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**The “Right to the City” in East Jerusalem and
Shu’faat Refugee Camp**

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DEDICATION

I would like to dedicate my thesis to my blessed homeland, Palestine, that suffers everyday yet never gives up its right to freedom.

To my loving mother, Asaleh, for her endless support.

To the soul of my father, Ali, who has been my inspiration on this topic.

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ABSTRACT

In recent years, many academics drew attention on the negative impacts of various neoliberal restructuring processes on urban dwellers in cities. This thesis presents the concept of the “right to the city,” initially established by Henri Lefebvre in the 1960s, as an expression of the right to urban life, which is comprised of many rights and a new citizenship politics. Following that, social movements investigated various answers to social inequalities, defining them in Lefebvre's concept of the “right to the city” as a method of better empowering urban residents to shape their cities as they see appropriate. From this perspective, I use the concept of the “right to the city” as an analytical framework in the context of the Israeli-Palestinian struggle to address the claims of Palestinian minorities within the setting of occupation and power relations over Jerusalem, which makes realization of the “right to the city” principles a distant possibility. This thesis aims to illustrate and understand the major factors that have impacted the social and urban rights for Palestinian neighborhoods highlighting the crucial role of Israeli planning policies in Jerusalem. I use the “right to the city” lens to look at the Palestinian experiences of hardship and displacement, focusing primarily on two case studies: East Jerusalem and Shu'faat refugee camp in Jerusalem. Based on a qualitative approach of semi-structured online interviews and online informal conversations with various Palestinian and Israeli members, as well as employing on a variety of media, documental, archival, and reports analysis, I will explain how the Palestinian minorities are denied their “right to the city” of Jerusalem. Since annexing East Jerusalem in 1967, Israel has used its policies to dramatically change the city's political, demographic, and urban structure. I will illustrate how Israeli spatial and demographic policies are being used to the ‘Judaization’ of the city and lay claim to Jerusalem and declare it as Israel's capital. In 2002, Israel began construction of a barrier/separation concrete wall through Palestinian communities in East Jerusalem. I will address how the wall has inhumanely isolated and ethnically segregated Shu'faat, Jerusalem's lone Palestinian refugee camp, into marginalized areas, denying the rights of any kind of adequate life. The thesis concludes by stating that the “right to the city” holds significant promise for addressing urban, political, and ethnic issues for Palestinian Jerusalemites; however, this will require a considerable transition away from Israel's dominating planning policy and toward a decentralized planning.

Keywords: The right to the city, Henri Lefebvre, Palestinians, occupation, planning policies, East Jerusalem, refugee camp

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CHAPTER ONE: INTRODUCTION

Academics and social movements have embraced the concept of the “right to the city” in recent years to promote democracy, empowerment, and social justice in an era of neoliberal urbanism. Henri Lefebvre first put forward the concept of the “right to the city” in the late 1960s (Lefebvre, 1996; Brenner & Elden, 2009; Harvey, 2008). Lefebvre’s term of the “right to the city” has developed to represent a symbol, a leading slogan, and an ideal for human rights and equality in cities. The right of inhabitants to actively and effectively realize their ‘urban citizenship’ is the basic foundation of Lefebvre’s conceptions of the “right to the city.” Lefebvre’s idea of the citizenship is based on the meaning of inhabitation. Lefebvre has claimed that everyone who inhabits the city has legal rights to it. The right of participation, the right of appropriation, the right to inhabit, the right to habitat, and the right to space production are some of the main urban rights driving the “right to the city,” according to Lefebvre’s definition (Purcell, 2003).

According to Jabareen (2017), the primary issue in theories of the “right to the city” is that they consider that governments and their institutions are the exclusive suppliers of rights that are applied equally to all inhabitants. However, he claims that in other cases, the state denies a social or ethnic group’s most basic rights, triggering the denial of the concept of the “right to the city.” In this sense, I refer to the Palestinian minorities in the case of Jerusalem, which comprehends the complex relationship between occupation and Palestinians’ battle for the urban space, where Palestinian Jerusalemites¹ are fully segregated from the rest of the population due to the state’s hegemony. In the media and literature, Palestine is described as a conflict-ridden, one of the world’s most complicated metropolitan regions, and an open-air jail under a seven-decade occupation (Sharkansky, 1996; Sennett, 1999; Bollens, 1998, 2000; Sorkin, 2002; Hasson, 2002; 2007). The complexity of the divisions in Jerusalem between the Israeli Jews and Palestinians makes resolving conflicts particularly challenging for the city (Hasson, 2004). It is essential to highlight the serious injustices and systematic violations of Palestinians’ basic human rights that they face under Israeli control. Therefore, the selection to focus on Jerusalem as a case study originates from two main factors: first, its controversial problem, and second, my personal interest and positionality in the city which I will explain in the methodological section.

¹ The term ‘Jerusalemites’ refers to the Palestinians of Jerusalem to distinguish them from other Palestinians who live somewhere else such as the West Bank or Gaza Strip.

The research's main question is to investigate whether and how Palestinian minorities in Jerusalem exercise their urban rights while being systematically displaced under an experience of Israeli planning policies. To do so, I look at two major case studies of contestation at the heart of the Palestinian struggle: East Jerusalem and Shu'faat refugee camp. I analyze the claims by Palestinian residents of East Jerusalem and Shu'faat refugee camp using the framework of the "right to the city," as an analytical device to investigate whether and how their access to the urban rights is challenged amidst an ethnic political struggle. I analyze the various urban rights for the Palestinians which include the rights of participation in city planning decisions, appropriation of urban space, inhabit and urban citizenship, habitat and housing, as well as space production.

The geopolitical status of East Jerusalem has substantially contributed to the Israeli-Palestinian struggle, particularly since Israel occupied the city's eastern part in 1967 (Khamaisi, 2007; Margalit, 2007). For decades, Israeli authorities have claimed that united Jerusalem, East and West, is Israel's eternal capital. However, some Palestinian officials believe that establishing a Palestinian State with East Jerusalem as the capital may lead to negotiations with the Israeli side to mitigate the conflict. The Palestinians of East Jerusalem, in particular, as members of a distinct indigenous population living under Israel's sovereignty, have the right to access and live in Jerusalem that is being systematically denied, preventing them from entering and residing there. Certain types of neighborhoods have been created on the periphery of East Jerusalem to accommodate displaced Palestinian residents, trapped between Palestinian temporariness and Israeli occupation hegemony. In reality, one of these peripheries is Shu'faat refugee camp, which has been actively excluded and racially segregated from Jerusalem boundaries since the erection of the separation wall² in 2002. In these two critical sites, I investigate the claims of the Palestinians for access to urban rights and abandonment that are produced as a result of Israeli planning policies.

To answer my research question, this thesis illustrates the Israeli planning, spatial and demographic, policies in the context of Jerusalem's planning regime. I address the consequences of Israeli planning policy constraints on Palestinian urban life, focusing on Israel's planning practices that lead to political and ethnic exclusion. Israel is classified as a Jewish-Democratic state, in which Israel immediately implemented its laws in response to Jewish majority demographic concerns following the 1967 annexation of East Jerusalem (Baumann & Massalha, 2021). As a result, the "right to the city," as not all inhabitants have equal legal rights to it, is immensely significant in the case of

² In June 2002, the Israeli cabinet decided to construct the Separation Barrier/wall. About 85% of the barrier's meandering route winds through the West Bank, including East Jerusalem. For the most part, it consists of an electronic fence with paved paths. In urban areas, such as Jerusalem, Israel constructed an eight- to nine-meter-high concrete wall instead of this type of barrier (B'Tselem, 2017).

Jerusalem. The thesis first addresses the conceptual framework for the “right to the city” and then use it as an analytical device for the Palestinians’ claims in the two case studies. There are six key chapters in this thesis. The second chapter uses mostly Lefebvre's writings to describe the concept of the “right to the city,” as well as a conceptual framework for illustrating the extent to which the “right to the city” might be exercised in refugee camps. The methodology and data collection methods employed in the two case studies are described in chapter three. The fourth and fifth chapters present the case studies and illustrate how the access to urban rights is challenged among Palestinian minorities in East Jerusalem and Shu'faat refugee camp as a result of Israeli planning policies, using the framework of the “right to the city” as analytical device. The final chapter offers conclusions and perceptions about how Palestinians regard their urban rights, including the urban space, housing and citizenship.

Chapter two presents a review of the detailed framework of the “right to the city,” as proposed by Lefebvre and other academics as well as social movements. Accordingly, the framework of the “right to the city” is a network of interconnected rights for urban inhabitants. The rights of participation, appropriation, inhabit, city-oeuvre, centrality, habitat, space production, and the right to necessity are some of these urban rights (Lefebvre, 1996; Purcell, 2002; 2003, Harvey, 2003; 2008, Mitchell, 2003). Then, based on some urban academics such as Grbac (2013), who was the first to argue that the concept of the “right to the city” might be extended to the setting of refugee camps, I apply Lefebvre's framework of “right to the city” to this special setting. By looking at how refugees perceive exclusion and injustice amid the complexity of exceptional space politics and long-term protracted camps, the literature on the concept of the “right to the city” allows to gain a deeper understanding of refugee camps. As a result, in order to comprehend the context of refugee camps, I start by conceptualizing the refugee camp and its spatial constitution following other academics, notably Agamben arguing that refugees might be restricted to ‘bare life’.

The data collection methods employed to answer the research question stated in this research thesis are described in chapter three. I employed a qualitative data approach based on semi-structured online interviews as well as online informal conversations with people from Shu'faat camp and East Jerusalem, as well as Israeli and Palestinian human rights organizations. Another data sources were also used, including media analysis, documental analysis, archival research, and reports analysis of Palestinian, Israeli, as well as international sources. The data collection provided a various analysis of the Palestinians' perceptions and claims in East Jerusalem and Shu'faat refugee camp toward their city Jerusalem, as well as analyzed the complexity and restrictions of Palestinian urban space. In this regard, it is worth noting that the framework of the “right to the city” was not used by the interviewees

themselves, but I used it as device for the analysis of the situation and the data in the two case studies and to discuss the research question.

The fourth chapter is dedicated for a general background of Jerusalem city, as well as introducing the two case studies and the Israeli planning policies imposed in Jerusalem. First, I provide a historical overview of the case of Jerusalem that make up this special issue, focusing on the Israeli occupation of Palestine in 1948 and, afterwards, the annexation of the eastern part of Jerusalem in 1967, which had a significant impact on Palestinian minorities' urban rights. I provide a general introduction of the case study of East Jerusalem following its annexation in 1967. Then, I start by providing a general introduction of Shu'faat camp's historical and demographic background, focusing on the time following its annexation in 1967. Shu'faat camp is unique in that it is the only refugee camp that is administered by both UNRWA and the Jerusalem municipality in Israel. Finally, I address the underlying principles of the Israeli government's spatial demographic policies, which are isolating and excluding Palestinians in East Jerusalem. I also address how these policies are being implemented in order to achieve Israel's principal political goal of Judaization³ and the designation of Jerusalem as Israel's capital. For example, the separation wall that separates East Jerusalem from the rest of the city has been criticized by Palestinians as an Israeli tool of physical, demographic and legal oppression; nevertheless, Israel has justified the wall as a security⁴ barrier to stop terrorism.

The fifth chapter is dedicated to the two case studies of East Jerusalem and Shu'faat refugee camp. In the first part, I address how Israeli planning policies impact the Palestinians' everyday life in East Jerusalem, using the lens of the "right to the city" framework as an analytical device. I illustrate how the legal status of permanent residency, Israeli hegemony over the city, the separation barrier, Israeli settlement expansion, demolition orders and building permit restrictions, as well as other geopolitical control mechanisms have all been used in the planning agenda to continue to deny East Jerusalemites their urban rights. All these mechanisms have been utilized to limit the underprivileged residents of East Jerusalem their rights to inhabit, citizenship, participation, appropriation, habitat, and formal space production in the city (Bollens, 1998). The lack for the access to the rights in Jerusalem arises from Israel's centralized ethno-political structure. Furthermore, staying outside of Jerusalem under Israel's 'center of life policy' results in the legal status of East Jerusalemites being revoked. Other impediments to Palestinian expansion in Jerusalem include construction permission delays, which encourage unauthorized urbanization and result in demolition

³ Judaization of Jerusalem is a term used to describe the view that Israel has sought to transform the physical and demographic landscape of Jerusalem (especially East Jerusalem since its occupation in 1967) toward a fundamentally Jewish city under Israeli sovereignty.

⁴ "Security Fence" or "security barrier" is the term generally used by the Israeli government and media for the wall.

threats. Finally, I explain about how Jabareen (2017) interprets this violation of fundamental necessities as a legitimate source for East Jerusalemites' right to informal space production and right to necessity. The second case study of Shu'faat refugee camp is examined in the second part. I address how the various Israeli planning policies, including the physical exclusion of Shu'faat refugees, lead to the denial of Palestinians' urban life in Shu'faat camp. In reality, Shu'faat camp is a prime example of Israeli strategic planning to re-locate Palestinian Jerusalemites to marginalized areas in order to serve Israeli goals. To understand the dynamic implications of that denial, I look at three key issues that have contributed to the situation in these marginalized areas: the separation wall, the legal status of Shu'faat refugees and the center of life policy, as well as the demographic change and the abandonment of the camp, which is trapped between UNRWA and Jerusalem municipality services (Alkhalili, 2019). I illustrate how the separation wall has cut Shu'faat refugee camp off from the city's heart, displacing it to the West Bank side of the wall, forcing its people to live on the periphery while maintaining their legal status as Jerusalem residents. As a result, Shu'faat refugee camp has deteriorated into a poor marginal in the heart of Jerusalem, surrounded by total abandonment. In addition, I explain how the ongoing neglect of Shu'faat camp beyond the 'security fence,' as well as the size of the populations that live there, has prompted a number of Israeli politicians to propose that it should be removed from the jurisdiction of the Jerusalem municipality, emphasizing the Jewish Israeli capital's demographic and city image concerns (Jerusalem institute, 2019).

Significantly, this thesis indicates that Palestinian urban rights in East Jerusalem and Shu'faat camp are restricted due to the ethno-political roots of the Israeli-Palestinian struggle. In the two case studies, the framework of the "right to the city" has been employed as an analytical device to investigate the complexities of ethno-political conflicts and address the rights of urban inhabitants. I argue that the framework of the "right to the city" had the potential to shed light on the discriminatory and central hegemony of Israeli policies, concluding that transferring power and control from the Israeli nation-state to urban inhabitants, including underprivileged Palestinians, could mitigate the conflict over the city.

CHAPTER TWO: A CONCEPTUAL FRAMEWORK FOR THE “RIGHT TO THE CITY”

This section illustrates the conceptual framework of the concept “right to the city,” while taking advantage of different literatures to address the Palestinian struggle in Jerusalem amidst the Israeli occupation. Henri Lefebvre, a French Marxist sociologist and philosopher, coined the expression of the “right to the city” in his seminal essay ‘Le droit à la ville’ in 1968 (Aalbers & Gibb, 2014). The concept is not just a product of Lefebvre's writings, but also of its period. The work of Lefebvre was dedicated to the city, particularly in the year that the imperialist nations experienced a lengthy wave of existential crisis, notably responding to the protests that was gripping the urban space of Paris at that time, where Lefebvre drew inspiration for most of his writings. From the early 1960s on, Paris was in clear contrast with ‘new Paris’ which emerged and threatened to dramatically envelop the ‘Old City.’ “The old could not last, but the new seemed just too awful, soulless and empty to contemplate” (Harvey, 2012, p. X). Consequently, in May 1968, a number of labor strikes merged with student strikes to form a significant social movement capable of overthrowing the government for a period (Çelik & Gough, 2014). Harvey (2012) believes that the “right to the city” was written prior to the May 1968 irruption because Lefebvre describes such an irruption as not only possible but highly probable, and therefore Lefebvre played his own small part in doing so in his essay. Then for Lefebvre (1996, p.158), the “right to the city” is “a cry and a demand.” The cry is a reaction to the existential suffering of a chronic problem in the city's everyday existence. The demand is a charge to look into this issue more closely and construct a less alienated, more purposeful, yet conflictual and dialectical alternative urban existence (Harvey, 2012). According to this viewpoint, a more comprehensive understanding of the “right to the city” should be based on rethinking such a right as a product of social relations and social interactions. According to Lefebvre, this right has a symbolic/abstract and a real/concrete component. “The right to be part of the city as an oeuvre, the right to belong to and the right to co-produce the urban spaces” produced by city inhabitants, is the symbolic/abstract dimension (Aalbers & Gibb, 2014, p. 208). The “right to the city” is defined by Lefebvre as the right to stay unalienated from the spaces of everyday life. On the other hand, the real dimension is integrated socio-economic and political rights as the right of housing, education, entertainment and health which contributes to people's development and space rather than to their destruction and exploitation (Aalbers & Gibb, 2014).

In recent years, the concept of the “right to the city” has been used as a response to neoliberal urbanism, social injustice and disempowerment for urban dwellers, both by academics and social movements. Many academics have frequently expanded Lefebvre’s notions including ‘everyday life’ (1947, 1961 and 1981), ‘space production’ (1976) and particularly the “right to the city” (1968) to investigate various forms of resistance practices against today’s urban policies, despite the fact that it was conceived specifically in direct opposition to the abstract and racist urbanism of France in the 1960s (Harvey, 2003, 2008; Purcell, 2002; Mitchell, 2003). The majority of scholarly research on the “right to the city” has focused on Lefebvre’s aspects. They have done so in a bundle of argument that rests on existing human rights, gentrification, immigration, social exclusion, public goods and services, housing, citizenship, in addition to specific claims of right to access land, water, sanitation, transport and urban public space (Attoh, 2011). In addition, urban social movements used the slogan “right to the city” to frame their protests and as a claim to guide existing policies and planning practices to become more equitable and inclusive, in order not to lead to segregation, privatization, inequitable distribution of public goods and services and so on (Woroniecka-Krzyzanowska, 2017). According to Harvey, the most essential role for social movements is to accept the “right to the city” as both a “slogan and a political ideal” (Harvey, 2008, p.40).

It was a turning point for Lefebvre, when the social sources of urban space creation in Paris aggressively opposed the capitalist forces, and an urban revolution seemed possible. Lefebvre expressed his idea of a new city and of a fundamental right to guarantee that city. His vision was a method for asserting rights and occupying the city’s places (Gilbert & Mustafa, 2008). In this moment, two of Lefebvre’s following books are foreshadowed around this time, ‘The Urban Revolution’ (1970-2003) and ‘The Production of Space’ (1974-1991). Therefore, the urban realm, according to Lefebvre (1991), has become a critical domain for capital accumulation. As a result, Lefebvre sought to establish politics of capitalism’s dimensions, which are so prevalent in cities and people’s lives. Lefebvre wanted to stress however, that space is a vital and active part of social activities and not only a “passive container” for them (Çelik & Gough, 2014, p. 418). In summation, Lefebvre points out that a wide extend of fundamental rights which individuals could claim should not be regarded separately the symbolic claim but as real rights in an urban setting. Therefore, urbanism should be capable of producing spaces of urban humanity by viewing both the abstract and concrete battle for a “right to the city” (Aalbers & Gibb, 2014). Lefebvre argues that the cost of social space continues to be produced and delivered by capitalism, producing “alienation and exclusion rather than habitable space and inclusion” (Aalbers & Gibb, 2014, p. 209). Lefebvre’s idea of the city, as Smith (2003) points out, differs from both traditional sociological analyses of urban life and typical Marxist

methods. Lefebvre does not necessarily refer to the traditional use of the term 'city', but rather any place in urban life where the structural boundary between the city and the country has collapsed (Marcuse, 2009). This urban space contradicts both the Chicago school, which sees the city as a "reified container of social processes" (Attoh, 2011, p. 674), and conventional Marxism, which regards the city as "inconsequential to theories of capitalist development" (Attoh, 2011, p. 674). The city for Lefebvre, on the other hand, is an 'oeuvre' which means a work that is produced by the labor and the city inhabitants (Attoh, 2011). According to Lefebvre, 'citadins,' rather than citizens, apply to individuals who have a right to the city-oeuvre, meaning that all of the city's people participate.

As mentioned earlier, the concept of the "right to the city" has become a popular paradigm and undergone a certain revival. For example, it has been used to legitimize the right to occupy (Mitchell, 2003), to define public space (Mitchell, 2003) and Marcuse saw it as a socioeconomic right that has been applied to housing (Marcuse, 2009; Attoh, 2011). In particular, the public space has been a key element in a lot of left-wing academic writing on the city, such as Mitchell's *Right to the City* (2003), focusing on the use of public space for public demonstrations in North American cities. For Mitchell, the "right to the city" is an invitation to examine the ways in which dominant legal instruments marginalize the voices and interests of those who occupy urban spaces. Theoretical and political application persisted, as Mark Purcell has argued, particularly in addressing present issues of disenfranchisement. Purcell has also developed the political demands of the Lefebvre vision and their impact on a civic concept of citizenship that takes room seriously (Purcell, 2002). In view of how legal and political philosophers identify sorts of rights, Kafui Attoh (2011) investigated different articulations of the "right to the city," which is a completely broad spectrum of urban rights. David Harvey, who recognized the significance of Lefebvre's work early on, argues in his 2008 article, 'the right to the city,' that Lefebvre's interpretation of the term is one of a social battle for sovereignty over city resources that goes beyond individual rights. It's important to note that it's "a collective rather than an individual right" that necessitates the exercise of a collective authority (Harvey, 2008, p. 23). Harvey's focus on the "right to the city" as a method of democratizing the question of who commands the required relationship between urbanism and surplus production and usage is a good example of this (Harvey, 2008; Attoh, 2011). His idea that the "right to the city" has to be a worldwide battle, mainly against financial capital, illustrates this relationship between property and money capital (Harvey, 2008).

On the other hand, Harvey (2012) believes that it is much more important to look to what has been happening in the streets and within the urban social movements, for an explanation of the "right

to the city” than to Lefebvre's intellectual legacy. For example, Rolnik (2014) emphasized the relationship between social movements and tangible challenges for affordable and adequate housing. It is obvious that Lefebvre was an inspiration to Rolnik in her work as the United Nations researcher on the right to appropriate housing and therefore the idea of the “right to the city” not only inspires the grassroots and community-based housing struggles. Also in Brazil, urban politics has had a slightly different usage of the “right to the city.” The conflicts for housing, infrastructure and public services that significantly evolved in the 1990s provided the primary basis for the Workers' Party expansion, Partido dos Trabalhadores, throughout the period in Brazil (Çelik & Gough, 2014). As a result, the socialist movement should argue that there are basic human needs that capitalism fails to provide while socialism might better satisfy (Çelik & Gough, 2014).

There are therefore multiple feasible ways to comprehend the “right to the city” and to deduce the political and, notably, spatial consequences of various kinds of rights claim. To sum up, the “right to the city” is a collection of rights for urban life based on urban inhabitants’ experiences of exclusion, injustice and marginalization (Attoh, 2011; Marcuse, 2009; Purcell, 2002). Despite all of this sophisticated scholarly attention, the concept of the “right to the city” has remained confusing in terms of its practical meaning and praxis in defense of the poor and disadvantaged across the world. As a result, there is a greater need to figure things out more thoroughly.

2.1. Detailed framework of the “right to the city”

A right is a moral privilege or claim to which one is legally granted, “to be denied a right is to be placed at a particular disadvantage, forced to acquiesce to the rights claimed by others” (Jabareen, 2014; Klodawsky & Blomley, 2009, p. 573). The concept of ‘right’ extends beyond claims or demands that are strictly legal in nature (Marcuse, 2009). The ‘right’ in this sense refers to a higher moral plane that promises to have a better system in which the needs may be totally and completely realized. As a result, it is based on basic principles such as beliefs, justice, nobility, morality and ethics (Marcuse, 2009). Additionally, in liberal societies, rights are inherent to all, regardless of religion, nationality, sex, ethnicity, color, language, or any other classification. However, Klodawsky & Blomley (2009) argue that in reality, persons are entitled unevenly in regard to rights. Therefore, the ‘right’ does not refer to one specific right, but rather the right to a totality (Marcuse, 2009).

Based mainly on a critical interpretation by Mark Purcell of Lefebvre’s literature on the “right to the city,” I will address the “right to the city” as a collection of distinct but interconnected urban rights. Purcell proposes a set of principles, based principally on three writings by Lefebvre, ‘Space

and Politics', 'The Right to the City', and 'The Production of Space'. Lefebvre's "right to the city," according to Mark Purcell, is a rationale for fundamentally rethinking both capitalism and the present framework of liberal-democratic citizenship. The "right to the city" in Lefebvre's writings entails many different rights for urban inhabitants, with theoretical and practical implications for urban planning. These rights are: the right of participation, the right of appropriation, the right to inhabit and urban citizenship, the right to the city-oeuvre, the right of centrality, the right to habitat and housing, the right to space production and the right to necessity (Purcell, 2002; 2003).

2.1.1. The right of participation

According to Henri Lefebvre (2003), the "right to the city" is founded on the idea of the urban as a distinct kind of human existence that refers to something more than what exists now. The urban life is being created, realized via exploration, imagination, and discovery (Purcell, 2002). In this perspective, the "right to the city" implies that individuals have the ability to participate in the creative process of shaping the city by reconstructing it as a common oeuvre intended to meet the needs of its citizens (Purcell, 2003). The right to participate in spatial and social production of space is highly crucial, since the judicial and political systems in the liberal-democratic states delineate a seriously reduced right of participation, which is restricted to the ability to file a written opposition to a statutory plan before the adoption of the plan (Jabareen, 2017). As a result, this right encompasses the right to know about future produced spaces and those that have already been produced, as well as the right to an 'oeuvre' according to Chiodelli (2013). In each decision that contribute to the creation and shaping of the urban space, the right to participate holds that city dwellers, or 'citadins' according to Lefebvre, must play a key and crucial role (Purcell, 2002, 2003). The decision might be made by the state, capital or any other institution that impacts the space production in a certain city. The decisions can be taken on a range of scales and incorporated at any national or corporate level (Purcell, 2002). "All decisions that affect the production of space in the city are subject to citizen control" (Purcell, 2003, p. 577). Therefore, Lefebvre is certain that 'citadins' who had a right to settle, for example, must also have the right to play a key role and to participate in the investments' decisions made by all entities that impact urban space. Lefebvre does not argue that urban space decisions should be taken solely by city inhabitants. But the role of the inhabitants must be essential, central and straightforward. Citizens in liberal-democratic countries, whose formal citizen status is determined by nationality, have an institutional participation and hence have some power in all the decisions that may affect every social activity. The "right to the city," on the other hand, would empower inhabitants to participate directly in all decisions that create urban space in their city (Purcell, 2002). The most

significant idea for Lefebvre is that the city is an oeuvre in which all of the inhabitants actually participate. The oeuvre city is a participatory space rather than an expropriation by a dominating privileged majority and a series of commercial and economic interests. Also, this contradicts the increasingly popular idea and the reality of the city as a commercial product pervaded by the logic of trade and surplus value, which frequently results in great polarization, inequalities, exclusion and much human misery (Mitchell, 2003).

2.1.2. The right of appropriation

In the decision-making of urban space, Lefebvre thinks in the urban agenda of ‘citadins’, which is contained in the right of appropriation, the second component of the “right to the city” (Purcell, 2002). The right of appropriation comprises the entire and complete right of inhabitants to unrestricted physical access and movement within the urban space, as well as the right to possess, occupy, and use the urban space in an infinite way (Purcell, 2002). Appropriation, according to Lefebvre, has a far wider and structural importance. It is both the right to occupy already-produced urban space and the right to develop urban space which fulfills the demands of residents (Purcell, 2002). According to Lefebvre, appropriating space means changing, adapting, adjusting and reshaping the space on multiple levels through individual, societal and collective behaviors. In defending the right to appropriate urban space, Purcell (2003) indicates that Lefebvre does not call attention to private ownership so much as to the right of inhabitants to full use of urban space in their everyday lives, such that the complete usage is conceivable. “Appropriation is the right of everyday users: it denies the right of ownership and emphasized the right of inhabitants to use the space of their city” (Purcell, 2003, p. 581). Therefore, the right to appropriation rejects the notion of urban space as a private asset through the capitalist process of production. The right to appropriate urban space, on the other hand, includes the right to live in, enjoy or play in, operate in, symbolize, characterize urban space in a particular city (Purcell, 2003). Mitchell states that another key aspect of appropriation, is the right to housing, a place to sleep and to relax (Mitchell, 2003). “Simply guaranteeing the right to housing may not be sufficient to guaranteeing a “right to the city,” but it is a necessary step toward guaranteeing that right” (Mitchell, 2003, p. 19). According to Lefebvre, ‘to inhabit’ is to appropriate something, in which it is equivalent to dwelling. Therefore, the right to housing is a type of appropriation of the city, thus Lefebvre was very careful to get this out of the right to property (Mitchell, 2003; Jabareen, 2017).

