformed by neoliberal economic restructuring and widespread unemployment

(following the separation wall and the isolation of Jerusalemites). This has produced a pool of unemployed workers desperate enough to accept exploitation under the neo liberal regime³. The creation of a racialized labor market goes hand in hand with radical reaction. A telling example is the activity of Lehava, a radical right wing organization⁴ that mapped the presence of Palestinian workers in West Jerusalem's main market area, or their campaign warning of mixed marriage.

Indeed, the logic behind the erection of the wall in order to increase 'security' measures does not solve the conflict. Rather, it produces a new urban geopolitics which allows the vast majority of territory and resources in the Jerusalem metropolitan area to be controlled by Jews, while Palestinians are confined to disjointed enclaves, without real sovereignty, freedom of movement, control over natural resources, or contiguous territory. Furthermore, the notion of division and security is framed within a racializing discourse, which includes calls to purify the social body and to protect the personal and collective Jewish identity from the risks of chance encounters with Palestinians.

Clearly, the creation of racialized labor market and the reaction against Palestinian presence in urban space marks a shift in the conflict where enmity is replaced by racism. As already noted by Balibar (1991), new patterns of racism are formatted and organized around sociological signifiers, replacing biological markers. In other words, the principal factor in this form of racism is not the 'biological' fact that Palestinians are non-Jewish or non-white, but rather that idea that their mere presence in the urban space of Jerusalem, as well as their uncontrolled flow through borders and boundaries, should be collectively denied.

³ Since the year 2000, the number of Palestinian worker in the city has increased from 40,000 to 70,000, while a significant gap in the average income between Jewish and Palestinian workers has been maintained. For a detailed report see: Shtern 2015

⁴ Lehava is an extreme right wing religious organization that objects to any personal or business relationships between Jews and non-Jews in Israel. As part of its activities Lehava encourages Israeli Jews to report to the organization the names of Jews who rent to Arabs or Jews who employ Arabs. See: <http://www.ynetnews.com/articles/0,7340,L-4610561,00.html>



Figure 2: The separation wall

Housing is an additional arena of the conflict in the city; the attempt to ghettoize the Palestinian neighborhoods west of the wall, by declaring their surroundings urban parks is well known (BIMKOM 2013); as is the ongoing effort to settle Jewish families inside central Palestinian villages and neighborhoods. A less familiar process, stemming from the changing geopolitics of the city, is the migration of Palestinians to Jewish neighborhoods or settlements in East Jerusalem.

As detailed by Yacobi and Pullan (2014) French Hill is the neighborhood that was the first settlement of East Jerusalem that is undergoing a process of demographic transformation as Palestinians, both with Israeli citizenship and Jerusalem Resident Certificates, have begun

moving there in recent years. This internal migration highlights the paradox of the apartheid city; on one hand the Israeli settlements in East Jerusalem were planned, designed and marketed as part of the attempt to Judaize the city, while on the other hand Palestinians who move to these districts cross an invisible boundary to become one with the 'settlers'. This is, indeed, a characteristic of the current apartheid urbanism in Jerusalem: on one hand, the forceful effect of the normalization of occupation was orchestrated by Israeli law, planning and state regulations that privilege Jewish citizens. On the other, the opening of the market – to all intents and purposes a normalization process – countered these policies and practices when the new districts started to attract the Palestinian population.



Figure 3: An advertisement against selling apartments to Palestinians in one of Jerusalem's Jewish neighbourhoods

Similar to the South African case, the neoliberalization of capitalist systems has enabled some members of oppressed populations to join the ranks of the elite. For neoliberals, as suggested by Clarno (2015), the shifting racial composition of the elite – along with the middle class – provides evidence that the free market can eliminate racial disparities. Yet, the neoliberal language of equal opportunity and individual achievement masks the continuing

significance of racism, the declining stability of middle-class life, and the growing class divide between rich and poor.

As I have shown in this section, using the term apartheid to denote this phase in the city's politics does not suggest that a fundamentally new, qualitatively different, stage has begun. It only highlights new practices of violence and control, appropriation and colonization, identifying the role of new actors and agents such as settler movements and NGOs. As I will demonstrate in the following section, the process of apartheidization advances through very banal acts, such as the ones involved in city planning.

Silwan: a banal apartheid

Silwan is a Palestinian village bordering on the southeastern wall of the old city of Jerusalem. It has a population of around 23,500. The neighborhood is mainly inhabited by Muslim Arabs and is currently part of 'Israeli Jerusalem'. The village (termed 'neighborhood' by the municipality) is located in an area known for its archeological and religious sites, and therefore is important to Muslims, Christians and Jews alike.



