



JERUSALEM QUARTERLY

89

Spring 2022



WHO OWNS PALESTINE? - Part 2

**Evolving Regimes of Land Use and Property in the West Bank:
Dispossession, Resistance, and Neoliberalism**

Fadia Panosetti and Laurence Roudart

**Custodians of Descent: The House, the Church, and the Family Waqf
in the Orthodox Patriarchate of Jerusalem**

Clayton Goodgame

Coronavirus Surveillance and Palestinians

Elia Zureik and David Lyon

**Andalusian and Maghribi Scholars in Ayyubid
and Mamluk Syria (Bilad al-Sham)**

Hatim Muhammad Mahamid and Younis Fareed Abu al-Haija

**The Dom and the African Palestinians: Platforming Two Marginalized
Jerusalem Communities**

Matthew Teller

***Jerusalem, We Are Here: Reflections on the Collaborative Construction
of a Living Archive and Its Offshoots***

Dorit Naaman, Mona Hajjar Halaby, and Marina Parisinou

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EDITORIAL

Of Rights and Exceptions

As this issue of the *Jerusalem Quarterly* goes to press, Shaykh Jarrah remains a neighborhood at its boiling point. At the heart of Palestine's turbulent summer of 2021 (see Nazmi Jubeh's "Shaykh Jarrah: The Struggle for Survival" in *JQ* 86), Shaykh Jarrah's Palestinian residents continue to live under the threat of eviction and face daily disruptions from Israeli settlers, including the Jewish supremacist member of Knesset Itamar Ben Gvir, who set up a temporary "office" in a tent outside the home of the Salem family, one of the families whose eviction is before the Israeli courts. Ben Gvir's provocation predictably set off protests by residents of the neighborhood and their supporters and brought harsh repression by Israeli police and security forces. Even the normally timid Biden administration asked the Israeli government to avoid further escalation and the Jerusalem Magistrate Court suspended the eviction of the Salem family, but not without forcing them to pay a hefty sum as a guarantee pending a ruling on their appeal.

The case of Shaykh Jarrah is broadly indicative of Israel's settler-colonial drive, which seeks to absorb Palestinian land and displace Palestinian people. Beyond this, though, the particularities of the case expose the socio-legal complexities of ownership in Palestine, which shape Palestinians' efforts to maintain their presence on their land, and which Israeli authorities seek to manipulate to produce the opposite effect. Reductively and flippantly described by Israeli officials as a "real estate dispute," the attempt to displace Shaykh Jarrah's inhabitants raises questions about

the legal relevance and interpretation of Ottoman, British, and Jordanian property regimes in Israeli courts; the rights of refugees (and others) in occupied territory; the tensions between Zionism as a project that approaches territory in ethno-national terms and the language and logics of a real estate market; and how and whether it is possible to acknowledge that those who live in a place make it their own through the daily interactions that produce a community. These were among the questions posed and addressed by the New Directions in Palestinian Studies workshop held at Brown University in March 2020, and titled “Who Owns Palestine?” Articles by Elizabeth Bentley and Kjersti G. Berg published in *JQ* 88 emerged from this workshop, and this issue features two further NDPS contributions.

In “Evolving Regimes of Land Use and Property in the West Bank: Between Dispossession and Resistance, and Neoliberalism,” Fadia Panosetti and Laurence Roudart explore various strategies – “neither fully isolated and spontaneous, nor fully organized and coordinated” – that Palestinians have employed to stave off (further) dispossession in the villages of al-Walaja and Wadi Fukin. Both villages, which lie to the south of Jerusalem, lost significant agricultural lands in 1948 and are hemmed in by Israeli settlements and the 1949 armistice agreement line (the Green Line). In the 1970s and 1980s, economic circumstances and the threat of land expropriation led villagers in al-Walaja and Wadi Fukin to shift away from seasonal crops toward olive cultivation, which required less intensive upkeep, and to adopt informal systems of land borrowing within extended families, which allowed land to remain under cultivation even as its legal owner sought employment outside the village. In recent years, however, the authors also note the devastating impact of Oslo on the Palestinian political economy and the concomitant turn to increasingly individualized tactics of land use, fracturing collective efforts and leaving land in villages like al-Walaja and Wadi Fukin vulnerable to the twin menaces of the market and the settler-colonial state. Perhaps the clearest manifestation of this double-barreled assault is in al-Walaja, part of which Israel annexed within the expanded Jerusalem municipality, thereby driving up real estate prices to a spectacular degree while threatening dozens of buildings with looming demolition orders.

Kinship is a central component of the Palestinian strategies to resist dispossession examined by Panosetti and Roudart, and it also lies at the heart of the property relations between Palestinians (and, in particular, Palestinian Christians) in Jerusalem’s Old City and the Orthodox Church, the subject of Clayton Goodgame’s “Custodians of Descent: The Orthodox Patriarchate of Jerusalem and the Family Waqf.” Goodgame argues that the Ottoman categorization of Church property as family waqf has structured the relationship between the clergy and the laity in the Old City, including refugees from 1948 and their descendants, who became “protected tenants” in Church property. Palestinian Christians within the Old City walls thus became part of an extended Church “family,” while recognizing that the Church’s position as the ultimate owner guaranteed their relationship to the land. Attending to these affective dimensions of property relations allows insight into Old City Christians’ support for the Church, including their willingness to will privately-owned property to it, despite

recent scandals – including those involving selling or leasing Church property to Israeli groups. As Goodgame notes:

The interesting question is thus not why people give property away – clearly, the settler threat presents an incentive to avoid selling to individuals or investors – but why they give to the Orthodox Church in particular, rather than an NGO, the Palestinian Orthodox Club, or a more trustworthy church? Here, security is not the only explanation. Palestinian donors do not blindly trust the patriarchate. Rather, they usually have a longstanding relationship with it, to the extent that donating their property may not feel like giving it away at all.

Palestinians' resistance to dispossession and displacement – in the Old City, Shaykh Jarrah, al-Walaja, and throughout Palestine – inevitably mobilizes a multifaceted machinery of repression. Surveillance and policing have a share in the spotlight in this issue of *JQ*, spanning a period from the early 1920s under the British Mandate until the present time. Mahon Murphy's review of Seán William Gannon's *The Irish Imperial Service: Policing Palestine and Administering the Empire, 1922–1966* highlights how the Palestine Police Force came to represent a paradigm for imperial policing as a whole. He highlights Gannon's challenge to the prevailing view that Irish contributions to the administration of the British Empire ceased after 1922 with independence, and shows how Irish recruits were part of the imperial project and the "imperial ruling caste."

On a general level, the logic of policing is the same whenever there is an imperial or colonial power that attempts to maintain its control over the population through practices of containment, tracking, disciplining, violence, and various forms of punishment. Palestine has served as a laboratory of this kind of logic, from the days of the British Mandate, especially during the suppression of the Great Revolt, to the present day.

Of more immediate concern today are the longer- and shorter-term implications of the aggressive surveillance, tracking, and tracing practices that have been introduced in Israel during the coronavirus pandemic. Elia Zureik and David Lyon's essay in this issue of *JQ* argues that we are in the midst of "the second major state of exception, after 9/11, within which legal and regulatory safeguards have been suspended to allow surveillance under the guise of safety." They discuss the involvement of the General Security Services (Shin Bet) in high-tech surveillance practices, particularly in the early months of the pandemic, and of the role played by the notorious NSO and Elbit Systems, part of the edifice of control at Israel's disposal. They conclude their essay by warning:

It is clear that strategies to contain COVID-19 are unevenly distributed on racialized lines, in Israel/Palestine. Preexisting public healthcare disparities that disproportionately disadvantage Palestinians have become vividly visible in the time of coronavirus. Decisions about who

may live and who is allowed to die may be obscured by bureaucratic regimes and contact-tracing algorithms, but their effects are all too physical. Meanwhile, in the process of dealing with COVID-19, the same forces of racialized biopolitics strengthen their hand by ensuring that emergency measures can become routinized, permitting even greater surveillance and thus control over populations.

On a more local level, the politics of COVID-19 are present in other aspects of daily life experienced by Palestinians in the West Bank and Gaza. One area has been variously called “vaccine apartheid” or “medical apartheid” by analysts and commentators, whereby Israel has refused to acknowledge that it has a responsibility to provide vaccines for Palestinians under its rule. In January 2021, a consortium of Palestinian human rights organizations declared that the Israeli vaccine policy was implemented in a discriminatory, unlawful, and racist manner by completely disregarding its obligations to Palestinian healthcare. International media have also highlighted the irony of Israeli offers of vaccines to political allies while ignoring the needs of most of the Palestinians under its rule.

COVID-19 politics entailed other features provoking insecurity and distress among Palestinians. Anxiety was the order of the day in February 2021 when Israel opened a window for vaccinations at the Qalandiya checkpoint separating Jerusalem from the northern West Bank. Ostensibly set up to serve Jerusalem’s Palestinians living outside the Wall as well as Palestinian workers in Israel, the vaccination station attracted throngs of anxious hopefuls from the vicinity, leading to extreme congestion and thus the creation of optimum conditions for the transmission of the virus. Rumors of the smuggling of well-heeled Palestinians from the West Bank to East Jerusalem vaccination facilities by middlemen became part of the folklore of the pandemic in the days before free vaccines became widely available in the West Bank.

One of the more troubling aspects of COVID-19 politics has been the lack of transparency in the Palestinian Authority’s acquisition and administration of vaccines, including of supplies received through or from Israel. There are strong suspicions and some evidence, including admissions by government officials reported by the Associated Press, al-Jazeera, and other local and international media, of corruption favoring sectors of the security and political apparatus in the allocation of vaccines. This was particularly relevant in the first few months of the pandemic, when the supply of vaccines was scarce and a heightened state of concern prevailed among Palestinians eager to travel, work, and carry out essential functions.

There also continues to be wide public criticism of the abuse of the controversial and contested state of emergency declared by the Palestinian Authority in early 2020 to carry out arrests of journalists and human rights and other activists, partly through the monitoring of social media accounts, in both the West Bank and Gaza Strip. The Palestinian prisoner rights organization Addameer reported that the pursuit of Palestinian political activists was enhanced after the declaration of the state of

emergency. The issue remains in the public eye and is being closely monitored by Palestinian and international organizations.

Of particular concern was the danger of coronavirus contagion in cramped and unsanitary Palestinian detention facilities and in vehicles used to transport detainees to court, as well as the postponement and delay of court sessions dictated by outbreaks of the virus. There was also great concern for the safety of Palestinian prisoners in Israeli detention centers and prisons, where several coronavirus outbreaks have been recorded.

The issue of the implications for civil liberties of the continuing state of emergency is likely to remain in the public sphere for some time to come; heeding the warning issued by Zureik and Lyon, we must be mindful of the implications of expanded surveillance activities, even beyond the pandemic. This is equally relevant to Palestinian citizens of Israel and to the population of the West Bank, including Jerusalem, and of Gaza. Indeed, it has come to light recently that the telephones of several employees at the six Palestinian civil society organizations declared “terrorist” organizations in the West Bank in October 2021 had been targeted by Israeli spyware.

Finally, in this issue, the first under our editorship, we would like to recognize the efforts of Salim Tamari, the founding editor of *JQ*, and Beshara Doumani, *JQ*’s co-editor since 2019, who along with the editorial committee, editorial staff, and many contributors, have worked to make the *Jerusalem Quarterly* an invaluable forum for addressing Palestinians’ historical and ongoing experiences in and beyond Jerusalem. As we look to the future, we plan to build upon these foundations and continue *JQ*’s work of bringing new and important perspectives to its readers.

Submissions General Guidelines

The Jerusalem Quarterly (JQ)

The *Jerusalem Quarterly* accepts author submissions of original contributions about Jerusalem, its social and political history, and its current realities. Occasionally personal memoirs or works of fiction are accepted. Submissions are received throughout the year; specific deadlines for special thematic issues may also be announced.

JQ sends all manuscripts to designated readers for evaluation. Authors may also specifically request that their article be peer-reviewed. Authors should allow four to eight weeks from the date of submission for a final evaluation and publication decision.

Please direct submissions or queries to the *JQ* team: jq@palestine-studies.org

General Guidelines

Material submitted to *JQ* for consideration should adhere to the following:

- **Length:** Articles for peer-reviewing should not exceed 8,000 words; essays should be between 3,500 and 5,000 words; "Letters from Jerusalem," reviews, and submissions for other sections should not exceed 3,000 words. All submissions should include an abstract of a maximum of 200 words; a list of up to 10 keywords; and a brief author's biography of a maximum of 25 words. NOTE: the above word-count limits exclude footnotes, endnotes, abstracts, keywords, and biographies.
- **Spelling:** American English according to Merriam-Webster.
- **Text style:** Refer to *Chicago Manual of Style* (CMOS) for all questions regarding punctuation, capitalization, and font style.
- **Transliteration** of names and words in Arabic, Hebrew, and Turkish should follow the style recommended by the *International Journal for Middle East Studies*, but modified for Arabic transliteration by omitting all diacritical marks except for the 'ayn (open single quotation mark) and hamza (closed single quotation mark). No right-to-left letters are allowed, except for very limited instances of crucial need.
- **Citations** should be in the form of endnotes and written in full (CMOS), as in the original source, with transliteration as needed.

- **Book reviews:** a high-resolution photo of the book cover should be included, as well as a scan of the copyrights page.
- **Visual material:** any photos, charts, graphs, and other artwork should be of high resolution. For details, please see the section below.

Guidelines for Visual Material

The *Jerusalem Quarterly* encourages the inclusion of visual material, wherever possible, for articles, essays, and for other sections submitted for publication. Visual material can be photographs, scans, charts, diagrams, graphs, maps, artwork, and the like (hereafter called ‘figures’).

When including any figures, please keep in mind the following guidelines:

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- **Captions:** authors should provide full captions (including, when applicable: source, credits, dates, places, people, explanation of content, etc.).
- **Color Figures:** thus far, *JQ* has been more inclined to publish photos in black and white mainly because of the subject matter of the articles and essays, but for some time now we have been accepting both options. Since printing in full color is more costly, we sometimes opt to publish in black and white figures submitted in color. If this is not acceptable in the case of a specific figure, we kindly ask authors to notify us in writing.

Evolving Regimes of Land Use and Property in the West Bank

Dispossession, Resistance, and Neoliberalism

Fadia Panosetti and
Laurence Roudart

Abstract

This article examines the strategies of land use and property that Palestinians have implemented to oppose and complicate processes of land dispossession under changing political-economic circumstances. Specifically, it focuses on the period from the beginning of the 1980s until the Oslo accords, and on the post-Oslo era. Through an in-depth analysis of site-specific practices of land use and property in the villages of al-Walaja and Wadi Fukin, it argues that in the rural areas of the West Bank, from the pre- to the post-Oslo period, the core of the property strategy through which Palestinians have advanced claims over the land has evolved from a set of collective relationships into an individual, market-based relationship. Based on extensive ethnographical fieldwork carried out in 2018 and 2019, this article brings together insights from the fields of agrarian political economy, settler colonial studies, and indigenous studies to question the assumption that individual ownership of land is an effective protection against land dispossession, especially in settler-colonial contexts.