2.1.3. The right to inhabit/urban citizenship

Attoh (2011) argues that the issue of who has the “right to the city” is addressed indirectly by most academics who have written on the “right to the city.” According to Lefebvre (1996), the “right to the city” is exclusively intended for the benefit of society as a whole, and first and foremost of people who use and inhabit the city (Purcell, 2002, 2003). “Those who live/inhabit the city have a right to the city” (Purcell, 2003, p. 577). The “right to the city” concept is based on the urban space production, thus all those who live in the city and “contribute to the body of urban lived experience and lived space” are granted legitimate rights to the city (Purcell, 2002, p. 102). Purcell claims that, unlike traditional enfranchisement, which privileges national citizens, the “right to the city” would be achieved by shifting hegemony and power from the state and huge economic interests to the urban inhabitants (Purcell, 2002). Thus, Lefebvre defines political identity based to terms and concepts such as ‘inhabitant status’ and not the ‘civil status’ or ‘formal citizenship status’. Lefebvre's original concept of ‘citizenship’ is profoundly embedded in who has the “right to the city” and particularly in urban space, this concept has substantial consequences for urban planning and design, as it serves to define their nature and impact. Citizenship entails rights, duties, and membership under the “right to the city” in a certain political society. Membership in the community of enfranchised individuals is acquired by carrying out the rhythms of everyday life in the space of the city, not by accident of birth nationality or race (Purcell, 2002). To be acknowledged as a full citizen, according to Lefebvre, one must also be a ‘citadin,’ or a full dweller of the city-oeuvre. In other words, it is also required that you become an active part of an urban community in order to achieve full urban citizenship and to become an active social participant in the civilization process and spatial transformation that occurs inside it. According to Lefebvre, citizenship significantly impacts urban planning, in particular, “space design and regulation influence the ‘degree of urban citizenship’ of population groups according to the place they live in” (Chiodelli, 2013, p. 491) and therefore specific urban populations are inclusive or excluded from being part of the city (Chiodelli, 2013). Thus, the concept of the “right to the city” challenges definitions of citizenship based on ethnic democratic governing systems and conflicts the Westphalia idea that political allegiance is determined hierarchically, through the nation-state and citizenship. A progressive framework also highlights the significance of the locale, such as the “right to the city” as a location that gives rise to a social commitment and belonging (Purcell, 2003; Khamaishi, 2007). In addition, Harvey (2003) broadened the concept of the “right to the city” to encompass all inhabitants, including children, immigrants, women and members of other ethnic and socio-economic groups. In a broader sense, Peter Marcuse (2009) assigns the “right to the city” to

inhabitants who interact with the urban environment while being excluded and alienated from both the material and non-material necessities of existence that contribute to a satisfying life.

2.1.4. The right to the oeuvre

Lefebvre argued, People “have a right to more; they have the right to the oeuvre” (Mitchell, 2003, p. 18). According to Lefebvre's views, the city produced is an oeuvre when all the dominant and dominated groups that inhabit the city play a role in the production of space. The oeuvre-city of Lefebvre should be generated by the social practices of all its inhabitants and not by a dominating economic power, therefore it is marked by simultaneity and centrality (Chiodelli, 2013). Lefebvre argues that ‘the city as an oeuvre’ is a product for the daily practices and life of the inhabitants. For Lefebvre, the city is to be considered as an artwork ‘surplus of art’. The artist is a group of urban dwellers’ daily routines. Urban space should therefore not be regarded as an object of exchange, but as a work which is created and rebuilt daily by the social practices of urban inhabitants (Purcell, 2003). This contradicts the dominating realistic vision of the city as a commercial product injected with ‘surplus value’, which often resulting in extreme polarization, inequalities, exclusion and great human suffering. Therefore, the city becomes a product when the relationship between the urban space and the inhabitants of a city is lost, this means the city is produced entirely by the dominant groups and space is defined by homogeneity and segregation (Chiodelli, 2013). In this context, claiming the “right to the city” entails asserting some form of shaping authority over the urban development processes, the way our cities are produced, reconstructed and radically restored. From its earliest beginnings, the spatial and social concentration of a ‘surplus product’ has created and shaped cities (Harvey, 2012). Harvey argues that capitalism produces the ‘surplus product’ required by urbanization. “But to produce surplus value capitalists have to produce a surplus product” (Harvey, 2012, p. 5). Lefebvre (1970) states that the city was oeuvre for so long before industrialization, when the city's use value became eroded by the trade value. Lefebvre (1968) has explained that the famous notion of the “right to the city” illustrates how to overcome city product and reestablish city oeuvre (Chiodelli, 2013).

2.1.5. The right of centrality

According to Lefebvre, the city cannot be separated from centralism. On the one hand, the “right to the city” would confirm “the right to the use of the centre, a privileged place, instead of being dispersed and stuck into ghettos” (Purcell, 2003, p. 577). This right guarantees people's effective

participation, the use of abstract and tangible spaces, as well as central and peripheral locations. As a result, this right concretizes the right of urban dwellers to use and live in urban spaces, particularly privileged spaces in the center. This centrality provides a strong sense of identity for both individuals who are denied access to the city and those who are illegally deprived of it. Therefore, “the right to centrality thus involves both a right to take a leading role in decision making as well as the right to physically occupy, live in, and shape the central areas of the city” (Purcell, 2003, p. 578). Therefore, the right to a leading player in shaping urban living space is granted by the right to centrality in decision-making. When introducing the concept of centralism, Lefebvre intended to overcome the dichotomy of center and periphery, which was inseparable from the wealth and poor divide and thus, restoring the right to socialize, to assemble, to live, to adapt to the surroundings and finally it restored a sense of belonging to spaces. The dialectic of centrality, according to Lefebvre, comprises on the one hand of gathering and inclusion to the center, and on the other hand of dispersion and exclusion to the periphery (Gilbert & Mustafa, 2008; Purcell, 2003; Jabareen, 2014).

2.1.6. The right to habitat/housing

The right to habitat or housing, according to Lefebvre, includes the basic socio-economic rights to safety, adequate and affordable housing, healthy environment, environmental justice, and basic infrastructure. From a different perspective, according to Purcell (2013), Lefebvre differentiates the industrial city and the urban society. The urban society helps in distinguishing active citizens from passive consumers, or *l'inhabiter* from habitat. In urban society, urban space is governed not by property rights, capitalist accumulation or exchange value, but by inhabitants who appropriate space and use it to meet their desires where they “shared sense of common purpose and solidarity” among each other (Purcell, 2013, p. 318). On the other hand, urban inhabitants in the industrial city, are politically inactive consumers instead of citizens. For Lefebvre, these passive inhabitants are “warehoused in sterilized urban spaces” called habitats (Purcell, 2013, p. 318). “This city is an engine for ensuring economic development through the production of standardized commodities” rather than *oeuvres* (Purcell, 2013, p. 318). Rather than *oeuvre*, this city is a driver of economic expansion and production of similar goods. Therefore, the active and effective participation in urban society is what Lefebvre calls *l'inhabiter*, that he contrasts with the sterile space of ‘habitat’ (Purcell, 2013). For Lefebvre (1996), the city consists of “uninhabited and even uninhabitable spaces” of urban society (Lefebvre, 1996, p. 66), for example, public facilities, historic sites, streets, plazas, large or small voids, meeting places and cafes (the bistro). Therefore, despite the fact that the city envelops the space of ‘private life’, habitat does not constitute the city and the city cannot be defined by this single

function of standardized commodities. According to Lefebvre, the new housing estates will be distinguished by an abstract and functional interpretation of the concept of 'habitat'. Then, in its purest form, 'habitat' is established as a huge restriction imposed by a 'state bureaucracy'. This interpretation of 'habitat' includes some variations, such as the space of the house, fence, garden and so on, which leaves a small but real margin of freedom 'to inhabit'. Furthermore, he claimed that some philosophers will argue that the concept of 'habitat' is achieved by large housing estates through excluding the concept 'to inhabit' and opposing the urban life and the city (Lefebvre, 1996). In this case, urban society has disappeared because of those large housing estates. Therefore, 'to inhabit' is reduced to 'habitat'. For Lefebvre, 'to inhabit' finds again its place over 'habitat'. The entire way of living is inscribed and indicates itself in this habitat as functions, requirements and daily routines (Lefebvre, 1996).

2.1.7. The right to space production

The "right to the city" is built on the notion of urban space, that each society creates and produces its own spaces (Lefebvre, 1991b), as mentioned earlier. Lefebvre's ideas of space are framed within the capitalist economies of the various production processes and social interactions. The contemporary state apparatus has become a prime regulator of the production of urban space amongst the many actors of capitalism. The bureaucratic culture of regulated consumption alienates daily living in a capitalist society. The differentiated space functions are normalized in order to produce a reasonable arrangement of socio spatial interactions (Brenner & Elden, 2009). According to Purcell (2002, 2003), Lefebvre's (1971, 1991) tripartite definition of space, in which a unity theory of social space is advanced, proposes a harmony in three areas: physical perceived space, mental conceived space, and social lived space. Lefebvre's definition of space takes such a fundamental point of view that it embraces far more than simply tangible or concrete space. In everyday life, the perceived space is the objective and particular location where individuals interact. Conceived space includes the space's intellectual creations, innovative ideas, and space representations, as well as official abstraction. Lived space is a full and real perception of a person in everyday life that is formed by the mix of perceived and conceived space. Lived space is the space of inhabitants and users where social relations are inevitably integrated into our everyday lives, in working, leisure, housing and the family. Lived space is a component of social life, not merely a phase on which it takes place. In other words, urban lived space entails developing a way of living in urban space, a process Lefebvre refers to as 'habiter', which confers institutionalized control over urban life. Therefore, the right of urban lived space "would be earned through everyday inhabitance, through each inhabitant's contribution to the

lived space” of the city (Purcell, 2003, p. 579). The production of urban space thus requires much more than just managing the city’s material space, it includes all elements of urban life that are produced and reproduced (Purcell, 2002, 2003).

According to Jabareen's (2010, 2017) analysis of Lefebvre's (1991b) debate on the dialectics of social and spatial, there may be various theoretical notions that can be generalized. From this perspective, the people’s right to ‘space conception’ is at the core of the social and political right to space production. One facet of Lefebvre's triad theory of social space is the conception of space. That is to say, the production of space should be based on a conception of space supported by individuals, who must be entitled to produce it as their own preferences instead of enforcing it by the state, municipality or planners. Therefore, space should be conceived in collaboration with the planners and other experts. Every society's usage and identification of physical assets is governed by the conception of territory and space, which results in its own distinct locales. The right to space conception, if exercised, leads to desirable socio-spatial spaces that are in themselves typical spaces of a given society or certain social relations. Moreover, states deliberately neglect vulnerable or disadvantaged populations from conceiving and producing space in cities with social and ethnic conflicts. Consequently, this right is important and its recognition signifies a substantial change in our understanding on the “right to the city” (Jabareen, 2010, 2017).

Several scholars argue that the current political-economic restructuring, capitalism and neoliberalization will increasingly disenfranchise urban inhabitants in terms of decisions that produce the urban space and the city (Tickell and Peck, 1996; Purcell, 2002). Furthermore, many scholars have looked at the “right to the city” as a viable alternative to neoliberal disenfranchisement (Sassen, 2000; Smith, 2003). In particular, this emphasis on the urban space production “separates the right to the city clearly from present forms of enfranchisement in liberal democracies” (Purcell, 2002, p. 102). The institutions, policies and decisions of the formal state are primarily involved in these present forms of enfranchisement and therefore the liberal-democratic citizens have an institutionalized voice over any social process. Conventional enfranchisement is now based mostly on national citizenship, and so it gives the national citizens some partial control over the decisions made by capital (Purcell, 2002). The “right to the city,” on the other hand, enfranchises citizens to participate in all decisions that create urban space beyond the governmental framework. The assertion of the “right to the city” is related to the social aspects and not of the inherent property of individuals (Purcell, 2003). Therefore, the “right to the city” deviates from the monopolistic geometries of socialization and offers

urban residents with a physical place, as it allows them a greater influence and in every decision that affects the urban space (Marcuse, 2010).

2.1.8. The right to necessity

Despite the fact that the right to the production of space is unfairly distributed under liberal-democratic regimes by the state power, “collective disadvantaged groups seek to produce their own social, spatial and abstract spaces according to their collective desire” (Jabareen, 2017, p. 20). According to Lefebvre (1991), the production of space is political and ideological, therefore, the state hegemonies are working in this area to control production in which underprivileged or marginalized people struggle to survive (Jabareen, 2017). According to Jabareen, the right to space production involves both formal legal rights and informal collective rights produced by marginalized communities. Space is generated and re-constructed at the intersection of legal and informal rights, as well as contradictions between the state's spatial planning, and the position of marginalized people. This generates inconsistencies between the legal rights that the state produces and the collective right of necessity that is legitimized informally by the underprivileged group. Each legal right is supported by legislation in the liberal-democratic countries. And when this legal right to space production, is “violated or denied to a marginalized collective group, an alternative, informal, insurgent right emerges and comes to the fore” (Jabareen, 2017, p. 21), which is the right to necessity. Therefore, this collective outcome refers to the fact that even the most excluded groups can conceptualize and enforce space production. This right confronts the vulnerability to injustice to which most of them are exposed and addresses the lack of people's basic necessities. Therefore, the condition of necessity is the source of informality giving them the legitimation they require on their own. In this sense, the right to necessity is based on people's need to construct houses, commercial structures and other infrastructure (Jabareen, 2017).

The legal system often rejects these rights, whereas the state appliance acknowledges them at an informal level while formally denying them and opposing them (Jabareen, 2017). “The relationship between insurgent and legal rights is dialectical” (Jabareen, 2017, p. 26), as there are only insurgent rights in the lack and unequal distribution of legal rights, yet insurgent rights themselves reflect legal rights. Agamben describes the notion of necessity as “necessity does not recognize any law and creates its own law” (Agamben, 2008, p. 24). For him, the idea of necessity is little more than an exceptional theory, where the responsibility to respect the law releases a specific case (Agamben, 2008). The practice of the right to necessity and the right to space production is legitimized by

necessity, which is a collective right that contributes to the empowerment of individual members of the group and strengthens their solidarity (Jabareen, 2017).

To sum up, the language of rights of Lefebvre and a larger understanding of citizenship implied by Lefebvre's work have led scholars to reframe several urban battles. As you can see from the “right to the city” collection, these battles are many. The “right to the city,” therefore, represents a combination of rights and not a singular one which challenge the unjust and disrupted connections between the city and the state, ultimately trying to reorganize the urban issue. The “right to the city” is a higher level of rights: right to freedom, right to habitat and right to inhabit (Lefebvre, 1996). Moreover, the right to the oeuvre, the right to participation in decision-making, the right to appropriation, the right to space production and the right to necessity. The “right to the city,” as articulated here, is a legitimate moral argument, which is grounded on basic justice principles (Jabareen, 2014; Marcuse, 2012). The “right to the city” emphasizes the necessity of restructuring the relations of power which underpin the production of urban space and shift the power from the state to the local rule and urban inhabitants (Purcell, 2002). Consequently, if a disadvantaged group has been denied the legal right to production of space, they strive to produce their own places on the basis of their collective right to necessity.

2.2. Refugee camp, spatial constitution and the “right to the city”

Some urban scholars have extended the framework of the “right to the city” to the setting of refugee camps in recent decades. Grbac (2013), for example, was the first to argue that the “right to the city” might be applied to the camp setting, asking for envisioning the camp as an urban area “in which the right to the city may be imagined and implemented” (Grbac, 2013, p. 26). The refugee camps are not a new phenomenon but have gradually taken a great attention from individuals, organizations and governments, both because of their anomaly stateless condition (Malkki, 1995a) and their temporal living condition (Sanyal, 2013). For this reason, I would begin by conceptualizing the refugee camp and its spatial constitution following other scholars, Agencies and documents. Then, using the same approach, I would apply the concept of the “right to the city” in the context of refugee camp, and mainly through the application of its detailed framework, which relates to the notions of participation and appropriation.

2.2.1. Conceptualizing the refugee camp and refugee status

According to Sanyal, the refugee camp has become a “difficult task” (Sanyal, 2013, p. 559). First, because of their stateless status, which creates anomalies with regard to the sovereignty of the 21st century. Second, due to the negative consequences of perceiving refugee camps as a temporary living solution when they are not. Refugee camps are built to accommodate conditions that are supposed to last only a few weeks or months (Woroniccka-Krzyzanowska, 2017; Gale, 2008). In the policy of UNHCR (2016), refugee camps have been described as unique gathering zones with specific features to offer safe environment for refugees while providing them with housing units, health, hygiene facilities, infrastructure and educational services by host government and nongovernmental organizations ‘NGOs’. These units exist in many shapes of light constructions and temporary materials and are sites where refugees get humanitarian aid until a permanent solution to their predicament can be found (Ramadan, 2013). According to this viewpoint, refugee rights have a long traditional discourse based on the same response to catastrophic events since World War II. The approach has been based on anticipated short-term residence and has prioritized urgent protection and basic human rights (Malkki, 2002; Woroniccka-Krzyzanowska, 2017). Refugee camps, on the other hand, “have the state of accidental cities” (Alshoubaki, 2017, p. 7) since the circumstances for refugee frequently fail to return and their camps become sites of long-term stay. Refugees are sometimes forced to linger in these camps for years, if not decades, with poor living conditions and crowded spaces (Dunn, 2015). Within a few years, these problems result in a variety of difficult living situations, including overpopulation and urban extension within limited camp borders, where refugees in camps are attempting to get additional peripheries for house extensions. Almost half of the refugees in the globe lived in extended conditions that lasted more than 25 years on average by the end of 2015 (UNHCR, 2016). Despite the fact that no one, including the UN, host communities or even the refugees themselves, wants refugee camps to have a permanent character, there are no easy or quick solutions for the refugee causes (Dunn, 2015). For example, the Palestinians have already been in exile for 74 years, waiting for the right conditions to ‘return.’ Thus, the fate of these zones is to become a new component of the urban fabric of surrounding cities. Although the right of refugees to live in diaspora does not supersede their international law rights, such as the right to return or compensation, conventional debate has overlooked important basic rights of refugees who have been in diaspora for a long time (Woroniccka-Krzyzanowska, 2017).

The most universally quoted part of the basic legal definition of refugee status is found in the 1951 Geneva convention and its 1967 Protocol, this convention and its protocol help to protect

refugees, who are among the world's most vulnerable people. People who meet these criteria are entitled to the rights and obligations of the 148 states that are party to one or both of these instruments (UNHCR, 1951). Article 1A(2) of the 1951 Geneva convention states that

the term “refugee” shall apply to any person who,... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (UNHCR, 1951, p.152).

Article 1D of the 1951 Geneva Convention on the status of refugees is particularly important for the Palestinian cause, as it states

this Convention shall not apply to persons who are at present from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance. When such protection or assistance has ceased for any reason, without them position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall ipso facto be entitled to the benefits of this Convention (UNHCR, 1951, p. 156).

Palestinians receive protection from a United Nations Agency other than the UNHCR, namely the UN Refugee and Works Agency (UNRWA), and thus they are automatically dismissed from the Convention under this article. The same article states that if their protection is ceased, refugees will be subject to the protection of the convention. Article 1D of the convention had many different interpretations, considered as an exclusion or inclusion element of the Palestinian refugees in the same provision. The UNHCR (2013) revised some notes on the proper interpretation of Article 1D of the 1951 Convention. UNHCR states that Article 1D has two related purposes. First, “to avoid overlapping competencies between UNHCR and other agencies of the UN, including specifically the UNRWA for Palestine Refugees” (UNHCR, 2013, p. 2). This goal is represented in the 'exclusion clause.' The second goal is to “maintain the continuity of protection and aid for Palestinian refugees whose refugee status has already been established and recognized by several UN resolutions” (UNHCR, 2013, p. 2). When the protection or aid has ended due to the ‘inclusion clause,’ this is the case. As a result, Palestinian refugees who did not receive or were not eligible for UNRWA protection

under article 1D may still be declared refugees if they meet the criteria of article 1A (2). These individuals are eligible to seek for refugee status in accordance with the 1951 Convention's article 1A (2).

2.2.2. The role of UNRWA

UNRWA is the major body in charge of giving aid to Palestinian refugees in the context of the Palestine cause, according to statistics released by the UN Relief and Works Agency for Palestine Refugees in the Near East. Following the 1948 Israeli occupation of Palestine territory, the United Nations General Assembly passed resolution 302 (IV) on December 8, 1949, establishing UNRWA to provide direct aid and work to Palestine refugees (UNRWA, n.d.). The Arab-Israel War⁵ 'Nakba' of 1948, according to UNRWA, displaced nearly 700,000 Palestinian refugees. The Palestine Refugee Agency served around 750,000 Palestine refugees when it initially opened its doors on May 1, 1950. Because UNRWA was intended to be a temporary agency until a reasonable and enduring solution for Palestinian refugees could be found, its mission was slated to expire in one year. Seventy years later, UNRWA continues to provide fundamental services for Palestinian refugees' health, intellectual progress, and security. UNRWA's mission has been periodically extended by the General Assembly, most recently until June 30, 2023. UNRWA is funded almost completely by UN Member States voluntary contributions. United Nations regular budget, which mainly serves international staffing costs, provides UNRWA with some funding (UNRWA, n.d.).

Today, approximately 5.7 million people are registered with UNRWA as Palestine refugees and are eligible for UNRWA services⁶. The operational definition of Palestine refugees is

Persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict (UNRWA, n.d.).

Around one third of all registered Palestine refugees, or more than 1.5 million people, are sheltered in 58 recognized Palestine refugee camps. The remaining of Palestine refugees reside in and around host nations' cities and towns, as well as in the West Bank and Gaza Strip, near official camps. A Palestine refugee camp is designated based on the below definition, other areas are not considered camps (UNRWA, n.d.). The working definition according to UNRWA is

⁵ The Israeli name of the Arab-Israel War in 1948 is the war of Independence, while the Palestinians call it in Arabic 'Nakba' which means the catastrophe.

⁶ Palestine refugees who are registered in UNRWA hold the UNRWA registration card which entitles its holders for the use of Agency's services and, over the years, has become a symbol of the refugee status.

a plot of land placed at the disposal of UNRWA by the host government to accommodate Palestine refugees and set up facilities to cater to their needs (UNRWA, n.d.).

“Education, health care, relief and social services, camp infrastructure and improvement, microfinance and emergency assistance” and the protection of Palestinian refugees’ rights under international law are among the services provided by the UNRWA Agency (UNRWA, n.d.). UNRWA operates in Lebanon, Jordan, Syria, as well as in the Gaza Strip, East Jerusalem and the West Bank. UNRWA services are provided in line with the principles of “humanity, neutrality, impartiality, and operational independence” camps established by the United Nations (UNRWA, 2020). All people residing in UNRWA's area of operations who satisfy the Palestine refugee criteria, are registered with the Agency, and are eligible for UNRWA services. Palestinian male descendants of refugees, as well as adopted children, are eligible to register as Palestinian refugees (UNRWA, n.d.). UNRWA employs nearly 27,841 staff, some 25,338 of whom are Palestine refugees. The Agency’s headquarters are in Gaza City and Amman (UNRWA, 2020). While the majority of UNRWA’s facilities, such as schools, health clinics and distribution centres, are located within Palestine refugee camps, a few are located outside. However, “all of the Agency’s services are available to all registered Palestine refugees, including those who do not live in the camps” (UNRWA, n.d.). The areas of land on which the camps have been built are either state land or, in the majority of cases, land leased from local landowners by the host government. This implies that the refugees who live in camps don’t own the property they constructed, but rather have a right to use the land for the purposes of their habitation. In Palestine refugee camps, UNRWA's role is confined to delivering services and managing its facilities. The host authorities are in charge of owning, administering, and policing the camps, not the Agency. UNRWA is also required to work with the host government, as the occupying power, in the case of large infrastructure interventions (UNRWA, n.d.).

2.2.3. Theorizing the spatial constitution of the refugee camp

There are many theories about refugee camp space; for example, Arendt, Agamben, and Owens allow one to examine the spatial constitution of the refugee camp while situating it within a larger geopolitical framework. Sanyal (2011) illustrates Hannah Arendt’s theorizations on refugee camps, in which Arendt considered the refugee as a living and fundamental challenge to the nation-state system's truisms and reifications. It means that the refugee was seen as a threat to “the proper and enduring form of political identity and community, that is, the citizen and the sovereign nation-

state” (Nyers, 2006, p. 9). Arendt describes the refugee as someone stuck between nativity, expressed by the inherent rights of man, and nationality, and embodied by the rights of the state citizen. The refugee loses his position in a community, his political standing, and the legal identity that makes its behaviors because of this dilemma. Although refugees are deprived of the conditions that distinguish citizens, Arendt claims that the refugee might retain some dimensions of his dignity. Arendt takes into account the diversity of camp experiences as well as the fact that not all camps are created equally (Owens, 2009). Therefore, Arendt argues that any research on the camps must be supplemented with a study of the various legal issues of the various types of concentration camps.

According to Minca (2015), the main theoretical lenses for studying refugee camps have depicted them as spaces of exception (Agamben, 2008) and refugees as victims of violence, not capable to face the pain and resigning themselves to become passive beneficiaries of assistance (Malkki, 1995b). Agamben goes on to support Arendt’s assertion that the camp always remain a potential in society, while further expands his analysis to argue that the refugee camp is the typical unidentified territory, where refugees can be reduced to ‘bare life’ (zoe) which means they are striped of politics (bios) as well as being exposed to violence without risking criminal ramifications (Sanyal, 2013). Therefore, the camp is an extreme form of biopolitical administration established beyond the usual legal system, in which inhabitants are deprived of their rights, diminished to ‘bare life’, and separated from the society. As a result, when the exception to the usual operation of the law becomes the norm, the state of exception becomes permanent and these areas of indistinction emerge (Woroniecka-Krzyzanowska, 2017; Owens, 2009). The rationale underlying the camp was memorably described as “the space that is opened when the state of exception begins to become the rule and gains a permanent spatial form” (Agamben, 1998, p. 37). Sanyal (2013) argues that Agamben considers the formal abandonment of a refugee as a process of inclusion within exclusion, therefore casting “humans as animals” (Owens, 2009, p. 568). From here, Agamben (1998) returns to the topic of ‘bare life’, saying that the camp space arises when the system of government is thrown into this continuous dilemma, generated by the essential interaction between locality, state, and regulations. According to Agamben, the refugee camp becomes a site of paradox because of this conflict between these foundational components, reflecting the position of the refugee who is divorced from both the rights of man and the rights of the nation-state. When it comes to identifying this essence, the camp becomes the most powerful representation of this state of exception. As a result of the suspension of normalcy in the camps, “everything is possible, and everything can and does happen” (Minca, 2005, p. 409).

On the other hand, Owens (2009) argues that Agamben's notions of 'bare life' and 'camps' leave no room for the re-articulation of politics. Owens means that theorizing refugees through 'bare life' of Agamben ignores how different groups of People debate the concept of life and the various ways in which it is conveyed. As a result of Agamben's conception of 'exception', the refugee is confined in a zone of inactivity with no sovereignty. The refugee therefore becomes a victim, powerless to fight or adapt to the camp's difficult environment (Owens, 2009). For example, whereas Agamben and others might regard acts in refugee camps as a recognition of the 'bare life' and the absence of power or democracy, Owens argues that such activities may serve as the foundation for a new politics (Sanyal, 2013). Such acts not only expose the violence refugees are subjected to, but also offer voice to others to demand they speak for them. Furthermore, according to Sanyal (2013), the term 'exception' does not capture the complex violent and nonviolent power relations that permeate the intimate existence of refugees in their daily lives. Minca (2015) states that a rising empirical research has lately questioned the totality of Agamben's theoretical lenses for studies on refugee camps and showed that the understandings of exception and refugee camp must then be de-essentialized and the material, social and political realities of 'protracted camps' must be addressed. Therefore, the complex realities of long-established camps need different analytical framework since protracted camps challenge the rigidity of Agamben's theoretical frameworks and provides a critical window to investigate the mechanisms and the tensions behind the camp space production. Protracted camps have demonstrated that, rather than being the result of a single sovereign's exercise of power, complex power struggles between multiple actors such as host governments, humanitarian groups and refugees, in which the camp is created, claimed, and mediated by them. The exception is therefore a complex construct that encompasses multiple geographical, social and political dimensions and reflects the many identity projects and political goals of the people involved (Woroniecka-Krzyzanowska, 2017; Ramadan, 2013; Sanyal, 2011). Therefore, Agamben appears to have intended "to diagnose the new biopolitical nomos of the planet" (Agamben, 1998, p. 176) rather than give a paradigm for studying current protracted refugee camps. Unlike the majority of studies that characterize the exception as a source of marginalization and exclusion, it may also be a well-managed instrument by which camp inhabitants demand their rights and safeguard their national ideology in this environment (Woroniecka-Krzyzanowska, 2017). Indeed, refugees may and do use the liminality of their situation, leveraging the "thing against itself" and "subverting the condition of liminality" (Sanyal, 2011, p. 880) in ways that allow them to resist marginalization (Ramadan, 2013) despite being confined by the physical and cognitive limitations of camps (Sanyal, 2011).