Figure 4: Silwan: general view

During the 1980s and 1990s, a number of properties in Silwan were declared ‘absentee properties’ (according to the Absentee Property law passed in 1950) and thus could be sold to the Israeli Development Authority. These properties were supposed to be jointly managed by the Development Authority and the Israel Land Administration, without discrimination based on nationality. However, according to a report by the NGO Peace Now, the Israeli authorities used the Jewish National Fund (JNF) and its organ Himnuta (established by the JNF in 1938) for bypassing this provision. Through the JNF and Himnuta, properties were transferred exclusively to Jews. Although the JNF cannot purchase land from or in Palestinian territories, Himnuta is not similarly restricted, even though it is almost wholly owned by the JNF⁵.

Thirty dunams of absentee property in Silwan were transferred to Himnuta by the Development Authority in exchange for land Himnuta owned in Wadi Ara (in northern Israel). This deal was made in order to ensure that the land in Silwan came under Jewish ownership. Himnuta then leased these properties to Jewish settlers and initiated legal proceedings for the eviction of Palestinian tenants. One of the principal beneficiaries of Himnuta properties is Elad, a radical right-wing NGO. Elad now possesses several properties in Silwan, and is using them for archeological excavation, as a tourist center and for housing settlers.

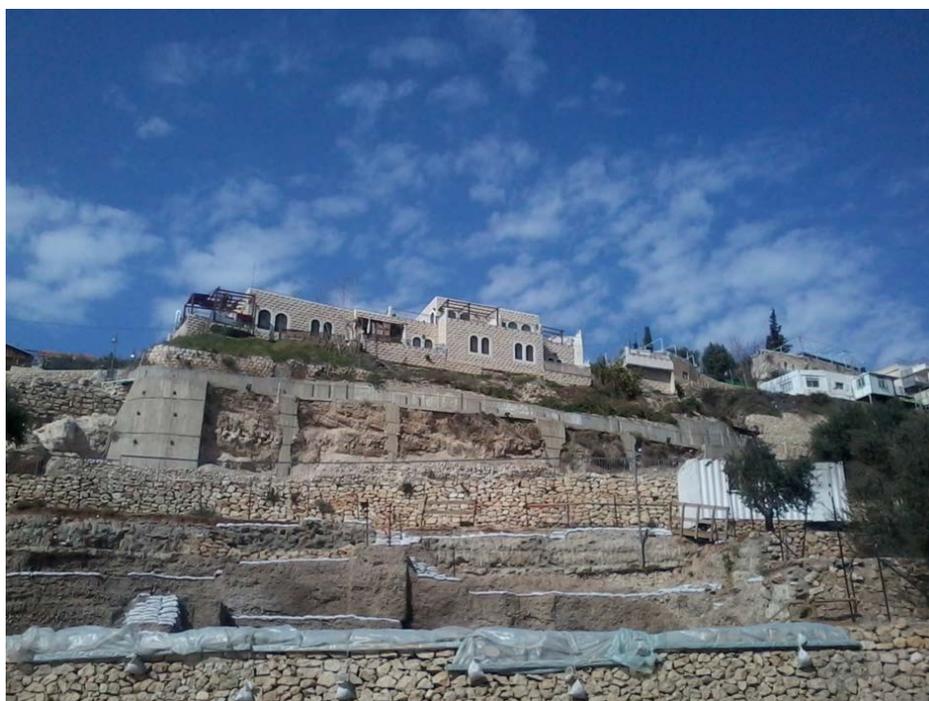


Figure 5: Jewish settler's house in Silwan

⁵ <http://rhr.org.il/eng/2011/11/jnf-will-expel-pal-family-in-silwan-urgent-call-to-action/>,
<http://imeu.org/article/elad-the-jewish-national-fund-the-us-taxpayer-subsidized-judaization-of-sil>

It is important to mention that the forced tourist development of the area also started from the year 2000, with the expectation that Israel would attract tourism from the beginning of the Millennium, and with the hope to attract global capital. A promenade that surrounds the 'Holy Basin' was designed and partly developed – marking the attempt to appropriate the area and to attach it to the secured tourist's map. Within this context one should understand the case of the Kedem Center project, an immense visitor center designed around and over the important archaeological finds in Silwan. On April 3, 2014, the Jerusalem District Planning and Building Committee approved the Kedem Center plan (Plan no. 13542), promoted by the Elad settler organization, to construct a five-story structure (in excess of 16,000 m²) in the Palestinian neighborhood of Silwan, about 20 meters from the walls of the Old City. Several appeals against the plan's approval were submitted to the Appeals Committee of the National Planning and Building Council, including by residents of Silwan, various NGOs and a group of 35 planners and conservation experts. An appeal was also submitted by Elad and the Israel Nature and Parks Authority against the District Committee's decision to reduce of the structure's approved height by one storey.