Keywords

Regimes of land use and property; settler colonial dispossession; neoliberalism; land politics; rural West Bank.

*In 'Ayn al-Hanya, unleash your horse and let it drink
A hundred would be unleashed and a hundred would be drinking
Two hundred [. . .] girls trilling around it
Two hundred jewels spread around it*

In the old days our grandmothers used to sing this song. Today the Israelis took over 'Ayn al-Hanya [al-Hanya spring]; they let foreign visitors see it but they prevent us from going there.¹

'Ayn al-Hanya is one of the over twenty natural springs of al-Walaja, a rural village located in the southern outskirts of Jerusalem that, along with neighboring villages such as Battir, Husan, and Wadi Fukin, used to be known for the abundance of water flowing into their agricultural land. Since 1948, the story of these springs has been tied to the relentless settler colonial process of dispossession and repossession of indigenous lands, whose latest episode was the enclosure of 'Ayn al-Hanya in 2018: isolated from the rest of the village of al-Walaja by the Wall and a checkpoint, 'Ayn al-Hanya and vast tracts of its surrounding agricultural land are currently located in the seam zone, an enclave of land trapped between the Wall and the Green Line. Even if they retain *de jure* ownership of this land, the villagers are *de facto* no longer able to access and use it, especially after part of it was turned into an Israeli national park (Refa'im Park).

In settler colonial contexts, land use is a crucial determinant of land-as-property and, as Brenna Bhandar and Eyal Weizman suggest, an arena for advancing land claims and shaping prevailing property relations.² This article identifies strategies of land use and property that Palestinians have implemented to oppose, resist, and complicate processes of land dispossession from the beginning of the 1980s until the Oslo accords and in the post-Oslo era. It analyzes how such responses have articulated with political, economic, and spatial structures, paying particular attention to Palestinian national strategies of agricultural development, land property rights, and market conditions.³ The article also seeks to understand how these responses have shaped "how indigenous people now think and act in relation to the land" and to each other.⁴ It argues that in the rural areas of the West Bank, from the pre- to the post-Oslo period, the core of the property strategy through which Palestinians have sought to protect their land from dispossession has evolved from a set of collective relationships into an individual, market-based relationship.

Through an in-depth analysis of these processes in two villages, al-Walaja and Wadi Fukin, we intend to offer insights on, rather than compare, the kind of site-specific practices of land use and property that have emerged at different historical junctures in response to processes of dispossession. This work is based on extensive ethnographic fieldwork carried out between 2018 and 2019: we conducted over sixty interviews with villagers, lawyers, and civil society actors; we collected archival materials; and we carried out field observations and geospatial analysis of land use changes in al-Walaja and Wadi Fukin. Additionally, fieldwork with the Applied Research Institute of Jerusalem, the Union of Agricultural Worker Committees, and the Committee against the Wall and Settlements allowed us to gain a deeper understanding of Israeli land policies in the region of Bethlehem.

From a conceptual point of view, we consider that land is both a material object – which can be used for the production of subsistence and other goods and services – and a social and political object. As such, each parcel of land may be the object of a bundle of rights – use, usufruct, waste, alienation, destruction, and so on – and these different rights may be held by different actors, individual or collective.⁵ Within this perspective, we understand land dispossession to encompass those situations by which land users lose all or part of their land rights under external pressure and thus against their full will.⁶ In turn, land dispossession entails a disruption of livelihoods, social relations, and collective identity. Indeed, land rights are enshrined in social relationships.⁷ This is why land property is regarded here as a “relational meshwork,” through which individuals “structure the use, possession, occupation, and imagining of land.”⁸ Norms and practices regarding land property have been diverse across societies, depending on ecological context and social history. For example, in his typology of land property regimes, Étienne Le Roy distinguished twenty-five types.⁹ Thus, private ownership of land – where all (or nearly all) rights, including the right to alienate, are held by one person, natural or legal – is only one particular way to organize the control and use of land. The same applies to its usual complement, namely public ownership of land – where a public authority, the state in many cases, holds all the rights. Within a given society, several sets of norms and practices may coexist with regard to different kinds of land.

In today’s world, however, privatization and marketization of land are gaining ground, facilitated by new land laws enacted in many countries since the 1990s.¹⁰ According to its proponents, private land ownership has the advantage of being a secure mode of land tenure, which favors long-term investment and access to formal credit, as land can be used as collateral. Further, land markets allocate land to the highest bidders, who are supposed to be the most productive.¹¹ The drive toward land privatization and marketization has a long and varied colonial history that goes beyond settler colonial contexts. In the nineteenth and twentieth centuries, Western colonial governments promoted these policies in their colonies in the name of economic productivity and efficiency. But the current drive is strongly related to the expansion of neoliberal policies since the 1970s and 1980s. These policies are based on the premises that, in any society, the market is the most effective way to coordinate individual actions and competition between individuals is the best way to achieve economic efficiency. Competition is organized through the prices of goods and services. Far from signifying the state’s non- (or limited) intervention in the economy, neoliberalism instead assigns an active role to public policy: that of setting up markets and maintaining the conditions of their functioning, in other words organizing the economy and the society in terms of the market.¹² Within this context, land is a major issue for governments as well as for international organizations such as the World Bank, which assists countries “to recognize equitable land and property rights for all; improve policies and law; title, survey and register land; resolve land conflicts; and develop land administration services.”¹³

This article begins with a historical overview of regimes of land use and property

in Palestine. It then introduces the sites of al-Walaja and Wadi Fukin and features their spatial, economic, and social evolution since the Nakba. In the third and fourth sections, it analyzes changes in land use patterns that emerged in response to Israeli attempts to dispossess villagers of their remaining land, and the set of social relations, practices, and representations that have prevailed among members of rural communities with respect to each other and to the land, before and after the Oslo accords.

Regimes of Land Use and Property in Palestine

Co-ownership, Expansion of Private Ownership, and Conflicting Claims

Under Ottoman rule, Palestinian land was classified into several categories, among which three were of particular significance: 1) *miri* land, by far the most widespread, was owned by the state and farming families were granted usufruct rights upon payment of high tributes to the sultanate; 2) *mülk* land, less extensive, was akin to freehold land; and 3) *mawat* land was uncultivated land without owners, but which individuals could claim for cultivation under specific circumstances.¹⁴

In most villages, access to and agricultural use of *miri* land and water springs were regulated by a collective system of ownership known as *musha'*. This system was anchored in an equalizing principle that preserved rights to land and water shares for all of the village's families: usage rights were periodically redistributed among the families according to their workforce and needs, through direct negotiation between the male members of the extended families (*hama'il*).¹⁵ Each family kept for itself the harvests from its temporarily held pieces of land.¹⁶

During the eighteenth and nineteenth centuries, private ownership of land developed in Palestine, with rich urban or rural notables buying *miri* land from the sultanate, which was in need of money, and from destitute freeholders who defaulted on loans taken out from these notables.¹⁷ This trend was consolidated by the 1858 Ottoman Land Code, which enabled the privatization of *musha'* land, with the objective of encouraging farmers to improve their land and increase taxable output, and formalized the procedures to buy, sell, mortgage, or inherit land. Each would-be smallholder had to register his land with the state administration. Fearing additional taxes and conscription, farmers refrained from registering land and, as a result, private land ownership did not spread widely among them. It is estimated that around 70 percent of cultivated land in Palestine was still held under the *musha'* system in 1914.¹⁸ Still, an active land market developed, which led to land concentration in the hands of a largely urban and absentee elite, and to a process of social stratification between these elites, smallholders, and landless rural populations.¹⁹

Private ownership of land gained further ground during the British Mandate (1918–48), as colonial administrators launched various programs aimed at “developing” Palestine. These programs included partitioning and privatizing *musha'* land through a comprehensive survey that would assess and register ownership claims and assign land titles. They also included consolidating control over lands that were claimed to be state domain.²⁰ Throughout the 1920s and 1930s, the implementation of these colonial

land policies resulted in the acceleration of land transfers from Arab landowners to Jewish purchasers, and to an overall increase of land leases and concessions granted on state domain by British authorities to Jewish settlers.²¹ The latter were backed by Zionist agencies, such as the Jewish National Fund (JNF), that incentivized Jewish immigration in Palestine and promoted afforestation schemes on uncultivated “dead” lands, a key activity for developing the landscape according to British authorities. The planting of non-native tree species such as pine and cypress trees not only symbolized the act of redeeming the land by mixing Jewish labor with the soil, but it was also an effective means through which settlers could advance and consolidate land claims in Palestine. Jewish tree-planting became a synonym for land transfers and dispossession of rural Arab communities, who increasingly understood British policies as favoring settlers’ encroachment on the land.²²

Rural populations fought many claims over lands declared state property, fearing that they could be leased to Jews, and they opposed Jewish afforestation plans through a variety of means that included cutting down, damaging, and, in extreme cases, setting fire to trees. At the same time, they planted and cultivated fruit trees as a strategy to advance claims on all kinds of land, including disputed lands. In some cases, disputed lands were planted overnight with trees taken from the Mandate forestry department. Fearing that these trees could be distributed to Jews, Arabs would plant them first in order to establish a claim over the land.²³ Moreover, Arab villagers refused to cooperate with Mandate surveyors who were reliant on the participation of local claimants for their surveys.²⁴ In such a way, they sought to preserve the land under the collective *musha* ‘ system, considered as a “safeguard against alienation.”²⁵ In spite of this, the privatization of land advanced during the Mandate, at the end of which only 25 percent of cultivated land was still *musha* ‘.²⁶

The formalization of land titles continued under Jordanian rule (1950–67),²⁷ but was halted by the Israeli occupation of the West Bank in 1967: at that time, only around 30 percent of the West Bank had been registered in the Jordanian landholding books.²⁸ In the eastern area of Bethlehem, for example, Jordanian surveyors had worked in the town of al-Khadr, but they had been unable to do the same in al-Walaja and in Wadi Fukin.²⁹ As a result, over 90 percent of these latter villages’ *miri* lands still have no formal title of ownership today.³⁰

Undermining Palestinian Forms of Use and Property, Land Seizure

Control over Palestinian land, understood in its spatial, economic, social, and symbolic dimensions, has been central to the Israeli settler colonial project, oriented first and foremost toward the erasure of the indigenous population’s relation to the land. However, according to Karl Polanyi, this kind of endeavor is not unique to settler colonialism but inherent to any process of modern colonization: “For in every and any case the social and cultural system of native life must be first shattered.”³¹ Through the combination of different techniques, legal and otherwise, the Israeli state has worked to degrade and render illegible indigenous uses of the land, as well as configurations of ownership, and replace them.³² Israel has justified its land policies by the economic

rationale of using the land effectively.³³ As in other historical instances of organized land dispossession, some lands have been declared “unused,” thus justifying their seizure.³⁴ In the case of Palestine, the main objective has been to establish a Jewish presence on the land, through cultivation and settlement. As Bhandar emphasizes, this discourse of “unused land” is coherent with the “Zionist historical narrative of [the] divine claim to the land” that resulted in a host of dispossessionary policies, key among which is the declaration of vast tracts of Palestinian land as “state land.”³⁵

After the Elon Moreh case in 1979, when the Israeli High Court of Justice rejected the seizure of Palestinian land for settlements on “security” grounds, a widely used technique after 1967, Israel increasingly turned to a legal strategy of seizing any “unused” and untitled land in the West Bank by declaring it “state land.” This has happened through a wholesale reinterpretation of the Ottoman legal criteria for classifying and establishing rights over *mawat* and *miri* lands: on the one hand, Israel restricted individuals’ ability to acquire land rights by improving *mawat* lands;³⁶ on the other hand, it adopted the principle that any untitled *miri* land left uncultivated for a certain period would revert to the state.³⁷ In this way, the Israeli state has dispossessed Palestinians of vast tracts of *miri* and *mawat* lands since 1979. These evolving strategies and practices of dispossession show how, for Palestinians, the 1948 Nakba was not a one-shot catastrophe but an on-going process. The cases of al-Walaja and Wadi Fukin show how this continuous Nakba has restructured indigenous space in ways that work to erase their local practices of land use, their livelihoods, and modes of life.

Al-Walaja

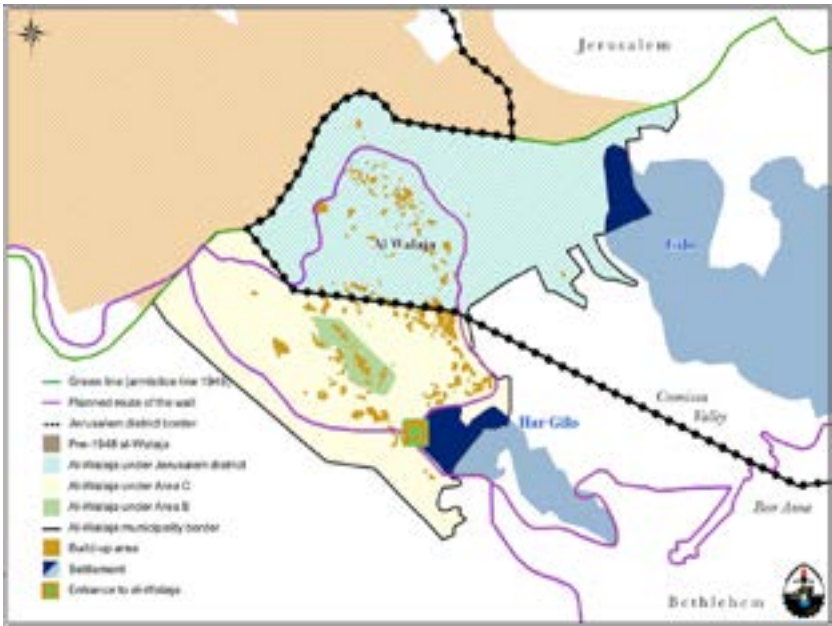
Following the signature of the armistice agreement between Israel and Jordan in 1949, the larger part of al-Walaja’s lands fell under the control of the newly established state of Israel, while its eastern part was included within the West Bank (see map 1). As a result, al-Walaja lost over 70 percent of its original territory, including its built-up area, and its inhabitants were forced to leave.³⁸ The majority fled to refugee camps in Jerusalem, Bethlehem, and Jordan; around 5 to 10 percent fled to the West Bank side of the village. As an elderly woman recalled: “When we fled, we had no money, no wheat, and no barley... People had nothing when they fled, not even water. We fled at night, each person telling the other to run away.”³⁹ This woman, her family, and the rest of the displaced inhabitants waited for a chance to return to their homes: “The UN had promised us that we would go back,” an old man pointed out, “but we didn’t and now we are still refugees.”⁴⁰

The Israeli military forces deliberately razed the village in 1954, and those who had moved to the eastern side of the village started to build the “new” village of al-Walaja there in the 1960s. However, this eastern area was small, and largely made up of uncultivated mountainous (*jabali*) and waste (*bur*) land, with scarce water resources. Villagers gradually developed this land to cultivate rainfed field crops, seasonal vegetables, and fruit trees, but agriculture ceased to be the primary source

of income by force of circumstances, and villagers were compelled to embark on a process of livelihood diversification.