2.2.4. The “right to the city” in refugee camp

The literature on the “right to the city” enables us to gain a better understanding of refugee camps by examining how refugees can co-produce exception and take advantage of it to get around the challenges of long-term protracted camps. In particular, the claim for the “right to the city” is driven by the disempowerment, marginalization, and injustice that refugees face. Therefore, the framework of this right allows us to examine the complexities of exceptional space politics as well as the rights of camp communities. Grbac (2013), for example, has already demonstrated how the framework of the “right to the city” can be applied in the context of refugee camps. In view of what Lefebvre reflects, Grbac theorized to re-think of the camp as an urban place for social groupings by focusing on the potential that arise from conceiving the refugee camp as a metropolis. As a result of this realization, rethinking the refugee camp as an urban space or a city indicates that “the right to the city seems promising in its ability to transform camp space into a space of citizenship” (Grbac, 2013, p. 26). This adds to a deeper and new understanding of the camp’s built environment and the practices this environment engenders. This reimagining would allow refugees themselves to claim control of their own geographic and social spaces to become a space of citizenship (Grbac, 2013). This rethinking in other words gives rise to a discourse based on rights, which is not defined by an institution or power but rather redefined by political actions and social interactions (Gilbert & Mustafa, 2008). Therefore, according to Grbac (2013), in order for the “right to the city” to be fully applied in the context of the refugee camp, the spaces of the camp should be entirely appropriated by the refugees to allow for unrestricted physical access within the urban space, as well as to allow for the practice of participation in the rights discourse through decision-making process. In particular, through the rights to participation and appropriation, political identity becomes prior to nationality in terms of the decision-making that produce urban space (Purcell, 2002). Therefore, appropriation and participation constitute the two primary rights underlying and structuring the spaces of the refugee camp. Thinking of both, they both have the capacity to shape the ‘urbs’ or the built environment of the camp with consequences on the ‘polis’ or the political community development and therefore fostering of ‘civitas’ or citizenship rights (Grbac, 2013).

A reconsideration of the right to participate in the camp environment maintained that the camp inhabitants should play a vital and direct involvement in any decision affecting the production and maintenance of the camp space. In the context of a camp, the right to participate would serve as a new mechanism in which local residents of the camp would be able to exercise their citizenship in decisions relating to the camp’s built environment. This right highlights the fact that the camp spaces

is a direct product of power dynamics structured primarily by those individuals or organizations who make decisions rather than the camp communities (Grbac, 2013). Therefore, Grbac (2013) argues that the decision-making process has to be redefined in order to support the needs, demands and interests of refugees in being engaged and empowered to manage their social lives in terms of both their living circumstances and political identities. To put it another way, in order for citizenship to be exercised and, as a result, the “right to the city” to be applied, members of the political and social community must be able to shape the fate of their environment and thus become active agents. It is only by situating refugees and their needs in decision-making and planning processes will refugees be able to claim their rights or find a common ground for the discussion. Furthermore, in the UNHCR (2007) Manual for Emergencies, which guides the development of refugee camps around the world, a community-based approach is defined as “an inclusive partnership strategy, a process and a way of working with persons of concern that recognizes [the refugees’] individual and collective capacities and resources and builds on these to ensure their protection” (UNHCR, 2007, p. 182). This approach seems promising since it acknowledges the significance of empowerment and real participation of refugees. On the other hand, labels like ‘refugee community members’ and ‘displaced population’, “engender an alienation that not only hinders genuine community engagement but also presents the space of the camp in a purely utilitarian manner” (Grbac, 2013, p. 22). As a result, rather than being planned by a citizenship and rights-based discourse, the camp space is planned by a humanitarian discourse characterized by exclusion, injustice, humanitarian actor abuse and disempowerment.

The right of appropriation refers to the right of refugees to access their urban physical space, as well as the right to infinitely possess, occupy and use the urban space. Since urban space is the location of socialization, refugees can develop their individuality and sociality through it (Grbac, 2013). Sassen describes the public space as a “key vector into cityness,” in which it is a vital aspect of this development. Therefore, public space in the context of a refugee camp is necessary because it is more than just a free access point for refugees; it is also a created environment that should meet the needs of refugees and should be organized through their practices and usages (Sassen, 2008). In other words, it serves as both a location for citizenship development and a site of governance and practice. The refugee also becomes a citizen in and through public space, as it directs the individual’s actions toward others through everyday experience (Grbac, 2013). This right therefore serves at once a cry or an inspiring challenge and a demand or an imaginative opening (Purcell, 2003). The challenge or “the cry or is a response to the existential crisis that dominates the everyday life experiences in the refugee camp setting” (Grbac, 2013, p. 3), in which a more inclusive, meaningful, and dialectical urban life is called for (Harvey, 2012). The demand is a command to engage conceptually with the

crisis the camp engenders while taking into account the prospect of a more meaningful and ultimately more just camp life. It's an introduction that frames the issue and shapes the behaviors of demanding rights and appropriating the spaces of the camp (Gilbert & Mustafa, 2008).

To summarize, portraying the camp space through Lefebvre's promising framework of the "right to the city" allows for a reconsideration of rights in the context of the refugee camp, as well as the ability to transform the camp space into a space of citizenship practice. According to Woroniecka-Krzyzanowska (2017, p.162), the "right to the city" in the camp "should be a collective right based on inhabitance and daily uses of the camp space, instead of property rights or national citizenship", where exception becomes a source of debate of camp dynamics or politics. The practices of refugees for collective right form an important part with what Lefebvre identified as claiming the "right to the city": participation and appropriation. Therefore, Garbac's approach leads to a different conceptual framework which alters the interaction between politics, people and practices inside a refugee camp and focuses on the urban built environment as a space.

CHAPTER THREE: RESEARCH METHODOLOGY, DATA COLLECTION METHODS AND CASE STUDY APPROACH

This chapter will outline the methodology adopted and the data collection methods that have been used to address the research question developed in this thesis, as well as the selection of the case studies and the reasons behind my choice. In my research, I used a case study approach to generate an in-depth understanding of the complexity of the “right to the city” framework which is made up of various urban rights in the real-life context of Jerusalem, where conquest and power relations are conducted amidst the Israeli occupation of Palestine. I analyze the claims by Palestinian residents of East Jerusalem and Shu'faat refugee camp using the framework of the “right to the city,” as an analytical device to investigate whether and how their access to urban rights is challenged. I concentrate on their right to participate in every decision that contributes to the creation and shaping of the urban space, their right to appropriation, which includes unrestricted physical access to occupy and use the urban space, their right to habitat and housing, which includes various socio-economic rights and healthy environment, as well as their right to inhabit and urban citizenship which intended for the benefit of all those who live in the city and contribute to the body of urban lived experience.

To address my question and collect data, I used a qualitative approach. The data collection was performed in the summer of 2021 over a two-month period during which the prevalent levels of tension in Jerusalem changed dramatically. It was based on twelve semi-structured interviews conducted online, as well as informal follow-up conversations. Respondents primarily included refugees from the Shu'faat camp, camp official, and dwellers of the camp's surrounding areas in East Jerusalem. Other respondents included representatives from Israeli and Palestinian human rights organizations dealing with Shu'faat refugee camp and Jerusalem city. The interviews and informal conversations carried out online, via video and phone calls, because of the political situation in Palestine and the current global covid-19 epidemic. In addition, I employed a variety of data sources, including media analysis, documental analysis, archival research, and reports analysis from International, Palestinian and Israeli organizations and censuses.

I started the data collection with a series of nine semi-structured interviews with five men and four women, ranging in age from their early twenties to their late forties. The interviewee participants were selected according to purposeful sampling technique in which a preselected criteria have been met by each participant to provide detailed information about the phenomenon under investigation and particular research question and for the research study. The selection criteria included the age,

place of residence, profession, marital status and most importantly their level of activeness, awareness and knowledge in the investigated case study. The criteria allow for a focus on persons who are most likely to have knowledge about their experiences or insights into the research topic. I conducted six of these interviews with refugees from Shu'faat camp. Then I was directed by one of the interviewees to interview potential respondents of one camp official as well as two Palestinian residents of the camp's surrounding areas in East Jerusalem. I interviewed these two residents of East Jerusalem who experienced the 1948 war after the establishment of the state of Israel. The use of interview data based on respondents from Shu'faat camp and its surroundings allows for a broad understanding of the aim associated with Israeli planning policies in East Jerusalem and the camp. The conducted interviews have three main objectives. First, to gain a general review of the camp's current socioeconomic and political situation in order to provide insights over the complexity and restrictions of camp life, i.e., refugees' legal status and identity papers, checkpoints, over population, housing demolitions and unequal distribution of public services. Second, to address the current Palestinians' perceptions, attitudes and behaviors in East Jerusalem and Shu'faat camp toward their city Jerusalem. Third, to look at current Palestinian urban space following the construction of the separation wall in 2002, with a focus on its implications for East Jerusalem and Shu'faat refugee camp. In particular, the wall's location with Jerusalem's municipal border establishes an artificial barrier between East Jerusalem and its social and economic hinterland. As a result, thousands of Jerusalem residents must pass through checkpoints every time they want to enter their own city, drastically restricting their freedom of movement and impacting their social and urban life. In addition, the Shu'faat refugees were shifted behind the wall but remained inside Jerusalem city limits, yet they are refugees in their own city within Israel. I analyze the residential exclusion of Shu'faat refugees and the limitations of their right to occupy, use and physically access public urban spaces, particularly privileged spaces in the center of Jerusalem city.

Along with formal semi-structured interviews, informal conversations were also developed with the locals and the refugees of Shu'faat camp, allowing more details about living in the camp and its surrounding areas to emerge. I conducted online informal conversations with them in order to capture their experiences of living in and making sense of their space. The respondents' attitudes toward the complexities of the Palestinian cause were the most prevalent, including Palestinians' threat perceptions that the Israeli authorities want to cut their neighborhoods off from the city by the separation wall, and deny them their residency status. Furthermore, they were the most opponents in their views and feelings toward a two-state solution in Jerusalem.

Then, semi-structured interviews were conducted with three international representatives of non-governmental and human rights organizations. The first was with a representative of “Al-Maqdese,” a Palestinian non-profit and non-governmental organization. The second interview was with two representatives of an Israeli human rights organization. First, Al-Maqdese for Society Development (MSD) was founded in 2007 in response to Israeli violations of Palestinian rights in occupied Jerusalem. By including local communities in campaigning and alternative planning, Al-Maqdese have exercised their *de facto* “right to the city.” They have not explicitly employed the terminology or framework of the “right to the city” in their work, focusing instead on practical dimensions of the “right to the city.” The organization publishes annual reports on Israel's demolitions of Palestinian houses in East Jerusalem, as well as training and public awareness campaigns on a variety of socioeconomic concerns and their human rights implications. Al-Maqdese works to protect Palestinians' political, social, economic, cultural, and civic rights in Jerusalem. They aim to document Israeli violations of Palestinian rights and urge that Israel stop these violations and respect Palestinians' individual and collective rights in accordance with international humanitarian law's norms and rules. On the Israeli side, a number of civil society organizations have focused on the city of Jerusalem's systemic inequality. I interviewed two representatives belonging to an independent human rights Israeli organization, which is based in Israel but has operations and activities throughout Palestine. The organization brings together Palestinian and Jewish Israeli citizens to provide legal defense and analysis in support of human rights. They describe Israel's planning in Jerusalem as being characterized by systemic discrimination against Palestinians. Some of their publications have been very explicit in their use of the “right to the city” terminology in order to improve democracy, social justice, and human rights in Israeli-controlled areas. They have used the principles of the “right to the city” as a superior kind of Palestinian right that is not only used by academics and social movements. They publish monthly reports on Israeli settlements in East Jerusalem, demolitions, and the effect of the separation wall on movement restrictions. These interviews, as qualitative data, were used to gain a better understanding of these organizations’ perceptions and fields of work, as well as to understand how they use the framework of the “right to the city” in Jerusalem, regardless of whether they have or have not explicitly used the language or concept of the “right to the city” in their work. In particular, I used these interviews with more in-depth publications of the organizations’ work to analyze the claims and the access to the urban rights of the Palestinian minorities in their city Jerusalem. I used the framework of the “right to the city” as an analytical device for these organizations’ work to highlight the denial of the Palestinians’ rights to participate, use and occupy the urban space, have adequate housing and habitat, as well as their rights to access and inhabit their city.

Another data sources were also used, based on a variety of quantitative and qualitative archival, media and documental data analysis, such as newspapers, UNRWA reports, Jerusalem Institute documents, Central Bureau of Statistics and relevant updated Palestinian and Israeli human rights organization reports that cover many aspects of Palestinian life in East Jerusalem and explore the current situation of Shu'faat refugee camp. These data look for official information sources on Israeli spatial and demographic planning policies, construction permits issuance, demolition orders and housing issues, military checkpoints and separation barrier, as well as space production by Palestinians in Jerusalem. For example, I drew on UN OCHA reports, the UN Office for the Coordination of Humanitarian Affairs, which illustrate more in-depth information about the obstacles of movement of Shu'faat refugees in Jerusalem due to the checkpoints and the implications of the wall's construction, which physically excluded and ethnically segregated Shu'faat refugee camp from Jerusalem and denied their access to Jerusalem's city center and its resources. The aim is to address a part of refugees' broader struggle for control of space, which placed them under constant threat of displacement and denied them the interconnected rights of the "right to the city."

East Jerusalem and Shu'faat refugee camp are two unique case studies of contestation at the heart of the Palestinian struggle. My selection to focus on East Jerusalem as a case study originates from its controversial problem and its evident distinction from West Jerusalem. In 1948, West Jerusalem was captured by Israeli occupational forces and immediately afterwards the Palestinians in West Jerusalem were 'privileged' by being granted Israeli citizenship, despite the fact that they are regarded as '48 Arabs'⁷. On the other hand, when Israel occupied the city's eastern part in 1967, they started to claim that united Jerusalem, East and West, is Israel's eternal capital, despite the fact that East Jerusalemites were granted a different kind of identification cards, Israeli permanent residency in Jerusalem, but not citizenship. As a result, East Jerusalem residents represent a cross-section of Palestinian social stratification, in which their residency defines and controls their geo-political status and mobility, who can move between East Jerusalem and West Jerusalem and who cannot. Despite the fact that the Israeli Jerusalem municipality has planning control over the East and West of the city, the two portions are treated entirely differently and coexist separately. Statistics reveal that the two halves of the city are far from 'united'. When comparing basic service provision, transportation and road networks, public education and health facilities, urban environment, and public open spaces,

⁷ After the *Nakba*, the Palestinians that remained within Israel's 1948 borders are colloquially known as "48 Arabs" or "48-Palestinian". The majority of these identify themselves as Arab or Palestinian by nationality and Israeli by citizenship. The Israeli establishment prefers Israeli Arabs. These labels have been criticized for denying this population a political or national identification, obscuring their Palestinian identity and connection to Palestine. They comprise just over 20 percent of Israel's total population, they have the same rights as Jewish Israelis but face widespread discrimination. A history of separation has meant the two peoples mostly live apart.

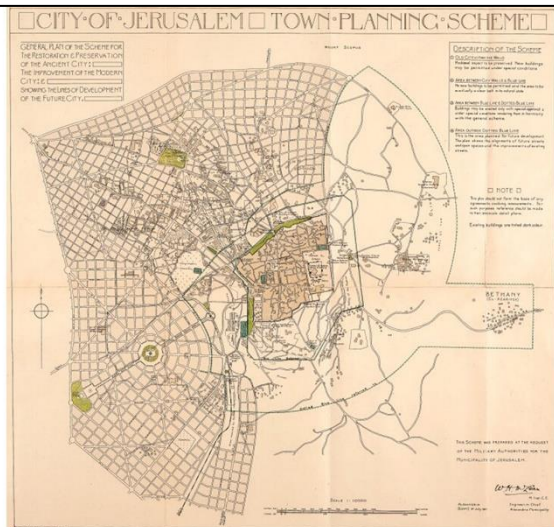
disparities between East and West are obvious (ACRI, 2012). Furthermore, Shu'faat refugee camp is the only camp in East Jerusalem, however it has been actively excluded and racially segregated from Jerusalem by the erection of the separation wall in 2002. In addition, I selected these two case studies because of my personal interest and positionality in Jerusalem, which stems from my ties to my homeland where I was not allowed to live or visit under Israeli authority, despite having a Palestinian passport that is not recognized by the Israeli State due to the Israeli military permit system and the fact that I was born outside of Jerusalem. My positionality stems from my unique roots as a Jerusalemite born with 'temporary' threatened residency in Lebanon and a Palestinian citizenship that differs from both East Jerusalem identity cards and West Jerusalem Israeli citizenship. This threatened uniqueness stems from a Palestinian refugee mother who was born in one of Lebanon's Palestinian refugee camps and registered as UNRWA refugee, as well as a father who was born in Jerusalem but became an illegal Jerusalemite living in Lebanon after his forced displacement during Israel's 1967 annexation of East Jerusalem. This one-of-a-kind situation derives from the fact that UNRWA only registers refugees who were forced to flee their homes in Palestine in 1948. My choice of these case studies is motivated by the reality I experienced as a result of the Israeli policies, which forced me to spend my whole life in exile having no place to call home. Finally, another reason for my selection is my extensive local awareness and understanding of the cultural roots of the Palestinian society, which facilitates the collection and interpretation of data collection.

CHAPTER FOUR: THE CASE STUDIES. OVERVIEW, INTRODUCTION AND PLANNING POLICIES

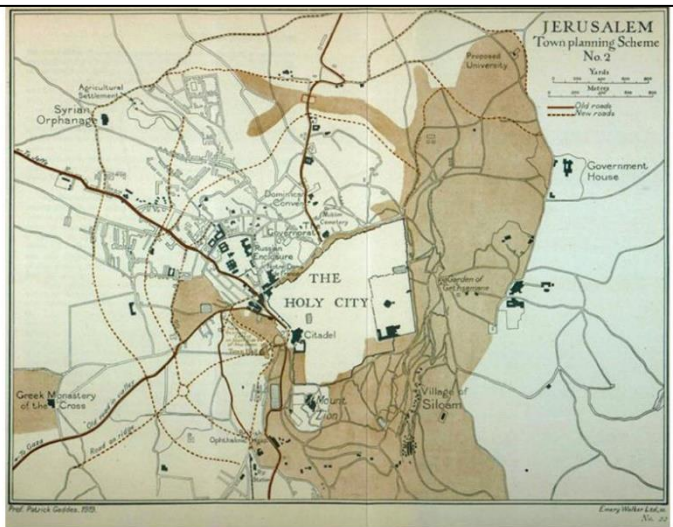
A brief historical review of Jerusalem is required to describe the dynamics of the city's physical and social structure in order to analyze the complexities of Palestinian minorities' access to urban rights in Jerusalem. Following that, I will provide a general introduction for the two case studies of East Jerusalem and Shu'faat refugee camp, in which I will analyze the special issues that characterize each case study. Finally, I will address Israeli planning policies in Jerusalem, investigating whether and how the spatial and demographic policies challenge the everyday lives of Palestinians, hence underlying Jewish demographic's national purpose.

4.1. Historical background of Jerusalem

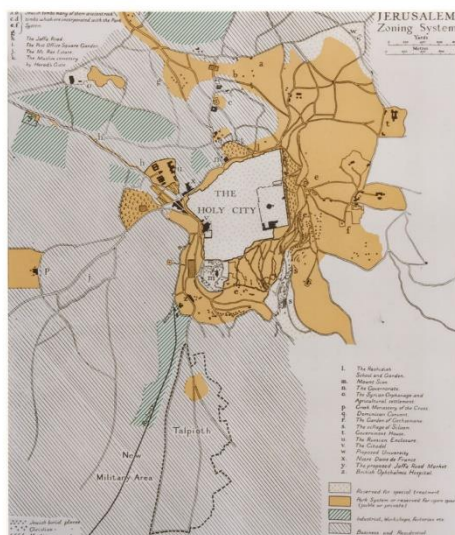
Jerusalem is one of the world's oldest inhabited cities, and it is located on a plateau in the inland hills between the Mediterranean and the Dead Sea. The age of old Jerusalem is estimated to be 5,000 B.C. The city is significant to all three monotheistic Abrahamic religions: Judaism, Christianity, and Islam. The evolution of the city's spatial settings, particularly during modern history, is distinguished by its dynamic and ever-changing nature (UN-Habitat, 2015). This distinction stems from the fact that planning practice was controlled and implemented by occupation forces over Historic Palestine, rather than by Palestinians themselves. The British Mandate took over Jerusalem's rule from the late Ottoman Empire in 1917. The British occupiers declared Jerusalem the capital of Palestine, transforming the city from a remote provincial town on the outskirts of the vast Ottoman Empire to the central seat of the Mandate Administration. The British Mandate (1918-1947) planning strategy reinforced the Old City's status while developing the New City in respect to its historic center. The British Mandate in Jerusalem replaced the conventional plans and built large structures in Jerusalem and its surroundings, marking a watershed moment in urban development. Some of the most talented urban planners of the period created master plans for the city's expansion, that are still recognized today, as the McLean Scheme (1918), the Geddes Scheme (1919), the Ashbee Scheme (1922), the Holliday Scheme (1930), and the Kendall Scheme (1944), being among the most prominent (Rokem, 2012; UN-Habitat, 2015) (figure 1). The general concept behind these projects was to maintain the eastern portion of Jerusalem open space while directing the spatial growth to the northwestern and southern areas. Therefore, the Ottoman and subsequent British occupations of Jerusalem significantly altered the city's spatial and social features.



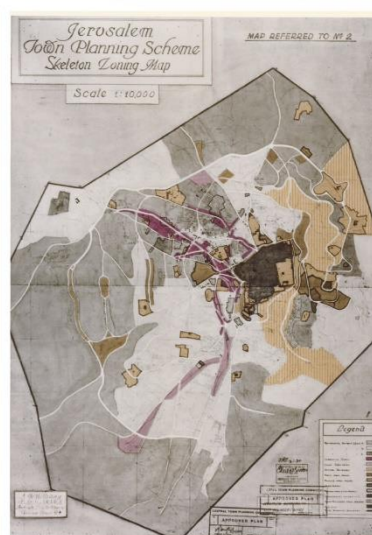
McLean Scheme 1918, City of Jerusalem Town Planning. The First Urban Master-Plan for Jerusalem (Alexandria: Printed by the Survey of Egypt, 1918).



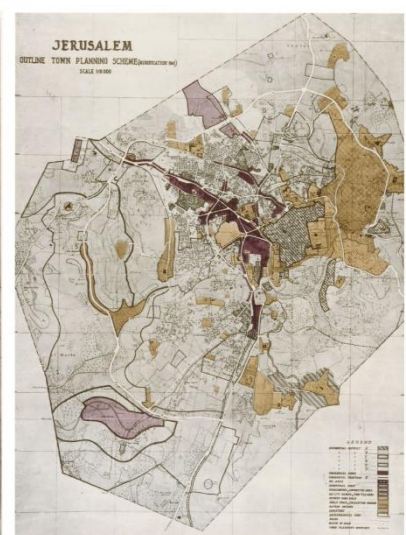
Geddes Scheme 1919, (edited by Ashbi) as it appeared in the report of the Society for Jerusalem in 1921. The area marked in yellow is the proposed open space, free of construction around the Old City, and a new network of semi-circular roads (London: J. Murray for the Council of the Pro-Jerusalem Society, 1921).



Ashbee Scheme 1921, Zoning plan for Jerusalem prepared initially by Ashbee for the Pro Jerusalem Council 1921, detailing land uses based on initial work by Geddes in 1919 (London: J. Murray for the Council of the Pro-Jerusalem Society, 1921).



Holiday Plan 1930, a master plan for the development of Jerusalem - a map of land uses. The plan included for the first time a ring road around the city and detailed zoning schema for the full city boundary (Jerusalem Municipality archive, 1930).



Kendall Plan 1944, Jerusalem last Zoning Plan in British Mandate. Every street is detailed, connecting landmarks and functional zones. The zones separation is demarcated of six different residential zones according to old city proximity (Jerusalem Municipality archive, 1944).

Figure 1: The most prominent master plans for Jerusalem city's expansion (1918-1944) during the British Mandate

On November 29, 1947, the United Nations General Assembly, in its 128th plenary session, passed the resolution 181 known as the UN Partition Plan for Palestine, which called for the end of the British Mandate and the creation of two distinct sovereign governments in Mandatory Palestine.

The Plan envisaged splitting the region west of the Jordan River between Arabs and Jews⁸, resulting in two nations that would be economically connected and coordinated by an overarching administration. The General Assembly suggested the formation of a separate entity, *corpus separatum*, for the city-region of Jerusalem (figure 2), under a unique international regime in the city and governed by the United Nations under the resolutions 181 and 303 (UNGA, 1947). Therefore, there was a formation of a special international rule in the city of Jerusalem, overseen by a Trusteeship Council linked with the United Nations. Jerusalem was supposed to remain neutral, demilitarized, and carefully administered under Christian-Catholic administration, according to the UN (UN, 1997; Shlay and Rosen, 2010).

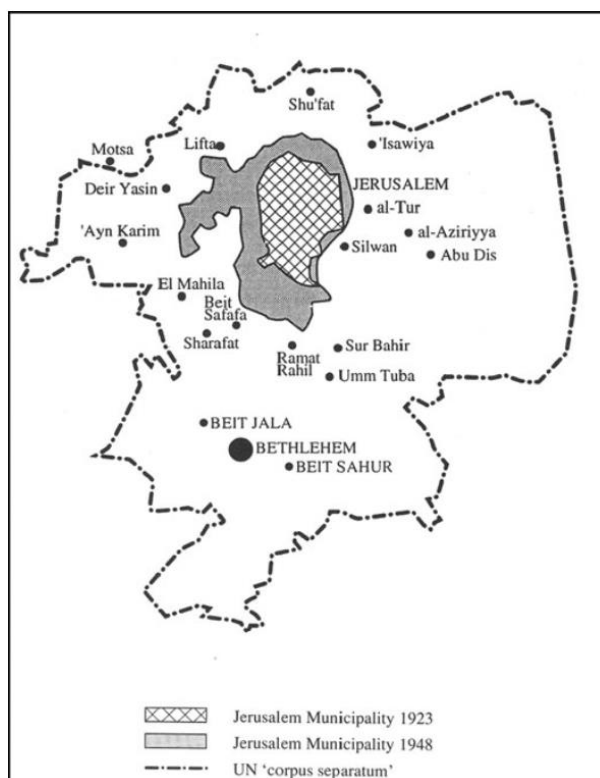


Figure 2: The UN partition plan of 1947 designated Jerusalem as an international city (Dumper, 1996, p.94)

On 14 May 1948, the 30-year British Mandate over Palestine ended with the adoption of the resolution 181, which was eventually rejected by the Palestinian Arab community⁹, when the military occupation of the state of Israel declared its independence. Following this declaration, armed conflict expanded across Palestine, culminating in the 1949 War between Palestinians and a number of Arab

⁸ The Jewish migration to Palestine started during the Ottoman rule at the end of the nineteenth century and the beginning of the twentieth century, however the British allowed the project of the Zionist movement of Jews to become reality by the Balfour Declaration of 1917. The Balfour Declaration pronounced the right for a Jewish homeland to be established in Palestine in 1917 without the consent of the Palestinian people living in the lands of Palestine at the time. This had encouraged more Zionist settlers and the Jewish refugees to arrive in Palestine in large numbers since the 1920s (Khalidi, 2010).

⁹ The Arab Palestinians rejected the plan as it confiscated 52.5 percent of what they owned from Palestine. The Jews who owned only 6 percent of the land were allocated 55.5 percent against 44.5 percent to the Arabs who owned 94 percent before (UN-Habitat, 215).

governments on one side and the fledgling state of Israel on the other (UN, 1997). In this period, the area of Palestine was always dominated by an Arab majority prior to the formation of Israel in 1948. According to Edward Said (1992), the continuous arrival of Jewish immigrants in Palestine after 1882 had no effect on the territory's huge Arab majority until the few weeks preceding Israel's establishment. In 1931, the Jewish population in Palestine was 17 percent, accounting for 174,606 of a total population of 1,033,314 (Israeli Palestinian Pro Con, 2010).

The struggle for control over Jerusalem reached its peak in 1948, when Israel had occupied by force more than its UN-recommended portion¹⁰ (Shlay and Rosen, 2010). Israel annexed West Jerusalem, incorporating it within its borders and bringing it under Israeli sovereignty. While East Jerusalem, as well as the Old City, was taken over by Jordan, who later annexed this part of the city together with the rest of the West Bank and brought it under Jordanian authority (Jabareen, 2010). In the meantime, the Palestinians had failed to establish their own state while rejecting the Partition Plan. As a result, the planning of Jerusalem (1948-1967) was dominated by two distinct planning agendas, one by the Jordanians and other by the Israelis. Both of them began to build their own parts of Jerusalem on both sides of the boundary. Jordanians mostly focused on developing their suburbs outside the Old City walls, primarily to the north while Israelis focused on developing the western part of the city (Rokem, 2012). The Israeli agenda was based on the idea that the west side of Jerusalem should be fortified to represent Israel's capital. Therefore, for the following 19 years, the city of Jerusalem has become physically divided into two separate political and administrative areas, the western part under Israeli control and the eastern part under Jordanian administration (UNGA, 1947; Rokem, 2012). The divided city became a solid reality as a result of the ethnic conflict Jerusalem has encountered, “the separation line became a fixed fact in the minds of the people” (Schwied 1986: 109; Rokem, 2012). Israel drew a military border zone known as the ‘Green Line’¹¹, separating the East from the West, which runs along the cease-fire line through the walls of the city's historic core (figure 3). The Green Line was significant on political, legal, and administrative levels for Israel. Unlike the regions within the Green Line, the territories beyond the Green Line were not integrated into Israeli political and civilian administration structures (ACRI, 2012).

