

Jerusalem Beyond Partition



By Rania Muhareb

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eventy-three years into the ongoing *Nakba*, the language of partition remains prevalent in discourse on the plight of Palestinians.

What is remarkable is how much

partition has come, misleadingly, to shape our understanding of when and where Palestinian dispossession started. By the time the UN General Assembly recommended the partition of Palestine in Resolution 181 of November 29, 1947,ⁱ Zionist colonization had already been ongoing for over half a century. It was in 1897, notably, that the First Zionist Congress in Basel resolved to “create for the Jewish people a home in Palestine secured by public law.”ⁱⁱ As Palestinian historian Walid Khalidi observes, the partition resolution must be seen as the “catastrophic (for the Palestinians) culmination of everything that had preceded it since the birth of political Zionism.”ⁱⁱⁱ

Today, Palestinians continue to endure aggressive Zionist settler colonialism, which seeks their erasure, displacement, and replacement in every part of historical Palestine. The focus on artificial partition obscures the continuity of Zionist settler colonization; it suggests that Palestinian dispossession from 1948 onwards, and before that time, somehow differ from that following 1967.

Jerusalem and the arbitrariness of partition

Partition continues to dominate discussion of Jerusalem, informing how the city’s past and present are analyzed. In *Jerusalem 1948: The Arab Neighbourhoods and their Fate in the War*, Palestinian scholar Salim Tamari highlights the need to avoid anachronistic language on Jerusalem and to transcend the city’s problematic division into “east” and “west,” which resulted from “the ruptures of war.”^{iv}

While it may be tempting to argue away the division of Jerusalem based on the city’s proposed internationalization as *corpus separatum* under the partition resolution, this argument is not altogether convincing. Such line of reasoning, even if unwittingly, seems to lend legitimacy to Zionist colonization within the

West Jerusalem

parts of Palestine allotted, in the partition resolution, to a Jewish state. Yet, the Palestinian people constituted the majority across historical Palestine on the eve of partition; they owned the majority of the land in the country and had vehemently opposed partition since its first iteration in the 1930s.^v

Early on, Zionist scholars openly acknowledged the colonial nature of their project and the need to implement it by force. In 1923, Ze’ev Jabotinsky wrote: “Zionist

soil irrespective of the wishes of the overwhelming majority of its inhabitants.”^{vii} Palestinian opposition to the partition plan has been well documented as an encroachment on the Palestinian right to self-determination,^{viii} which remains the basis for challenging the partition of Palestine and division of Jerusalem. In a comprehensive briefing paper on west Jerusalem published in 2018, Al-Haq concluded that Palestinians retain their right to sovereignty over the entirety of Jerusalem.^{ix}



colonization, even the most restricted, must either be terminated or carried out in defiance of the will of the native population... This is, in toto, our policy towards the Arabs. To formulate it any other way would only be hypocrisy.”^{vi}

As Khalidi put it, the partition plan in effect meant “the establishment of a Zionist state on Palestinian

Palestinian expulsion from west Jerusalem

Another reason to abandon partition altogether is the continuity of Zionist policy towards Palestinians across their fragmented geographies. Whether expelled beyond Palestine or displaced and dispossessed within its fragmented landscape, the Palestinian people have collectively

been deprived of the exercise of their inalienable rights. The persistence of the *Nakba* is evidenced in the ongoing dispossession of Palestinians from Jerusalem and across historical Palestine.

Within the months leading up to May 1948, Palestinian neighborhoods in the western part of Jerusalem, including Baq'a, Talbiyeh, and Qatamon, were nearly entirely emptied of their native Palestinian inhabitants.^x Of the 28,000 Palestinians in Arab west Jerusalem neighborhoods before 1948, only 750 “non-Jews” remained by the end of May, most of them Greek. They constituted less than half a percent of the original population.^{xi} Between August 1948 and February 1949, Israel declared west Jerusalem occupied.^{xii} Much like the plight of Palestinians within the Green Line, upon whom Israel imposed military rule until 1966, the military administration facilitated Palestinian dispossession and the implantation of Israeli settlers in Palestinian homes in west Jerusalem, to which no Palestinians have been allowed to return.^{xiii}

With the occupation and annexation of east Jerusalem in 1967, Palestinian refugees from west Jerusalem were once again able to reach their homes. Although the physical barriers had been removed, in the eyes of Israeli law, Palestinians were considered “absentees” and denied the right to regain their properties.^{xiv} Thus, beyond physical separation from their homes, a legal regime was now in place that precluded their right of return. Fifty-four years later, Israeli colonization in east Jerusalem, the rest of the occupied Palestinian territory, and in the occupied Syrian Jawlan, has remained functionally identical to that institutionalized against Palestinians in 1948.