In the aftermath of the 1967 war, Israel occupied the West Bank and Jerusalem and forcibly integrated the Palestinian economy into its own. Palestinian markets, including agricultural markets, were overwhelmed with low-priced, in some cases subsidized, Israeli goods. Because of the competition with Israeli products, Palestinian agriculture became less and less profitable. One farmer described the dynamics of agrarian change in al-Walaja in the 1970s and 1980s:

In my family, we used to plant grapes. It was a big effort to produce them and then, on the market, the price of our product was very high compared to the price of Israeli products. Agriculture became unprofitable and insufficient to cover our needs. So, I realized that I needed to start working somewhere else. This was the Israeli policy to keep us away from our land, so we started looking for jobs in the Israeli market.⁴¹



Map 1. The new al-Walaja. Map by Issa Zboun, Geo-Informatics Department, Applied Research Institute of Jerusalem (ARIJ), Bethlehem, Palestine; modified by Mikko Joronen.⁴² Reproduced here with the permission of the authors.

Palestinian labor flowed into Israel: between 1970 and 1973, when wages in Israel were double those in the West Bank, most of the men of al-Walaja started commuting as day-laborers to Jerusalem, Tel Aviv, and other Jewish-Israeli cities to provide for their families, while women, elders, and children continued to tend home gardens and domestic animals and prepare dairy products for family consumption, exchange, and

distribution among neighbors.⁴³ The labor transfer was part of a broader Israeli strategy to free up the land in order to establish settlements.⁴⁴ Indeed, Israel established over 130 Israeli-Jewish settlements in the West Bank between 1967 and 1993, including Gilo (1971) and Har Gilo (1972) on the land of al-Walaja.⁴⁵

Moreover, in 1981, 13 percent of al-Walaja's territory – the neighborhood of 'Ayn al-Juwayza – was unilaterally annexed to the Jerusalem municipality. Yet, in most cases, inhabitants of 'Ayn al-Juwayza were granted neither Jerusalem residency nor Israeli citizenship and consequently Israel considers them illegal dwellers in that area. In an effort to pressure residents to leave, the Israeli state regularly targets 'Ayn al-Juwayza for house and agricultural infrastructure demolition, including the uprooting of trees, while failing to approve an official master plan that would allow its inhabitants to engage in construction under Israeli law.

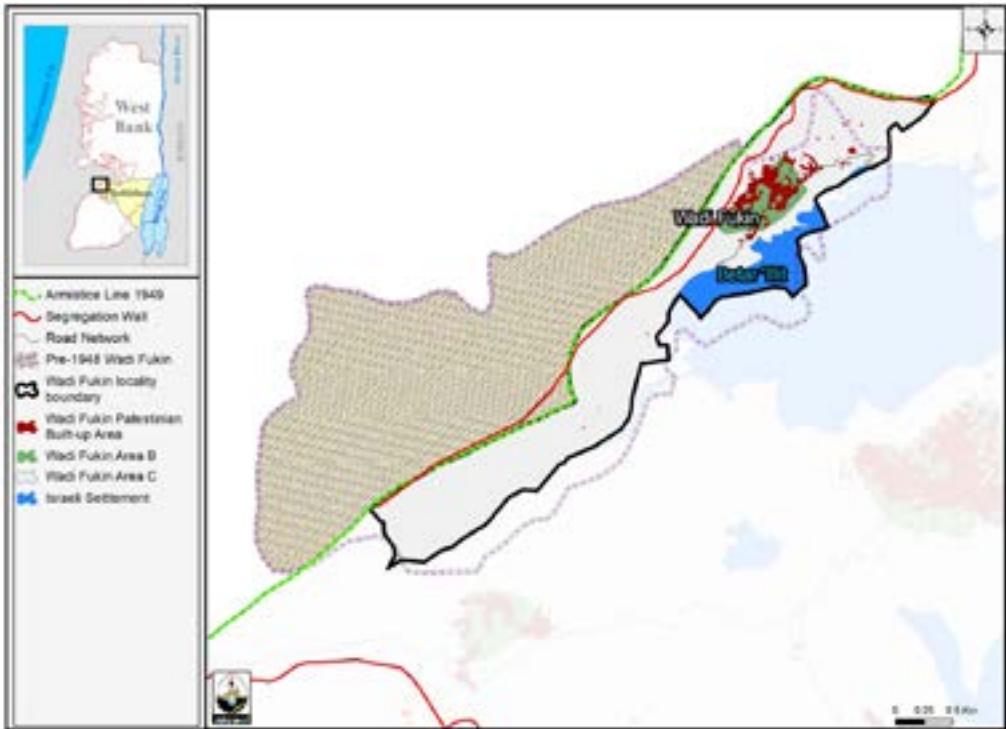
Following the Oslo accords (1993–95), 97 percent of the land located within the West Bank side of al-Walaja was classified as Area C and placed under total Israeli civil and military authority, which enforces severe restrictions on using, developing, and building on the land there. Only 3 percent of the village was classified as Area B, under partial control of the Palestinian Authority (PA). The case of al-Walaja illustrates well why many analysts consider the Oslo accords to have entrenched Israeli control over the land, rather than representing a success for the Palestinian struggle for self-determination through the establishment of the PA.⁴⁶ In the West Bank as a whole, Area C accounts for 70 percent of the territory.

Moreover, in the 2000s, the village was almost completely surrounded by the separation Wall. As the Wall was not built along the pre-1967 border (Green Line), it created a so-called “seam zone,” an enclave of land bordered by the Wall on the east and the Green Line on the west. This is where most of the villagers' olive orchards and agricultural terraces, as well as 'Ayn al-Hanya, one of the few springs left to the village, are located. Palestinian access to this land is regulated by a system of agricultural gates and permits that are granted only to those who have formal proof of land ownership. Since 2013, Israel has turned part of this seam zone into Refa'im Park, which Jewish-Israeli residents of Jerusalem and the nearby settlements use for recreational activities.⁴⁷

Wadi Fukin

Wadi Fukin, located eight kilometers southeast of al-Walaja, was also transformed into a “border” site by the 1949 armistice line (see map 2). The armistice agreement ceded the entire land base of the village, including its inhabitants, to Israel that, in violation of the agreement itself, expelled the people of Wadi Fukin across the demarcation line.⁴⁸ As a result, people mainly fled to the neighboring villages of Nahalin and Husan but also to Red Cross refugee camps. Israel was condemned for its action within the Israel-Jordan Mixed Armistice Commission, and the UN mediated a new accord between Israel and Jordan, which changed the position of the armistice line, allowing the return of people to Wadi Fukin in exchange for other

lands in the region of Bethlehem.⁴⁹ Nevertheless, tensions over the exact location of the borderline continued, leading to attacks on the village until 1954, when the Israeli army evacuated the entire village for a second time, forcing most of its residents into Dahaysha refugee camp in Bethlehem. Only a small percentage moved elsewhere in the West Bank or Jordan. However, according to elders, people never completely left Wadi Fukin: villagers continued to cultivate their parcels of land, commuting daily in secret from neighboring villages at first and then, throughout the 1960s, from the camp of Dahaysha.⁵⁰ Therefore, through some sort of “guerrilla agriculture,”⁵¹ most of the families preserved their land and water rights.



Map 2. Wadi Fukin. Map by Ayman Abuzahra; the Wall (red line) is planned and has not been built yet. Geo-Informatics Department, Applied Research Institute of Jerusalem (ARIJ), Bethlehem, Palestine. Reproduced here with the permission of the author.

In 1972, after almost twenty years of displacement, villagers of Wadi Fukin resettled in the eastern part of their original village land located in the West Bank. According to oral history, the mukhtar of the village, who was also residing in Dahaysha camp, wrote to the Israeli authorities asking for their permission to move back to the village. It is unclear whether official permission was granted or not, but villagers point to the broader context that helped make their return possible. First, after Israel occupied the West Bank in 1967, the borderline between Jordan and Israel moved to the Jordan River and, consequently, mitigated Israeli concerns over security in borderline areas

such as Wadi Fukin.⁵² Second, Israel had no clear settlement plans for the area at that time and, thus, the return of people to Wadi Fukin was not necessarily perceived as a threat. Third, at the beginning of the 1970s, the Israeli authorities, concerned about the growth of the Palestinian resistance operating from the camps in Gaza, moved Palestinian refugees from Gaza to the West Bank, including to Dahaysha refugee camp.⁵³ Within this frame, hundreds of families were given money and a house to transfer to camps in the West Bank: “Anyone who would give away his Gaza ID would get seventy JD [Jordanian dinars],”⁵⁴ recalls an old man from Wadi Fukin. At the same time, refugees already living in West Bank camps were encouraged to find accommodations elsewhere. Elders from Wadi Fukin who used to live in Dahaysha recall being urged to leave their houses in the camp to the newly arrived refugees from Gaza. All of these circumstances favored the return of some of the people of Wadi Fukin to their village.⁵⁵ In 1972, villagers moved back and rebuilt Wadi Fukin in a collective effort supported by a system of popular committees.

Despite the loss of six out of the seven valleys that constituted the original area of Wadi Fukin, those who returned to the remaining land continued to have access to abundant water resources. In the valley, a system of eleven springs enabled farmers to plant irrigated vegetables. They also redeveloped rainfed field crops mainly used as fodder for their sheep and goats. As a result, in Wadi Fukin, unlike al-Walaja, agriculture remained the primary source of livelihood for most of the families until the 1980s. However, the loss of most of the arable and pasture land meant that agricultural activity could never reach pre-1948 levels. Agriculture suffered another blow in 1985, when vast tracts of land were declared “state land” to establish the Jewish-Israeli settlement of Beitar Illit. Since then, buildings meant for low-income Israeli ultra-Orthodox have penned in Wadi Fukin on its eastern side. In addition, it has been squeezed on its western side by the expansion of Tzur Hadassah, built upon the Green Line on the site of Ras Abu ‘Ammar, a Palestinian village depopulated in 1948 and destroyed in the 1950s. Today, Wadi Fukin is an isolated enclave, internally divided into administrative zones by the Oslo accords.

Despite the differences between al-Walaja and Wadi Fukin, both exhibit the major changes in Palestinian use of rural highlands from the two decades following the Israeli occupation of the West Bank, as a consequence of Israeli policies that restricted agricultural expansion and investments, imposed limits on water use for agricultural purposes, and encouraged the transfer of farmers from agriculture to wage-employment in the Israel economy.⁵⁶ As Palestinian farmers’ ability to cultivate their lands diminished, so did the total area under permanent cultivation. As a result, vast tracts of territory were exposed to seizure as “state land.”

Collective Planting for the Homeland

At the turn of the 1980s, in response to Israel seizing Palestinian lands under the banner of “state land,” Palestinians adopted a preventive strategy of expanding cultivation to protect from confiscation land that had previously been abandoned or

used irregularly. The centrality of cultivation to land politics in Israel/Palestine has been largely acknowledged. Studies have focused, for example, on how the Palestinian olive tree and the Israeli pine tree play an integral part in the battle for asserting control over territory.⁵⁷ Yet, the conditions and practices that render cultivation, as a political practice, possible – or impossible – are often absent from these accounts. Omar Tesdell and Paul Kohlbry have narrowed this gap by analyzing how alternative forms of agricultural development became crucial to the broader political strategy of the 1980s that sought to confront occupation and dispossession.⁵⁸ Within this frame, rendering cultivation viable from an economic point of view and building a self-reliant and resistant Palestinian agricultural sector were deemed crucial for both political and economic reasons. As Hisham Awartani explained, the main objectives were to protect the land from confiscation, to raise the share of agriculture in the income of rural families as an alternative to wage-work in Israel, and to reduce Palestinian dependency on the Israeli economy.⁵⁹ All of this was inspired by the wider notion of *sumud muqawim*, a local idea of dynamic resistance to the occupation that involved farmers and other social groups in transforming cultivation into a site of collective anti-colonial contestation.⁶⁰

Palestinian scientists began to carry out research and produce data on, for example, the distribution of land in the West Bank according to its use, with a view to assess which land was apt for which type of agricultural use. Combined analyses of soil structure, rainfall, and topography provided a database to explore the most suitable land reclamation methods in each district of the West Bank.⁶¹ Other studies focused on whether irrigated or rainfed crops would better meet objectives of expanding land utilization and supporting domestic rural economies.⁶²

Meanwhile, Palestinians set up a system of mass organizations, agricultural groups, and committees to support farmers and provide them with technical assistance to increase their capacity to protect endangered lands through extended use, land reclamation, and construction of new agricultural roads and cisterns to collect rainwater. Within this context, farmers were encouraged to plant olive and fruit trees that “could help complicate and impede Israel’s settlement policies.”⁶³ The Palestinian Agriculture Relief Committee (PARC), for instance, distributed millions of olive trees, especially in the southern central highland region, that were planted in open spaces used for animal grazing and in rainfed cropping areas.⁶⁴

Change in Agricultural Land Use

During this period, both Wadi Fukin and al-Walaja saw a shift from seasonal crops to olive trees in rainfed agricultural areas: tree cultivation required less labor time and capital than field crops, and was thus better adapted to villagers’ resource constraints. In addition, uncultivated lands were reclaimed to expand olive tree cultivation. Land that could not be reclaimed due to the high cost continued to be used as natural pastures for sheep and goats.

According to oral histories with elders in Wadi Fukin, before the 1980s, topography and rainfall generally determined which crops were grown where in the village.⁶⁵ On

the gentle slopes of the hills encircling the village, farmers used to practice rainfed cropping with cereals such as barley, wheat, and local sorghum (*dhurra bayda*), legumes such as chickpeas and lentils, and forages such as vetch, clover, and sorghum. On the steeper slopes, grassy uncultivated zones were used as pastures for large flocks of goats and sheep. Beekeeping was also a long-established livelihood activity in Wadi Fukin. Recalling with nostalgia past times when almost every family had beehives, farmers attribute the special taste of their honey to the wild thyme, oregano, and sage that, growing abundantly on the hills, fed the bees. As for the valley, it was intensively cultivated with irrigated seasonal vegetables such as tomatoes, beans, zucchini, eggplants, pumpkins, and white cucumbers. There were also indigenous fruit trees but no more than fifty old olive trees. From the 1980s on, olive trees were planted in the northern and southern hills of the village, replacing rainfed field crops. Later, steep and rocky patches of land on the eastern hillsides, previously used for animal grazing, were partially reclaimed and put under tree cultivation.

In al-Walaja, as in Wadi Fukin, farmers before the 1970s used to crop rainfed cereals, legumes, and forages. On the terraced slopes and around the village in the valley, they also farmed rainfed vegetables such as tomatoes, snake cucumber (*faqus*), and squash in summertime, cauliflower and green beans in wintertime. Irrigated vegetables were cultivated in small areas adjacent to the few remaining water springs such as 'Ayn al-Hanya. Throughout the 1970s, rainfed crops were progressively replaced by grapes, apricots, and almond trees, and pasture land. During the 1980s, olive trees became the predominant species, planted next to older fruit trees on agricultural terraces.