¹⁰ By January 1949, Israel had extended its area by about 5,000 sq km beyond the 15,500 sq km allocated to the Jewish state in the U.N. 1947 partition resolution 181 (Khalidi 1992, pp. 305-313).

¹¹ The Green Line is a term that emerged in the wake of Israel's establishment in 1948, it refers to the 1949 line of division “armistice line” between Israel and the West Bank. The line served as Israel's unofficial boundaries for the first 18 years of its existence until the outbreak of the 1967 Six-Day War. In 1967, it became the line separating Israel from the territory it captured in the Six Day War as the West Bank and East Jerusalem from Jordan and the Gaza Strip from Egypt. The name derives from the green ink used to draw the line on the map. However, it is important to note that Israel has never specified the boundaries of its own state.

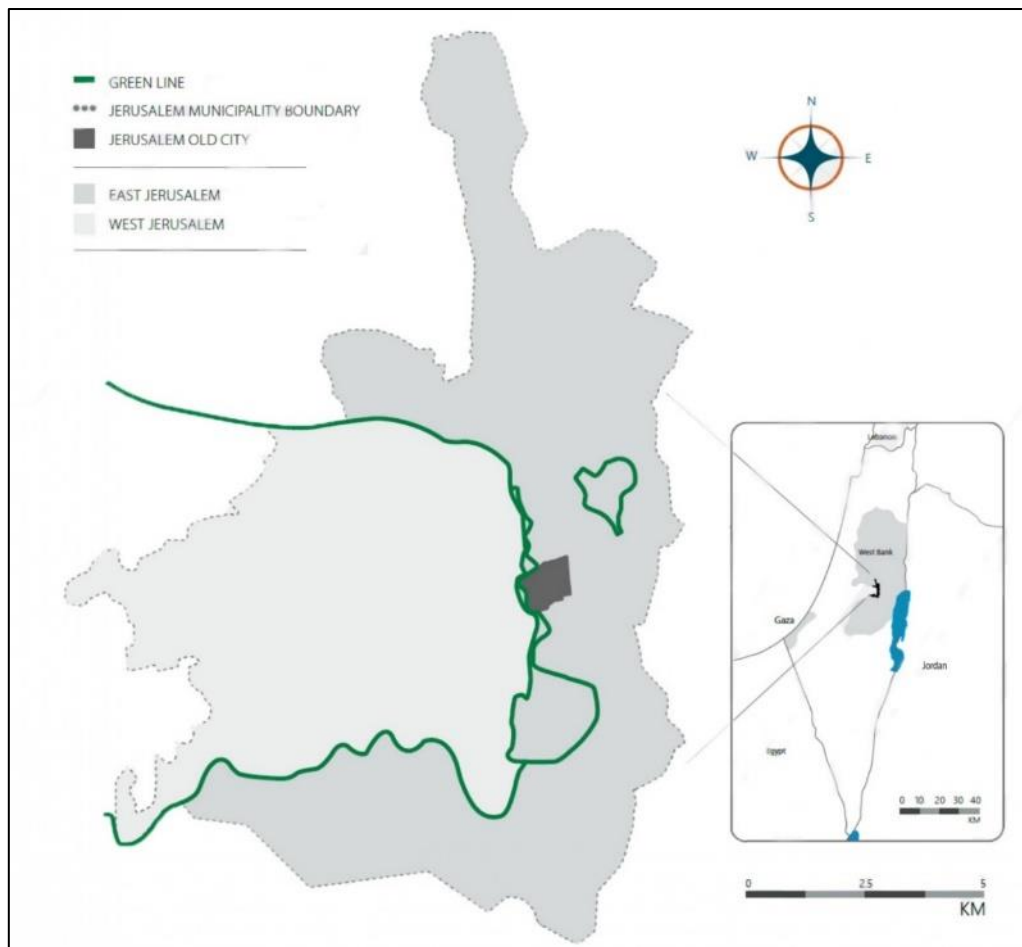


Figure 3: The Green Line dividing East Jerusalem from the West (UN-Habitat, 2015)

While the UN endeavored, in line with the partition plan, to establish a *corpus separatum* in Jerusalem, the parties developed realities on the ground that hindered this. Even though, the United Nations partition plan of 1947 kept recognizing Jerusalem as an international zone and therefore did not include it in either the projected Jewish Israeli or Arab State (UNGA, 1947). Despite its illegality, Israel's occupation of West Jerusalem by force in 1948 was unchallenged by the international community. “Jewish Jerusalem [West Jerusalem] is an organic and integral part of the state of Israel,” Israeli Prime Minister David Ben-Gurion proclaimed on December 5, 1949 (The kneset¹², 1949). The General Assembly, however, confirmed the sovereignty of Jerusalem under the UN Trusteeship Council a few days later (UNGA, 1949). Despite this, in a speech to the *Knesset*, Israel's parliament, on December 13, 1950, Ben-Gurion declared Jerusalem to be Israel's capital and reiterated the Israeli government's position that Jerusalem should stay under Israeli rule. Ben-Gurion went on to say that establishing a *corpus separatum* would go against Jerusalem's desire and jeopardize a “historical and natural right of the people living in Zion” (The Knesset, 1949).

¹² The *Knesset* is the Israeli parliament, the country's legislative body.

Following the 1948 Israeli occupation, which resulted in the establishment of the state of Israel and the occupation of 78 percent of Historic Palestine, around 780,000 (83 percent) of Palestine's indigenous inhabitants were dispossessed and became refugees¹³ (UNCC, 1949; Forman & Kedar, 2004), with just 159,100 Palestinian residents surviving in the newborn Israel's Jewish State (Israeli Palestinian Pro Con, 2010). The Palestinian catastrophe '*Nakba*' commemorates this brutal process, which included Israel's destruction of over 500 depopulated Palestinian towns that lasted after the 1949 Armistice (HIC-HLRN, 2010). Since the '*Nakba*,' the overwhelming majority of Palestinians have been expelled and displaced from their homeland, and have been dispersed across four major communities: those who have left Palestine entirely and now reside in refugee camps in neighboring Arab countries, primarily Lebanon and Syria, those who have remained in geographical Palestine and have been divided among the formerly Jordanian ruled West Bank and Gaza strip, as well as in 'Israel' (Yiftachel, 2006). That invasion, in particular, depopulated 39 Palestinian communities in the West Jerusalem area, dispossessing and displacing 97,949 indigenous people and confiscated 272,735 dunums¹⁴ of Jerusalemite Palestinians' land and properties (Tamari, 2000). According to Forman & Kedar (2004, p. 809), "between 1948 and 1960, Israeli authorities gradually but rapidly created legal structures to seize, retain, expropriate, reallocate, and reclassify the Arab lands appropriated by the state" (Hasson, 2004, 2007).

4.2. Introduction to case study one: East Jerusalem

Afterwards, following an armed conflict known as the Six-Day War¹⁵ in June 1967, Israel conquered the whole of the West Bank, including East Jerusalem, from Jordan and the Gaza Strip from Egypt¹⁶. The Israeli-Palestinian struggle over Jerusalem has gotten much worse after the occupation of the eastern part of the city. In 1967, the Israeli military annexed 70,500 dunums (Israel Central Bureau of Statistics, 2016) of East Jerusalem and the whole West Bank, incorporating them into Jerusalem's municipal borders. Therefore, East Jerusalem's 6,500 dunums, and another 64,000 dunums in surrounding West Bank territories, were merged with the previously annexed West

¹³ The Palestinian refugees are considered the largest and oldest refugee population in the world; see Adam Ramadan, 'Spatialising the Refugee Camp', *Transactions of the Institute of British Geographers* 38 (2013): 65–77.

¹⁴ A dunum is a unit of land area enclosing 1000 square metres or 0.25 acres. Land area in Israel, the West Bank and Gaza Strip has been measured in dunums since the era of the British Mandate of Palestine.

¹⁵ The Six-Day War or *an-Naksah* in Arabic "The Setback", also known as the 1967 Arab–Israeli War was an armed conflict fought from 5 to 10 June 1967 between Israel and an Arab coalition primarily comprising Jordan, Syria and Egypt. It ended in the occupation by Israel of the West Bank, Gaza strip and Golan Heights.

¹⁶ Today, the West Bank and the Gaza Strip make up the Occupied Palestinian Territory (OPT) under the partial administration of the Palestinian Authority. They cover a total area of 6,209 km² (5844 km² in the West Bank and 365 km² in Gaza Strip).

Jerusalem. In addition to the refugees from the 1948, this annexation has resulted in the uprooting of about 400,000 Palestinian residents of East Jerusalem and its West Bank hinterland (Hasson, 2007; Klein, 2008).

Following this, Israel initiated many legal steps to facilitate these reforms and consolidate its control over the seized territory. The *Knesset* amended the Law and Administration Ordinance on June 27, 1967, stating in Article 11b that “the law, jurisdiction and administration of the state shall apply to all the area of the Land of Israel which the government has determined by Order” (Law and Administration Ordinance-Amendment No. 11, p.74) (NRC, 2013). Therefore, the Israeli government extended the law, jurisdiction, and administration of the state to East Jerusalem and the communities around it, including Shu'faat, Jabel Mukaber, Isawiyeh, and Tsur Baher. The *Knesset* then gave the Interior Minister the authority to extend any municipality's limits to encompass any region defined by government decree (Municipalities Ordinance-Amendment No. 6). As a result, the Minister of the Interior enlarged the boundaries of what was once West Jerusalem to include the above-mentioned recently seized East Jerusalem and its West Bank district (Israel Ministry of Foreign Affairs, 1967). The annexed region was thereafter placed into the boundaries of the Jerusalem municipality, according to a declaration issued under the Municipalities Ordinance (Municipalities Ordinance - Declaration on the Enlargement of Jerusalem's City Limits, 1967). As a result, the new municipal borders of Jerusalem tripled in size, from 38 km² to 109 km². In addition, a ‘united Jerusalem’ municipality was established, with a large Jewish majority as the new trend in respect to the Palestinian minorities (Rokem, 2012). Therefore, after June 1967, a critical geographical major shift in Israel's geopolitical environment emerged, as has been well documented and researched (for example, Bollens, 2000; Hasson, 2007; Rokem, 2012).

Indeed, the United Nations and most countries around the world, are hesitant to identify Jerusalem as Israel's capital since East Jerusalem is considered as an occupied land under the illegal annexation¹⁷ that belongs to the West Bank rather than Israel (Rokem, 2012). The United Nations Security Council and General Assembly passed the resolution 478, which declared the annexation of East Jerusalem is illegal under international law and called on Israel to dismantle settlements¹⁸ in the city, as well as denying all regulatory and judicial measures taken by Israel to change the legal status

¹⁷ Under international law, East Jerusalem have the same status as Israeli settlements built in other parts of the West Bank, they are both illegal.

¹⁸ Israeli settlements, or Israeli colonies, are segregated enclaves built only for Israeli Jews on Palestinian land in East Jerusalem and the West Bank. These settlements are built in violation of international law on lands occupied by Israel in the 1967 Six-Day War. The International Criminal Court and the International Court of Justice have both issued rulings stating that the settlements are a violation of the Fourth Geneva Convention, an international law that prohibits a country from transferring its population into occupied territory (see <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/380>).

of Jerusalem (UNSC, 1980). Despite this, the Israeli Parliament (*Knesset*) passed the “Jerusalem Basic Law” in 1980, declaring the entire city of Jerusalem, West and East, to be the “eternal and united capital of the Israeli State” (Knesset-Basic Law, 1980). The Basic Law has never been adopted by the United Nations or the international community. According to this ordinance, the municipal boundary of the municipality of ‘unified Jerusalem’ is also the boundary of Israel, implying that Israel's overall goal 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, p. 135; Rokem, 2012). As a result, the city boundary of Jerusalem was established by an Israeli sovereign body with no participation from the municipality or its citizens, ostensibly for security reasons (clear distinction of defensible borders) and demographic reasons (ensuring a Jewish majority in the city). This resulted in a practice of annexing as much land as possible in the eastern part to municipal boundaries, which involved extensive administrative and planning interventions by Israel authorities. According to B'Tselem¹⁹ (1995), this annexation aimed at facilitating ever-growing numbers of Jewish colonists who infiltrated the Arab Palestinian urban fabric in East Jerusalem and whose population mushroomed there, while excluding densely populated Palestinian areas from the new boundaries. In this sense, the Israeli government expropriated 24,000 dunums of the city's 70,500 dunums to establish new Jewish settlements (Hasson, 2007; Klein, 2008). Therefore, Jerusalem became a severely colonial city, for instance, Israeli demolition of entire neighborhoods in the Old City immediately following the 1967 Israeli occupation resulted in the forced eviction of around 5,000 Palestinians in order to create space for a new and expanded Jewish Quarter. This entailed demolishing 125 Palestinian homes in the Mughrabi Quarter to create a Jewish prayer plaza near to the western wall. Many of the Jerusalem Palestinians who were dispossessed from the Mughrabi Quarter in 1967 now live in the Shu'faat refugee camp and in the city's northeastern outskirts (HIC-HLRN, 2014). Settlement establishments have expanded into an invasion into Palestinian districts in East Jerusalem, enclosing them with Jewish population. A steady stream of takeovers of Palestinian houses in East Jerusalem has proceeded unabated, using bogus measures, falsified paperwork, or as absentee properties²⁰ to convert them into Jewish property. According to this, David Ben-Gurion, Israel's first Prime Minister, informed a number of Israeli cabinet Ministers in June 1967, immediately after the conquest of East Jerusalem, that “Jews must be brought to East Jerusalem at all costs,” “the important thing is that there should be Jews there,” “tens of thousands must be settled in a very short

¹⁹ B'Tselem is the prominent Israeli Information Center on Human Rights in the Occupied Territories. It endeavors to document and educate the Israeli public and policymakers about human rights violations in the urban environment of the occupied Palestinian territories, to combat the phenomenon of denial prevalent among the Israeli public and help create a human rights culture in Israel.

²⁰ Israel used the Absentees' property' laws that were designed to establish Israel's legal control over lands and properties. This body of law focused on formulating a legal definition for the people (mostly Arabs) who had left or been forced to flee from these lands.

time,” “one should not wait for the building of regular neighborhoods,” “Jews will agree to settle in East Jerusalem even in huts” (Cohen, 1977: 55).

The 1993 and 1995 Oslo Accords²¹, agreed by the Israeli government and the Palestine Liberation Organization (PLO)²², led to the establishment of a political arrangement and the formation of the Palestinian Authority²³. It was the first formal agreement between the two sides to govern some Palestinian affairs for a transitional period and it was supposed to function for no more than five years until the parties forged a permanent status agreement. The Accords are made up of 17 Articles and 4 Annexes that form the basis for negotiating final status issues (The Israeli-Palestinian Interim Agreement (Oslo II), 1995). The subject of East Jerusalem was determined to be examined as part of the final status agreements for a broader Israel-Palestinian conflict. The Oslo agreement, supplemented by later Accords, failed to resolve the status of East Jerusalem and the possibility of making Jerusalem a “separated city” became prevalent. Moreover, the Accords separated the West Bank substantially into three different zones A, B, and C, with Israel maintaining overall primary control and the Palestinian Authority administering some matters in zones A and B. However, the Oslo Accords did not end the occupation in any section of the occupied territories of Palestine. Despite frequent discussions mostly mediated by the U.S., the parties did not establish a final status agreement by 2000 and have not done so in the two decades thereafter (Hasson, 2007). Many opponents of the PLO-Israel ‘peace’ negotiations say that the Oslo agreements constitute impediments in themselves since the Palestinians handed the legitimacy to Israel by accepting the peace process with an occupying power. For example, Edward Said (1994), political activist and public intellectual, claims that, “by accepting that land and sovereignty are being postponed till ‘final status negotiations,’ the Palestinians have in effect, discounted their unilateral and internationally acknowledged claim to the West Bank and Gaza: these have now become, in effect, ‘disputed territories.’ Thus, with Palestinian assistance, Israel has been awarded at least an equal claim to them” (p. xxxvii).

²¹ The Israeli-Palestinian Interim Agreement (Oslo I), September 13, 1993, <http://www.acpr.org.il/publications/books/43-Zero-oslo-accord.pdf>. The Israeli-Palestinian Interim Agreement (Oslo II), September 28, 1995, <http://www.acpr.org.il/publications/books/44-Zero-isr-pal-interim-agreement.pdf>

²² The Palestine Liberation Organization (PLO) is an organization founded in 1964 with the purpose of the “liberation of Palestine” through armed struggle. It is recognized as the “sole legitimate representative of the Palestinian people”. The PLO was considered by the United States and Israel to be a terrorist organization until the Madrid Conference in 1991. In 1993, the PLO recognized Israel’s right to exist in peace, accepted UN Security Council resolutions 242 and 338, and rejected “violence and terrorism”; in response, Israel officially recognized the PLO as the representative of the Palestinian people.

²³ The Palestinian Authority is a 24-member assembly that was appointed by PLO Chairman Yaser Arafat, in May of 1994, to handle self-governance affairs in parts of the Gaza strip and the West Bank areas A and B.

In May 1993, the enlarged Jerusalem municipality's area was increased once more, to 126 km² (Rokem, 2010). Israel currently controls 93 percent of Palestinian territory, while the Palestinian citizens possess only 2.5 percent of the total land area as a result of Israel's massive illegal occupation (Israel Central Bureau of Statistics, 2016). Therefore, Israel's State controls the large bulk of the Palestinian land and is responsible for urban planning and distribution in accordance with its policies. As a result, Palestinians in Israel became indigenous minorities, accounting for around one-fifth of the state's population today, despite being the majority in Palestine until 1947 (Jabareen, 2014). Since 2000, Israel has been aggressively attempting to grow the Jewish population in East Jerusalem, posing a serious danger to Palestinian presence in these regions and jeopardizing the possibility of an Israeli-Palestinian Accord on Jerusalem. The Israeli government approved the construction of a concrete wall/barrier within East Jerusalem in the summer of 2002. Although the 1967 extended municipal border remains the legal Israeli-defined line, the separation barrier in the greater Jerusalem region effectively redraws the geographical borders, further separating East Jerusalem from the rest of the West Bank (UN OCHA, 2011) (figure 4). As a result, East Jerusalemites residents are stateless in their own city; they have a 'Blue ID', Israeli resident status and a Jordanian travel identification, but they are not citizens of any country. As I will explain, any absence from the city, whether for education, job, or marriage, as well as the possession of another citizenship, might result in the resident permits being revoked.

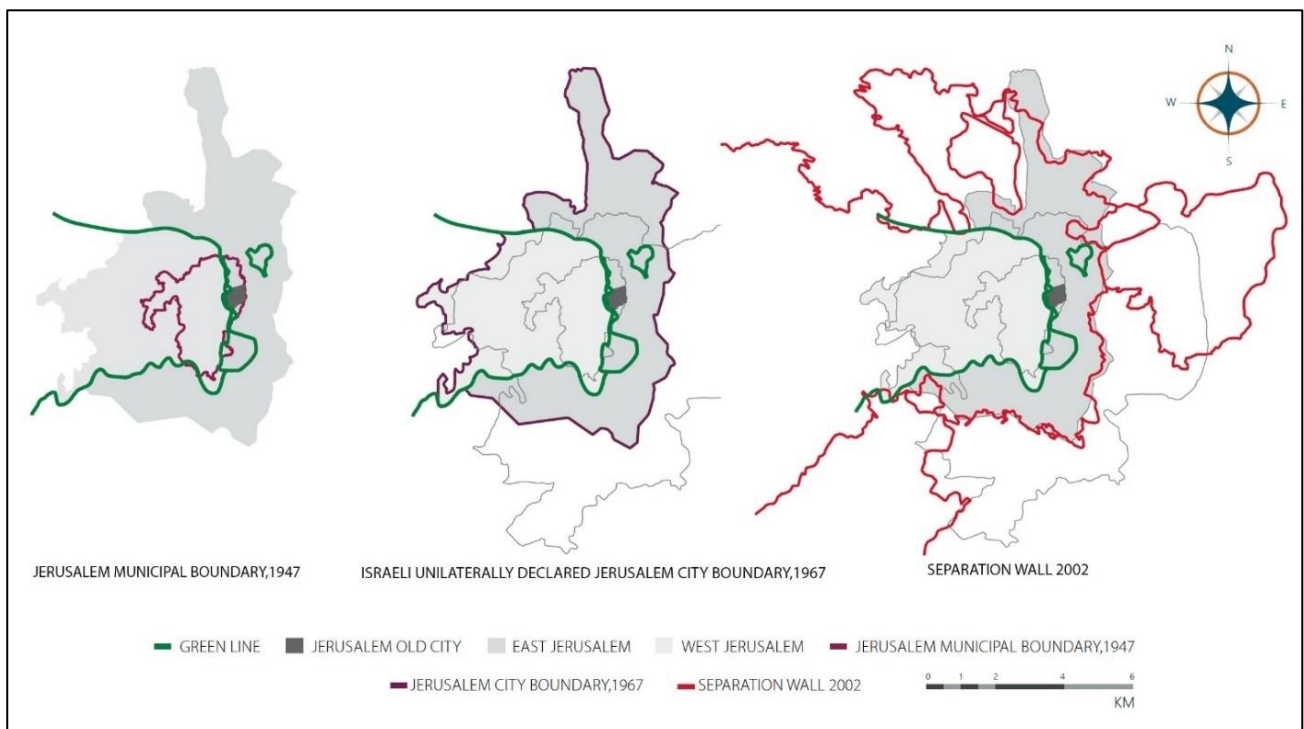


Figure 4: The Boundaries around East Jerusalem, from 1947 to Present (UN-Habitat, 2015)

4.3. Introduction to case study two: Shu'faat refugee camp

The Palestinian presence in Jerusalem has been redefined as a result of discriminatory legislation, Israeli policies, and the expansion of the municipality's boundaries. In fact, as part of a larger marginalization strategy, many periphery neighborhoods have been isolated. The Shu'faat refugee camp is a prime example of a peripheral neighborhood in East Jerusalem, where Jerusalemites have been displaced into areas that have been cut off from the city by the separation wall but are still within the municipality's jurisdiction (figure 5). Shu'faat refugee camp in Jerusalem is not the only Palestinian territory that exists in this transitional and geographical ambiguity. Kufr Aqab, Samiramis, Dahiyat al- Salaam, Ras Khamis, and Ras Shehadeh are five more Palestinian neighborhoods in Jerusalem that are stuck between the separation wall and the city's municipal borders (ARIJ²⁴, 2012).

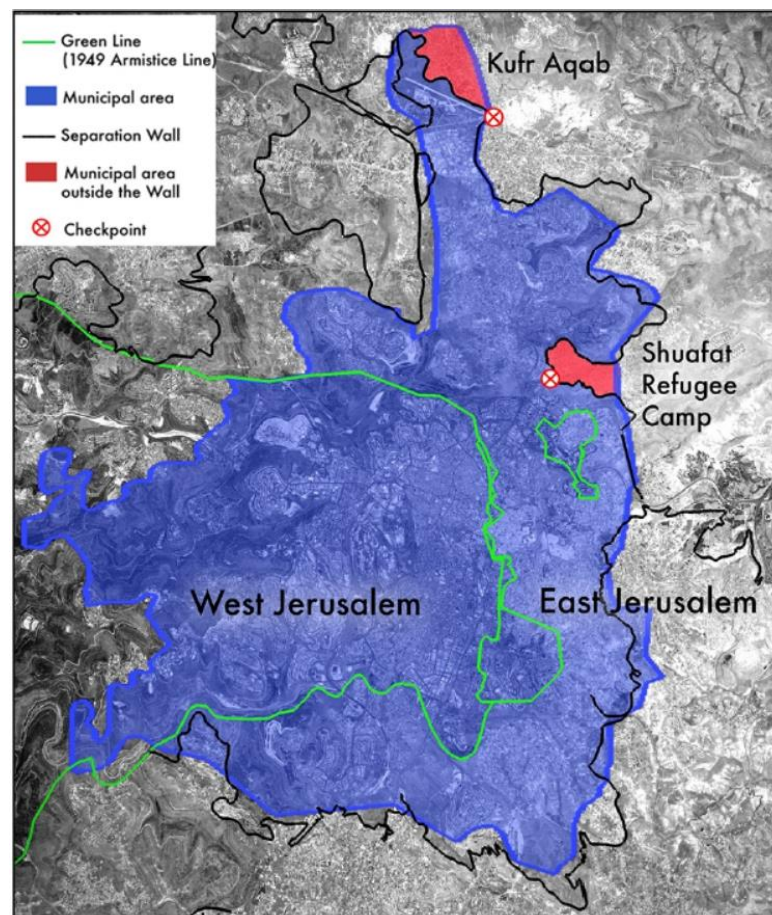


Figure 5: Shu'faat camp at the margins of East Jerusalem, between municipal boundaries and separation wall (Baumann & Massalha, 2021)

Shu'faat refugee camp was established in 1965 in an area of 0.2 square kilometer (205 dunums) of land rented by UNRWA from the Jordanian government to accommodate Palestinian refugees

²⁴ ARIJ is the prominent Palestinian NGO which refers to the Applied Research Institute - Jerusalem.

from the Mu'askar camp in Jerusalem's Jewish Quarter of the Old Town (ARIJ, 2012). However, its population were initially displaced from 55 various villages and cities, including Al Lid, Ar Ramla, Jaffa, Jerusalem, and others, which were demolished by the Israeli occupation in 1948 (AICS²⁵, 2016). As a result, Jordanian authorities relocated approximately 3000 Palestinian refugees, representing over 500 refugee families, to Shu'faat to relieve their overcrowded and unhealthy living circumstances in Mu'askar camp (AICS, 2016; Baumann & Massalha, 2021).

Shu'faat refugee camp is located on the north-east edge of Jerusalem city, and is bordered on the east by the Palestinian neighborhood of Shu'faat, which is a middle-class urban neighborhood of East Jerusalem on the western side of the wall, and is currently inhabited by Palestinian Jerusalemites (Baumann & Massalha, 2021). In 1967, Israel illegally annexed Shu'faat camp after occupying the West Bank, including East Jerusalem, as well as the Gaza Strip and other Arab land. As a result, when Israel established new municipal boundaries for Jerusalem arbitrarily in 1967, Shu'faat camp came under Israeli authority (UNRWA, 2015). The Oslo II Interim Agreement, signed on September 28, 1995, between the Palestinian Liberation Organization and Israel, didn't also include Shu'faat camp, which remained under the administration of Jerusalem Israeli municipality. On the other side, Shu'faat refugee camp, like other Palestinian refugee camps, is administered by UNRWA (ARIJ, 2012). As a result, Shu'faat camp is managed by both UNRWA and Jerusalem Israeli municipality.

Shu'faat refugee camp is significant since it is the only Palestinian refugee camp located inside Jerusalem's municipal borders, notably in East Jerusalem, about 3 kilometers from the city center (Alkhalili, 2019). Shu'faat camp, however, reflects a number of key Israeli violations in East Jerusalem: it is trapped by the wall and military checkpoint, massively encircled by illegal Jewish Israeli settlements, and impeded between rapid demographic growth and unique configuration of legal status issues. First, Israel began the construction of the separation wall in East Jerusalem in 2002, routing it such that Shu'faat camp and other Shu'faat territory ended up on the West Bank side of the barrier. As a result, Shu'faat people were cut off totally from East Jerusalem and Jerusalem as a whole. Today, Shu'faat refugees can only access to Jerusalem by passing through a crowded military border checkpoint, as I will illustrate in the next chapter (Alkhalili, 2019; UNRWA, 2015). Furthermore, Shu'faat refugee camp is not only constricted by the separation wall in all directions except the East, but it is also surrounded by a ring of three significant Israeli settlements: French Hill (1968), Neve Ya'akov (1972), and Pisgat Ze'ev (1982) (figure 6). With a total population of 40,650 inhabitants, Pisgat Ze'ev is now the second biggest settlement in the occupied Palestinian territory (B'Tselem,

²⁵ AICS is the Italian Agency for Development Cooperation- Seat of Jerusalem.

2019). As a result, as the world around it changes, Shu'faat refugee camp finds itself trapped from all sides (AICS, 2016). Furthermore, UNRWA estimates that there are around 12,500 registered refugees in Shu'faat camp today, but according to the Shu'faat Camp Services Committee and UNRWA, the actual population of the camp is around 24,000 people 'buried' between the separation wall and Jerusalem municipal boundaries (UNRWA, 2015). Despite a seven-times rise in population, the physical space has only expanded to double its original size in 40 years. As a result, Shu'faat camp is under a wide range of physical burden, and it falls well short of the basic criteria established for emergency shelters in the context of displacement. According to AICS (2016), this should fulfill the international minimum requirement of 45 square meter per person, indicating a severe lack of space, posing a serious threat to basic services and the environment. Furthermore, because Shu'faat camp is located within the Israeli-defined Jerusalem municipality, the majority of its residents have a Jerusalem identification card "permanent residency", however some Palestinians in the camp have a West Bank identity card, which doesn't allow them to live in Jerusalem (Baumann & Massalha, 2021).