Jerusalem and the “logic of elimination”

As a microcosm of Palestinian oppression, the city of Jerusalem exemplifies Zionist policy towards the Palestinian people: Palestinians in Jerusalem have endured both the *Nakba* since 1948 and prolonged Israeli military occupation since 1967 over the eastern part of the city. The continuity of Palestinian expulsion, dispossession, and attempts at erasure from place and memory exemplify Patrick Wolfe’s notion of settler colonialism as “a structure not an event”: a continuous process of displacement and replacement of indigenous people(s) on the land. Wolfe has understood this structure as involving not only physical violence, through the massacres by Zionist militias that marked the *Nakba*, but also ongoing, structural violence aimed at the dissolution of indigenous societies.^{xv}

Settler colonialism and apartheid, as mutually reinforcing frameworks, allow us to make sense of the systematic policy to drive Palestinians from their homes and provide a basis to comprehensively address Palestinian fragmentation. Israeli policy is best understood when examining the treatment of the Palestinian people as a whole. Doing so helps elucidate what Wolfe has termed settler colonialism’s “logic of elimination.”^{xvi} In Palestine, this “logic of elimination” underpins the ongoing *Nakba*: what began with the mass expulsion of indigenous Palestinians has developed into an institutionalized regime that systematically entrenches Palestinian subjugation, facilitates Zionist colonization, and denies Palestinians their right of return.

Israeli apartheid and the ongoing *Nakba*

The displacement and dispossession of Palestinians and their replacement with Israeli settlers are core components of Israeli apartheid, which is embedded in the logic of Zionist settler colonialism. Israel’s apartheid regime has gained mounting recognition in recent years.^{xvii} It is built on the legal, political, and geographical fragmentation of the Palestinian people as a whole. Through fragmentation, Professors Richard Falk and Virginia Tilley explain, Israel “obscure[s] this regime’s very existence”^{xviii} and denies Palestinians any collective rights, including to return and self-determination.^{xx}

Palestinian scholars have exposed the racial underpinnings of Zionist settler colonization long before today’s discussions on apartheid.^{xx} Early analysis on Israeli apartheid, notably by Palestinian scholar Fayez Sayegh, referred to the legal regime put in place to subjugate Palestinians following 1948 and to Judaize the land.^{xxi} This regime remains in place seven decades into the ongoing *Nakba*. In 1979, Richard Stevens concluded that in Palestine as in apartheid South Africa “the alienation of the indigenous peoples from the land has occurred as part of the pattern of establishing and maintaining a settler state.”^{xxii}

In Jerusalem, Palestinian transfer is escalated through house demolitions, discriminatory planning, denial of building permits, forced expulsions by the Israeli occupying authorities and Israeli settler organizations, the revocation of residency rights, and other forms of arbitrary displacement entrenching apartheid.^{xxiii} As a result, Palestinians are systematically

Palestinian neighborhoods in west Jerusalem were nearly entirely depopulated in 1948. Some 80,000 Palestinians became refugees from the western areas of Jerusalem. They were forced out through campaigns of terror organized by Zionist militias, not unlike the Israeli occupying forces’ measures to uproot Palestinian families from east Jerusalem today. Overall, some 10,000 Palestinian homes were occupied by Israeli settlers in west Jerusalem in 1948. In stark contrast, no indigenous Palestinians have been allowed to return to their homes in west Jerusalem.

fragmented through physical and other less visible barriers: the Wall and Israeli checkpoints cut through east Jerusalem neighborhoods, Jerusalem is isolated from other parts of the occupied Palestinian territory, and Palestinians with different legal status are systematically denied their right to family unification, including in Jerusalem.

Settler colonialism and apartheid, as mutually reinforcing frameworks, allow us to make sense of the systematic policy to drive Palestinians from their homes. Zionism's underlying "logic of elimination" has underpinned the ongoing *Nakba* since 1948: what began with the mass expulsion of indigenous Palestinians and the wanton destruction and looting of their homes, cities, and villages, has developed into an institutionalized regime that systematically entrenches Palestinian subjugation, facilitates Zionist colonization, and denies Palestinians their right of return.



■ Sign at the entrance of the Baq'a neighborhood (in French): Baka'a Zone – Défense d'entrer - Gouverneur Militaire. Entry is prohibited, military governor.

In 2016, Rinad Abdulla argued that “[t]he hegemony over the legal and political discourse will continue to have disastrous implications for Palestinians... unless the framework is expanded to include the entire Palestinian population as a *whole*, rather than a piecemeal analysis of certain groups of Palestinians and certain territories of historical Palestine in fragmented discrete units.”^{xiv} Addressing Israeli apartheid requires us to understand Zionism's settler colonial “logic of elimination,”

to move beyond the partition of Palestine and division of Jerusalem, and thus to examine the plight of the entirety of the Palestinian people.

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ⁱ UNGA, Resolution 181, November 29, 1947, UN Doc A/RES/181 (II).

ⁱⁱ Central Zionist Archives <<http://www.zionistarchives.org.il/en/datelst/Pages/Congress1.aspx>>.

ⁱⁱⁱ Walid Khalidi, “Revisiting the UNGA Partition Resolution” (1997) 27[1] *Journal of Palestine Studies* 5, 6.