Evolution of Land Tenure Arrangements

New tree crops were planted mostly on lands that were still held in undivided parcels among members of each extended family (*'a'ila*). Investigating the kind of property arrangements that prevailed in the 1970s and 1980s within families, we found that individuals often indicated an elder of the family as the only legitimate "owner" of the land to assert its common character. However, access to and use of irrigated land was increasingly regulated in terms of individual rights established through a series of informal agreements between the male descendants of each extended family. In some cases, families preferred to put on hold the distribution to individuals of land use rights, waiting for the return of relatives dispersed outside the village. As a matter of fact, those who had been forced to resettle in Jordan or other foreign countries maintained their rights to lands and to hours of water shares (where applicable) just as their kin remaining in the West Bank did.

Even if common ownership of the land and the dispersion of its owners did, in certain cases, prevent or retard the process of putting uncultivated lands into use, it remains the case that a joint effort between and within village families was carried out to protect lands from confiscation. According to an old farmer of Wadi Fukin, referring to the mutual aid practices in farm labor, "Villagers had good bonds because everyone needed the other and there was something called *'awna* that means giving help, providing help, asking for help. They used to provide help to each other in tilling

the land, in harvesting, in picking the crops, in everything regarding the land.”⁶⁶

To ensure a continuous use of the land, an informal and orally regulated system of land “borrowing” emerged within each extended family. Individuals who had already shifted to wage-work in Israel generally lent their share of irrigated land to paternal relatives and only took care of land planted with olive trees, which required less time and effort. Meanwhile, those unable to return to their village lent all their lands, whether irrigated or not, for an undefined time to their relatives. Most of these agreements did not entail any monetary exchange. According to a farmer: “Selling or renting out land or water shares is illicit [*haram*] because, according to the Islamic religion, if you don’t want to work the land, you should leave it and let someone else work on it. If you don’t work the land, you should lose your right to it.”⁶⁷ Some land sales between extended families were already taking place at that time and some borrowing agreements involved payments, but these were rare. This system enabled farmers to protect their lands vis-à-vis the Israeli state while preserving their use rights within the community. The latter constituted the basis of “exchange” between parties: the one who took care of the land had the right to benefit from its products, while the right holder was entitled to reclaim the land at any time.

In places like Wadi Fukin and al-Walaja, whose original population was mainly living abroad, people established different kinds of agreements. A couple in their sixties whom we interviewed in al-Walaja explains that in their family, “Those who were in the village were taking care of the land, harvesting the crops, making the [olive] oil, and thus they received a bigger share of the oil. Those who were in Jordan were also taking oil, but only a small part. They still had a share of the land in the village, so we used to send them a little bit of oil.”⁶⁸ Others divided the oil into equal shares. In a few cases, there was no redistribution at all.

As shown above, cultivation became a collective endeavor through which rural communities tried to oppose settler colonial dispossession. Yet, cultivation did not reverse the process of livelihood diversification, nor did it relieve landowners of the individual responsibility to protect the land.⁶⁹ On the contrary, increased Israeli dispossession and adverse political-economic circumstances contributed to render this responsibility increasingly burdensome and costly.

When the Homeland Becomes an Individual Plot of Land

In recent years, market-entrenched practices of land use and privatization of remaining undivided lands have emerged in the Palestinian rural highlands as strategies to resist settler colonial dispossession. These practices are inscribed into the wider neoliberal project in Palestine, which has its roots in the Oslo accords of the mid-1990s.

Oslo’s Economic and Social Impacts

The Oslo accords, beyond dividing the West Bank into administrative areas A, B, and C, laid the foundation for massive land confiscation, settlement activity, construction of bypass roads and other infrastructure, as well as the erection of the separation

Wall. Throughout the 1990s and 2000s until now, the massive expansion of Jewish-Israeli settlements and their connecting infrastructures in Area C reduced most Palestinian rural villages to isolated pockets of land. Subjected to entanglements of neoliberalism and settler-colonialism, or neoliberal colonization, these enclaves have been turned into “spaces of concentrated inequality.”⁷⁰ Israel set up a system of closure and checkpoints aimed at controlling the movement of people and goods between Israel, including Jerusalem, and the West Bank, reshaping these spaces in the process.⁷¹ Restrictions on Palestinian labor movement to Israel resulted in the loss of the primary source of income for most rural households. Denied wage-work in Israel, some workers sought jobs in the Palestinian public sector. Nonetheless, rural areas were plagued by high unemployment. Palestinians’ living conditions deteriorated alongside the general condition of the Palestinian economy. Many men, in desperate need of an income, illegally crossed the Green Line to work inside Israel or took jobs in Israeli settlements.

These dynamics were inherent to the broader changes that occurred in the Palestinian political economy after Oslo, which saw the emergence of a new Palestinian elite connected to the PA, the main channel of external funds.⁷² The Oslo accords also reinforced the fragmentation of the Palestinian people. In particular, Palestinian refugees still waiting for the implementation of their “right of return” (internationally recognized by UN General Assembly Resolution 194) felt excluded or at best marginalized from the national project itself, as the Oslo accords transformed their right of return from a central national precept into a negotiable right deferred, along with other issues such as the fate of Palestinian Jerusalemites, to successive negotiations.⁷³ These issues are crucial to understand the current dynamics of land use change in Wadi Fukin and in al-Walaja.

As already mentioned, descendants of the population of these villages maintain their right of return. Yet, seven decades of forced displacement with no prospect of return, deteriorating socioeconomic situations in refugee host countries in the Middle East, and skyrocketing land prices in the West Bank have encouraged many to sell their land and water shares. At the same time, Palestinian Jerusalemites have been subject to a host of Israeli policies aimed at the Judaization of Jerusalem. Urban planning restrictions, house demolitions, and discriminatory practices in the housing market have forced many of them to move into areas that, though physically separated from the city of Jerusalem by the separation Wall, remain within its municipal boundary. One of these “residual areas” is the ‘Ayn al-Juwayza neighborhood of al-Walaja: it offers Palestinian Jerusalemites the opportunity to purchase houses and land at prices cheaper than those elsewhere in Jerusalem and, by so doing, to maintain their (revocable) right of residency in Jerusalem.⁷⁴ Thus, the demand for land has increased in this area.

Real Estate in al-Walaja

Increased demand for land has driven up its price, producing what some Palestinian refugees and villagers consider an opportunity to unlock dead capital. As a villager

from ‘Ayn al-Juwayza explained: “Before 2000, people used to take care of the lands of their cousins and relatives who were in Jordan. But, since then, the price of the land has increased a lot and, as al-Walaja people living in Jordan didn’t have a Palestinian ID to come back, when they heard that one dunum of land is worth fifty thousand JD, they started selling the land.”⁷⁵ In spring 2019, according to other villagers, the market value of one dunum of land could reach up to one hundred thousand JD. Within this context, undivided family lands have been parceled into individual shares, mainly by having courts issue a succession order (*hasir irth*).⁷⁶ These shares have been held under a regime of quasi-private ownership albeit not yet formalized through property titles.⁷⁷ Decoupled from “established social bonds and reconstructed as a commodity like any other,” this land could henceforth be traded on the market.⁷⁸

Lands in ‘Ayn al-Juwayza are mainly sold to Palestinians from Jerusalem and Israel who have enough capital to develop them. Meanwhile, land in the West Bank side of al-Walaja, mainly those in the small patch of Area B, is sold to relatives in the village. As these buyers generally lack the financial means to build on the land, they contract with real-estate investors: buildings are usually divided between the landowner who gets one share, or one apartment, and the investor who sells the remaining shares. In some cases, residents of the village who own a more substantial amount of land (five to ten dunums) sell part of it in order to get the capital needed to build for their sons. In such a context, uncontrolled construction has become a widespread phenomenon all over the village. Under the pressure of shrinking space due to settlements and the Wall expansion, Palestinians reclaim what remains of their agricultural lands to build on it, without permits. Building becomes the act that openly defies Israeli land policies and efforts to control space. Israelis react to this by threatening to demolish all new construction, a means that has often been used to displace Palestinians from areas of strategic importance for Israel’s expansion. In November 2018, there were fifty-four pending demolition orders in ‘Ayn al-Juwayza, and seventy-four in Area C in al-Walaja.⁷⁹

Within this frame, turning abandoned and undivided agricultural lands, generally more exposed to the threat of confiscation, into building plots of individual nature becomes an alternative, and more lucrative, means to establish a permanent claim of land ownership. This dynamic is also observed in Shu‘fat camp in Jerusalem, where contractors produced a discourse similar to the one we recorded in al-Walaja: “We try to resist as much as we can: people are using the lands and they are trying to build. They are trying to stay on the land and to resist.”⁸⁰

Vegetable Cultivation in Wadi Fukin

In Wadi Fukin, a different trend in land use, though inscribed within the same neoliberal logic, has emerged in recent years. In the context of a rapid reduction in available land, villagers have adopted capital-intensive forms of irrigated agriculture, with the intention of raising the productivity of their remaining land and marketing their produce. According to villagers, local and international NGOs introduced intensive techniques of vegetable production such as greenhouses, drip irrigation, hybrid

seeds, pesticides, and synthetic fertilizers to the village in the late 1990s. Indeed, after the Oslo accords, the Palestinian Authority (PA) has adopted a donor-driven model of agricultural development.⁸¹ In so doing, according to some villagers, the PA, through the intercession of NGOs, “started acting as an agency for Israeli and foreign companies selling seeds and chemical fertilizers. For them, in order to succeed with their business, they had somehow to kill original, traditional agriculture.”⁸²

Confronted with increasing livelihood precariousness, many villagers adopted these new cropping techniques and started planting greenhouse-grown crops such as tomatoes, cucumbers, peppers, and green beans in the valley. At first, those who joined this venture obtained higher yields than before and were able to sell their products in the central markets of Bethlehem and Bayt Jala at prices lower than those of labor-intensive local crops. However, over time, it appeared that hybrid seeds and seedlings had to be purchased on the market for every productive cycle as, unlike heirloom seeds, they could not be reproduced; fertilizers and pesticides had to be bought and used in increasing quantity from year to year to sustain yields in the face of mounting soil erosion and plant diseases; and annual maintenance costs for the equipment proved significant.

In addition to rising costs of production, small-scale farmers in Wadi Fukin were also exposed to intensified competition for marketing farm products: among themselves, with Israeli subsidized farmers, and with larger-scale Palestinian producers. Moreover, they experienced exacerbated settler violence on their farmlands. Yet, as many farmers lamented, no governmental agencies or NGOs sent its experts to support or advise them.

Under these pressures, members of each extended family, men and women alike, sought to secure their access to scarce land and water resources by making individual claims over the shares of inherited family land: these are increasingly considered as individually owned assets that need to be secured through a succession order among heirs and descendants of a family, in order to be used for production or exchanged on the market. As a farmer pointed out, referring to the process of resource individualization within the community: “Nowadays, nothing is common anymore. Almost everyone has his own water reservoir [for agricultural use]; we share water reservoirs among brothers but not even between cousins.”⁸³

The individualization of risks associated with planting has had serious consequences for those who did not gain enough money to be able to renew their farming production. Dropping out of the venture of intensive farming, they joined the ranks of people who, in the village or in the diaspora, rented or sold their land to those from Wadi Fukin or neighboring villages who had enough capital to develop intensive vegetable growing. Hence, land prices have progressively increased. Nevertheless, people still favor renting rather than selling their land. The renting system, which entails a yearly payment in cash, has replaced the previous “borrowing” system.

The farmers who managed to gradually expand the sizes of their farms and equipment, and secure access to shares of water, have relied on a stable network of external actors who can provide them with different forms of material support. In

doing so, they have succeeded in turning farming into their primary livelihood activity. Other families have introduced only some of the new cultivation methods on their small-size farms, which supplement income derived from wage work in Israel. Lastly, villagers with more regular sources of income have planted irrigated plots of lands with olive trees. In this case, trees have the double significance of a permanent claim of use and a temporary withdrawal from the agricultural market-based dynamics. In fact, part of the irrigated land is located in Area B and could be used for building expansion: while some families have already divided their land and built on it, others have decided to use it as reserve capital.

In summary, in Wadi Fukin, several intertwined processes have taken place after the Oslo accords: the individualization of property rights; the transformation of land into a commodity that is easy to trade on the market but difficult to access, or to protect from confiscation through continuous use, for those with insufficient capital; the commoditization of other production means, like seeds, fertilizers, and labor; and the emergence of competitive and individualistic behaviors.

Conclusion

In this article, we have sought to show that, since Israel at the beginning of the 1980s signaled its intention to declare all unregistered and uncultivated lands in the West Bank as state land, land use and land property have become even more active battlefields for advancing land claims in the rural highlands of the West Bank. On the one hand, settler law and capital have been deployed to break existing social and economic patterns of indigenous land use and property, and to replace them with other land uses and property relations. On the other hand, Palestinians have deployed a myriad of forces that, neither fully isolated and spontaneous, nor fully organized and coordinated, have cumulatively worked to hinder the settler colonial process of dispossession. Initially developed as a general national attempt to assert Palestinians' hold on the land through collective anti-colonial resistance, land use has evolved in recent years into a set of individualized tactics, based on the presumption that individual land property better serves the struggle against dispossession. Both movement and countermovement have taken place in the context of the development of neoliberalism, in the West Bank and on a global scale. Although long-standing institutions regulating access to land and water, based on kinship and other locally constituted social relations, have not completely disappeared, new forms of exclusion among kin and neighbors signal the "wrenching reconfiguration of social bonds" and the expansion of a regime close to private ownership, where land is a marketable commodity.⁸⁴ As other scholars have highlighted, various processes are contributing to this in the West Bank, among them the PA's program of land registration and formalization of individual land titles launched in 2005, with the support of the World Bank until 2016.⁸⁵

Yet, as the literature in agrarian political economy – and specifically the literature about land grabbing – has shown, the assumption that individual ownership of land is an effective protection against land dispossession is highly questionable. Property titles

may indeed enable landowners to have access to legal remedies and compensation, if applicable, if their land is seized, especially by the state. But property titles do not guarantee that the land cannot be seized for reasons of “public interest.” Furthermore, as soon as land becomes a marketable commodity, it may be lost, especially by the poor, in two main ways: they mortgage the land to get a loan and are eventually compelled to transfer it to the moneylender if they cannot repay the loan; or, when faced with economic difficulties, they sell the land. Within this perspective, individual ownership of land is riskier than a mode of tenure that does not allow mortgage or sale.⁸⁶ In its 2008 final report, the Commission for the Legal Empowerment of the Poor, against all odds, recognized that collective rights and customary forms of tenure can be very effective in ensuring land tenure security for individual households.⁸⁷

In al-Walaja and Wadi Fukin, as in other rural areas of the West Bank, the adoption of market entrenched practices of land use has already begun to engender socioeconomic differentiation and may lead to the expulsion of some people from their village – not as consequence of their land being seized or their home being demolished by the Israeli state, but because of economic hardships. This is especially true for those who have engaged in intensive vegetable growing, which is a risky and capital-demanding activity. The law of the market would then handle the reallocation of land to the highest bidders, whether Palestinians or Israelis, through the intermediation – illegal, but well established – of Arab middlemen. In any case, the choices that Palestinians are currently making as regards land tenure in the West Bank will have huge consequences for their future.