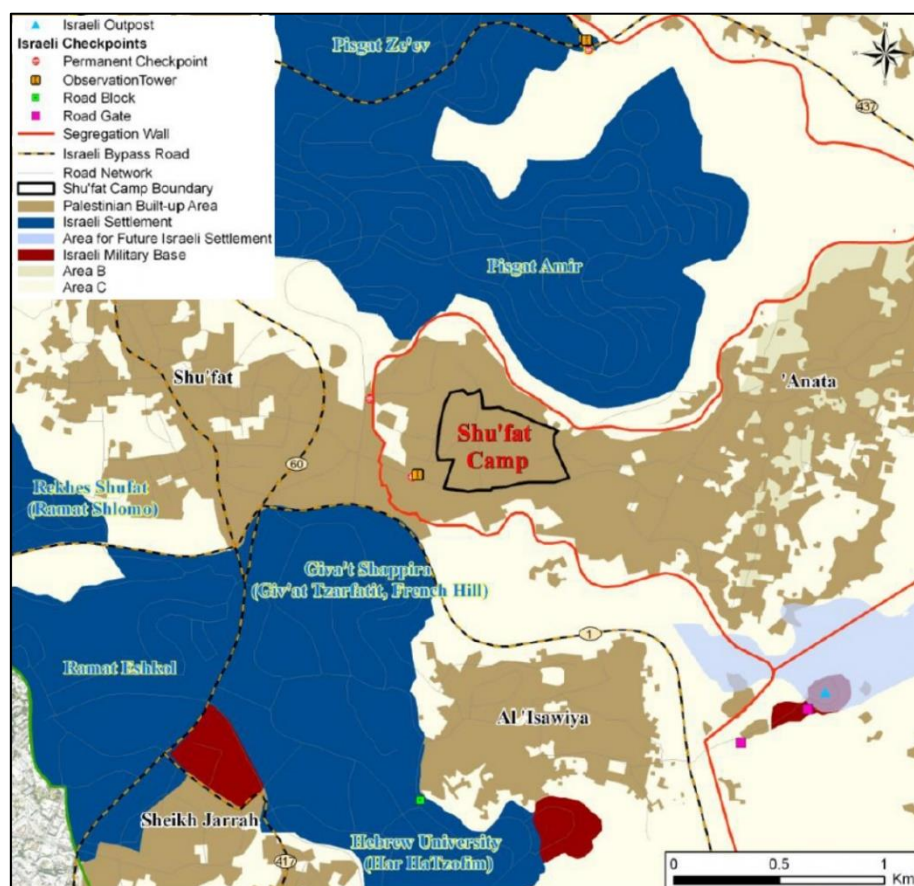


Figure 6: The separation wall, checkpoint and the surrounding settlements of Shu'faat camp (ARIJ, 2012)

Some academics have characterized these communities, notably Shu'faat camp, in terms of their transitional state, particularly in terms of ambiguous sovereignty, the lack of municipal services, and the lack of official construction. For example, Alkhalili (2017, 2019) refers to these places as 'edge areas' and 'gray spaces,' reflecting Oren Yiftachel's (2009b) definition of edges and gray spaces as "neither integrated nor eliminated" and "partially outside the gaze of state authorities" (Alkhalili, 2019, p. 219). She argues that 'edge areas' are the result not only of neoliberal policies, but also of a structured settler colonial project designed to further oppress the colonized with the ultimate goal of displacing them from their lands, allowing the space to be produced as a gray space of legality (Yiftachel, 2009a, 2009b). Yiftachel (2009) used the phrase 'gray spaces' to characterize the global south's expanding urban informality. These areas exist in the shadows of organized urban politics ruled by ethnicity, religion, and race, and cover a gray spectrum between the whiteness of legality and the blackness of destruction. The geographical and judicial "spaces of ambiguity," according to Alkhalili et al. (2014, p. 3, 6) create a state of "geopolitical complexity."

4.4. Israeli Planning policies: spatial and demographic control

As a result of the additional acquisition of East Jerusalem territory in 1967, Palestinian communities in Jerusalem have been experiencing a planning crisis (UN-Habitat, 2015). Since then, Israel has worked hard to drastically control and alter the city's demographic and geopolitical structures. I put the emphasis on the question of East Jerusalem to analyze how Israeli planning policies have been utilized to reshape Jerusalem in harmony with Israel's geopolitical and demographic goals. This section addresses the underlying principles of the planning policies imposed on the city by the central Israeli government. Since 1967, Israel's ultimate goal has been to establish an overall "reunification" of the city that is geographically and socially appropriate for the designation of Jerusalem as the "capital of the state of Israel" under its sovereignty (Sharon, 1973, p. 135; Bollens, 2000). This purpose has been confirmed by Teddy Kollek (1990, p. 53), Jerusalem's mayor, who acknowledged that Israel has established new residential Jewish settlements in East Jerusalem to serve as a "geopolitical human shield" to create "a barrier against possible re-division in the future" between Israel and Palestine. Moreover, beyond Israeli slogan declaring Jerusalem to be a unified, its goal has confirmed the Judaization of Jerusalem, that is, the establishment of Jewish political, social, geographical, demographic, institutional and economic domination over Jerusalem using its military power (Yiftachel & Yacobi, 2003; Jabareen, 2016). As a result, the presence of a permanent Palestinian Arab community ran counter to this Zionist goal. The Zionist movement was committed

about “de-Arabizing”²⁶ Palestine and converting it into a mono-religious Jewish State. In this regard, Israel utilizes its power to implement demographic and spatial policies that have guided the spatial planning and housing policy to achieve its underlying goals.

In further detail, Israel, in cooperation with its Jerusalem municipality and the Ministry of Interior created a solid strategy to normalize its illegal annexation by producing facts and perpetuating settler colonial impositions through systematic practices that blur the reality. In this regard, the Jerusalem District Committee for Planning and Building authorized the submission of Jerusalem's first comprehensive municipal plan, “Master Plan 2000” (figure 7), but the process was presented for public review and criticism and announced to the public on 13 September 2004 (Bimkom²⁷, 2009). Because of the plan's ‘demographic goals’ and ‘open space and construction policy,’ the Jerusalem “Master Plan 2000” is at the heart of the controversy and conflict of principles. The main goals of the “Jerusalem Master Plan” are to increase the Israeli Jewish presence in the city and to diminish and segregate Palestinian neighborhoods from one another through zoning and construction plans, with the goal of maintaining Israeli sovereignty over both West and East Jerusalem. In particular, Israel's government have pursued a policy of “demographic balance” since 1967, with the goal of maintaining the ratio of 30% Palestinian minorities versus 70% Jewish Israeli majorities in the city of Jerusalem (Khamaisi, 2006, Khamaisi & Nasrallah, 2006; Margalit, 2007; Bimkom, 2009; B'Tselem, 1995). This demographic ratio was incorporated in Jerusalem “Master Plan 2000” in 2005, in which there are statements about sustaining a Jewish demographic majority in the city. Among its underlying objectives “preserving the Jewish majority in the city of Jerusalem while providing a response to the needs of the Arab minority residing in the city” (Bimkom, 2009; Jerusalem Municipality, 2005). The plan expressed concern that “the continued relative growth of the Arab population in Jerusalem can diminish the proportion of the Jewish population in the future” and suggested “massive governmental intervention” to counter the current trend (Bimkom, 2009; Jerusalem Municipality, 2005). The plan's initial target date was 2020, but in May 2009, 2030 was set as the new goal. In this sense, the municipality's new Jerusalem “Master Plan 2000,” is a major tool for controlling the “demographic balance” between the Palestinian and Israeli populations in the city. Because the municipality and the Interior Ministry have the power to decide, urban planning has a tremendous influence on the social, economic, and political fabric of East Jerusalem. Therefore, a series of tactics have been utilized in Jerusalem to exercise full Israeli control over land and population, and to alter the urban fabric and

²⁶ This term “de-Arabize” was used by the late Palestinian geographer Bashir Nijim (1984) to describe the essence of Zionist colonization of Palestine.

²⁷ Bimkom is an Israeli human rights organization aims to strengthen democracy, social justice, equality, participation, and human rights in the field of spatial planning and housing policies, in Israel and in Area C of the West Bank, which is under Israeli control.

relationships inside the city. In this sense, I address two primary strategies aimed at ensuring a “demographic balance” and “geopolitical control” in Jerusalem (Jerusalem Municipality, 2005).

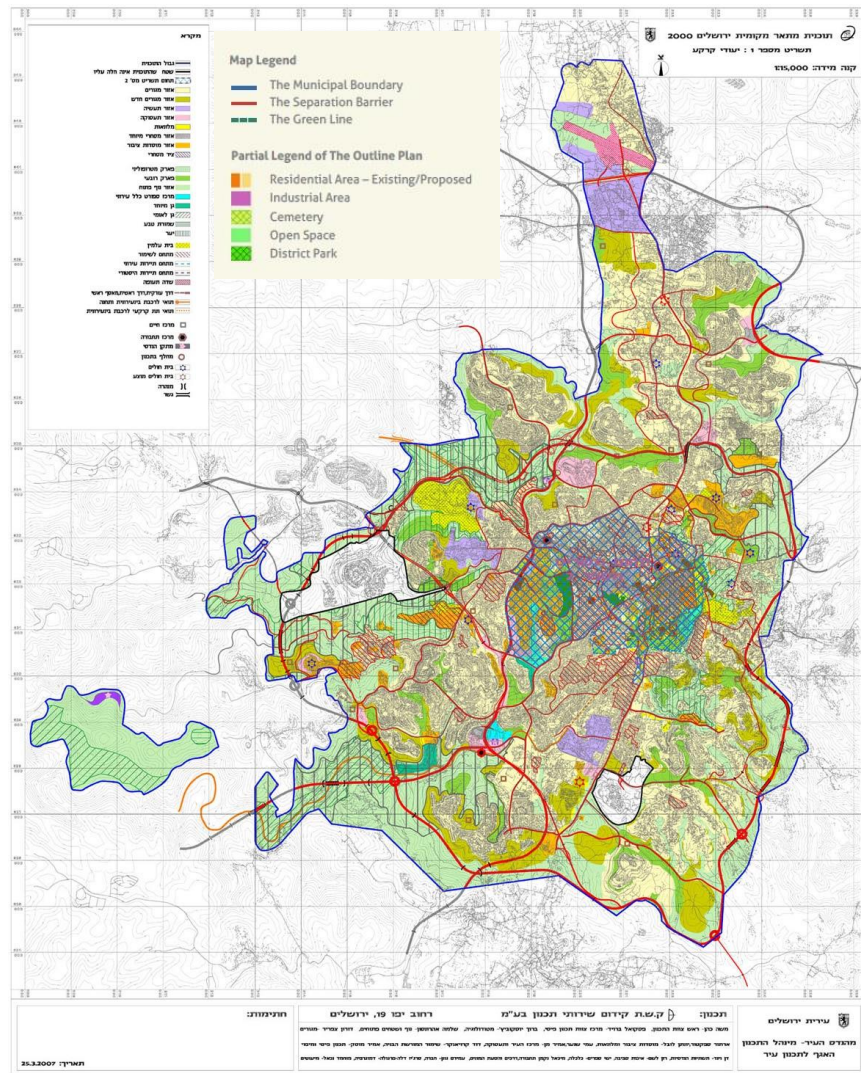


Figure 7: Jerusalem Master plan 2000 - Original in Hebrew (Jerusalem Municipality Planning department, 2005)

The first strategy is intended to increase the Israeli Jewish presence in the city through two different approaches. On the one hand, Israel has implemented this through the containment of all Palestinian development, which is carried out through discriminatory zoning and building regulations such as limited building permit issuing, demolition orders, delaying housing and public works, and property expropriation (Bollens, 1998; Hasson, 1996). The Jerusalem “Master plan 2000,” for example, does not specify particular land uses and thus cannot be utilized to issue building permits. In order to develop the plan's new regions, a comprehensive local plan is necessary, which controls the unclaimed territory use that is legally required to get a construction permit. Nevertheless, there are no legal municipal outline plans for the bulk of Palestinian areas in East Jerusalem, therefore these districts will continue to be neglected (Rokem, 2012). Moreover, many Israeli and Palestinian

organizations have criticized the plan, claiming that it oppresses against Jerusalem's Palestinian population in a number of different ways, such as expropriating and taking Arab land, e.g., the City of David, Sheikh Jarrah, and areas adjacent to Bethlehem (Bimkom, 2009; Ir Amim²⁸, 2009). Furthermore, the plan distinguishes between several forms of 'open space' in the city. The districts surrounding the Old City and those next to Palestinian communities which are highly controversial. The first is a land designated for cultural and religious historic places. This includes a quasi-buffer zone of open space around the Old City, which limits building despite the fact that development is still going on there. Second, natural reserves are occasionally established next to Palestinian neighborhoods. Therefore, this zoning drastically hinders future growth of Palestinian neighborhoods near these green areas (Bimkom, 2009; Shlay and Rosen, 2010). 24,700 dunums of the 70,500 dunums of land in East Jerusalem are planned, with roughly 15,500 dunums, 22 percent, classified as 'green' or 'open' areas where no building is permitted or designated for public reasons, such as roads and other infrastructure. Only 13 percent of East Jerusalem's total land, 9,200 dunums, is accessible for Palestinian building, and much of it has already been built up (Margalit, 2007, 2014; UN OCHA, 2011) (figures 8 and 9). Even in places where development is technically possible, Palestinian landowners confront severe challenges that make obtaining permits difficult. The quantity of land classified as open space in some Palestinian communities of East Jerusalem is excessive (Bimkom, 2009). For example, about 70 percent of the land in the Palestinian community of Jabel Mukaber is designated as open space. As a result, the local outline plan lacks sufficient dwelling units to fulfill the demands of natural population increase (UN OCHA, 2011). On the other hand, Israel's second approach to increase the Israeli Jewish presence in the city is to consistently encourage Jewish population to settle and migrate to the city through the construction of more Jewish settlements, particularly in East Jerusalem and its environs (UN-Habitat, 2015). For example, since 1967, 12 Jewish settlements have been established on Palestinian-owned land in East Jerusalem, inhabited by approximately 209,000 settlers in 2016, yet not a single neighborhood for Palestinian residents has been planned or built. In this sense, in the city's northeastern parts, the Israeli settlements of Ramot Eshkol, Ma'alot Dafna, Givat Hamivtar, Neve Ya'akov, and Ramot Shapira were constructed (Hasson, 2002). These Jewish settlements seek to judaize the space and change the urban morphology dramatically, as well as to systematically cut off and penetrate Palestinian geographical connections, preventing the formation of a Palestinian demographic majority in the area. This dichotomy is visible

²⁸ Ir Amim is an Israeli activist nonprofit organization that focuses on the Israeli-Palestinian conflict in Jerusalem. It seeks to ensure the dignity and welfare of all of Jerusalem's residents. While the organization describes itself as "left wing," its program is seen as promoting coexistence within a frame of normalization.

geographically in the elastic extension of Jerusalem's boundaries to accommodate illegal new Jewish settlements, while all kinds of enclosures are imposed only on Palestinian districts and their residents (Yiftachel, 2006). 35 percent, accounting for 24,500 dunums of East Jerusalem's total area has been expropriated for Israeli settlements (UN OCHA, 2011). The majority of the expropriated land was privately owned Arab property, according to the Israeli human rights organization B'Tselem (1995). Since 1967, no plan for the remaining 30 percent has been authorized or approved yet (figures 8 and 9).

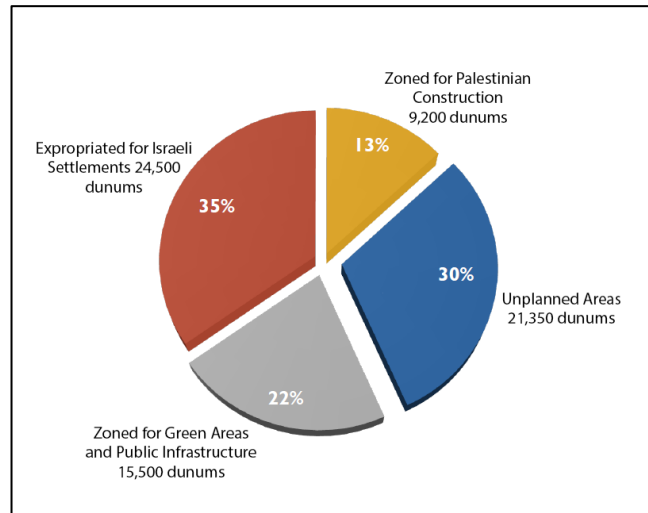


Figure 8: Division of East Jerusalem Land (UN OCHA, 2009)

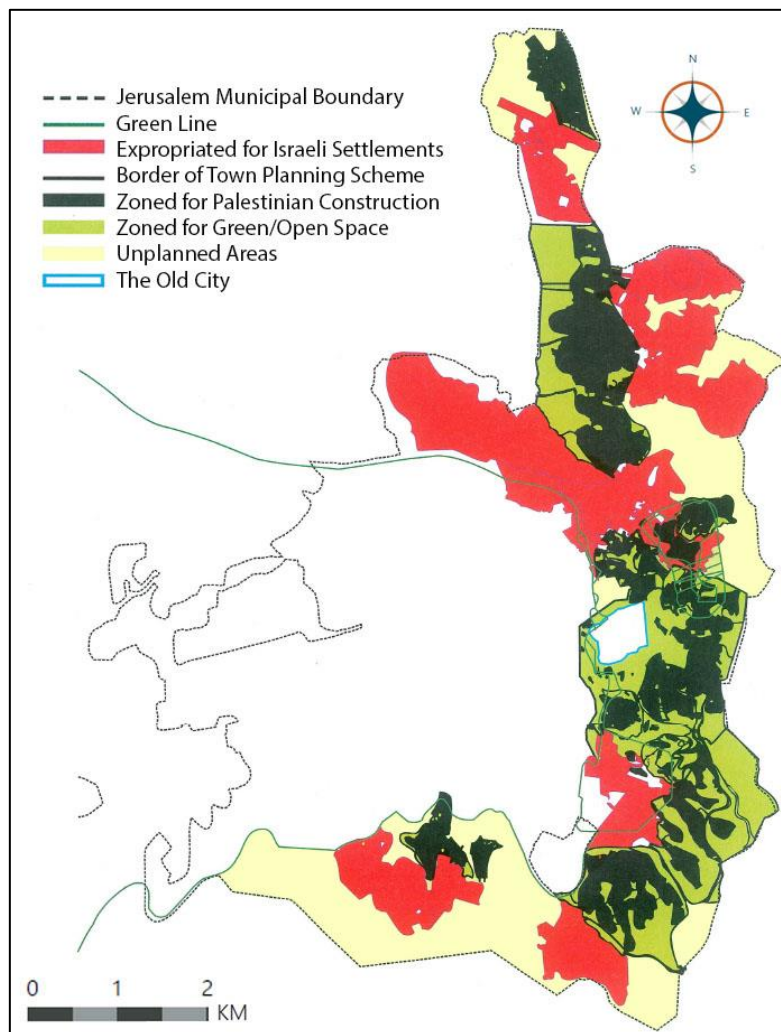


Figure 9: Zoning of East Jerusalem showing the expropriated lands for Israeli settlements and the green/open spaces (UN OCHA, 2009)

The second Israeli strategy entails enacting separation and fragmentation policies to control and limit access to East Jerusalem, by imposing restrictions on Palestinians in the city, thereby excluding Palestinian neighborhoods and reducing the Palestinian population in the city. On the one hand, Israel has implemented systematic rules governing residency requirements and the acquisition of legal status of “permanent residency” and not citizenship for the Palestinians in East Jerusalem in their self-proclaimed capital. These identity cards or Israeli permanent residence had no political power, but they were used to manage their holders in a variety of ways, as I will investigate in the next chapter. On the other hand, Israel has erected numerous checkpoints and other access restrictions, as well as re-shaping and constructing new physical borders as the separation wall (Bollens, 1998; Klein, 2008). Therefore, in addition to the Israeli settlements, Israel's separation policies on the ground were firmly translated in 2002 by the construction of the separation wall in and around East Jerusalem to guarantee that Palestinians only access Jerusalem through Israel's controlled and tightly monitored gates. The separation barrier that separates East Jerusalem from the West Bank is the best exemplification of the racialized Israeli planning apparatus. This wall has exacerbated the problem by separating East Jerusalem, which was once a major economic and cultural center, from the rest of the West Bank in order to carry out the demographic-manipulation control strategy. Moreover, the wall has forcibly excluded numerous Palestinian communities as Shu’faat refugee camp and Kufr Aqab, excluding them from the rest of Jerusalem. These neighborhoods are technically inside Jerusalem’s municipal borders, however they are abandoned behind the separation wall, while remaining under Israeli control (Alkhalili et al., 2014). In the next chapter, I will investigate in depth whether and how Israeli planning policies, such as the special legal status, as well as other access and development limitations, put at risk the urban rights of the Palestinians in East Jerusalem.

After Israeli planners expanded the municipal limits in 1967, and Israel had recently unified the entire city of Jerusalem, the Palestinian Arab population was roughly a quarter of the total, with 73.5 percent of the population being Jewish Israelis and 26.5 percent being Palestinian Arabs. Despite massive policies to boost the Israeli population in the city and limit Palestinian population growth, the Jewish population in the city had declined to 69.4 percent, while the Palestinian Arab population had risen to 30.6 percent, accounting for 256,600 Palestinians out of a total population of 839,300 at the end of 2005 (Israeli Palestinian Pro Con, 2010). Since then, the Palestinian population within the municipal bounds of Jerusalem kept increasing to about 332,600 people in 2016, accounting for 37.7 percent of the city's population. Therefore, it appears that territorial changes and Israeli planning policies have not resulted in a stable Jewish majority in Jerusalem, and hence Israel's ultimate political goal has not been met yet. Between 1967 and 2016, the Palestinian population in Jerusalem grew 385

percent, whereas the Israeli population grew 178 percent (Central Bureau of Statistics, 2018). Despite all Israeli limitations on Palestinians, this percentage increase in Palestinian Jerusalemites, twice that of Israelis, occurred. Therefore, the “demographic balance” of Jerusalem was steadily eroded, owing mostly to the Palestinian population's high natural birth rate. As a result, the percentage of Palestinian Arabs within occupied Palestine's borders was nearly equal to the Jewish Israeli population in 2017. There are approximately 6,373,000 Palestinian Arabs living in Israel, compared to 6,959,000 Israeli Jews and others (Palestinian Central Bureau of Statistics, 2017). Therefore, at the country level, the number of Palestinians and Israelis is about equal.

These quantitative data are causing concern among Israeli policymakers, increasing their worries about the country's future. These concerns are at the center of Israeli planning policy over how to deal with the Arab Palestinian demographic boom and its spread within Israeli-controlled territory, particularly in Jerusalem. Today, Israel aims to focus on Israeli settlements in East Jerusalem and its environs, which already number thirty-nine colonies and are home to over 388,000 settlers, while the Palestinians reached approximately 973,000 people residing in 161 villages and towns (Palestinian Central Bureau of Statistics, 2017). The Palestinians' high natural birth rate feeds Israel's concern of maintaining present demographic policies that ensure the Palestinian population does not surpass 30 percent of the total population in Jerusalem. The powerful Palestinian demographic growth has become as an endless struggle that challenges the Zionist planning leadership's objective of establishing a ‘unified Jerusalem’ with Jewish demographic superiority. The battle of Israel to retain Jewish demographic domination in the city has been defined as an “urban ethnocracy” by the scholars Oren Yiftachel and Haim Yacobi (Yiftachel & Yacobi, 2003). In addition, this type of planning has been labeled as ‘partisan’ since it prioritizes the interests and values of “Jewish national” status at the expense of indigenous Palestinian Jerusalemites (Bollens, 2000). For Israelis, this is not a new tactic; it is regarded as a valid method of retaining Jerusalem's status as the Jewish capital city. However, for Palestinians, this is occupation and official discrimination favoring Jewish settlements while restricting Palestinian expansion. Indeed, Israel uses the deceptive term “demographic balance,” indicating a neutral plan aimed at preserving the city's balance between the two populations. However, as illustrated, it is meant to maintain the city's Jewish population's demographic superiority (B'Tselem, 1995; Adalah²⁹, 2008).

²⁹ Adalah is the Legal Center for Arab Minority Rights in Israel. Adalah's use of the language and concepts of the right to the city have been most explicit through its publications, in particular *Makan*, the *Adalah Journal for Land Planning and Justice* (Bishara and Hamdan-Saliba).

CHAPTER FIVE: THE “RIGHT TO THE CITY” IN EAST JERUSALEM AND SHU’FAAT REFUGEE CAMP

In this section, I illustrate how the overwhelming authority of Israeli laws and institutions enforcing discriminatory planning policies against indigenous Palestinian minorities is the primary barrier to Palestinian Jerusalemites exercising their urban rights. I focus on the impacts of East Jerusalemites' legal status, Israeli hegemony over the city, construction of the separation barrier, Israeli settlements, demolition orders and building permits, and other geopolitical control mechanisms on their rights to inhabit and citizenship, participation, appropriation, habitat, and formal space production in the city. In the case study of Shu'faat camp, I illustrate whether and how the displacement of Palestinian Jerusalemites and the creation of these ambiguous peripheral places serve Israeli goals of preserving a demographic Jewish majority within Jerusalem's borders. In this perspective, I use the framework of the “right to the city” for analyzing the context of systematic displacement and camp abandonment. By doing so, I address how the Israeli spatial and demographic strategies employed in Shu'faat refugee camp limit the refugees' urban rights, including their rights of appropriation, inhabit, and citizenship, as well as their rights to habitat and housing. In the two case studies, I use the framework of the “right to the city” as an analytical device to analyze the claims of the Palestinians in East Jerusalem and Shu’faat refugee camp. In this regard, it is worth noting that the framework of the “right to the city” was not used by the interviewees themselves, but I used it as a tool for the analysis of the situation and the data in the two case studies.

5.1. Israel’s Planning denies Palestinians’ “right to the city” in East Jerusalem

From Lefebvre to the present, the concept of the “right to the city” has embodied the demand for local control and democracy in the urban context. It is a framework that offers the tools to improve the political climate of urban life and city residents in the face of economic processes, technocrats, and central state hegemony. In the case study of East Jerusalem, the analytical framework of the “right to the city” is developed in regard to the case of East Jerusalem Palestinian minorities, where the Israeli occupation authority is utilized to impose laws and planning policies, creating the largest obstacle to achieve the local democracy. Jerusalem, a city split apart by ethnic segregation, is a strong example of how political struggle undermine every claim of Palestinians' urban rights. Scholars, such as Hasson (2004, 2007), believe that in locations like Jerusalem, where there is political struggle, ethno-political separation, and socioeconomic inequality, the “right to the city” is likely to fade. Since

1967, Israel has used spatial planning policies to establish complete control over the city's topography and demographics, systematically denying the most basic rights of a social ethnic group. For several reasons, using the framework of the “right to the city” for analyzing the claims of the underprivileged Palestinian minorities is intellectually appealing. For example, the legal status, separation barrier, Israeli settlements, demolitions, building permits, and other geopolitical control mechanisms all allow Israel to continue to put at risk the everyday life of the residents of East Jerusalem. In this section, I address the Palestinian minorities’ claims in ‘Israel’ using the “right to the city” framework, investigating whether and how their access to urban rights is being challenged.

5.1.1. Special legal status and the right to inhabit/urban citizenship

Citizenship in ‘Israel’ is different than it is in other nations. Palestinians are subjected to a complex identification procedure. There are multiple types of identification depending on residency: East Jerusalem, Gaza Strip, West Bank, and Palestinians with Israeli citizenship. Israel has implemented demographic policies aimed at preserving a strong Jewish majority since its foundation. The Palestinian residents of East Jerusalem have been seen as a “demographic danger,” then incorporating them into the city and granting them “equal” legal rights is a misleading goal for the Judaization of all Jerusalem and the control of the Palestinians in the East (UN OCHA, 2011). After 1967, a geopolitical discourse obliged Palestinian residents to live under Israeli legislations, but a very different policy regarding the status of the city's Palestinian minorities was implemented. Soon after the annexation, Israel conducted a census and accorded 66,000 Palestinians in East Jerusalem the “privileged” status of “permanent residents in Israel,” while those who were not present at this time lost the privilege to acquire this status (Israel Central Bureau of Statistics, 2016). As permanent residents, East Jerusalem inhabitants have Israeli identity cards but do not have Israeli citizenship, instead maintaining Jordanian citizenship. Permanent residence, according to B'Tselem (2021), is a form of residency that is vulnerable to arbitrary revocation. According to Khamaisi (2007), Israel annexed the territory, applying all of its sovereignty rules to both the land and the inhabitants, but not annexing the people, which would imply excluding them from citizenship laws.

As I illustrated, Israel's fundamental purpose has been to retain the territories it has occupied under full Israeli geographic and demographic control of the whole territory of Palestine, but without considering indigenous Palestinians as citizens with rights. Around 270,000 Jerusalemites reside in Jerusalem without citizenship rights as permanent residents, despite the fact that many of them were born in Jerusalem, had their whole lives there, and have no other place to call home (UN OCHA, 2011). East Jerusalemites have this status that distinguishes them from Palestinian Arabs who are

citizens of Israel, effectively denying them citizenship rights granted to the Jewish population, and to Palestinians who are citizens of the Palestinian Authority in the West Bank and Gaza Strip (Khamaisi, 2007; Hasson, 1996). In reality, the residents of East Jerusalem could ask for Israeli citizenship if they swore loyalty to Israel and relinquished all other citizenships, which the majority of them refused to do because it recognizes Israel as legitimate state rather than occupying sovereign. Furthermore, the great majority of individuals who applied for citizenship were refused (B'Tselem, 2021; Jabareen, 2010).