Most appeals against the plan's approval were based on the argument that it served as a pretext for Israel to promote another settlement in the heart of Silwan, in violation of conservation principles regarding the Old City and its surroundings. As stated in the appeals, the plan would significantly alter the Old City environs, deviating from rules of conservation and planning practiced for decades, and all without the level of deep and open public debate required for decisions of this magnitude. The National Planning Council's Appeals Subcommittee held three hearings, and on June 7, 2015 approved the plan for the Kedem Center, albeit with significant amendments. Yet, in April 2016, after perfunctory deliberations, the full committee of the National Planning Council issued its formal decision, revoking the previous decision by the Appeals Committee. The full committee's decision restored the April 2014 ruling of the District Planning and Building Committee, which accepted the plan for the visitor center in full, with the modest modification of reducing the height of the building by one storey⁶.

⁶ The facts presented in this section are based on Ir Amim's report see: <http://altro.co.il/newsletters/show/7893?key=a7e7d4de5230480f4c74880e36013fd3>

Furthermore, the Kedem Center is only one case in a more general effort to create a territorial continuity in Jewish Jerusalem, promoted by Elad and supported by the state⁷. The continued colonization of the Old City and of the Silwan area clearly illustrates Israel's efforts to promote the transformation of the Palestinian ghetto into a frontier, as presented in the introduction of this essay. Following Billig's seminal work on the banal forms of nationalism that accentuated the ways in which everyday expressions construct geographical imagination, national boundaries and jurisdictions (Billig, 1995), I explored in this section the banal role of planning, policy and development in the apartheidization of the city.

Discussion

Urban Apartheid is not a chance occurrence, or the reflection simply of the noncoordinated choices of millions of individuals, but has long been an intentional creation (Feagin 1998, p. 10). As Feagin notes (referring to the American case), urban apartheid is a product of ideology and policy. And indeed, as illustrated throughout this essay, the developing apartheid city is a result of intentional policies that aim to secure Jewish control in the vast majority of territory and resources in the Jerusalem metropolitan area, restricting Palestinians to small parts of the city and denying them their future.

This scenario is a well-documented step in the development of colonial regimes. It is driven by an ideology that views it as the right of one group to control its (self-defined) homeland, while dominating and marginalizing other groups sharing the same space (Yiftachel and Yacobi 2005). In Jerusalem this situation resembles – though it does not replicate – the pre-1994 South African apartheid system: in Jerusalem too, a resident's cluster of rights and opportunities is determined, first and foremost, by ethnicity/race. And in Jerusalem too, there is a continuous, concerted effort to regulate mobility and to produce a total separation between Israeli-Jews and Palestinians, in the spheres of housing, work, politics and culture, which are constantly challenged by economic forces and dependency.

The urban processes described in this essay were not evolutionary or natural. Rather, they are products of a colonial project and of its purposeful actions, and they reflect the role of ideology in both the built landscape and the project of demographic engineering. This project is a common occurrence in ethnocentric contexts, where conflict with the indigenous

⁷ <http://alt-arch.org/en/a-privatized-heritage-how-the-israel-antiquities-authority-relinquished-jerusalem-past/>

population plays a central role in the formation of a national collective consciousness (Yiftachel 2006). Moreover, in the specific context of Jerusalem, such spatio-political dynamics serve as a (territorial and political) basis for further radicalization, creating the necessary conditions for the establishment of an apartheid city. There might be one law but it is manipulated and implemented in different ways – according to ethnicity and national affiliation.

More specifically, the apartheid city is classified discursively and represented as an ordered territory, a subject of ‘banal’ apparatuses including urban planning (as well as of other practices, not discussed in this essay, such as health, infrastructure and the like) that is dominated by one ethno-national group holding unequal power over the definition of urban citizenship. Resources and services are allocated on the basis of ethnicity and race rather than residency, and urban politics are racialized.

In the ethnocratic phase, which characterized the city’s spatio-politics from 1967 up to the beginning of the current century, Palestinian inhabitants faced institutional discrimination whose influence was clearly felt in areas such as planning, land and housing. Today, however, planning and territorial appropriation by the state and especially by its agents frontierize the Palestinian Ghetto and attempt to empty the city of its Palestinian inhabitants.

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