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Custodians of Descent

The House, the Church, and the Family Waqf in the Orthodox Patriarchate of Jerusalem

Clayton Goodgame

Abstract

This article examines a conflict within the Orthodox Patriarchate of Jerusalem between the Greek hierarchy and the Palestinian laity over property. Connecting historical scholarship with ethnography from the Old City of Jerusalem, it demonstrates how Orthodox ownership was transformed by the Ottoman definition of Church property as a family waqf. This legal change led Greeks and Palestinians to express their property rights in the idiom of custodianship: the ability to hold and transmit property as descendants of the Church. As a result, ownership in the Orthodox community became less tied to legal title and increasingly aligned with claims of kinship and descent.

Keywords

Church property; home ownership; kinship; indigeneity; continuity; waqf; Old City.

Every year on Christmas Eve, the patriarch of Jerusalem travels by motorcade to the Nativity Church in Bethlehem. He is greeted by an official of the Palestinian Authority and together they proceed with great pageantry into the church, Greek monastics at their side and Palestinian foremen leading the way, their iron scepters clattering in unison on the pavement.

In 2018, Patriarch Theophilos was met instead by Palestinian protestors who lined the streets to hurl eggs and garbage at his car and strike it with their shoes. They called out “spy” and “shame” and waved flags with the

patriarchate symbol embossed over a kufiya design. Palestinian police cleared the streets in riot gear but the protestors chanted on, demanding the ouster of the patriarch. They carried banners that read *ghayr mustahiqq* (unworthy).

This event marked the culmination of months of protest following the discovery by Israeli newspapers that the patriarchate had been selling and leasing valuable property to unnamed investors registered in Caribbean tax havens. This was scandal enough, but news of the land deals coincided with the decision of the Jerusalem District Court on a similar deal from 2005 involving the previous patriarch, Irenaios. In that deal, the settler organization Ateret Cohanim acquired the lease on Church property inside the Old City's famous 'Umar ibn al-Khattab Square, the tenants of which are Palestinian businesses. The court ruled in favor of the settlers. In June of 2019, the Supreme Court upheld the decision. Patriarch Theophilos was not in office when that deal was made, but the news that he continues in the tradition of his predecessor, coming in the same month as the court decision, sparked protests of a scale not seen since Irenaios was deposed fourteen years prior.

This article seeks to contribute to the scholarship on the conflict in the Orthodox Patriarchate of Jerusalem between a hierarchy composed of Greek monks and a lay population composed of Palestinians.¹ The conflict is longstanding and well documented, but I hope to provide a different perspective in two respects: first, by looking explicitly at religious experience as a determining factor in the shape of the conflict; and second, by shifting focus away from the political reform movement in favor of a broader view of the Christian neighborhoods of the Old City. This view is based on ethnographic research that provides a localized, contemporary perspective to complement the existing sociological and historical scholarship.² As we will see, residents of these neighborhoods hold a range of political positions but maintain a common discourse of belonging and ownership in the Church. This discourse is less recognized in the literature, but it is widely shared in the Old City. In fact, it has recently been adopted by a countermovement in support of the patriarch.

After the Christmas protest, the patriarchate held its annual New Year's celebration. In attendance was a group of working-class Palestinian men from different churches representing Seeds of a Better Life (*markaz buthur al-hayat al-afdal*), an organization founded to improve the lives of Old City Christians. These representatives read out a statement for the patriarch and the Greek hierarchy. They condemned the protests. Describing the event as "an attack on our celebration of the Holy Nativity . . . the attack of Belial," the representatives pledged their support to the Church. Employing a biblical passage on the "adoption of sons" into the Church, the mostly non-Orthodox group went on to characterize themselves as the Church's children. It concluded with a final declaration: "We, your beatitude, trust in you and your ability to protect our Church and . . . *our Orthodox faith*."³

A few months later, Seeds of a Better Life (often abbreviated to "Seeds of Life") moved into a new building owned by the Orthodox Patriarchate. The grand opening took place in the presence of the patriarch and members of the monastic hierarchy. The father of the center's director, a Catholic, again claimed the Orthodox heritage

and pledged allegiance to the patriarchate:

We consider ourselves guardians [*humat*] of the patriarchate. . . . We reject what happened in Bethlehem . . . and deny the names [of the protestors]. That behavior is unethical and unacceptable for us. We will be careful to ensure it does not repeat itself in Jerusalem at the Holy Fire [*sabt al-nur*] ceremony . . . we will strike with an iron first anyone who dares to tamper with our feasts and celebrations.⁴

The language employed here diverges from that of the protestors and the Orthodox national movement in general not only in its expression of political allegiance but also in its form. Where the protestors speak of injustice, racism, and greed, the Old City Christians speak of kinship, guardianship, and faith. In what follows, I will show that this divergence is indicative of a much wider division within Palestinian Christian society along class lines.

The fieldwork on which this article is based took place in the Old City of Jerusalem as well as the more suburban neighborhoods of East Jerusalem. When the scandal broke, anger and frustration with the patriarchate was pervasive in both areas, but the activists mobilizing against the patriarch and higher clergy lived almost universally outside the Old City. The activists readily admitted the discrepancy, explaining that many Old City Palestinians live and work on patriarchate property, which means “they cannot speak out.”⁵

Salim Tamari has shown how the movement against the patriarchate during the British Mandate was shaped by “a mercantile bourgeoisie that freed itself from dependency on Orthodox charity.”⁶ Christians in the Old City, by contrast, were materially tied to the Church:

The most effective weapon in the hands of the [Greek] Brotherhood . . . was the Church’s dispensation of charity and services to the poorer members of the Arab community. These included subsidized housing on Church property, the provision of schooling, and daily distribution of free bread (*talami*). *Talami* was not only a symbolic feature of class division within the Christian community, but a real material instrument in the allocation of influence within the community.⁷

Tamari adds that even more than *talami* bread, Church housing provided the most significant material influence over Old City residents, constituting a major form of class difference between them and the rest of the lay population.

Taking a cue from Tamari’s observations about the Mandate, this article suggests that this difference is worth considering further and that the property relations between Old City Palestinians and the Church deserve particularly close attention. It thus focuses on the type of property the Church owns and the way ownership of it has been discursively defined, by the hierarchy and the laity, but also by the state. The social landscape of Jerusalem obviously looks very different today than it did in the 1930s, but the political movement against the patriarchate is still led by the highly educated

and generally upper-class members of Orthodox society, most of whom live outside the Old City on property not owned by the Church. Old City Christians, by contrast, mostly live on waqf property.

A waqf is a form of endowment established to prevent the sale or division of property and thereby protect its continuity over time.⁸ Islamic law typically distinguishes between two types of waqf: the *khayri* or religious endowment and the *tharri/ahli* or family endowment. The original condition for both types is that they please God. The religious endowment accomplishes this either by serving a directly religious (Islamic) purpose, for example by building a mosque or school, or more abstractly, by providing a public service, for example building a fountain, a road, or a soup kitchen.⁹ The family waqf served its religious function first by safeguarding the welfare of the founder's progeny, an act valued in the Qur'an and the hadith, and second by designating the ultimate beneficiaries of the usufruct to the indigent.¹⁰ The second condition exists not because investing in one's family is insufficient as a religious condition, but because while the family line will eventually become extinct, the good performed by the waqf must always continue.¹¹ Amy Singer thus calls the waqf "an investment in eternity," as it connects the continuity of the family line to the more sublime continuity of the divine.¹²

Families have endowed their property as waqf for many reasons, and the economic and political circumstances of a particular time and place may lend themselves to certain strategies over others. However, regardless of whatever other considerations a founder made when establishing a new waqf, the decision always had an effect on kinship: in other words, the kind of family that it would help to shape. Shari'a laws of inheritance allow a wide range of descendants and agnates a claim to family property. By creating a waqf, the founder can decide in advance which kinds of relatives will inherit use-rights over a particular property, and which to cut out. In eighteenth-century Nablus and Tripoli, for example, this meant consolidating conjugal ties at the expense of wider agnatic relations.¹³ The specific effects varied, sometimes greatly, but wherever it was used, the waqf retained its potential to influence a family structure, and it is this quality that concerns us here.

According to a survey conducted by Samer Bagaeen, in Jerusalem's Palestinian and Armenian quarters, 25.8 percent of properties are Christian waqf, 19.6 percent are Islamic waqf, and 33.3 percent are family waqf. In the Christian Quarter, 68.5 percent of properties are Christian waqf, and 12 percent are family waqf.¹⁴ Crucially, and for reasons described below, in the Orthodox Christian community, there is little distinction between religious and family waqf. Church property was classified initially as family property, and the ability of the hierarchy to control its property is tied to it being structured as a family.

This structure complicates both Palestinian and Greek claims of ownership over property in important ways that this article undertakes to unpack. Thus, rather than focusing on the economic or political position of Old City residents in general, this article will look specifically at the institution of the waqf and the different kinds of "family" it helps produce.

In recent years, a number of scholars interested in waqf property have begun to study its religious and ethical character in addition to its role in economic and political structures.¹⁵ In particular, Beshara Doumani has argued that creating and maintaining a family waqf is not simply a process of registering a legal or economic transaction but a “pious act of subject formation” that “embodied specific ideals about the self and the family in relation to God and the shari‘a . . . a family charter that governs not only property relations between kin, but also the moral-disciplinary order of kinship.”¹⁶ In other words, a waqf is not simply a record of a family’s property relations but a way of enacting a particular view of what the family should look like. This article diverges from most of the waqf literature in that it focuses on a Christian church instead of a traditional family, but the premise is the same: to some extent, I argue, the particular way in which the waqf became institutionalized in the Orthodox Church transformed the political and kinship relations of Greek and Palestinian Christians.

In the next section, I describe the process through which church property came to be defined as family property during the Ottoman Empire. I then show how the Orthodox reform movement, beginning at the end of the Ottoman period and continuing through the British Mandate, drew both on idioms of Arab nationalism and on the more specific idiom of continuity deriving from waqf. Finally, the ethnography shows how, after 1948, Old City residents developed new forms of kinship (*qaraba*, literally “closeness”) with the Church. This sense of closeness became strong enough that some families, threatened by the Israeli settlement movement, even bequeathed property to the Church instead of extended relatives. I argue that while these were responses to political pressure, it is important to see why residents choose to support the patriarchate in particular – rather than an NGO or another church. The answer to this question, I suggest, is that the Church is defined as a family whose lineage never becomes extinct. It thus provides continuity for lay families when they cannot provide it for themselves.

Domesticating the Church: Converting Church Property into a Family Waqf

The image of the solitary desert monk, the individual cut off from society, has always carried a certain allure in the public imagination. However, from the earliest days of Byzantium, monasteries have also been centers of political and economic power.¹⁷ They were landowning institutions, diplomatic outposts, and the main sources of recruitment for the higher clergy. This was certainly the case in the mid-sixteenth century, when monks of the Orthodox Church complained to the Ottoman government that they would have to abandon their lands if the legal status of Christian property did not change.

This presented a problem for the Ottomans. The state received a significant amount of tax revenue from the Orthodox Church, which gave it an incentive to keep the churches economically viable. However, the existing legal framework came with

significant risks. According to Ottoman law, churches could not hold property as institutions, so they registered property in the name of an individual priest or monk.¹⁸ This was a widely used strategy but a problematic one, as the land accumulated by individuals or simply registered in their name would become subject to the shari'a laws of inheritance. This allowed descendants and agnates of the individual to make claims on it, even if it was the Church that initially bought the property.¹⁹ Even if the individual monk did not have living relatives who wished to make a claim, he still needed to bequeath the property to another monk. If this person was not loyal to the patriarch, the property could still be lost. In either case, the force of the law was on the side of individuals and families, not the Church.

However, as Eugenia Kermeli has shown, judicial authorities in Istanbul eventually came to recognize the problem and established a clever way of integrating monasteries into the legal system without breaching the restrictions against non-Muslim religious institutions. Kermeli explains that one problem with the current framework was that as an organization, each new generation of monks had to pay the *tapu* or registration fee for lands that were not actually changing hands but, because of Ottoman restrictions on churches, needed to be registered with monks who would die and have to be replaced by another.²⁰ According to the law, the fee could be waived if a family member inherited the property, but the monks were celibate and in any case must pass the land to another monk for it to remain under the control of the monastery. Furthermore, monks complained that certain of their brethren refused to keep the property among the brothers, causing political rifts between them and encouraging monks to leave the monastery.

According to Kermeli, Ebu's-Su'ud, the head of the Ottoman judiciary, solved this problem by changing the definition of a monastery in order that waqf could be created in its name. He could not allow it to be created as religious waqf because, by definition, a Christian institution could not be pleasing to God. This left the family waqf. Ebu's-Su'ud started by arguing that a monastic brotherhood could inherit property from a deceased monk only if the members of the latter's family decided to forego their own inheritance rights. This was a nearly insurmountable problem for the monastery, as shari'a law provides a wide range of relatives with potential claims, which made convincing them all to relinquish their rights unlikely.²¹

Finally, Ebu's-Su'ud made two key decisions to strengthen the position of the monasteries: first, he waived the *tapu* fee so that a new name on the property registration would not signify a new owner when the original registered owner died. Second, he mitigated the conflicts caused by having individually registered property by describing those who take over the property of the deceased as the rightful "offspring" of the latter, over and against the deceased's biological kin. Thus, other individual monks became the primary legal "relatives" of the landholding monk, so that even an individual inclined to transmit monastery property to biological kin would not be able to do so.