Such “permanent residence” has significant ramifications for their right to inhabit the city, as well as intentionally weakening their public engagement and limiting their active participation in decision-making processes, particularly in their city's urban planning concerns. Despite the fact that it allows them to vote in municipal elections, they are not eligible to compete for Mayor or other high-ranking posts. In addition, they are not authorized to participate in Israeli Parliament (*Knesset*) elections, and hence are not allowed to have a say on the unlawful annexation. Jerusalemite residents have a little access to a variety of social services and benefits, such as health insurance and the welfare system. As a result, Palestinian residents’ civil, social, and economic rights in Jerusalem are violated by their permanent residency status, which includes a lack of access to quality professions in Jerusalem, particularly occupations connected to city planning and development. Furthermore, there is a significant disparity and discrimination in public services offered to East Jerusalem residents, including housing and development permits, service provision, and approval of plans for future developments (Jabareen, 2017).

In this sense, Israel employed the law and regulations as legal weapons to limit the number of Palestinians who live in the city, focusing on East Jerusalem's permanent residents. This was accomplished by enacting the “center of life policy” in 1996, which empowered Israel's Ministry of Interior to discriminate against Palestinian residents of East Jerusalem (Shlay and Rosen, 2010). Under this policy, East Jerusalemites may lose or have their permanent residency revoked if they cannot prove that municipal Jerusalem is their “center of life” (Human Rights Watch, 2017). To put it another way, every Palestinian resident must prove by documents that they have lived and worked in Jerusalem for the previous seven years in order to keep their legal status (Human Rights Watch, 2017). To prove this, Palestinian residents must submit numerous documents (Samman, 2018), including receipts for payments for national health services and taxes, among other things, home ownership papers or rental contract, salary slips, or certification of children's school registration. Otherwise, Palestinians who are unable to prove these conditions are forced to leave their homes,

families, and employment, and consequently are denied their basic rights, including the right to inhabit within the Jerusalem municipality. In other words, the fear of losing one's legal identity highlights what Yiftachel (2017) refers to as a permanent state of displacement, which he used to illustrate the vulnerability of racialized populations to being evicted forcibly from their lands and resources, and therefore from exercising their right to inhabit the city. The “right to the city” includes the right to inhabit the city, as it encompasses all inhabitants, even people of different ethnic groups who carry out their daily lives in the city's space. In East Jerusalem, however, permanent residency is obtained by accident of ethnicity for underprivileged Palestinian minorities, which the “right to the city” rejects. Under the center of life policy, their right to inhabit the city is constantly threatened; it is dependent on documents and proofs; it is based on not leaving the city or living elsewhere; otherwise, their right to inhabit the city will be promptly revoked, and they will be forced to leave. When permanent residence is revoked, the person is forced to either continue living without permission in Jerusalem, which entails severe penalties if caught, or to escape to Gaza or the West Bank “Palestinian territories” if he has no other tie to another country. As a result, their “center of life” is no longer Jerusalem, and they have no right to live, utilize, or occupy municipal spaces. As a result, for East Jerusalemites, the right to inhabit is a daily fight to prevent punishment while maintaining the right to stay connected to their relatives and houses in the city. Most East Jerusalemites make an effort to return to Jerusalem on a regular basis to renew their identification cards, as well as to demonstrate that they had not moved elsewhere in order to continue living and moving freely in their city. *De facto*, the Palestinians' right to urban participation and appropriation is also denied by the complicated legal status of East Jerusalemites. According to Ahmad, one of the residents in East Jerusalem

We have a special status as Palestinians in Jerusalem, but we are not citizens [...] we can only stay in the city if we have a valid identity card, which we lose if we move to reside outside of the city [...] every time, we must present documentation that we are legal residents of Jerusalem (Interview, East Jerusalem resident, June 2021).

As a result, the “center of life policy” is a discriminatory policy that intends to displace Palestinians from their homes outside of the municipal limits, resulting in legalized ethnic cleansing of Palestinians and, as a result, denying their right to inhabit the city. The revocation of resident status for hundreds of Palestinians in Jerusalem every year, according to B'Tselem (2017), is a strategy used to push Palestinians out of their capital. Between 1976 and 2016, Israel's Ministry of Interior revoked the “permanent residence” of at least 14,595 Palestinian Jerusalemites, mostly due to their failure to

prove the “center of life policy” in Jerusalem (Human Rights Watch, 2017). Every week, an average of six Palestinians have had their residency rights in the city revoked (ACRI³⁰, 2012). As a result of the enactment of this policy, Palestinian East Jerusalemites who had relocated to the environs of East Jerusalem, the West Bank, lost their right to live in the city (Khamaisi, 2007).

For Palestinian East Jerusalemites, the policy of having their residency revoked instills in them a continual panic of being displaced from the city. The threat posed by the status has intensified since Israel enacted the “center of life policy.” Thousands of Palestinians who were worried to lose their residence rights panicked and found houses within the municipal borders of East Jerusalem, avoiding any future government decisions that would allow the revocation of their identity cards (Khamaisi, 2007). Many Palestinians who lived in East Jerusalem's suburbs commute to work in the city, and as a result of the policy, they are unable to travel to and work in Jerusalem without legitimate identification (Khamaisi and Nasrallah, 2006; Margalit, 2018). As a result, these obstacles have pushed Palestinians to relocate to East Jerusalem in order to retain permanent residency as well as political stability. According to a representative at Al-Maqdese non-governmental organization, “many Palestinians flocked in quest of residency cards, because they were unable to work in Jerusalem without the blue card” (Interview, East Jerusalem NGO representative, July 2021). To summarize, the “right to the city” encompasses all urban inhabitants who live in the city and contribute to the urban lived experience; however, the legal status of East Jerusalemites hinders not only their right to inhabit the city, but also their right to be a full and active citizen of the city's urban spaces.

5.1.2. Israeli hegemony and the right of participation

It is unsurprising that the Jerusalem municipality portrays Palestinians in Jerusalem as incapable of making planning decisions regarding their own spaces, excluding them from planning processes. This is based on the assumption that Israeli planners are best equipped to manage order in Palestinian spaces (Margalit, 2005). For example, according to Jabareen's analysis of local planning papers, the city's Palestinian residents have been excluded from municipal planning process, with only Jewish Israelis authorized to participate (Jabareen, 2017). The instance of the “Jerusalem 2000 plan” is a noteworthy example, reflecting the bleak situation of Palestinian committees' entire exclusion from city planning (Jerusalem Municipality, 2005). Even though the planning process fully excluded representatives or professional Palestinians from the development of the districts in which

³⁰ ACRI is non-profit organization and independent Association for Civil Rights in Israel with the mission of protecting human rights and civil rights in Israel and the territories under its control. ACRI is Israel's oldest and largest human rights organization.

they reside, the “Jerusalem 2000 plan” encompasses East Jerusalem and promises to bring substantial changes to the area (Jabareen, 2010).

Two significant reasons, according to Jabareen (2006, 2014) and Khamaisi (2007), obstruct Palestinian inhabitants' right to participate in decisions that contribute to the production and shaping of their city's urban space. The first reason is the unequal power allocation between local and national governments. Israel's central government exercises strong hegemony over its cities, while local governments in Israel are weak and powerless when it comes to space production. Land management, ownership, and planning are all affected by the power of centralism. As a result, the planning system is hierarchical, centralized, and mandatory, with local-level planning decisions being controlled and approved by it. Israel Lands Authority is in charge of 93 percent of the country's land. For example, the Ministry of the Interior oversees local government operations and is in charge of several key aspects of space planning and land development. He has the power to dismiss mayors, define local jurisdiction, and approve their plans.

The second reason preventing East Jerusalemites from exercising their right of participation is the uneven distribution of ethno-political power between Palestinian residents and Jewish Israeli populations. Based on the exclusion of Palestinians and the employment of planning policies that strengthen Jewish control over contested geographical and economic resources, Israel grants Jewish communities privileged power for establishing new settlements. Furthermore, Jewish Israelis have far easier access to local authority and decision-making in the central government and its ministries. Even though Palestinian East Jerusalemites were granted the right to participate in Jerusalem's municipal elections after 1967 because of their permanent residence, they have rejected the Israeli political system and notably the participation in municipal elections. This is because Palestinians in East Jerusalem refuse to recognize the occupation, and they do not want to give Israel the legitimacy as part of their call for an end to the occupation. In addition, the great majority of Jerusalem's Palestinian residents are not eligible to participate in the parliament elections because of the same permanent status. As a result, the central government and its ministries do not reflect the interests of Palestinians to shape their cities and its urban spaces to meet their needs. In essence, Palestinian residents are beyond the sphere of government authority and are severely weak in the legislative parliament (Khamaisi, 2007; Jabareen, 2006, 2014, 2017; Yiftachel, 2006, 2009a). All these factors contribute to Palestinian residents' lack of power to exercise their right of participation in decisions that contribute to the creation and shaping of the urban space in their city and consequently denying their “right to the city.”

5.1.3. Separation wall and the right of appropriation

The rights of appropriation of Palestinians in East Jerusalem, whose legal rights to produce, use, create, labor in, depict, change, and occupy urban spaces have been severely challenged. The Palestinian residents' deficiencies in the right of participation directly contribute to the inadequacy of their right of appropriation, denying them full and complete use of the urban space. I focus on how the Israeli settlements, the checkpoints, and, in particular, the construction of the separation wall and the development of a new geopolitical boundary trap a large number of Palestinians inside East Jerusalem, denying them their right of appropriation and consequently their “right to the city.”

Overall, Israeli land use policies and hierarchical planning practices have served as a destructive machine to further dominate the geography and demographics of the entire city in general, and its eastern areas in particular. Since 1967, the Israeli government has expropriated roughly 35 percent of the entire land area of East Jerusalem to build new Israeli settlements or to impede the extension of existing Palestinian communities, denying them their right to private property (UN OCHA, 2011; Hasson, 2007; Klein, 2008; Jabareen, 2017). For example, in Israel, there are around 700 Jewish settlements where Palestinian residents have absolutely no right to live, buy, or build a house (Adalah, 2011). As a result, Palestinian residents in Israel have a restricted right to utilize privileged urban spaces in Jerusalem since they must continually maintain their “center of life” in Jerusalem as a condition to have access to the city, while also being exposed to regulations that make them vulnerable to residency revocation as explained. “As Palestinian Jerusalemites, we believe Jerusalem is the spiritual heart and capital of Palestine, and we will continue to protest against Israeli settlement activity and the city's transition into a Jewish State” (Interview, East Jerusalem resident, July 2021).

In addition, as a result of the Oslo Accords, which were seen as the first adoption of a kind of urban apartheid³¹, and the first uprising (*Intifada*³²) in December 1987³³, Israel battled to build concrete realities on the ground to demarcate its sovereignty. Israel began to establish permanent checkpoints on municipal borders, separating the city from its Palestinian hinterland, the West Bank, denying Palestinian inhabitants in Jerusalem, as well as those in the West Bank and Gaza, access to

³¹ The Accords were strongly opposed by a large portion of the Palestinian population; and also by intellectuals such as Edward Said since they recognized the State of Israel as a legitimate power.

³² *Intifada* is an Arabic word that means “the uprising”.

³³ The harsh socioeconomic conditions of the Israeli military occupation of the West Bank and the Gaza Strip led to the start of the Palestinian *Intifada* on December 9, 1987. It was a sustained series of Palestinian protests and violent riots in the West Bank, Gaza Strip, and within Israel. The protests were against the Israeli occupation of the West Bank and Gaza that had begun twenty years prior, in 1967. The *intifada* lasted from December 1987 until the signing of the Oslo Accords in 1993.

the city. Even though Palestinian inhabitants of East Jerusalem with a permanent resident status have freedom of movement in the Jerusalem region, the checkpoints were deployed to restrict their access as well as their growing influence in Jerusalem (Hasson, 2007; Khamaisi, 2007).

Israel maintains that the low-intensity war³⁴ that began in September 2000 prompted the idea of erecting a new municipal boundary as a separation wall, or what Israeli advocates refer to as a “security barrier.” The borders between East Jerusalem and the West Bank were open until 2002, when Israel began building of the wall. The wall is a physical feature that is made up of an 8-meter-high wall and a fence that spans an area 50-80 meters wide. The route of the barrier, including the sections already built, those under construction and those awaiting construction, is 712 kilometers long (B’Tselem, 2017). More than 150 kilometers of the 712-kilometer wall would be built in and around the Jerusalem area, according to the plan. Approximately 85 percent of the wall is located deep into the West Bank, east of the internationally recognized 1967 Green Line border between Israel and the West Bank (Al Jazeera, 2020). The land annexed for the construction of the wall is 2,680 dunums, while the entire area of land became inaccessible to its owners as a result of the wall is 19,200 dunums (UN OCHA, 2013; Khamaisi, 2007). The construction of the wall/barrier, in general, and in Jerusalem in particular, is the most significant morphological alteration implemented by the Israeli government in the Jerusalem region since the city's unification in 1967. Despite Palestinian and international objections, Israel has unilaterally defined the route of the wall years after it was deemed illegal by a UN court³⁵ (Hasson, 2007; Human Rights Watch, 2021).

I will focus on the role of the wall/fence/barrier in Jerusalem, highlighting its impacts on the Palestinians’ everyday life in the eastern part of the city. According to the Israeli public and media, the fence is depicted merely as a security measure to protect the city. According to Hasson (2007), this approach was devised by the Israeli government in order to avoid international political constraints. Israel argues that the purpose for erecting the wall is to prevent suicide terrorists from entering Jerusalem from the West Bank, as well as Palestinians from entering without an Israeli permission (Khamaisi, 2020; Rokem, 2012). The protection provided by the wall is emphasized by the Jewish Israeli population, and it is agreed that the level of violence, notably suicide bombings,

³⁴ Palestinians call the 2000 war as the second *intifada* “the uprising”, it was much more violent than the first and lasted for five-years against Israel.

³⁵ The International Court of Justice (ICJ) in 2004 deemed Israel’s separation wall illegal. While the ICJ’s decision is non-binding, it found the wall violates international law and called for its dismantlement. It also ruled Israel should pay reparations for any damage caused. A month after the ICJ decision, the UN General Assembly (UNGA) voted overwhelmingly to demand Israel to comply with the UN’s highest legal body. The vote called on UN member states “not to recognize the illegal situation resulting from the construction of the wall in the occupied Palestinian territory, including in and around East Jerusalem”, and “not to render aid or assistance in maintaining the situation created by such construction”(Al Jazeera, 2020).

has decreased. However, the Prime Minister Binyamin Netanyahu stated at a conference in December 2003 that the separation wall, which was purportedly built to improve Israel's security, will also contribute to preventing a “demographic spillover” of Palestinians from the West Bank (Ha’aretz, 2003). Therefore, focusing simply on the fence's role as a security barrier overlooks its function as a geopolitical, social, economic, and demographic boundary that has a substantial impact on East Jerusalem. For example, Khamaisi (2007) referred to the separation wall as the “demographic wall,” implying that one of the motives for the wall is to limit the number of Palestinian inhabitants in Jerusalem. Several sections of the wall in the Jerusalem region do not even run along municipal borders or around settlements, but rather go deep into the West Bank territories around the city. The wall is then utilized as a new geopolitical boundary for both the municipality of Jerusalem and the state of Israel, thereby transforming Jerusalem into Israel's largest city geographically by broadening the borders even further. This physical barrier strengthens Israeli sovereignty over its annexed Jewish East Jerusalem neighborhoods, by introducing Jewish settlements from the West Bank into Israel, while separating East Jerusalem from its Palestinian hinterland. In this regard, some of the Palestinian communities inside the municipal boundaries of Jerusalem are left outside the wall, while in other areas, the wall encompasses new territory to serve as settlements that were not previously within the city limits of Jerusalem or under the control of Israel (Khamaisi, 2007). For example, Palestinian Jerusalemites residing on the West Bank side of the barrier in areas like Kufr Aqab, Dahiyat al-Barid, Shu'faat refugee camp, Samiramis, Ras Khamis, al-Sawahira, and al-Walaja have been cut off from the rest of East Jerusalem, from the center of the city and the economic, educational, medical and social resources located there, but they are still officially part of Jerusalem (figure 10) (Khamaisi, 2020; Human Rights Watch, 2021; Baumann, 2016). These areas remain inside the municipal boundaries, and its people retain their identification as permanent residents of East Jerusalem and continue to pay the municipal tax; nevertheless, they have been cut off from it by the wall, and are now on its other side. They are stuck in an ambiguous situation in which the Jerusalem municipality relinquishes all its responsibility for basic public services such as garbage collection and infrastructure, as well as the Palestinian Authority is not permitted to intervene in these neighborhoods since it does not have control over them. As a result, the urban environment and living conditions are rapidly deteriorating (UN OCHA, 2017). Furthermore, officials have admitted that 85 percent of the wall penetrates within the West Bank and extends up to 22 kilometers beyond the Green Line (UN OCHA, 2018) in order to suit the expansion demands of settlements and to preserve the fabric of life for Israeli residents (Bimkom, 2006). In this respect, the wall contained two extremely significant settlements outside of Jerusalem's municipal borders: Ma'ale Adumim and Givat Ze'ev

(Khamaisi, 2020). In addition, the wall runs largely through Palestinian neighborhoods, separating Palestinians from Palestinians before separating Palestinians from Israelis (figure 11) (Khamaisi & Nasrallah, 2006).

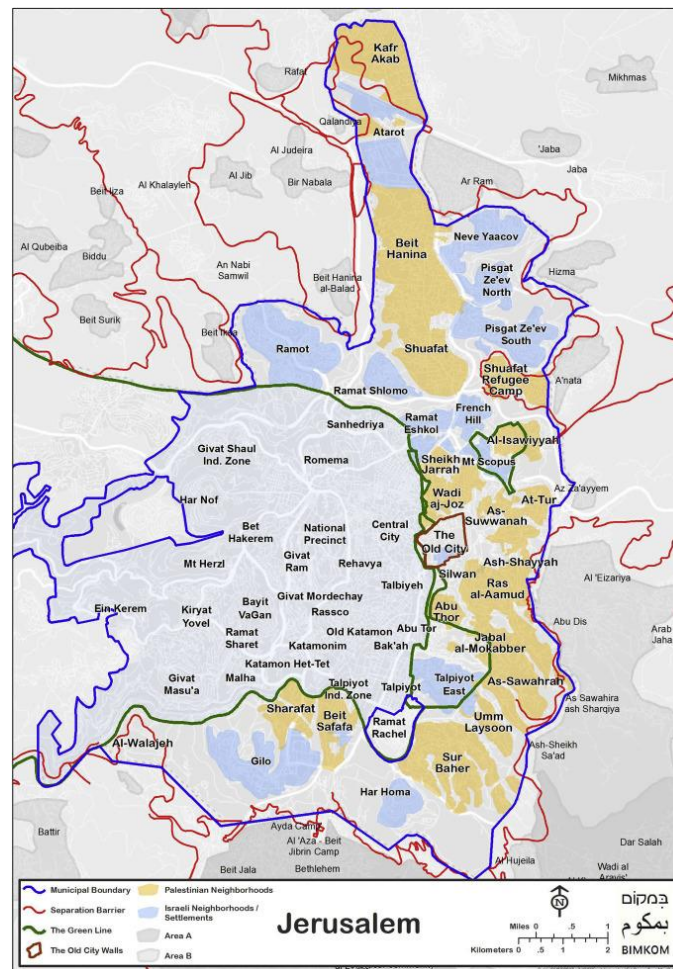


Figure 10: Palestinian and Israeli-Jewish localities in East Jerusalem after erecting the separation wall (Bimkom, 2017)



Figure 11: The Israeli separation barrier divides East Jerusalem and the Palestinian West Bank town of Qalandia (Al Jazeera, 2020).

Additional access restrictions have been imposed on the Palestinians of East Jerusalem as a result of the separation wall, impacting their right to appropriate and use public spaces in the whole territory. The separation wall makes movement for Palestinian Jerusalemites throughout the rest of the Palestinian territories, as well as to the Palestinian Authority's political and administrative core in the West Bank and Gaza Strip, more difficult and constrained. Since its construction, the wall has established checkpoints as new distinct connections between Jerusalem and the Palestinian territories, with strict procedures for thousands of East Jerusalemites who have been compelled to cross it every day, spending long periods of time in front of its checkpoints (Human Rights Watch, 2021; Khamaisi, 2007). Even though, for decades, East Jerusalem and the Palestinian suburbs have worked as an interrelated urban system, the wall changed the situation radically, the relationship between these neighborhoods and the city has essentially disappeared, with a significant negative economic and demographic impact on both East Jerusalem and the Palestinian suburbs (Klein, 2005). For example, the construction of the wall severely restricts Palestinian freedom of movement by separating Palestinian neighborhoods from one another and from their farmland, therefore affecting their everyday lives (Shlay and Rosen, 2010; Bimkom, 2006). It is important to note that this division is less acute for the Israeli side, as since 1987 (first *intifada*), most Jewish residents of Jerusalem have avoided visiting the Old City and the eastern city, as well as few work in those areas (Hasson, 2007). However, for the Palestinians the situation is completely the reverse, many of the Palestinian residents living in the West Bank rely on East Jerusalem for jobs and economic operations, and then the wall has caused damage of their daily life (Hasson, 2007). In reality, Jerusalem has become a disconnected periphery city for Palestinians, with its districts partitioned by a concrete wall (Khamaisi, 2007). Moreover, scholars as Garb (2004), Klein (2005), and Khamaisi (2020) illustrate that the fence has a devastating impact on Palestinian society in East Jerusalem and its suburbs, particularly regarding accessibility to medical services, education, and social and cultural life, as they were used to regularly enter the western side of the city for these purposes thanks to their blue residence identity cards.

To sum up, the construction of the separation wall intensifies Palestinians' inability to exercise their right of appropriation, to occupy and use public urban spaces, by reinforcing Israeli control over the activities and structure of life, denying people living behind the wall the right to use spaces in other regions. Furthermore, the wall's construction emphasizes Palestinian struggles to citizenship as well as the geopolitical and legal status of Jerusalem residents who live outside the separation wall, resulting in the loss of residence rights under the "center of life" policy and allowing Israel to continue to deny residents' "right to the city." Aside from the "center of life policy," checkpoints and the separation wall have pushed Palestinians to return to Jerusalem in order to maintain their Israeli

identification cards (Shlay and Rosen, 2010). According to one resident in East Jerusalem, “huge number of Palestinians have migrated to East Jerusalem since the wall makes it more difficult for them to live and work there, taking considerably longer to reach neighboring land” (Interview, East Jerusalem resident, June 2021). According to Garb (2004), the erection of the separation wall and the separation it established between the city and its residential areas prompted many Palestinian Jerusalemites who lived outside the city to return. Furthermore, as a result of the severe access limitations, there has been a huge migration of Palestinians from the West Bank relocating within the municipality walled limits. In this aspect, the construction of the wall has shifted the “demographic balance” in favor of the Palestinian population. It contradicts the Israeli government's and Jerusalem's local municipality's aim of maintaining a Jewish majority in the city (Rokem, 2012).

5.1.4. Demolitions and the right to habitat/housing

Since the establishment of Israel, the battle for the right to habitat and housing has been a key political issue for the Palestinian minorities. Planning has been employed by Israeli authorities to manage and shape the Palestinian habitat in the city. As mentioned earlier, the planning strategy for East Jerusalem has been to allow relatively little construction in Palestinian residential neighborhoods, guided by the national aim of a Jewish demographic majority in the city. Indeed, restrictions on Palestinian residential or commercial constructions take the form of municipal procedures that delay building permits, hindering the construction of new or expanded Palestinian communities. Furthermore, the city's positive migration has increased densities in Palestinian neighborhoods, forcing Palestinians to live within Jerusalem's municipal boundaries, either with relatives in the same house or in hastily constructed houses without obtaining the required permits, a process that would have taken too much time and money from the Jerusalem municipality (Khamaisi, 2020; Jabareen, 2010; Hasson, 2007).

The procedure of obtaining permits to expand or build new dwellings for Palestinians in East Jerusalem usually face significant delays. A planning scheme must be authorized before a building permit can be granted, yet planning schemes for East Jerusalem are limited. Furthermore, obtaining one scheme takes around 10 years, whereas obtaining one for Israeli settlements takes about three years on average (Cohre & Badil, 2005). According to the Israeli organization Ir Amim, natural growth among Palestinians in East Jerusalem requires the construction of 1,500 new residential units every year on average, however, only 125 building permits were issued in 2008, allowing for the construction of around 400 housing units (Ir Amim, 2009). As a result, the gap between housing needs and legally permitted development was at least 1,100 units in 2008 (Ir Amim, 2009; UN OCHA,

2009). Between 1991 and 2018, the city planners issued just 9,536 building permits for Palestinians, compared to 48,201 in Jewish Jerusalem areas, including 21,834 in settlements (Human Rights Watch, 2021). According to UN OCHA (2019), it is part of a “restrictive planning regime” that “makes it virtually impossible for Palestinians to obtain building permits, impeding the development of adequate housing, infrastructure and livelihoods.”

Other ongoing municipal restrictions on Palestinian habitat in East Jerusalem have included demolitions of “illegal” residential structures (B'Tselem, 2017). Palestinian residents in East Jerusalem are obliged to build illegally without permits to get around the obstacles they face and the never-ending permit procedure, thereby facing demolition orders, jail, and fines. The municipality's and Israeli government's justifications for demolishing Palestinian homes in Jerusalem are based on the “illegality” of such structures, which necessitates demolitions since they lack building permits and are deemed unauthorized. However, house demolition as a strategy should be interpreted in light of the lack of building permits, as well as the lack of authorized building development plans for Palestinian neighborhoods in East Jerusalem. Only 9,200 dunums, approximately 13 percent, of East Jerusalem is zoned for Palestinian construction, according to existing land use designations established in the “Jerusalem 2000 master plan”, while the majority of this area is already built up (Margalit, 2007, 2014; UN OCHA, 2011). Also, “Jerusalem 2000” recognizes that a total of 46,262 dunums, or 63 percent of East Jerusalem's total planned area, has been taken for public use as open green spaces and national parks (UN OCHA, 2011). This implies that Palestinian land development in East Jerusalem's planned neighborhoods is insufficient for residential, commercial, industrial, and office land usage. Therefore, in East Jerusalem, the Jerusalem municipality favors parks over Palestinian neighborhoods, which is unjustified planning technique (Bimkom, 2012; B'Tselem, 2019). Similarly, the Jerusalem “2000 master plan” designated 3,500 dunums in East Jerusalem for future spatial development, against 5,000 dunums in West Jerusalem. East Jerusalem's housing demands are significantly more than the allocated areas, each 84 East Jerusalemites can ‘enjoy’ only one dunum of future spatial expansion (UN-Habitat, 2015). As a result, development in Jerusalem faces uncontrolled growth of existing Palestinian neighborhoods, in which “Jerusalem 2000” refuses their authority in the region, subjecting them to frequent demolition threats (Jabareen, 2017).

Furthermore, Palestinians take the plunge of having their dwellings ‘bulldozed’ if they build housing on property without first obtaining construction permits. However, these demolitions are linked to Jewish resettlements, since Israeli authorities have favored the development and expansion of Israeli Jewish-only settlements in East Jerusalem at the disadvantage of Palestinian neighborhood

development. Therefore, it is an intentional Israeli tactic to drive Palestinians out to allow Jews Israelis to relocate in. The Israeli municipality has built 12 illegal Jewish settlements in East Jerusalem since the annexation of the city (Alkhalili, 2019). According to Peace Now, whereas the Israeli government has initiated planning, land acquisition, and building tenders for nearly 55,000 housing units in East Jerusalem, the Israeli government has initiated construction of just 600 housing units for Palestinians (Peace Now, 2019). In East Jerusalem, both Palestinian home demolitions and Israeli settlement development have further fragmented Palestinian neighborhoods and reduced their presence in the city.

Demolitions of Palestinian buildings in Jerusalem are mostly overseen by the Ministry of Interior and the Jerusalem municipality. Nearly 50,000 Palestinian structures, many of which were houses, have been demolished since the occupation of East Jerusalem, displacing and dispossessing thousands of Palestinians from their homes, 40 percent of which were demolished following the construction of the separation wall in and around East Jerusalem (ICAHD³⁶, 2017). According to the UN Office for the Coordination of Humanitarian Affairs (UN OCHA, 2020), about 100 demolitions occur each year, nonetheless, Israeli officials have not demolished all the illegal Palestinian structures in Jerusalem. According to UN OCHA, Israeli authorities demolished 1,434 buildings in East Jerusalem between 2009 and 2020, with more than 98 percent of the instances being for lack of a permit. Israeli authorities demolished 786 houses in East Jerusalem during this time, according to B'Tselem, displacing 2,561 Palestinians (Human Right Watch, 2021). In April of 2019, 63 houses and other structures were demolished, the most ever recorded in a single month. More Palestinians have been displaced in East Jerusalem as a result of the rise in demolitions in the first four months of 2019 than in the entire year of 2018, with 193 versus 178 destroyed structures (UN OCHA, 2019) (figure 12). In these recent months, global attention has focused on the planned evictions and home demolitions of Palestinians in the East Jerusalem neighborhood of Sheikh Jarrah. In contrast, even when there are building violations of Jewish Israelis in Jerusalem, Israeli authorities usually never destroy their homes (Ir Amim, 2009). According to Israeli non-governmental organization

In East Jerusalem, more than 8,000 houses are on the edge of being demolished [...] Since 1967, Israel has evicted Palestinians from their homes in East Jerusalem, bulldozed their homes, and begun a Jewish settlement programme (Interview, East Jerusalem NGO representative, July 2021).