^{iv} Salim Tamari, “The Phantom City” in Salim Tamari (ed), *Jerusalem 1948: The Arab Neighbourhoods and their Fate in the War* (2nd ed, The Institute of Jerusalem Studies and BADIL, 2002), 1, 2 and 5.

^v Khalidi, *op. cit.*, 9, 11, 15, 17; Fayeze Sayegh, *A Palestinian View* (General Union of Palestine Students, 1972).

^{vi} Vladimir “Ze’ev” Jabotinsky, “The Iron Wall (We and the Arabs)” (1923) <<http://www.marxists.de/middleast/ironwall/ironwall.htm>>.

^{vii} Khalidi, *op. cit.*, 5.

^{viii} *Ibid.*, 9. See also Sayegh, *op. cit.* *Charter of the United Nations* (adopted June 26, 1945, entry into force October 24, 1945), 1 UNTS XVI, Articles 1(2) and 2(4).

^{ix} Al-Haq, Briefing Paper, “70 Years On: Palestinians Retain Sovereignty Over East and West Jerusalem” (October 23, 2018) <<https://www.alhaq.org/advocacy/6145.html>>.

^x Terry Rempel, “Dispossession and Restitution in Jerusalem” in Salim Tamari (ed), *Jerusalem 1948: The Arab Neighbourhoods and their Fate in the War* (2nd ed, The Institute of Jerusalem Studies and BADIL 2002), 200, 216–217.

^{xi} Nathan Krystall, “The De-Arabization of West Jerusalem: 1947–1950” (1998) 27[2], *Journal of Palestine Studies* 5, 12; Rempel, *op. cit.*, 218; Al-Haq, *op. cit.*, 9–10.

^{xii} Al-Haq, *op. cit.*, 12; Krystall, *op. cit.*, 15 and 17.

^{xiii} Al-Haq, *op. cit.*, 2, 12; Krystall, *op. cit.*, 15, 17, 19–20. See also BADIL, “From the 1948 Nakba to the 1967 Naksa” (June 2004), Occasional Bulletin No. 18 <http://www.badil.org/phocadownloadpap/Badil_docs/bulletins-and-briefs/Bulletin-18.pdf>.

^{xiv} Thomas Abowd, “The Politics and Poetics of Place: The Baramki House” (2004) 21 *Jerusalem Quarterly* 49, 55–56.

^{xv} Patrick Wolfe, “Settler Colonialism and the Elimination of the Native” (2006) 8[4] *Journal of Genocide Research* 387, 388.

^{xvi} *Ibid.*, 387.

^{xvii} See, for example, Al-Haq, “Global Response to Israeli apartheid: A call to the UNGA from Palestinian and international Civil Society Organizations” (September 22, 2020) <<https://www.alhaq.org/advocacy/17305.html>>.

^{xviii} ESCWA, *Israeli Practices towards the Palestinian People and the Question of Apartheid Palestine and the Israeli Occupation* (2017) UN Doc E/ESCWA/ECRI/2017/1, 37.

^{xix} Al-Haq et al, Joint Parallel Report to UN CERD on Israel's Seventeenth to Nineteenth Periodic Reports (November 10, 2019) 49–54 <<https://www.alhaq.org/advocacy/16183.html>>.

^{xx} Fayeze Sayegh, *Zionist Colonialism in Palestine* (PLO Research Center, 1965) <http://www.freedomarchives.org/Documents/Finder/DOC12_scans/12.zionist.colonialism.palestine.1965.pdf> 21–22, 27; see also Abdul-Wahab Kayyali, “Zionism and Imperialism: The Historical Origins” (1977) 6[3] *Journal of Palestine Studies* 98.

^{xxi} *Ibid.*; see also John Quigley, “Apartheid Outside Africa: The Case of Israel” (1991) 2 *Indiana International and Comparative Law Review* 221; Nimer Sultany, “Colonial Realities: From Sheikh Jarrah to Lydda” (*Mondoweiss*, May 12, 2021) <<https://mondoweiss.net/2021/05/colonial-realities-from-sheikh-jarrah-to-lydda/>>.

^{xxii} Richard P. Stevens, “Israel and South Africa: A Comparative Study in Racism and Settler Colonialism” in A.W. Kayyali (ed), *Zionism, Imperialism and Racism* (Billing and Sons Ltd, 1979) 265, 280.

^{xxiii} UN Guiding Principles on Internal Displacement (July 22, 1998), Principle 6 <<https://www.unhcr.org/protection/idps/43ce1cff2/guiding-principles-internal-displacement.html>>; see also Al-Haq et al, “Punitive Residency Revocation: the Most Recent Tool of Forcible Transfer” (March 17, 2018) <<https://www.alhaq.org/advocacy/6257.html>>.

^{xxiv} Rinad Abdulla, “Colonialism and Apartheid Against Fragmented Palestinians: Putting the Pieces Back Together” (2016) 5 *State Crime Journal* 51, 74.