As a result, while the monastery still could not be recognized as a landholder itself, a new collective identity was formed in its stead. As Kermeli writes:

This amounts to the treatment of monks in a monastery as a family. Like in a family trust they can make vakfs for the benefit of their poor members as well as for the indigent, travelers, the dependents of the monastery *and their offspring*, which means, in practice, the remaining monks.²²

Thus, the brotherhood of monks came to be defined as a legal family. The consequences of this shift in Ottoman jurisprudence for the Church were significant, not least for our understanding of the ownership dispute between the Greek clergy and the Palestinian laity. As Konstantinos Papastathis and Ruth Kark have shown, expanding on Kermeliss work, the legal and administrative changes in the late Ottoman period – especially the 1858 Land Code – confirmed and clarified this legal status, “making the procedure of registering the land possession and usufruct much easier” and paving the way for the accumulation of Church property on a much greater scale.²³

Nationalism, Indigeneity, and Ownership: The Orthodox Renaissance

In the wake of these legal changes, the patriarchate quickly became one of the largest landowners in Jerusalem and, as the Palestinian national movement developed in the Ottoman and Mandate periods, Orthodox Christians demanded a greater role in the Church, especially in relation to property. In large part, they expressed their demands in the language of secular nationalism. From the beginning, the Orthodox renaissance (*al-nahda al-Urthudhuksiyya*) was closely connected to Arab nationalism. In 1911, ‘Issa al-‘Issa founded the newspaper *Filastin*, which for years played a central role in the national movement. But ‘Issa founded it largely to support the Orthodox cause.²⁴ And while the paper’s scope grew into something much larger, it continued to articulate a powerful vision for Palestinian Orthodoxy throughout its tenure. For example, in 1935 it published the charter of the Arab Orthodox Youth Conference, which read:

I . . . an Arab Orthodox Christian Palestinian (or Jordanian) believe that I have a historical right to the Orthodox Patriarchate of Jerusalem, a large share of its membership, and an active contribution to its identity and being. I believe that the spiritual hierarchy of this patriarchate has usurped this right and denied it to me for 400 years. I pledge to God to boycott this hierarchy to the best of my ability until it recognizes this right.²⁵

This charter, publicly recited at the conference in Ramla, refers to a historical narrative that explains Greek hegemony in the Patriarchate as a national betrayal. In 1534, when the patriarchate had become thoroughly Arabized, the Arab Patriarch Atallah died. He was replaced by an Arabic-speaking Greek called Germanos who undertook to rid the patriarchate of its Arab presence in favor of Greeks.²⁶

There is some disagreement among scholars about exactly when and how this process occurred, but it is clear that by the nineteenth century, the Greek hierarchy had shifted from an inclusive definition of the Rum millet, a religious distinction that originally included all “Roman” or Eastern Orthodox Christians regardless of ethnicity, to an exclusive one that equated “Rum” with the Greek nation.²⁷ Arabs were described as Greek “arabophones” who had lost the Greek language and culture over time.²⁸ This is precisely what I was told in Jerusalem by the current hierarchy: “Our local people,” an archbishop said, “were once Greeks . . . [but] they eventually learned the Arabic language and forgot their Greek heritage.”

Palestinian reformers have been contesting this narrative for over a century and they have done so primarily through idioms of indigeneity and secular nationalism.²⁹ On the one hand, they emphasized the Palestinian character of the Church: “The Patriarchate is an Orthodox institution in Palestine,” reads a 1931 memorandum, “The Patriarch and the Fraternity are Palestinians. The Community is Palestinian and the Shrines are Palestinian.”³⁰ On the other hand, they emphasized their right, as indigenous Christians, to religious autonomy:

The aim of the Orthodox cause is the independence of the community in its communal affairs and in the supervision of its property so as to become a strong community with a clear Arab influence, and so as to be able to deliver its national message in a full and suitable manner.³¹

This rhetoric was employed especially when addressing a national audience, the government, or the international community.

In the register of religion (and personal status law, over which the Church has authority), the notion of indigeneity was more complicated. There, the distinction between Hellenic and “arabophone” Greeks was (and is) used by the hierarchy to demonstrate its universality and authority. Greekness is equated with the Eastern tradition and Byzantium. The monks describe themselves as preserving the liturgy and traditions of the early Christians, passing them on unchanged. Their vocation is to protect the holy sites of Christendom for all Orthodox, and therefore they believe they must not add or remove any element of their monastic identity. They thus agree with Palestinian claims of indigeneity, only they add the term “now”: they have *become* indigenous, local, and fixed to Palestine in its “Arab-Islamic” milieu. As a result, they claim Palestinians cannot represent the interests of global Orthodoxy.

It was for this reason, I argue, that another way also emerged for Orthodox Palestinians to contest Greek authority, especially evident in relation to Church housing. Here Evelin Dierauff’s discussion of the establishment of the Mixed Council in 1911, composed of Palestinians and Greeks, is illuminating. Dierauff writes:

At the core of the intra-Orthodox conflict that overshadowed the debates between the laity and the clergy in the Mixed Council on all issues regarding Orthodox reforms, was the ambiguous definition of Orthodox institutions in the Patriarchate (schools, hospitals, holy sites, endowments, etc.) as *communal* or *universal* property.³²

The Mixed Council was set up to jointly administer properties that were primarily communal or local in character – for example, schools for lay children. According to an Ottoman order, Palestinians had a claim to the management of such property, whereas if it was universal – the Holy Sepulchre Church, for example – it fell under monastic control. According to the patriarchate’s 1875 Fundamental Law, most Church property fell into the latter category. The patriarchate stipulated that the Greekness of the Orthodox tradition meant that universal property must be managed by the Greek patriarch and the Holy Synod, an executive monastic council. During the Mandate, it went even further, arguing that the communal/universal division was a part of the Status Quo, the legal framework for determining Church rights at the holy sites, which it was not.³³ This presented a problem for the laity.

In 1910, the Church hierarchy attempted to reduce the rents it traditionally paid to the local families of Jerusalem. In response, the city’s laity launched large scale protests. They claimed – as they still do – that the Church owes them these rents because generations earlier they had registered their homes in the name of the patriarchate as endowments to protect them from state confiscation.³⁴ This is a different kind of claim from those described above. Instead, it is rather like that of the fellahin or peasants who registered land in the name of village shaykhs and urban notables; when these notables attempted to sell the land, the fellahin often refused to leave, claiming their usufruct rights were inalienable.³⁵ So it was with Jerusalemite Christians who claimed the property of the patriarchate was not sold but merely entrusted to it.

This is different than saying “the Church is Palestinian,” because the basis for the claim is not its location or national character but its identity as a waqf – in which usufruct rights are eternal. This is important because it allows Jerusalemites to claim not only “local” institutions but also “universal” ones. Their claim is thus not based on legal ownership or the ethnic character of the institution but on continuous use: it is not the monks who have maintained the continuity of the Church, they appear to argue, but the Palestinians – those who remained in the land and preserved the Christian presence there. In this register, Palestinians do not claim to own the Church; rather, they belong to it and protect it.

E. P. Thompson once argued that eighteenth-century English bread riots were not merely the instinctive reactions of the poor to hunger and oppression.³⁶ Instead, they represented a revival of an older moral and political idiom about the rights of the poor and their relationship to the state, the land, and the landowning classes. As English political economy changed, the relevance and discursive power of that idiom returned. Similarly, both during the Mandate and today, Palestinian land claims based on historical and genealogical continuity have rarely superseded those of the national movement. However, they remained a significant subordinate discourse.

Moreover, it is in this discourse, which views Church and family property as one and the same, that the link between the political activism of this section and the monastic family of the previous one can be most clearly seen. It is not a causal relationship, at least not until more evidence can be found that Palestinian families have historically endowed their property through the Church.³⁷ It is a discursive one,

a way of viewing the Church in terms of presence, belonging, and continuity. As we will now see, this discourse has become more salient in recent years, producing expressions of ownership not only in the language of justice and rights, but also in the language of protection, transmission, and care – the language of kinship and descent.

The Convent Neighborhood: War and Migration to Jerusalem

In 1948, the cities and neighborhoods of the Orthodox bourgeoisie were all but emptied of their inhabitants. Israel confiscated the property of these Palestinians and they were forced to flee, like so many others. Refugees from the coast and other parts of the country travelled to Jerusalem and many Christians ended up in the Old City. The Church offered them food and housing, often inside convents. Like residential neighborhoods, convents in the Old City typically have a small door leading from the street to a courtyard and a chapel, followed by smaller alleyways leading to more intimate courtyards surrounded by houses and former monastic cells. After the war, many of these were inhabited by unrelated families, in addition to monastics and clergy. This arrangement led Palestinian Christians to relate with the Church in new ways. Monks and nuns became a part of their daily life as friends, neighbors, and full participants in their social life.

Monasticism in the patriarchate is idiorhythmic, which is to say monks are not required to live and eat together and they can own property – which the Church inherits when they die.³⁸ They are provided a basic stipend but also remunerated for any specific job they perform, for example, working in the kitchen or bakery. Nuns take payment for baking *kollyva*, a cake of boiled wheat served at funerals and feasts, and Palestinian women go to their cells to purchase the cakes in person. Greek monks who own property lease it to Palestinians to open a shop or raise a family, and the parties establish regular debt relations characteristic of lay society. This is common in the Old City, but not in other parts of Jerusalem or indeed other cities. I was surprised to find out when travelling to Nazareth or Ramallah how little interaction the laity there has with the Greek Brotherhood. Even Jerusalem suburbs like Bayt Hanina can feel a world away from the lay-monastic life of the quarter.

The experience of the Haddad family illustrates this distinction particularly well. The Haddad came to Jerusalem as refugees from Haifa with no extended family in the country. They moved into an Old City convent after 1948 and despite having had little contact with Jerusalem before, become rooted in the Old City. This is both a result of their connection to the convent space and to certain monastics and clergy. According to Nicola Haddad, “the isolation and confinement [of the convent] resulted in a relationship which is stronger than any regular neighbor-neighbor relationship . . . we were always there for one another.” The family connects this solidarity to the convent chapel, in which couples of the convent sometimes marry and the younger members of the Haddad family were all baptized. “It is important to attach the children to the convent and make it their home,” Nicola’s grandfather said.³⁹ Baptism achieves this, for Nicola, because it has a sacred and a domestic character:

It goes back to the sense of family in the convent – that this church belongs to us, as if it were a family church. Like, you know, in Europe they have this church that belongs to a family only. Mar Ya‘qub is for everyone . . . but [the convent church] is for us. It is ours, as if we have some share in it, because it belongs to our house.⁴⁰

The word “our” refers to the Haddad family, but also to the convent as a whole. Those who live inside have a claim on the chapel, and by “placing” children or married couples there, they create a kind of kinship that blurs the boundary between domestic and religious space.⁴¹

The same can be said of family relationships to non-kin, like the priest who performs convent baptisms who is himself either a convent resident or the chapel’s custodian. The Haddads treat these figures as neighbors, and more: one nun from a nearby convent has taken part in the affairs of the family for decades. The children speak of her as a second mother. This was common among other families as well. During my fieldwork, I accompanied residents to services at a convent chapel for Lent, watched television with nuns in a layperson’s house, and helped residents and monks to renovate a church interior. In each case, the connection was personal.

To some extent, then, the “closeness” Old City residents feel for the Church is reciprocated by monastics. Though it is rarely publicized, they too speak of admitting the laity into their monastic “family.” At a recent funeral, a senior monk eulogized a beloved Palestinian layman from the quarter as a “child of them, the [Greek] Brotherhood.” There is much more to say about the way Old City life draws monastics and lay Christians into a shared social system; it is also important not to gloss over the tensions between laity and clergy, which are not insignificant. Nevertheless, these intimate relations complicate the apparent dependence of Old City Christians on the Church. They suggest, to the contrary, that for many people, association with the Church may in fact be a positive ethic, a relationship they actively cultivate rather than one they are forced to accept.

This possibility becomes clearer when we consider the fact that, to a large extent, 1948 refugee Christians in the Old City became protected tenants. In other words, they were granted hereditary rights to the usufruct of their homes for as long as they had descendants to succeed them. These are not the same as ownership rights, but in the context of the occupation some residents prefer it that way. Nadia, another resident of the quarter, said that she “prefer[s] that the Church owns the houses . . . as long as they try to help the locals”:

If people in need do not get access then I will go to the streets [in protest], but if a Palestinian comes and says the Church does not have the right to own . . . I will stand against him, even though the Greeks are mismanaging their properties. I feel it is important for the Church to keep these homes as they are tangible evidence that Christian Arabs are here . . . and have something to relate to the land.⁴²

To reformers, such views may sound submissive. But the point hinges on the continuity of Palestinian “access.” Protected tenancy is unique in this regard because the distinction between ownership and residency in waqf properties can dissolve over time. It is well known that after 1967, disputes between trustees and tenants could not be successfully arbitrated. Islamic court decisions could not be enforced and Palestinians mostly boycott the Israeli courts, so the disputes had to be dealt with informally or simply left to rest. According to Bagaeen, this allowed some tenants to become de facto owners.⁴³

Protected tenancy thus bestows certain rights that are difficult to deny, but Nadia’s point was broader than this: Church ownership grants Christian Arabs a relation to the land. This resonates with Nicola Haddad’s description of the inhabitants of the convent taking care of one another as family and their mutual belonging to the convent “house.” Convent-based families, in other words, maintain a continuous presence in one place because the Church maintains ownership. Like the monks who hold property, take care of it, and transmit it to the Church when they die, Old City Palestinians carry the Church’s usufruct within their families and pass it on. Following the logic of the waqf, when the family line becomes extinct, the property reverts back to the Church. But unlike the waqf of a single family, when the Church inherits the property, it then transmits the usufruct to a new family and the process begins again.

Because the convent is described as a house, and the neighbors as a kind of extended family network, the waqf has become the element that preserves continuity by incorporating individual families into a larger Orthodox one. If Doumani observed that the seventeenth-century family waqf often had the effect of consolidating the nuclear family at the expense of agnatic relations, here we see the opposite occurring. In a context where there are too few potential inheritors rather than too many, the waqf helps create them, linking unrelated families together through shared space and a shared religious tradition.

This set of relationships between convent space, families, and monastics inspires some Palestinians to describe themselves as protecting their families by protecting the Church. This is especially clear in Jerusalem, where the threat posed to Palestinian property is extremely high. There, even families who do own property will give it to the Church rather than risk it falling into the wrong hands.

Donating Property to the Church in the Context of Occupation

In the late 1990s, the last member of a Palestinian Orthodox family still resident in the Old City passed away. The descendants debated what to do with their large and dilapidated family house. At first, they thought they would build a museum, but soon a number of interested parties approached them seeking to buy the property. Interest became pressure from Israeli parties, which eventually overwhelmed the family. “They wanted to take [the house],” one family member said in an interview. “There was a lot of pressure on me, and when it became too much, I felt we needed to give it to the monastery.”⁴⁴

This gift occurred before the scandal I described at the outset, when the settler organization Ateret Cohanim apparently bought valuable Old City property from the patriarchate for a song. But many other controversies were already underway by the 1990s and the family was almost certainly aware of the conflict that had plagued the Orthodox community for the better part of a century. Nevertheless, they gave their property to the Church. Over the past several years, I have met a number of other families that have made the same decision, even recently, when activism against the patriarchate has been strong. According to them, this happens in large part because of the enormous pressure they experience from potential buyers when there is no obvious descendant to inherit and use the property.

The influence of settlers and the government on housing is highly opaque but the leaking of confidential documents related to the Church's land deals provides some important details. In a number of the recent Church leases, settler organizations like Ateret Cohanim and private developers bid on property through intermediaries. In some cases, as with the Jaffa Gate deal, the settlers negotiated with individual Church representatives or tenants in an attempt to bypass the official decision-making mechanisms of the patriarchate.

This is what happened in 1990 when settlers took over St. John's Hospice in the Old City. Rather than attempt to purchase the property outright, Ateret Cohanim made a deal with the tenant, an Armenian layman, to take over his lease. The Church sued the tenant, arguing that he never had the right to make the deal. In the meantime, settlers occupied the hospice. Several eviction notices were ordered by District and Magistrate Court judges but each time the eviction was set to be carried out, a stay was ordered and the eviction delayed.⁴⁵ Eventually, the Panamanian holding company representing Ateret Cohanim managed to purchase the lease. It was later discovered that it was the Israeli Ministry of Housing and Construction that provided \$1.8 million to fund the purchase.⁴⁶ Part of this case is still being litigated today, but settlers continue to occupy the building.