³⁶ ICAHD is the Israeli Committee against House Demolitions, it describes itself as “an Israeli peace and human rights organization dedicated to ending the occupation of the Palestinian territories and achieving a just peace between Israelis and Palestinians”.

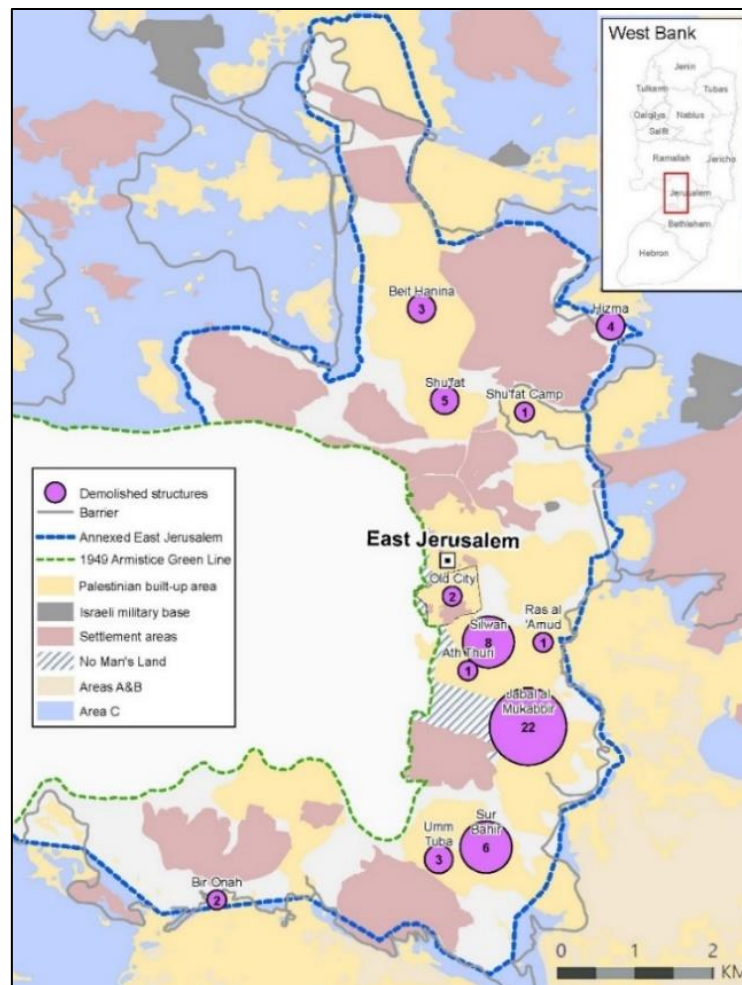


Figure 12: Demolished structures in East Jerusalem neighborhoods in April 2019 (UN OCHA, 2019)

As a result, East Jerusalemites now live in cramped, overcrowded urban neighborhoods, constantly threatened with their homes being demolished and them being labeled “criminals.” The city of Jerusalem and its surroundings have one of the world's highest population densities. The population density of Palestinian neighborhoods in East Jerusalem is around 13,500 people per square kilometer, compared to 9,000 people per square kilometer in East Jerusalem Israeli settlements and 8,300 people per square kilometer in West Jerusalem (ARIJ, 2012). The restrictions of building permits and the demolitions continue to endanger Palestinian urban life in East Jerusalem, denying them their right to habitat and housing, in which they are obliged to get around the obstacles they face in infrastructure and social services (UN-Habitat, 2015) (figure 13). In this regard, I will explain how informality manifests itself as a method and logic of development and reconstruction among Palestinian Jerusalemites.



Figure 13: Demolition of structure in East Jerusalem (UN OCHA, 2018)

The Palestinians in East Jerusalem continue to deny the Israeli occupation and the Jerusalem municipality as legitimate, as well as they continue to fight for their planning and building rights inside the system. Israeli spatial planning policies, such as the separation barrier, building permits, demolitions, checkpoints, Israeli settlements, center of life, and others, have resulted in a severe housing shortage and uncontrolled spatial growth for Palestinian communities, with significant negative consequences for the built environment. As a result, Israel has violated Palestinians' right to formal space production and, consequently, their right to habitat and housing in Jerusalem. Despite this, Palestinian neighborhoods continue to expand and produce their spaces, although in an informal manner, within their constrained limits. Since Israel's armed occupation of East Jerusalem in 1967, the informal urbanization process has been highly controversial. The Israeli organization Ir Amim (2009), argued that the gap between housing needs and legally permitted development in the Palestinian neighborhoods of East Jerusalem will be filled, at least in part, by illegal construction. Therefore, the informal urbanization is the result of Palestinians' struggle to housing and so informality patterns in East Jerusalem are seen as strong representations of urban inequality and Palestinians ongoing struggles. Therefore, the root reasons of illegality in East Jerusalem are essentially linked to discriminatory Israeli planning policies for Palestinian neighborhoods. According to Yiftachel and Yacobi (2003, p. 689), "urban illegality emerges as an ethnocratic planning approach; it allows urban elites to represent urban government as equal, civil, and democratic while denying some urban residents basic rights and services in the locations into which they were forced." As a result, informality is another option for Palestinians in East Jerusalem seeking

their access to urban rights. According to Jabareen (2017), when the state and its governing apparatus deny formal legal rights for a collective social group, an informal right arises, which he calls the “right to necessity.” In order to produce their own urban spaces, the Palestinian communities in East Jerusalem, according to Jabareen, articulate new practices of space production, which is an alternative sort of resistance and resilience. The “right to necessity” is an endeavor by Palestinians in East Jerusalem to realize their basic needs and rights, which are overlooked by the formal Israeli planning machinery on the ground. Palestinians' illegality is compelled by need, and it is regarded as a fundamental right for Palestinians, unlike Israeli institutions, which regard it as “illegal” and “criminal.” In this perspective, the Palestinians act as an indigenous community whose fundamental rights have been violated for ethnic, demographic, and geopolitical reasons, rather than as criminals erecting illegal structures. East Jerusalem residents believe that they have the right to build homes because Jerusalem is under Israeli occupation and must be liberated, and that Israel lacks legal authority to develop new districts in the area because the annexation of East Jerusalem was not recognized by the international community. Palestinians recognize that the general strategy that Israel has been enforcing on the ground through demolition orders is illegal. They confirm that their homes were erected unlawfully according to the Israeli Jerusalem municipality, but they believe that the Jerusalem municipality has no legal authority in East Jerusalem. East Jerusalemites confirm that their permission requests are rarely accepted by the Jerusalem municipality, leaving them with no alternative except to build illegally. Despite the fact that they are aware of Israeli authorities' unwillingness to provide construction permits in East Jerusalem, they have frequently applied for permits, instead being rejected under multilateral reasons. As a result, East Jerusalemites have decided to create their own right, to build and live in the structure until the bulldozers come. Palestinians' resilience grows when their houses are demolished, allowing them to build additional homes and shape their lives to meet their needs. According to a resident in East Jerusalem

We will build another house every time Israel destroys one, even if we don't have building permits, since it is our legal right [...] We will remain in our homes until they force us to leave, but they will not be able to do so [...] We will always return to our land (Interview, East Jerusalem resident, June 2021).

5.2. Israel's Planning denies Palestinians' "right to the city" in Shu'faat camp

It's impossible to use the framework of the "right to the city" for analyzing the situation in Shu'faat refugee camp without first comprehending the suffocating environment in which the camp's residents find themselves in. The urban life in Shu'faat refugee camp is unique in that it combines two key issues at the heart of the Israeli-Palestinian struggle. First, the population in Shu'faat camp are not like any other Jerusalemites, they hold the legal status of both Palestinian refugees under UNRWA management and Palestinian residents under the Jerusalem Israeli municipality administration. Second, because Shu'faat refugees are congested legal residents in East Jerusalem, they pose a "demographic threat" to Jewish majority in the city and, thus, to Israel's ambition to establish Jerusalem as its capital. As a result, Shu'faat refugee camp has developed into a poor marginal within an extraterritorial Palestinian enclave in the periphery of Jerusalem, whose people are seen by Israeli authorities as a threat to Israel's sovereignty and authority over the city. For these reasons, Israel has denied the existence of Shu'faat refugee camp and built a security barrier and a military border checkpoint that employs spatial demographic policies to actively exclude Shu'faat refugee camp and its population from the city. In this section, I address the situation of Shu'faat refugee camp by identifying the ongoing Judaization policies within the systematic displacement and ethnic segregation of Jerusalemites. In this case study, I use the framework of the "right to the city" as a device to analyze the claims of the Palestinians in Shu'faat refugee camp to investigate whether and how the Israeli spatial and demographic policies employed in Shu'faat camp limit the refugees' access to urban rights. In particular, I illustrate how the separation wall, legal status and center of life policy, as well as the Shu'faat camp's abandonment, including over population, unlawful development and service provision have all challenged the refugees' rights of appropriation, inhabit, and citizenship, as well as their rights to habitat and housing (Alkhalili, 2019). I address the mechanisms which expelled them from Jerusalem to the other side of the wall, that also exposed them to the constant threat of losing their geographical connection to the city, their residency status, and thus their access to the city altogether. According to one official in Shu'faat camp

The situation of the camp is like a kingdom, everyone is trying to control over the camp but the situation has become beyond control [...] the Palestinian authorities have no power here, Jerusalem municipality ignores us, and the UNRWA services are insufficient [...] we as committee cannot achieve any goal whatsoever, so we can't exercise force on anyone [...] we are surrounded on three sides by a well-planned settler concrete wall (Interview, official from Shu'faat camp, July 2021).

5.2.1. Separation wall and the rights of centrality and appropriation

The “right to the city,” including the rights of appropriation and centrality, has been heavily challenged at the Shu'faat refugee camp. The exclusion of Shu'faat camp from Jerusalem includes denying its people access to the city's heart, a central place in the city, because residents of Shu'faat camp are dispersed to a periphery established by the erection of the separation wall. Shu'faat refugees' obstacles to their right of centrality contribute directly to the deficit of their right of appropriation, denying them full and complete use of the urban space. The construction of the separation wall and checkpoints confine Shu'faat refugees between two boundaries, denying them the right to produce, utilize, create, labor in, represent, transform, and inhabit urban places in Jerusalem city.

Since the wall's erection in East Jerusalem in 2002, its path has been planned to exclude Shu'faat refugee camp to the eastern side of the wall, despite being within Israel's declared Jerusalem municipality. The amendment to the segregation plan issued by the Israeli Defense Ministry in April 2007 confirms that the segregation wall excludes Shu'faat camp from Jerusalem city (AICS, 2016; ARIJ, 2012). Since the construction of the wall in the area in 2008, Shu'faat camp has been marginalized and excluded to the periphery, stuck between the separation wall and the Jerusalem municipality border. The “right to the city” confirms the right to utilize the center rather than being dispersed and trapped in ghettos. As a result, this right concretizes Shu'faat refugees' right to physically occupy, utilize, and reside in urban spaces, particularly central spaces. Shu'faat refugees are prohibited access to the city of Jerusalem and are therefore illegally deprived of it. The wall's path was planned based on political concerns regarding the city's identity as the Jewish Israeli capital. The Israeli occupation authorities, in particular, adopt strategies of isolating Palestinian neighborhoods with high population densities, such as Shu'faat camp, in order to alter the “demographic balance” in Jerusalem city in favor of Jewish dominance (AICS, 2016). According to a refugee from Shu'faat camp

The wall is very close, I can see it from my balcony [...] and passing over it every morning makes me stiff and uncomfortable; I avoid visiting the other part of the city to not pass through it (Interview, refugee from Shu'faat camp, June 2021).

With the construction of the wall in the area and the establishment of a new checkpoint at the camp's entrance in 2011, Shu'faat camp's isolation from the rest of Jerusalem became even more reinforced (AICS, 2016) (figure 14). As a result, inhabitants of Shu'faat camp and its surrounding neighborhoods have encountered restrictions on their freedom of movement, sharing the fate of

approximately 50,000 Palestinians with Jerusalem identity cards who must cross military checkpoints to enter the city (ARIJ, 2012). Shu'faat camp checkpoint is the only way to enter the whole of occupied East Jerusalem, thereby marginalizing its population who have legal right to free movement and access to the city. Residents of Shu'faat refugee camp and the surrounding neighborhoods of Ras Khamis, Ras Shehada, and Dahiyat al- Salam cross through the Shu'faat refugee camp checkpoint, which is also restricted to residents of the area who have only Israeli identity cards 'permanent residency' (Baumann & Massalha, 2021).



Figure 14: The separation wall in East Jerusalem dividing Shu'faat, left, from a Jewish settlement (New York Times, 2016)

The residents of the camp rely on Jerusalem in a variety of ways. They are a natural labor supply for Jerusalem's service sector, as they rely on the city for work owing to their legal right to stay in the city as permanent residents. They also rely on Jerusalem for education, particularly secondary school and beyond (figure 15), as well as for the majority of health care, which is mostly provided in Jerusalem (Ir Amim, 2006). As a result, all of these have been denied in terms of movement restrictions imposed by the wall and the checkpoint. Shu'faat camp residents are compelled to show their Jerusalem identity cards at the Israeli checkpoint every time they enter or leave the camp. Furthermore, residents of the area find it difficult to approach the checkpoint and pass through it. During peak hours, the average time spent trying to pass through the checkpoint ranges from 45 to 60 minutes. This does not include the time it takes to reach the checkpoint along with a very small route that serves both pedestrians and heavy motor vehicle traffic (Jerusalem Institute, 2019). As a result, access to Jerusalem has become time-consuming and difficult, particularly during peak traffic, when thousands of inhabitants are compelled to squeeze through the

one route leading to Jerusalem (UNRWA, 2015). For example, Ali from Shu'faat refugee camp told me that his travels to Jerusalem were limited to urgent visits to avoid passing through the checkpoint and waiting for hours under Israeli pressure (Interview, refugee from Shu'faat camp, July 2021). Furthermore, the existence of such a high-security checkpoint acts as a trigger for violence and harassment. Armed violence and conflicts near the checkpoint and during raids in the camp are routine, and they frequently result in Palestinian deaths or serious injuries. In addition, tear gas, skunk spray, and coated metal bullets are often used in fights between Palestinian youth and Israeli police guarding the checkpoint (AICS, 2016; UNRWA, 2015). As a result, all of these challenges make it difficult for Shu'faat refugees to reach the rest of the city. In addition, because of the physical separation of Shu'faat camp from the city, medical and other emergency services are almost absent. According to Ha'aretz (2015), ambulances serving Jewish Israelis do not enter the area on the eastern side of the wall, while ambulances serving Palestinian populations are subjected to extensive checks and controls at the checkpoint, resulting in a high number of deaths. To summarize, the construction of the separation wall and the military checkpoint intensifies Shu'faat refugees' inability to exercise their right of appropriation by reinforcing Israeli control over their daily lives, denying Shu'faat people unrestricted physical access and movement within urban spaces, as well as the right to occupy and fully utilize public urban spaces. The checkpoint on Shu'faat boundaries connects the camp to its Palestinian hinterland by 'security' forces, preventing its people free and secure access to the city. In other words, the "right to the city" provides residents the right to appropriate urban space with unrestricted physical access and movement, as well as the ability to use the city center to meet their current needs and access essential public services without being confined to the periphery. According to a refugee from Shu'faat camp

I commute every day through the Shu'faat checkpoint to reach my work in the city [...] it takes 20 minutes to reach the checkpoint and one hour to pass through it every morning depending on the flow of commuters [...] but I used to survive here and commute everyday [...] we are originally from Jerusalem, but we became refugees in Jerusalem [...] but this is Israeli strategy to isolate us in a separated jail (Interview, refugee from Shu'faat camp, July 2021).



Figure 15: Students cross along the checkpoint to enter Shu'faat camp after attending school in Jerusalem at the other side of the separation barrier (Baumann, 2016)

5.2.2. Legal status and center of life of Shu'faat refugees, and the right to inhabit/urban citizenship

The residents of Shu'faat camp possess a unique and dual legal status, they are not like any other Palestinian refugees and not like any other East Jerusalemites. Because it is the only refugee camp within the municipality of Jerusalem, and because of its illegal annexation in 1967 by Israel, its original refugee residents had both the status of UNRWA-registered refugees and permanent residents of East Jerusalem, but not having Israeli citizenship. As a result, unlike West Bank identity card holders, they are permitted to enter and reside in Jerusalem or Israel due to their legal standing, but not to territories of Palestinian lands (AICS, 2016; ARIJ, 2012). While an East Jerusalem identity card has many advantages, its legal validity is under question, it is part of a “demographic threat,” of Israeli ambition to establish Jerusalem as its unified capital with Jewish majority. Over 14,643 Palestinians' permanent residence in Jerusalem has been revoked since 1967, according to B'Tselem (2021). In this sense, whenever their permanent residency status is revoked, all the associated social services, and other benefits, including the freedom of movement and access to Jerusalem are also removed completely. This entails the concept of the “right to the city,” which is intended to benefit society as a whole, but especially those who utilize and live the city, regardless of their legal, national, civil, or formal citizenship status. However, at Shu'faat camp, permanent residency rather than citizenship has been obtained by accident due to race and ethnicity, which the “right to the city” opposes since it guarantees full citizenship for all urban inhabitants, including members of various ethnic and socioeconomic groups.

In addition to the revocation of their legal status, the construction of the wall highlights Shu'faat refugees' claims of 'citizenship' as well as their legal status since living outside the separation wall allow Israel to continue to further threaten Shu'faat refugees' legal status and consequently the "right to the city." The residents of East Jerusalem who live on the eastern side of the wall, such as those in Shu'faat camp, live in continual fear of losing their permanent residence and access to Jerusalem (Margalit, 2018). In other words, if Israeli authorities decide to redesign the Municipal boundaries of Jerusalem along the route of the segregation wall in the future, Shu'faat camp will be excluded officially from the Jerusalem municipality. According to Al Jazeera (2013) and Shalom & Levy (2017), such a desire has been regularly expressed, most recently by Haim Ramon, a former Israeli Minister and member of the Israeli Parliament. This decision risks depriving camp residents of their Jerusalemite identities completely, having a substantial influence on their presence in East Jerusalem in favor of Jewish supremacy. As a result of this ongoing political debates about explicitly and officially removing Shu'faat camp from Jerusalem municipality, residents' eligibility to preserve their Jerusalem residency legal status is always in doubt. Furthermore, ongoing claims that residents of Shu'faat camp are no longer required to pay the city's municipal property taxes creates anxiety and a sense of vulnerability (Ha'aretz, 2011). Residents believe that their residual advantages as Jerusalem residents will be revoked in the near future. There are several ideas concerning which places could or might not be included in the city's future plan. In my interview with an Israeli representative of non-governmental organization, he stated, "it's only a matter of time before Shu'faat is completely excluded from Jerusalem" [...] and continued to say, "Shu'faat issues for Israeli authorities have faded away, and now they are putting the spotlight on other neighborhoods" (Interview, East Jerusalem NGO representative, July 2021). As a result, Shu'faat refugees live in a dichotomy: the Israeli occupation authorities subject them to administrative authority, yet the segregation wall excludes them physically and politically outside the city with their suspended legal status. The "permanent residence" has far-reaching consequences for their right to inhabit the city, far outweighing its benefits, and it purposely undermines their long-term inclusion in being a part of the city. According to Ahmad, one of the refugees in Shu'faat camp

In 1999, we used to live in the West Bank, where there was more security, but after the center of life policy, we moved back to Shu'faat camp to maintain our center of life in Jerusalem [...] even though we are struggling to pay the taxes to retain the residency (Interview, refugee from Shu'faat camp, June 2021).

According to Ir Amim (2006), a large section of the camp's inhabitants is reported to have fled the camp between 1967 and the mid-1990s in search of better accommodation in the West Bank suburbs of Jerusalem hinterlands or jobs overseas. However, when Israel implemented a new policy in the late 1990s that revoked the residence rights of Palestinians whose “center of life” was not in the city, the same individuals were obliged to come back into the camp in order to satisfy the “center of life” criteria and avoid having their residency rights revoked. According to Ir Amim (2006), UNRWA (2005) estimated that around 4000 refugees had relocated into the camp during the preceding three years of 2005 in order to maintain their residency rights and accommodation in Jerusalem. Aside from the “center of life” policy, another Israeli policy that has contributed to the significant influx of non-refugees or Palestinian Jerusalemites is the suspension of family unification requests for Palestinians (AICS, 2016). The ‘Citizenship and Entry into Israel Law’, passed in 2003 and amended in 2007, restricts Palestinian Arab citizens of Israel from residing in Israel with their Palestinian wives from the Occupied Palestinian Territory or “enemy nations,” defined as Syria, Lebanon, Iran, and Iraq under the law. Since then, thousands of Palestinian families have been affected by this rule, with many being forced to go overseas, live apart, or live together illegally in Israel (Adalah, 2012). As a result, families with different residency statuses, such as an East Jerusalem identity card holder married to a West Bank identity card holder, migrate to locations such as Shu'faat camp and its environs, where the East Jerusalem card holder can maintain the necessary proof of the “center of life” in Jerusalem while also staying with his family and avoiding checkpoints (Baumann & Massalha, 2021). Therefore, the “center of life policy” and the “Citizenship and Entry into Israel Law” are discriminatory policies that seek to exclude Palestinians Jerusalemites from the hinterlands by obliging them to live in specific areas to maintain their right to inhabit Jerusalem and protect their legal status. This prompted Shu'faat camp inhabitants to return, forced to abandon their homes, jobs, or families in Jerusalem's suburbs or abroad, resulting in legalized ethnic cleansing of Palestinians from certain districts and, as a result, denying their “right to the city.” According to Noor, a refugee in Shu'faat camp, “my son got married to a West Bank identity card holder, and they have decided to live in Shu'faat neighborhood because they were not be allowed to live in other parts of Jerusalem,” she continued “it is important to preserve his Jerusalem identity card so he can continue working in Jerusalem [...] it is a privilege to keep it (Interview, refugee from Shu'faat camp, July 2021). “Many couples have separated because it is hard to live together [...] the first thing that comes to our mind is what kind of identity document you have,” according to another refugee from Shu'faat refugee camp (Interview, refugee from Shu'faat camp, June 2021).

As a result of the implementation of restrictive residency policies combined with movement restrictions imposed by the wall and the checkpoint, the existing population and additional population of Shu'faat camp have been confined within its boundaries, denying them their legal right to expand and choose where to live. The “center of life” policy, in particular, has had a number of unintended implications in terms of the camp's further demographic overpopulation. In other words, Israeli policies are enacting the expulsion of Palestinians to the city's edges as a means of reducing the city's undesired Palestinian population. The city's Jewish majority inhabitants are being protected from the growing Palestinian demographic threat. At the same time, this relieves the Israeli Jerusalem municipality of any obligations to provide services to its tax-paying residents, denying them of basic urban and social services, as I will analyze in the next section.

5.2.3. Abandoned camp “overpopulation, illegal development, and absence of services,” and the right to habitat/housing

The struggle for the right to habitat and housing has been a crucial political issue for Shu'faat refugees since the annexation of Shu'faat camp in 1967 and the erection of the wall in the area in 2008. The “right to the city” includes the right to habitat and housing, which is not just the space of an appropriate and affordable housing, but also basic socioeconomic rights, environmental justice, and basic infrastructure. However, at Shu'faat camp, the refugees are denied these urban rights, and they pursue their everyday lives as passive urban residents, as I will describe.

The camp borders, wall, and checkpoint, which were built more than a decade ago, established a narrow environment for the camp and its residents. The Israeli occupation authorities constructed the wall adjacent to urbanized parts of the camp and Shu'faat village, limiting urban expansion of the camp in all directions. As a consequence of the lack of lands required for future Palestinian urban growth, this has resulted in the emergence of high population densities (ARIJ, 2012). UNRWA (2015) estimates that the population density has reached almost 50,000 inhabitants per square kilometer, which is considered exceptionally high. Today, Shu'faat refugee camp houses more than 20,000 individuals, 50-60 percent of whom are registered refugees. The remaining 40-50 percent of the camp's population consists primarily of refugees from other camps and Palestinian legal residents of Jerusalem who have relocated to the camp in recent years (Ir Amim, 2006; UNRWA, 2015). Therefore, while some of the substantial population change may be ascribed to natural population growth (AICS, 2016), Shu'faat camp has grown as an unforeseen consequence of Israeli policies aimed at reducing the city's Palestinian population, such as the “center of life” policy. The population

density is related principally to the large number of Palestinian Jerusalemites who have settled within the camp in order to satisfy the criteria of this policy and to avoid having their residency rights revoked, as explained. According to Ali, a refugee in Shu'faat camp, “the congestion in the camp is due to the significant influx from West Bank residents,” he continued, “they usually come for employment and to preserve their identity cards” (Interview, refugee from Shu'faat camp, July 2021). Furthermore, the deteriorating economic status of the majority of Palestinian Jerusalem identity card holders has resulted in further rapid growth of not just the camp population but also the neighboring communities (Bimkom, 2014). Because Jerusalemites cannot afford to stay in the city due to the housing crisis, nor can they leave due to the risk of losing their residency, they are forced to relocate to neighborhoods behind the wall, where planning regulations are rarely enforced and buildings are more affordable (Baumann & Massalha, 2021). As a result, the camp, while still formally within the boundaries of Israel-declared Jerusalem municipality, provides both more opportunities for finding lower cost of living as well as an ideal location to prove the “center of life” in Jerusalem municipality. All of these ‘Judaisation’ of Jerusalem practices which are illegal under international law (UN Security Council -Resolution 2334, 2016), have contributed not only to the camp's extreme overpopulation but also to illegal vertical development, insufficient planning and building laws, and the camp's inability to expand beyond its boundaries. While most residential buildings in East Jerusalem are no higher than four storeys, Alkhalili (2017) claims that Shu'faat camp is dense in the urbanization process, with high-rise buildings of up to 13 storeys being built in close proximity to one another, resulting in lower prices in these edge areas. The procedure is carried out in the lack of comprehensive planning and construction laws, as well as unauthorized building construction, engineering oversight, and safety requirements (Ir Amim, 2015). For all of these reasons, the “right to the city,” including the right to a safe and healthy environment, has been abandoned in Shu'faat camp, which has become a place where residents are crowded to appropriate and use spaces to satisfy their needs in the absence of any safety construction regulations. As a result, Shu'faat refugees live in sterile urban environments known as habitats, with no freedom to occupy or inhabit the city of Jerusalem.

Furthermore, the Shu'faat camp's infrastructure and services have been subjected to unbearable burden as a result of its population expansion. The residents of Shu'faat camp face limited access to municipal services and poor living conditions with the absence of recreational spaces, as well as high crime rates and conflict-related violence (UNRWA, 2015). In this sense, Shu'faat refugees are denied the right to habitat due to the deterioration of urban camp life, depriving them of the basic socioeconomic rights they need to survive and live a decent and safe urban life. In fact, the absence

of the Jerusalem municipality, the UNRWA's insufficient presence, and the Palestinian Authority's incapacity to intervene led to the abandonment of Shu'faat camp's socio-economic situation. The most revealing aspect of the camp is the display of the ongoing lack of clarity about who is responsible for services and infrastructure in Shu'faat camp. The Palestinian Authority, for example, is not allowed to offer services to the camp and its surrounding territories owing to its location on the West side of the Green Line, as agreed by the Oslo Accords. Furthermore, because Shu'faat camp is under the administration of Jerusalem municipality, the security forces of the Palestinian Authority have no responsibility in the area. Israeli authorities are responsible for law enforcement, even though locals frequently complain about a lack of law and security, blaming it on widespread crime, drug usage, and other illegal activities. All of this contributes to a fragile sense of personal safety among the residents (UNRWA, 2015). In an informal conversation with one refugee in the camp, "the Israeli authorities' ignorance of the area led to a lack of law enforcement, which resulted in an increase in crimes and drug selling; it caused a pervasive sense of continual terror."