It is rare for lay individuals to make such deals, but it does happen. As a result, many elderly Christians without direct descendants consider donating the property to the Church rather than transmitting it to distant relatives, especially those who live outside the country. Such experiences are common, and while they do not normally lead to the creation of settlements, the law is on the side of the settlers. As Bagaen notes, the law stipulates that a landlord can dispute the decision of a tenant to sell her tenancy if there is good reason, but "this cannot include refusal to rent to a Jewish settler."⁴⁷ In fact, in the St. John's Hospice case, Israeli officials accused the Church of anti-Semitism for its refusal to rent to settlers, and the state maintained the right of Israeli Jews to settle the city as justification for purchasing the lease with state funds.⁴⁸ It is in this context that Palestinian Christians decide to donate property to the Church rather than sell it themselves.

The interesting question is thus not why people give property away – the settler threat presents a clear incentive to avoid selling to individuals or investors – but why

they give to the Orthodox Church in particular, rather than an NGO, the Palestinian Orthodox Club, or a more trustworthy church? Here, security is not the only explanation. Palestinian donors do not blindly trust the patriarchate. Rather, they usually have a longstanding relationship with it, to the extent that donating their property may not feel like giving it away at all.

In the case I described at the beginning of this section, the property was initially owned by the patriarchate during the British Mandate. The usufruct was granted to the widows of two men who died defending the patriarchate in an interchurch conflict. In other words, the hierarchy was in the debt of these men and gave their family the usufruct out of gratitude for their sacrifice. Later, in the 1930s – a time when the Church was in significant debt and in need of cash – a member of the family purchased the property outright. So when decades later the family decided to give the house to the Church, they were fulfilling a longstanding reciprocal relationship in addition to protecting the house from settlers.

This case suggests that the form of property transmission produced by the patriarchate's unique structure is not so much a shift in ownership from family to monastery, but a conflation of the two, a way of preserving the "Orthodox family" over time by materially linking the limited continuity of a family lineage to the more durable lineage of the Church. This at least seems to be the view of the donating family, as well as that of the new tenants. Initially the property was left untouched and began to deteriorate, but in 2010, the patriarch turned the usufruct over to an Orthodox women's organization called Hamilat al-Tib, "the myrrh bearers." Led at the time by prominent Jerusalemite Nora Kort, the organization raised funds for renovations and eventually opened a museum dedicated to the Jerusalemite family (*al-usra al-Maqdisiyya*) demonstrating the historical perseverance Palestinians in the Old City. It is called Wujoud, meaning "existence."

The Wujoud Cultural Center's mission is partly to preserve the cultural heritage of Old City Palestinians going back centuries, highlighting the building's Roman, Mamluk, and Ottoman architecture. But it is also intimately tied to the experience of refugee families. When I asked about her motivation for creating the museum, Nora described the story of her family home in West Jerusalem, which was confiscated in 1948. Among the possessions her family was able to take with them was a handwritten family Bible and an iron cross, both now on display. Other families also donated furniture and possessions from their former homes and their names are recorded on the wall. The rooms, courtyards, and halls are arranged and decorated like a house and the staff cook serves traditional dishes to visitors. For Nora, Wujoud is a monument to the Palestinian family, marking both an ancient connection to the past and its disruption by the Nakba.

After some time, a member of the original donor family came for a visit. She wrote in the guestbook, "It's been thirty years since I've been here. I grew up every summer in this house of my grandmother . . . I am touched by how beautiful this place is . . . the history of this home lives on."⁴⁹

The Loss of Usufruct and the Discourse of Protection

Earlier I described how, after 1948, the Church granted Palestinian families hereditary usufruct rights to houses in the Old City. Today, however, the hierarchy is reluctant to grant new residents the same rights. This seems partly an effort to keep power in the hands of Greeks, and partly to ward off the settler threat.

This state of affairs has hit the Old City community especially hard. Refugee families that moved into Church houses in 1948 often did not have relatives in the city and the conditions of the occupation caused many of them to emigrate. This means that some families gave up their protected tenancies for lack of descendants while others struggled to find housing at a reasonable rate. Such concerns have encouraged the Christian community to organize in a number of different ways. One, of course, has been the movement to reform the patriarchate. But there are also others, like Seeds of Life.

Seeds of Life is divisive because it moves public discourse away from the occupation in favor of a more conservative religious agenda. Orthodox activists often criticized Seeds to me for accepting funds from the Jerusalem Municipality – which many Palestinians boycott – as well as from controversial evangelical organizations. They criticize its politics: the language at the center’s opening, of “strik[ing]” down protestors of the patriarchate “with an iron fist”; or at other public events, the strong focus on Da‘ish (Islamic State) and the persecution of Christians, rather than all Palestinians, or all Syrians. Many Old City Christians disagree with this language. Nevertheless, the organization’s central claim, that it is protecting the Church, resonates with many residents, including those who do not share its politics. Most people know Seeds of Life as the organization that decorates the streets at Christmas time. They also claim to perform mundane acts of maintenance in the Christian Quarter: fixing streetlights and broken road tiles, improving garbage collection, resolving local disputes. Both types of action, the public politicized events and the local maintenance work, are framed as “protection” or, in the words of their charter, the “desire [for] our continuity and survival [*istimraruna wa baqa’una*].”⁵⁰ To their minds, they exist to maintain the continuity of the Christian Quarter.

At the start of this article, I recounted an event in which Seeds of Life members, most of whom are not Orthodox, described themselves as “guardians” of “their” Orthodox faith. They positioned themselves as children adopted into the patriarchate family and claimed a duty to protect it. Most Old City Christians support reforming the Church, but they, too, speak of protecting it. Nicola Haddad, for example, supports reform but not the leadership of the reformers: “Usama [an Orthodox reform leader] is not involved in the daily life of the Church”:

I would respect him more if he would come and be one of the *wukala* [church trustees] and start cleaning the church and preparing coffee, you know? It would make a difference.⁵¹

This is a common sentiment among those for whom claiming ownership of the Church

requires being part of it, of a tradition embodied by Orthodox space and the people living in it. “The Christians in the Old City took for themselves to be the protector (*hami*) of the Church,” Nicola said. “[They] need to protect [it], to gather the Church together.”⁵² The leadership, he said, do not feel the same way.

This is not the combative rhetoric of defense against threats employed by Seeds of Life; nevertheless, like Seeds, Nicola describes a concern for continuity, keeping people together, and persevering through time. He connects this to simple acts of maintenance and care, such as serving coffee and cleaning the church. And rightly or not, Seeds of Life has a reputation for doing just that.

Many Orthodox Palestinians today articulate their claim to the Church in national terms. But in the Old City, families living in Church houses also describe a continuity that both institutions share – just as their forebears did in 1910. Seeds of Life represents the latest iteration of this discourse. It has politicized that discourse in a way many Jerusalemites do not accept; nevertheless, the center’s existence is a powerful testament to the fact that Church property is not only a financial or political asset but also, in an important sense, the form of the Orthodox family. The assorted Christians who make up Seeds of Life can consider themselves a part of this family because they share its buildings, spaces, and stones, its neighbors and relatives, and they contribute to its continuity.

This brings us back to the premise of the article and the question of how exactly Church property influences the relationship between the Greek hierarchy and the Palestinian laity. If we accept the closeness that Old City residents feel to the Church – be it through the convent space, their neighbors, or actual monks and nuns – one might still characterize their relationship to the hierarchy in terms of dependence. I merely wish to argue that the economic position of Old City Palestinians is mediated through their experience as refugees and as participants in the Orthodox family waqf. This means that expressions of ownership are often embedded in a religious and ethical discourse afforded by the waqf, one that defines property as a family heritage, something one holds rather than owns. This discourse, I argue, exerts a powerful and often unrecognized influence on Palestinian Christian politics.

In this article, I have described Orthodox activists past and present, Old City families, and Old City organizations. These individuals, families, and organizations represent a variety of political positions vis-à-vis the patriarchate, some of which are strongly opposed to one another. Nevertheless, they share something fundamental in their common claim to an Orthodox tradition that sees in Church property both a material asset and a medium through which the Christian community is protected and perpetuated over time.

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as discussant, and JQ editor Alex Winder along with the two anonymous reviewers for their very helpful comments and suggestions.

Endnotes

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Coronavirus Surveillance and Palestinians

Elia Zureik and David Lyon

Abstract

Public health initiatives directed towards the mitigation of COVID-19 vary tremendously from country to country, depending on social-historical and political-economic factors. In the case of Israel/Palestine, already existing health disparities are reproduced more starkly in COVID-19 conditions. However, Israel's colonial project in Palestine also appears in sharp relief, seen most clearly in the controversial involvement of the Israeli Security Authority (Shin Bet) in mass surveillance, digital contact tracing, and related high-tech policing of quarantine orders.

Keywords

Surveillance; coronavirus; COVID-19; public health; biopolitics; settler colonialism; Israel; Palestine.

On 14 March 2020, Israel's then prime minister Benjamin Netanyahu announced that Israel would employ advanced digital monitoring tools, developed for counterterrorism, to track carriers of the coronavirus and to slow the spread of COVID-19. Within forty-eight hours, a legal framework was produced, permitting the Israeli Security Authority, or Shin Bet, and the police to use metadata in the service of public health.¹ A resolution relating to the Shin Bet's expanded use of data should have been presented for parliamentary approval but, due to disarray in the Knesset, the government enacted emergency regulations allowing the Shin Bet's use of metadata and police use of location to combat the coronavirus.

Serious criticism of this measure ensued, particularly of the permission it granted elements of the security apparatus to track down citizens in a manner previously used for counterterrorism, without proper privacy protections, oversight, or safeguards against misuse. Several NGOs objected and the Israeli High Court of Justice issued an interim order limiting the use of Shin Bet powers under the emergency regulations and forbidding their use by the police. By one measure, the efficacy of these measures did not justify their use: after securing the fifth extension of the contact-screening emergency regulation in early September of 2020, the success rate of contact tracing was reported to be a meagre 13.5 percent.² More generally, however, introducing the Shin Bet into the realm of public health meant treating Israeli Jews as “security threats” – as “terrorists” and, by extension, as Palestinians.

Despite this, the plan to link the Shin Bet and public health went ahead. Health officials passed details of those who tested positive for COVID-19 to the Shin Bet, which returned a list, derived from a hitherto secret national database, of every person with whom COVID-19-positive individuals had been in close contact over the preceding two weeks.³ To be “in close contact” with another means to be within two meters of them for at least fifteen minutes. Those listed as “close contacts” received a text requesting that they go into isolation at home and remain there. Apparently, using geolocation data from mobile phones, the Shin Bet pinpointed about 4,600 people who subsequently tested positive, thus pioneering a dubious partnership between national security and public health.⁴

At the same time, the police were enabled to use phone location data to verify that those quarantined were complying with their instructions. Enforcement tactics included the use of drones to check that quarantined individuals were actually in their homes.⁵ The Israeli police claimed to have made 403 arrests, but the Knesset committee that provides police oversight, the Foreign and Overseas Defense Committee, halted this work on the grounds of unnecessary violation of privacy.⁶

Yet information about how different groups in Israel have been affected by the Shin Bet–public health coronavirus collaboration is lacking. While some argue that low figures for infection and morbidity in Palestinian communities inside Israel is due to their diligence and community spirit, or to the relative youth of the Palestinian population in Israel, others have argued that the absence of testing in these communities is responsible for artificially low figures.⁷ Meanwhile, Naftali Bennett, then defense minister and now prime minister, proposed a scoring method, based on data gathered by the Health Ministry and Shin Bet, to guide COVID-19 policies, with Orthodox Jews and Palestinians presumed to be the more prominent carriers of the virus and thus targeted for sealing off from others.

The racialization of the coronavirus is not unique to Israel. Recently, a group of researchers described political leaders’ public responses to the pandemic as reinforcing “racial discrimination, doubling down, for example, on border policies and conflating public health restrictions with anti-immigrant rhetoric.”⁸ The researchers cited statements by Matteo Salvini, previously deputy prime minister of Italy, who blamed immigrants in Europe for the spread of COVID-19, and U.S. president Donald Trump,

who used anti-Asian rhetoric to attack China as the source of the virus and responsible for its spread.

Yet the nexus of securitization, racialization, and public health has taken on particular characteristics in Israel. In the coronavirus world, Palestinians in the West Bank, the Gaza Strip, and Israel have been regarded as sources of the outbreaks, to be treated as threats to the individual and collective security of Jewish Israelis and thus deserving of increased attention, but whose individual and communal health outcomes are relatively neglected by authorities.⁹ In one example, Netanyahu blamed the spread of COVID-19 on Palestinian citizens of Israel, claiming that “instructions are not strictly adhered to in the Arab sector,” and suggesting that without the “cooperation” of Palestinian citizens, “a lot of people will die.”¹⁰ Speaking to the BBC, the retired Shin Bet agent-handler Arik Brabbing claimed that the Shin Bet “saved lives from terror, but it saves lives also from the corona[virus].”¹¹ Further, he confirmed that the same methods are used for both purposes. Ahmad Tibi, a member of the Knesset, objected to using the coronavirus to justify the recruitment of former Shin Bet agents as analysts to collect data on Palestinians in Israel, describing the practice as “scandalous” and describing those who approved it as “stupid, arrogant, and racist. It is a decision based on the stereotype that Arabs always constitute a security threat to the country.”¹²

This article is concerned with the implications for civil liberties and data privacy of measures taken to contain the spread of coronavirus in Israel-Palestine. Such measures include Israel’s use of tracking technology through mobile phones to identify mobility, location, and contacts of citizens and non-citizens exposed to the coronavirus. The development of these technologies during the COVID-19 pandemic has implications not only for Palestinians in Israel and the occupied Palestinian territories today, but also for continued surveillance when the worst effects of the contagion are mitigated.

Militarization of Health Care

As noted, Israel, or more accurately its domestic intelligence agency the Shin Bet, has advocated access of mobile phone technology to gather metadata of individuals who have been in close contact with those who tested positive for COVID-19 and connect them with government offices, especially the Ministry of Health. Although the Shin Bet claimed that it would not collect the content of intercepted phone calls and messages, it will be able to collect any credit history that is stored on the phone.¹³ There is no oversight in place regarding the use of such tracking technology. Moreover, according to the Israeli army, the information collected through contact tracing would not be limited to coronavirus containment efforts, but could be used for other purposes as Israel sees fit.