The municipal basic services have served as a crucial indication of the exclusion of Shu'faat refugees from the city in addition to their suspended legal status. Because Shu'faat camp is an occupied territory, the Israeli government and Jerusalem municipal authorities have had legal administrative responsibility for the residents since 1967. Despite this, Shu'faat camp and its surroundings have been more isolated, resulting in the lack of municipal services and constant neglect for the camp as a result of the city's uncertain municipal future (Jerusalem institute, 2019). In light of Israel's decision not to create the wall on the Green Line, the Jerusalem municipality claimed that the central Israeli Ministry of Defense is the main responsible for the administration of the areas on the eastern side of the wall (AICS, 2016). Despite the administrative attempts to disclaim responsibility for providing acceptable services to the locals, Israel as the Occupying Power holds full responsibility for the population residing in this area. As a result, the camp is marked by Israeli authorities' failure to provide adequate and safe services, including the Jerusalem municipality, resulting in a situation in which an underserved area faces extreme infrastructural and physical environment vulnerabilities, as well as socio-economic rights deprivation (figure 16). According to Ir Amim (2006), Israel provides no municipal services such as roads, water, or garbage collection in the camp. For instance, for many weeks in 2014, residents of Shu'faat refugee camp were without running water (Baumann & Massalha, 2021). The residents of Shu'faat camp face issues such as inadequate water supply, sewage and drainage systems, insufficient trash collection, narrow dirt roads that have not been paved, a lack of classrooms, a lack of other public services and a lack of emergency services (Jerusalem institute, 2019). Some recent scholars emphasize the lack of public services and, in particular, the

huge presence of rubbish in these places (Alkhalili, 2017, 2019; Alkhalili et al., 2014), both of which are seen as indicators of the municipality's complete abandonment. "The Jerusalem municipality of Israel is not performing its responsibility in the camp neither in education nor in health, sewage and water infrastructure, or police enforcement, even though many residents pay municipal taxes to maintain their legal status" (Interview, official in Shu'faat refugee camp, July 2021). Furthermore, the uncollected garbage mounds and the related health dangers are a source of concern for the locals. Residents and authorities in Shu'faat camp blame the prevalence of trash for respiratory and chronic disease (Jerusalem Institute, 2019; UNRWA, 2015). In addition, because the Jerusalem municipality is not present in the camp, the contractors and residents of its surrounding areas rely on the camp for infrastructure, water, power, and garbage disposal. Despite significant service and infrastructural shortages in the camp, it has emerged as the major source and motor of life in this marginalized area (Alkhalili, 2019). Furthermore, due to limited camp expansion, all of the camp's lands have been used for construction, leaving no open public spaces, agricultural fields, cultural activities, parks, playgrounds for children's entertainment or other recreational spaces (AICS, 2016). All of this implies that Shu'faat refugees are denied the "right to the city," living in unsanitary conditions in sterile 'habitat' spaces with no active and effective involvement in urban life. The camp's residents live an abandoned urban life in which they are denied the right to go through their daily lives without putting at risk the basic components of the right to habitat in the city. According to Amal, one of the refugees in Shu'faat camp

We live between cements, dust and concrete, we have no gardens between the erected structures [...] every empty space is intended to be utilized for solid garbage, not parks. We live in Jerusalem, but we are in a completely separated world [...] everything is different; economically, physically, politically and socially (Interview, refugee from Shu'faat camp, July 2021).



Figure 16: A general view of the abandonment of Shu'faat refugee camp (UNRWA, 2015).

Most residents of Shu'faat camp, on the other hand, are required to pay their full municipal taxes into the Israeli system in order to maintain their residence, highlighting the uniqueness of this situation because refugees living in UNRWA refugee camps do not generally pay taxes to a host nation. For example, Ali stated, "I continue paying municipal taxes to obtain the legal documentation necessary to verify the center of life in Jerusalem and do not jeopardize my identity card's withdrawal" (Interview, refugee from Shu'faat camp, July 2021). These taxes should be viewed as financial contributions to the supply of services that are almost unavailable and progressively denied (UN OCHA, 2013). According to one of the refugees in Shu'faat camp

The running water in the nearby illegal Israeli settlements is always free, it is a basic service [...] but for us it is a struggle [...] for an entire month we had been living without running water and had to buy it [...] we take water from the pipeline that supplies the settlements and electricity from the municipality, [...] we pay all our taxes to the municipality, also it is our territory and our water [...] thus this is a legal right (Interview, refugee from Shu'faat camp, June 2021)

On the other side, UNRWA manages the refugee camp and its the camp's largest service provider in terms of infrastructure, education, and sanitary services (Jerusalem institute, 2019) in the absence of Israel providing municipal services to any of the peripheral neighborhoods. Due to the unique situation of the Shu'faat refugee camp, which is under Israeli jurisdiction and whose people have privileged Jerusalem residency, UNRWA does not appear to have the same level of investment and commitment in Shu'faat refugee camp as it does in other camps (Ir Amim, 2006). UNWRA built a sewage and storm-water system at Shu'faat refugee camp in the 1980s in the absence of the Jerusalem municipality, but the network rapidly became insufficient owing to rapid population growth, resulting in poor sanitary infrastructure. Moreover, UNRWA is the official entity in charge of collecting and disposing of solid waste in the camp (ARIJ, 2012), however they are exposed to UNRWA's insecure funding status, resulting in insufficient garbage collection. According to Amal, one of the refugees in Shu'faat camp

The main roads suffer from floods practically every winter, they are not paved, buildings have their leaking sewage systems, and the waste rubbish is everywhere [...] the UNRWA is not able to handle all these services in all streets (Interview, refugee from Shu'faat camp, July 2021).

5.3. Overall discussion

I argue that Palestinian residents of East Jerusalem and Shu'faat refugee camp are to a huge extent denied the “right to the city,” as a result of the Israeli planning apparatus, which is directed by the overwhelming power of Israeli laws and institutions. I elaborated on this process by examining Israel's discriminatory planning, spatial and demographic, policies in East Jerusalem and Shu'faat refugee camp, which are driven by a Jewish demographic's national goal, against the indigenous Palestinian minorities. Therefore, the Zionist settler colonial policy of Judaizing the land and encouraging the expansion and supremacy of one dominating ethnic group over the other has been implemented on the ground by a number of racialized planning policies (Yiftachel, 2006). Maximum territory and minimum population are the guiding premise behind the Israeli concerns. The Israeli planning system and accompanying policies in Jerusalem have been working hard to achieve Israeli goals through three interconnected planning strategies. These are the politics of demography, which entails maintaining a significant Jewish majority in the city; the politics of geography, which entails expanding city jurisdiction through the confiscation of Palestinian lands in East Jerusalem, as well as the politics of marginalization, which entails the exclusion of Palestinians from the city municipality's border as Shu'faat refugee camp. In this thesis, I used the framework of the “right to the city” as a tool to investigate Palestinian claims and struggles associated with denial of access to various urban rights in the two case studies. The Palestinian urban rights are impacted by the Israeli mechanisms, including the legal status and permanent residency, center of life policy and Palestinian citizenship, continuous land confiscation for building Israeli settlements, and demolitions of houses and infrastructure besides building permits delays, as well as the construction of the separation wall which is coupled with movement restrictions. All these Israeli mechanisms are analyzed in the real-life context of the Palestinian East Jerusalemites in terms of their access to urban rights, including their rights to inhabit, participation, appropriation, habitat, formal space production and necessity. Furthermore, I contend that the Israeli State is plagued by a deep hegemonic ethno-political structure in which Palestinian minorities are denied their urban life, resulting in separation and segregation among its citizens and non-citizens, reflecting differences in privileged rights and identity status. In this regard, Prime Minister Benjamin Netanyahu declared on the social media site Instagram on March 10, 2019, “Israel is not a state of all its citizens. According to the Basic Law of Nationality that we passed, Israel is the nation state of the Jewish people and only them” (Netanyahu Instagram, 2019). I argue that the country's overall unstable political situation and the temporariness of the Palestinian society in Shu'faat refugee camp, particularly after Israel's annexation of the eastern part

of the city in 1967, which gave Israel full control over the city, have imposed a variety of struggles in front of the Palestinian urban rights, preventing them from exercising their “right to the city.”

Therefore, I used the framework of the “right to the city” for analyzing the urban rights of the underprivileged Palestinian minorities of East Jerusalem and Shu’faat refugee camp, which are governed by geopolitical and demographic control mechanisms that allow Israel to continue restricting their entry and residence there. The first Israeli mechanism started with the conquest of East Jerusalem in 1967 and granting the East Jerusalemites the legal status of “permanent residency,” in which it threatens their right to inhabit in Jerusalem. This strategy of restricting Palestinian residents' status to permanent residents rather than citizens is described as annexing the land without annexing the people who live on it. They have become a separate and fragile group from the rest of the Palestinian people in West Jerusalem by holding this ‘legal’ status. This status under the Israeli “center of life” policy has political ramifications, since it will be revoked for Jerusalemites who remain outside of Jerusalem, thereby denying them the right to inhabit there. Also, the refugees in the marginalized spaces as Shu’faat camp cannot leave due to the threat of losing their legal status as residents in Jerusalem. Significantly, most Palestinians in East Jerusalem as a whole, including Shu’faat refugees are afraid of being politically and legally displaced because of Israel's “center of life” policy, in which it impacts their right to inhabit and urban citizenship, as it is intended for the benefit of all those who live in the city and contribute to the body of urban lived experience. The second is Israel's political hegemony, as well as the unequal power allocation in space production between the Jewish Israelis and the Palestinians and between the local and the central national government. As a result, Palestinian residents are denied the right to active participation in urban society and decision-making processes of city spaces to a large extent due to racialized policies designed to maintain Jewish demographic superiority in the city. This majority-minority relationship violates the “right to the city” as not all the city inhabitants have the right to participate in space production and appropriate the city. Therefore, the Israeli nation-centralism and unequal distribution of power will continue to shape the nature of Jerusalem's urban space, preventing local residents from producing their spaces and lives according to their needs and desires. Palestinians are also marginalized at all levels of planning, including governmental, national, and local. As a result of this constraint, urban life of Palestinian neighborhoods in East Jerusalem suffers from poor spatial, environmental, physical, and cultural functioning. Although the residents in the camp pay the municipal taxes, their *de facto* physical isolation from the city has resulted in a near-total suspension of the most basic municipal services to which all legal residents should be entitled. The absence of services triggers the expulsion process, making living conditions at the margins of Jerusalem

impossible to bear, denying their right to habitat which includes the basic socio-economic rights to healthy environment, environmental justice, and basic infrastructure. Most significantly, Israel was founded by Jews to be the national home of the Jewish people, and Israel's principal purpose is to build Jerusalem as Israel's capital. This purpose impacts Israel's administrative and political structures, as well as its spatial planning initiatives (Jabareen, 2014, 2017, Yiftachel, 2006). Third, the physical urban mechanisms, such as the separation wall, which Israel began its construction in 2002 through Palestinian communities in East Jerusalem, and its military checkpoints, have resulted in significant ethno-spatial segregation, with thousands of Palestinian Jerusalemites living in completely ethnically segregated areas behind the wall, ensuring the city's Jewish majority and the impossibility of future redivision. Jerusalem residents must pass through checkpoints every time they want to enter their own city. The separation wall transforms any future Palestinian State into a prison, with Israeli 'security' forces stationed both within and outside the 'prison gates' or checkpoints. The wall and the checkpoints deny the Palestinians of East Jerusalem their right to appropriation, unrestricted physical access to occupy and use the urban space in the city of Jerusalem. The barrier's construction drastically restricts their freedom of movement, leaving East Jerusalem residents increasingly dependent on checkpoints for their livelihood, medical care, and family relations. In addition, Shu'faat refugees have been trapped in a periphery between a temporary border of the wall and municipality border of Jerusalem, as it became marked by insecurity, informality and permanent temporariness. The wall's location with Jerusalem's municipal border established an artificial barrier between East Jerusalem and its social and economic hinterland, and it became increasingly inaccessible to the city's cut-off neighborhoods. This explains how Israeli policies based on ethnicity force Palestinians in the Shu'faat refugee camp to live on the periphery of Jerusalem, under continual danger of expulsion and physical exclusion despite remaining inside municipal borders. Living on the periphery of Jerusalem raises the issue of the revocation of East Jerusalem's permanent residency and, as a result, denying them the right to centrality, to utilize the center as a privileged location, as well as denying them access to the city and being illegally deprived of it. The residents of the communities that remain outside the wall have been living in continual panic that the authorities want to officially cut their areas off from Jerusalem municipality, denying them their right to inhabit the city. According to Israeli legislation, the camp is located within Israel, and the inhabitants I interviewed are Jerusalem residents, yet they are refugees in their own city (ARIJ, 2012, UNRWA, 2015). Therefore, the planned Israeli occupation has deliberately assembled to systematically displace Palestinians physically, politically and legally. Fourth, Israeli planning restrictions have been crucial in achieving Israeli goals by preventing many Palestinians from building homes legally in their cities

through construction permit delays and demolition orders, so restricting Palestinians' right to habitat in their cities. The right to habitat or housing, includes the space of the adequate and affordable house, but also and most importantly, it is a place where 'to inhabit' is possible to practice. Therefore, the informal urbanization denies the Palestinians in East Jerusalem their "right to the city," since they don't live their daily life as active inhabitants in the city but just in sterile spaces. The Jerusalem "master plan 2000" significantly recognizes the discrimination between the inadequacy of the planned Palestinian neighborhoods in East Jerusalem, as a tool to serve the expansion of Israeli new Jewish settlements. The Shu'faat camp's rapid population increase, along with a lack of a suitable plan and the camp's inability to expand beyond its original borders, all imply that Palestinians' right to housing in East Jerusalem is inadequate and limited. Finally, Palestinian East Jerusalemites have been denied the right to participate in every decision that contributes to the shaping of the urban space and consequently the freedom to create their own spaces in line with their own needs. Therefore, this condition gives them the legitimacy they require through the right to necessity and informal space production because of the Palestinians' failure to exercise their formal urban rights as well as Israeli abuses of basic necessities.

Based on the analytical framework, it can be concluded that residents of East Jerusalem and Shu'faat camp, demand access to Jerusalem and adequate urban life in a separated environment as an expression of their lack of access to critical human rights. Affordable public services, as well as a secure and safe environment for their children, are among their requests. Palestinian Jerusalemites are entitled to social and health care from the Israeli National Insurance Institute as a result of their legal status. Residents of East Jerusalem, including Shu'faat refugees, enjoy unique access to central and peripheral zones within their neighborhoods, but not to the entire land of Palestine; they can freely move between the West Bank and Israel only. In comparison to other Palestinians in the Gaza Strip or the West Bank, whose entrance to Jerusalem is considered unlawful, their status is regarded as a 'luxury'. However, the analysis shows that this 'luxury' is vulnerable to arbitrary revocation under the "center of life policy," instilling in them a continual panic of being displaced from the city. Therefore, they request to be strongly rooted to the city they were born in. The analytical framework is helpful to shed light on their requests regarding the municipal service provision, legal housing, educational institutions, suitable infrastructure, complete use of the urban spaces and other urban concerns. They request to have the right to participate in decisions that contribute to the shaping of their city's urban space when they bring substantial changes to their area. Their requests are significant components of the political argument regarding the plight of Palestinians in East Jerusalem and the city's future. They request that they pass without waiting in line for hours in front of military

checkpoints, exposing themselves to a variety of violations. They request to be able to go wherever they choose in the region and reside there. They request to have a secure legal status that allow them to live, use public spaces in the city and carry out the rhythms of everyday life in its spaces. They request that they have appropriate and legitimate housing and that they are not obligated to develop unlawfully. They request to be qualified to apply for building permits, to expand and build new dwellings and therefore to be saved from demolitions. Finally, they request to live in a healthy environment not in cramped and overcrowded urban neighborhoods where they are not able to neither leave it nor improve it.

CHAPTER SIX: CONCLUSION

The research aimed to analyze the claims by the Palestinian minorities in Jerusalem to investigate whether and how their access to urban rights is challenged under an experience of Israeli planning policies. I used the framework of the “right to the city,” as an analytical device to investigate the research question for the analysis of two major case studies of contestation at the heart of the Palestinian struggle: East Jerusalem and Shu’faat refugee camp. To answer the research question, I first analyzed the dynamics of the city's physical and social structure in terms of illustrating the uniqueness of the city Jerusalem. Following that, I provided a general introduction for the two case studies of East Jerusalem and Shu’faat refugee camp, as I analyzed the special issues that characterize each case study. To do so, I illustrated Israeli planning policies in the context of Jerusalem's ethnocratic planning regime, focusing on spatial and demographic policies, as well as the underlying Jewish demographic's national purpose, which resulted in political and ethnic exclusion in Palestinian urban life. The analysis of the two case studies was based on a qualitative approach of semi-structured online interviews as well as online informal conversations with people from Shu'faat camp and East Jerusalem, as well as Israeli and Palestinian human rights organizations. Another data sources were also used, including media analysis, documental analysis, archival research, and reports analysis from Palestinian, Israeli, as well as international sources. The data collection provided a various analysis of the goal associated with Israeli planning policies in East Jerusalem and Shu'faat refugee camp, focusing on Palestinians' perceptions and behaviors toward their city Jerusalem, as well as an investigation of the complexity and restrictions of Palestinian urban space. I analyzed the complexity of the “right to the city” which is made up of various interconnected urban rights in the real-life context of the two case studies, through addressing their right to participate in every decision that contributes to the creation and shaping of the urban space, their right to inhabit and urban citizenship which intends for the benefit of all those who live in the city and contribute to the body of urban lived experience, their right to appropriation, which includes unrestricted physical access to occupy and use the urban space, their right to habitat and housing, which includes various socio-economic rights and healthy environment, as well as their right to formal space production and necessity. The analytical framework of the “right to the city” has developed through the analysis of the two case studies as a device to investigate the mechanisms and the impact of the Israeli planning policies on the Palestinians’ urban rights in their daily lives. I analyzed the hegemony of Israeli planning structure on the right of participation, the restrictions of the legal status and center of life policy on their right to inhabit and urban citizenship in the city, the impact of the separation wall, checkpoints and Israeli

settlements on their rights of appropriation and centrality, as well as the effects of housing and infrastructure demolitions, building permits delays, overpopulation, illegal development and unequal distribution of public services on the rights of habitat and housing.

The results of the research indicate that the ongoing ethno-national struggle over Palestinian cities in East Jerusalem and Shu'faat refugee camp denies Palestinian residents their urban rights while displacing them in a systematic manner. The Israeli occupiers have employed planning tools and legislative laws which aim to maintain geopolitical and demographic control over the city, thereby disempowering Palestinian minorities. Based on the results of the research, it is concluded that the dominance of Israeli Jews over positions of power, resources, and spaces hinders the prospect and equality between Israeli citizens and Palestinian minorities in Jerusalem. Since 1967, Israel has used a strategy to reshape Jerusalem's boundaries and prevent Palestinians in East Jerusalem from exercising their legal human rights, as well as systematically depriving them of their urban rights, such as participation, appropriation, inhabit, habitat, and space production. The analytical framework reveals that the spatial and demographic policies imposed on Palestinians in East Jerusalem and Shu'faat refugee camp deny them not only participation in decisions about the shaping of their spaces, but also the opportunity to improve overcrowded neighborhoods and create new neighborhoods to meet their urgent housing needs. They are also denied the right to appropriate their own spaces, as Israel continues to govern the city's urban areas. East Jerusalem, including Shu'faat camp, shows how legal status, the separation wall, demolitions, and neglect are used to further Israel's discriminatory urban policies. In East Jerusalem and Shu'faat camp, the Palestinian experience of Israeli military occupation, which includes forced migration, oppression, and racialization, is reflected. The analytical framework sheds light on Israel's unilateral construction of the separation wall, which increased the conflict over the city between Palestinian and Israeli officials while destroying the fabric of urban life within it. The separation wall severely restricts Palestinians' ability to exercise their urban rights. According to the results, the separation wall acts as concrete evidence of Palestinian displacement from Jerusalem, isolating them from the rest of the city. The separation wall runs across East Jerusalem, excluding thousands of Palestinian neighborhoods outside the wall and the city, which is home to over 55,000 Palestinian Jerusalemites holding Israeli Identity cards "permanent residency". The state of 'Israel' claims that the wall's construction was driven by security concerns and will remain so until a geopolitical agreement is reached, which appears to be a long way off. However, as the research reveals, the path of the wall obviously reflects ethno-demographic and geopolitical goals. Furthermore, according to Khamaisi (2007), throughout the history of the Israeli-Palestinian conflict, temporary boundaries such as the separation wall have frequently been erected

with the intent of eventually becoming an international permanent boundary between Israel and Palestine, influencing the population's political orientation and position. According to Dolphin (2006), the wall is the epitome of Israel's policy in Jerusalem, practically cementing decades of occupation, conquest, and Israeli growth in concrete. Furthermore, the construction of this wall across Palestinian districts in East Jerusalem inside the city's municipal borders prevents Jerusalem from being the capital of a future Palestinian state. Therefore, if the demands of Palestinian Jerusalemites are not fully addressed, the establishment of an independent and sustainable Palestinian state is unlikely. According to the research, racist demographic policy is a crucial component in shaping Israel's spatial and planning policies, as well as the driving reason for the building of the majority of the separation wall. The demographic factors were used to determine the path of the wall in order to reduce the number of Palestinian Jerusalemites within Israeli-drawn borders to establish a narrative in which Israelis are the majority in this region. In this sense, the differences in the wall's names reflect debates regarding its rationale, goals, intents, performance, and geopolitical significance, as well as the stories of the persons involved and impacted by it. Furthermore, the research analysis shows that, despite Israel's non-compliance with UN decisions, Israel maintains its discriminatory policies, owing primarily to the assistance it receives from U.S. administrations as a permanent member of the UN Security Council to obstruct any major resolution on Jerusalem.

The concept of the "right to the city," according to Lefebvre, is founded on integrating moral claims and justice principles that protect "all" urban inhabitants from discrimination in the production and appropriation of local urban spaces. Based on the research results and the analytical framework of the "right to the city" that was developed to shed light on the discriminatory and central hegemony of Israeli policies, the inclusion of all urban inhabitants in Jerusalem, including underprivileged Palestinians, could help to mitigate the conflict over the city. The transfer of power and control from the Israeli nation-state to urban inhabitants could indicate the beginning of a new phase in the urban, political, and ethnic struggle, leading to a desire for the well-being of all city residents. The framework of the "right to the city" has been used in this thesis as a collection of fundamental urban rights for Palestinians in Jerusalem. However, the results reveal that the Israeli central government's objective is undermining all Palestinian urban rights in order to establish Jerusalem as Israel's capital. The significant ethno-political challenges in Jerusalem continue to obstruct a geopolitical agreement. In this context, it is difficult, if not impossible, to identify a complete solution to the conflict in Jerusalem within all of these separation and segregation policies, but it is possible to at least mitigate the impact of this conflict through the critical strategy of successful planning. Concerns about demographic and spatial planning in East Jerusalem, as well as the city's poor social, political, and

economic conditions, underline the crucial need for inclusive and responsive planning and implementation processes. The struggle of Palestinian everyday life emphasizes the need to restructure the power relations that underlie urban space production, fundamentally shifting control away from capital and the state and toward urban inhabitants. In this regard, planning policy is a powerful weapon in the case of Jerusalem, and it may be considered as a critical tool in attaining a better urban living environment for Palestinian minorities. As a result, ensuring Palestinians' long-term access to urban rights necessitates more balanced spatial development in East Jerusalem, implying a major shift away from Israel's dominant one-sided planning policy and toward a localized shared policy that empowers all city inhabitants prior to any 'long-awaited' overall agreement. Planning has the ability to reshape, encourage, and create conflict among urban inhabitants. The role of planners is to manage disparities, as well as the diverse conceptions and goals of all urban communities, rather than imposing their own notions. Embedding the results of the research into a broader framework of urban equality, it can be stated, that the best long-term benefits might be gained through participatory approaches and empowerment that allow relevant parties to collaborate on joint planning while maintaining control over the process for establishing a sense of belonging among all impacted local communities. Therefore, without a major role for Palestinian residents to express their needs and have their voices heard, achieving their urban rights appears to be a far away. In other words, the "right to the city" cannot be guaranteed if the rights to participation, appropriation, movement or residence, and housing continue to be denied or restricted by the occupation. However, based on the findings, such a transfer of authority and control from the Israeli nation-state to urban residents, especially underprivileged Palestinians, looks to be a long way off under the current planning policies and the unstable political circumstances.

The international community, as well as many Palestinians and Israelis, recommend a final *status quo* resolution that results in two separate states, Israel and Palestine, living peacefully side by side with their two capitals in Jerusalem, East Jerusalem, which serves Palestinians, and West Jerusalem, which serves Israelis (Stover & Mankaryous, 2008). However, the results from the research show that the resolution of the two sides' final status negotiations has not resulted in the establishment of a Palestinian state, the end of Israeli military occupation, or the expropriation of additional Palestinian territories for the construction of Israeli settlements. None of the Israeli-Palestinian negotiations have produced an adequate response to the Palestinian struggles, which are far from being acknowledged as long as Israel asserts its sovereignty over Jerusalem. These negotiations reflect the unequal economic and military power balances between Israel and the Palestinians, which benefit Israel, and Israel continues to reject real Palestinian independence. Many

of the Palestinians interviewed believe that this approach is only a Zionist instrument for the continuation of apartheid and colonialism of Palestine from 1948 to the present. The analysis elaborates on the impact of the 'two-state solution,' which has already proven to have many terrible consequences, such as continued occupation, disrespect for Palestinian human rights, postponement of the debate on the Palestinian refugee crisis and the future of Jerusalem, revocation of rights, expanding social inequalities, worsening socioeconomic conditions, intensified political tension, and an ethnocratic regime. For the great majority of Palestinians, Jerusalem is far more than this resolution; it is far more than East Jerusalem, which is the city's eastern parts before to Israel's occupation. During the 1948 battle, all of the villages and towns in West Jerusalem were either evacuated, destroyed, or occupied. For Palestinians, Jerusalem is all of Jerusalem, West and East. Recognizing Palestinians' urban rights will undoubtedly help to the city's stability, as well as its liberation from the prison restrictions imposed by the separation wall. To sum up, this research reveals that the only solution that Palestinians accept it is the return to the roots of the fight and the liberation of the whole historic Palestine. Palestinians perceive their human rights as critical to their liberation from a century of oppression and occupation. Palestinians request not only fully equal treatment as all other citizens from responsible Israeli governments, but also recognition of their rights as a historically excluded indigenous people, systemically subjected to human rights violations. The analytical framework reveals that despite of the Israeli military rule over the Palestinians, Jerusalem has always been perceived as the capital of Palestine by Palestinians, it is the backbone of their historical, religious and cultural ties to the country. Palestinians are serious on staying in Jerusalem and preserving its historical and cultural significance. When I asked what Jerusalem meant to them in majority of the interviewees, the keyword 'homeland' was most used, despite all of the ground realities Israel is attempting to change. This shows that the powerful ambition for freedom which Palestinians share, is reflected onto 'Palestine' as an imagined homeland, an abstract place of belonging, while in fact living under occupation or as 'permanent residents' in Israel. Therefore, they regard Jerusalem's political future as the core of the Palestinian-Israeli struggle, a question that may build or destroy the two sides negotiations. The negotiations will surely fail as long as Israel's planning policies remain ethnocentric.

Therefore, in light of the presented results of the research and based on this analytical framework, what can be implied regarding the resolving of this struggle necessitates international support; otherwise, Israel is likely to continue "creating facts on the ground" as long as there is no serious pressure on it. In such cases of systematic discrimination and forced displacement, international norms may necessitate considerable additional security measures to remedy historical

prejudice and its negative consequences. Furthermore, the designation of Jerusalem as a "*corpus separatum*" in the Palestinian cause reinforces the UN's international responsibility for the city's status. In this environment, the call for Palestinian urban rights in East Jerusalem and Shu'faat refugee camp acquires international legitimacy. In this view, if Israel complies with, UN resolution 181, both sides may be able to negotiate an agreement. This would grant Jerusalem special legal and religious status under the supervision of the international community, which would be a significant boost to the city's long-term peace. Finally, the findings demonstrate that recognizing Palestinian minority' urban rights, as well as referring to a clear planning agenda on behalf of this excluded segment of Jerusalemites under these conditions for Palestinians, would significantly lead to establishing, at the very least, equality in urban life. In practice, the right to participation, appropriation, freedom of movement, inhabit and citizenship, and housing can be achieved only by recognizing all supplementary rights and implementing Israel's laws that allow Palestinian communities to sustain sufficient urban life.

The fear is that if Palestinian Jerusalemites are denied the right to exercise their urban rights, further bloodshed could erupt, endangering the city's security and future. Based on the results of the research, the Palestinian minorities in East Jerusalem are not a peaceful and obedient group that accepts the denial of its rights. As long as Israel denies Palestinians their right to live in their cities, they will exercise them on their own. The lack of Palestinian minorities' rights to participate, dwell, habitat, appropriation, and urban citizenship has given birth to the right to necessity and informal space production, among other things. By exercising their right to necessity, Palestinian Jerusalemites have attempted to resist Israel's geopolitical and demographic policies, for instance, building structures without permission and reshaping their lives according to their needs. As a result of the apartheid system and the lack of a cohesive planning strategy that benefits the whole population, Palestinians strive to control the built environment in order to safeguard their own demands against those of others. The analysis elaborates that Palestinians in East Jerusalem resist, manipulate, and adopt various techniques. East Jerusalemites believe that Israeli policies and laws imposed in East Jerusalem are unlawful under international law. As a result, Palestinians in East Jerusalem and the surrounding regions, such as Shu'faat refugee camp, frequently organize protest marches in order to resist the military land occupation, as clashes occur directly near the crossing borders and military checkpoints. These two case studies are shaped by Israel's willingness to 'control' and 'ignore' the city's eastern parts. The analytical framework underlines that Palestinians understand the overall agenda that Israel has been implementing on the ground, which is why they struggle to devise their own forms of resistance. I believe that Palestinians' desires to be rooted are the most important

condition for their spirits to exist and resist in the future. Finally, it should be emphasized that the most significant issue in putting an end to the denial of the city's Palestinian residents' urban rights is the country's overall political stability.

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