Thus, the government instructed Palestinian workers to use a mobile phone application to secure information pertaining to their time spent in Israel. This “would allow the army to track the Palestinians’ cellphone location, as well as access notifications they receive, files they download and save, and the device’s camera.”¹⁴

The app, without which Palestinians would not be able to access work in Israel, requires them to agree “voluntarily” to the following statement:

You agree and declare that you know that all the information you are asked to provide is not required by law or defense regulations, and it is provided of your own free will, so that we can make use of it as we see fit. In addition, you consent that we may store the information you have provided to us in our databases based on our considerations.¹⁵

The Shin Bet and Mossad, Israel’s national intelligence agency, also recruited Israeli manufacturers of military cyberware, such as the NSO Group and Elbit Systems, to join efforts in supplying Israeli hospitals with hardware to combat the coronavirus.¹⁶ Bennett, who headed the far-right religious alliance in the Knesset, was enthusiastic about involving the NSO Group, ignoring the highly controversial human rights background of the NSO Group and its involvement in criminal activity by peddling its Pegasus software to Middle Eastern and Latin American governments who are using it to track and eliminate dissidents, journalists, and others seen as challenges to their absolute authority.¹⁷ The Mossad is similarly notorious: in a recent exposé, journalist Ronen Bergman acknowledged the connection between the Mossad and other unsavory regimes worldwide, noting that “the Mossad’s efforts were easier in nondemocratic countries where intelligence agencies have more influence with the rulers.”¹⁸ Further, accounts of the Mossad’s efforts to assist in the fight against the coronavirus are largely exaggerated, as journalist Yossi Melman noted: “Contrary to the flattering reports about the Mossad’s cloak-and-dagger operations to acquire medical equipment, most of it was purchased officially in Europe and China, where the organization has no particular advantage.”¹⁹

Joining the rush to combat coronavirus, Elbit Systems announced plans to manufacture ventilators that are in short supply in Israel (one per 2,500 Israeli citizens, compared to one per 1,655 in the United States), and boasted to have developed a “remote coronavirus testing system” that, according to press reports, uses radar to “measure the temperatures and heartbeats of patients without actually touching them.”²⁰ Elbit Systems is a major Israeli exporter of arms that at the end of the third quarter of 2021 advertised a 20 percent growth in revenues from arms exports and a backlog of arms orders worth \$13.6 billion.²¹ Elbit System advertises its arms (which include cluster bombs and drones) as “battle proven,” having supplied the Israeli army during its horrific 2014 Gaza offensive, which killed more than two thousand Palestinians, including more than five hundred children.²² Elbit Systems also provided surveillance equipment for what Israel calls the “West Bank Barrier” and Palestinians call the Apartheid Wall, declared illegal by the International Court of Justice, and took part in other projects such as the U.S.–Mexico border wall.²³

Privacy advocates warned against extending the military use of contact-tracing technologies and argued that the line between the military and the civilian sector is becoming increasingly blurred. Although this observation is made primarily regarding the Jewish Israeli sector, Palestinians have complained from the outset of the militarization of contact-

tracing technology and the state's use of social media to track Palestinian citizens' exposure to the pandemic. Observers drew attention to a possible slippery slope of expanding government surveillance, especially after Netanyahu asked the Shin Bet to collect additional information about individuals. The editorial board of the newspaper *Haaretz* warned that Netanyahu was using fake concerns about a "popular revolt" to expand government powers, and headlined its reaction: "Israeli government is invading our privacy under the guise of battling coronavirus ... while riding roughshod over [the] right to privacy."²⁴ As one observer wrote:

For years, Israel's intelligence community has gotten used to employing electronic surveillance methods – characterized by an ever-increasing sophistication and penetration – to track enemies and Palestinian populations under occupation. Now, as a new threat emerges and the world order is transformed in an instant, it has the perfect excuse to invade the lives of Israeli citizens.²⁵

It did not take long for civil and human rights organizations to decry Israeli spy agencies' tactics as cynical, leading to violations of individual privacy and human dignity. The Arab Center in Israel for the Advancement of Social Media, for example, noted that "monitoring and tracking people 24 hours a day, 7 days a week – their location, calls, camera, and headsets – under the pretext of preventing the transmission and spread of infection, is a violation of people's right to privacy."²⁶ Lawyer Diana Buttu, a former advisor to the Palestinian Authority, expressed alarm about possible function creep, commenting: "My fear is that once this coronavirus threat passes, some measures will also be normalized this time: from racism in health care, to holding Palestinians and their health care system hostage, to surveillance, to home demolitions and blockades – all in the name of 'public security.'"²⁷

Civil liberties organizations also petitioned the Israeli supreme court. The Association of Civil Rights in Israel explained: "The health of the public is of utmost importance, but these measures, born out of draconian emergency regulations, are bringing us to a slippery slope when it comes to the invasion of privacy and democracy."²⁸ Israel's supreme court, "citing grave dangers to privacy," ruled "that the government must bring its use of mobile phone tracking deployed in the battle against the new coronavirus under legislation."²⁹

By May 2020, no fewer than twenty-seven countries worldwide were using data from cellphone companies to track the movement of individuals as part of their coronavirus contact tracing efforts.³⁰ Suspicions extended beyond privacy groups, as noted by a *Washington Post*–University of Maryland poll that reported that "3 in 5 Americans say they are unwilling or unable to use an infection-alert system being developed by Google and Apple."³¹ Fueling these suspicions are reports that the employment of surveillance technology does not always deliver accurate information for public health purposes. Reliance on geolocation technology is seen as particularly unreliable in high density patient areas: "Given the sharp rise in the number of coronavirus patients, contact tracing and geolocation are no longer effective at

finding all the people a given patient might have infected.”³² And a UK-based report in the *Lancet* shows that contact tracing requires a high proportion of cases to self-isolate and a high proportion of their contacts to be traced, combined with physical distancing, for the technique to make meaningful impact on containing the virus.³³ Indeed, Petra Molnar and Diego Naranjo criticized clandestine efforts to enlist spy firms to combat the coronavirus and efforts based around curtailment of movement and access to sites such as refugee camps as not only unethical but ineffective in addressing the coronavirus:

The answer to stopping the virus is not increased surveillance through new technology or preventing access to the camps for medical personnel. Instead, we need to redistribute resources and ensure access to health care for all people, regardless of their immigration status.³⁴

While we continue to witness the inefficacy and inequalities that such policies have produced in the realm of public health, the effects in the realm of surveillance and social control may be less visible but just as insidious.

Implications of Israel’s COVID-19 Surveillance

A key concern raised by critics of the Shin Bet–Ministry of Public Health partnership has been the extent to which lives are needlessly affected by surveillance. People who are not likely to be affected by the virus – for example, because “contact” with an afflicted individual was fleeting or casual – may be unnecessarily disadvantaged. This parallels questions raised more generally about the global national security surge following 11 September 2001.³⁵ In this regard, COVID-19 represents the second major state of exception, after 9/11, within which legal and regulatory safeguards have been suspended to allow surveillance under the guise of safety.³⁶

Further, it is typical of the “tech solutionism” of the current surveillance capitalist climate that data analytics would be seen to have obvious relevance for dealing with the effects of a global pandemic. Surveillance capitalism involves intensive partnerships and mutual reliance between public and private entities, so commercial considerations intrude all-too-easily into what should be public health-led initiatives.³⁷ This is especially true of Israel, which prides itself on its military-incubated, leading-edge technological prowess, especially in the fields of information and communication technology.³⁸ Technology is thus presented as holding solutions that are more effective or efficient than well-established public health practices such as manual contract-tracing. However, to the degree that technology offers potential public health benefits – although it is worth noting that even Singapore, an early adopter of digital contact tracing, warns against over-reliance on technology, insisting that contact tracing should be “human-fronted”³⁹ – it also raises new issues of data security and privacy.

Digital contact tracing raises major issues of human rights that should be publicly and democratically addressed. In the United Kingdom, for instance, a legal submission

to a parliamentary committee on the question of digital contact tracing pointed out that the risks of such systems require serious and sustained attention to human rights.⁴⁰ According to the submission, addressing such concerns would mandate an ethics advisory board, independent oversight, ongoing review, and remedies for violations.⁴¹ At present Israel has no external and independent intelligence oversight body to oversee the implementing of emergency coronavirus regulations.⁴²

The second important consideration is the confusion caused by the term “privacy.” In Israel, as in many other countries, human rights and civil liberties abuses may continue despite legal adherence to privacy regulations. The problem is that data privacy issues are frequently seen as personal problems, not as a systemic fault-line of data-generated inequalities. Sharp questions have been raised about the privacy implications of large-scale use of personal data, originating primarily in widespread and commonplace platform use, and finding new uses in digital contact tracing and other technological “solutions” to the pandemic purveyed by governments.⁴³

The issue arose in Israel when Bennett proposed that the controversial NSO Group – a spyware company – be involved in developing a coronavirus scoring system. Bennett argued that this system would in no way violate individual privacy: “The data required to operate the system by authorities and governments is statistical and aggregated, not personal data.”⁴⁴ The same argument was made in the aftermath of the Edward Snowden revelations about the work of the U.S. National Security Authority in 2013. U.S. officials insisted that the “metadata” used by the NSA for their investigations was similarly “not personal.” Yet those metadata actually revealed exactly the kinds of information that hiring a private detective might find – where a particular person was, when they were there, and what they were likely to have been doing.

It is not sufficient, however, to confront innovations such as digital contact tracing with privacy demands to mitigate the risks. Privacy is frequently considered to be a personal, individual concern, even if its protection is also seen to support more public values such as freedom of expression or freedom of movement. The risks of personal data ending up in the “wrong” hands or otherwise being misused are real, and privacy legislation is available to counteract such eventualities. But this is also a systemic problem, based on fundamental inequalities – in this case to healthcare – and unfair practices. These can all too easily translate into basic “automated inequality” in healthcare as in other areas.⁴⁵ In Israel, gross disparities in access to adequate health care obtain between the Jewish Israeli population and the Palestinian population of Israel, the West Bank, and Gaza. These disparities have been made particularly visible in the treatment of the outbreak of coronavirus. This is why issues of corona surveillance demand to be seen as ones of digital rights and, beyond that, data justice in Israel in particular, but elsewhere as well.⁴⁶

A third implication – which again echoes concerns elsewhere in the world, but with particular relevance to Israel – is that measures put in place in a time of health crisis, a state of exception produced by the pandemic, will become routine. Further, there is justified fear that such measures will not only be applied in an increasing array of

circumstances (“function creep”), but will lead to the repurposing of whole systems in the goal of maximizing data collection (“mission creep”).⁴⁷ This issue, seen writ large in the responses to 9/11, is now rearing its threatening head once again. In the case of the post-9/11 “global war on terror,” despite efforts to insert “sunset clauses” in post-9/11 emergency measures, many supposedly exceptional practices remained in place indefinitely. Measures initially enacted to address an exceptional circumstance – marshalling personal data from the moment of booking an airplane flight, for example – quickly morphed into part of the unremarkable “normal” expectations. Here, the “exceptional circumstances” of a pandemic are the pretext for extraordinary measures that not only exacerbate inequalities today but also leave the door open for further data sharing with other government agencies in the future.

Today, many of Israel’s initiatives to mitigate the impact of the coronavirus show evidence of what Rob Kitchin calls “control creep” – the progressive expansion of the social control apparatus.⁴⁸ As Kitchin writes: “The fine-grained mass tracking of movement, proximity to others, and knowledge of some form of status (beyond health, for example) will enable tighter forms of control and is likely to have a chilling effect on protest and democracy.”⁴⁹ The fact that it might be anticipated does little to alleviate the concerns of those who provide evidence that today’s COVID-19 containment initiatives are simply more of the same.⁵⁰ What began as a drive to collect phone-users’ metadata – which Israeli authorities regard as “anything but content” – to influence and sell advertisements to those users, is now conscripted for an unproven form of contact tracing and for limiting the movements of citizens, especially Palestinians, whose mobility is already tightly restricted within Israel. If control creep is a fear even in fully democratic societies, how much more concerning is it in the case of Israel?

Conclusion

Michel Foucault captured the distinction between sovereignty and governmentality as that between “the right to *take* life and *let* live” and “the right to make live and to let die” – that is, biopolitics.⁵¹ Of course biopolitics is not applied uniformly, to manage and enhance the well-being of the entire population; rather, racism is constitutive of the biopolitical process. As Patricia Ticineto Clough and Craig Willse argue, “Foucault argues that it is a form of racism that allows for death in biopolitics, the death of some populations that are marked as inferior and harmful to the larger body of the nation.”⁵² The coronavirus has made clear that which was already evident to observers of Israel’s biopolitical regime: that Jewish Israelis are to be made to live, while Palestinians were to be left to die.⁵³

Some politicians in Israel admitted publicly that the spread of coronavirus does not obey geographic or racial boundaries. Israel’s president, Reuven Rivlin, seized on this point during his March 2020 telephone call to the Palestinian Authority president Mahmud Abbas: “The world is dealing with a crisis that does not distinguish between people or where they live. . . . The cooperation between us is vital to ensure

the health of both Israelis and Palestinians.”⁵⁴ Yet Israel was unwilling at the outset to aid Palestinians during the coronavirus crisis. The then prime minister Benjamin Netanyahu personally incited Jewish Israelis against Palestinians, whom he invariably described as terrorists, and did little to assuage the fears of Palestinians in the West Bank and Gaza. To justify the expansion surveillance in response to the coronavirus, he invoked “technological means” also used in the “fight against terrorism.”⁵⁵

It is clear that strategies to contain COVID-19 are unevenly distributed on racialized lines in Israel/Palestine. Preexisting public healthcare disparities that disproportionately disadvantage Palestinians have become vividly visible in the time of coronavirus. Decisions about who may live and who is allowed to die may be obscured by bureaucratic regimes and contact-tracing algorithms, but their effects are all too physical. Meanwhile, in the process of dealing with COVID-19, the same forces of racialized biopolitics strengthen their hand by ensuring that emergency measures can become routinized, permitting even greater surveillance and thus control over populations. Only basic changes that result in equality of citizenship status will permit equal, fair, and just public health treatment in Israel/Palestine, whether in a pandemic or in “normal” circumstances. Instead, what we have seen over the course of the pandemic is the infiltration of the public health sector by the security sector, with implications that may outlast the pandemic itself.

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Andalusian and Maghribi Scholars in Ayyubid and Mamluk Syria (Bilad al-Sham)

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Abstract

This study discusses the emigration of Muslim Andalusians and Maghribis to the major cities in Syria, such as Damascus and Jerusalem (al-Quds), focusing on the upper class of ulama and other intellectuals, and the various factors affecting this process and their absorption in the area. Political and economic reasons were the main factors motivating Maghribis to move to Syria and Egypt during the Ayyubid and Mamluk periods, while others moved to areas within the Ottoman domain.¹ Factors, such as seeking religious knowledge (*al-rihla fi talab al-'ilm*) were also important. Stability prevailed, relatively speaking, in late medieval Syria, and numerous favorable political, financial, and educational conditions served to attract many Maghribis and Andalusians from different regions, who left their impact on various aspects of life in Syrian cities, particularly in the educational and religious fields.

Keywords

Scholars; Muslim Maghribis; Muslim Andalusians; emigration; Medieval Bilad al-Sham; Jerusalem; Ayyubids; Mamluks; religious effect.

The emigration of Muslim scholars and intellectuals from one region to another was a regular phenomenon in the medieval Islamic world. This movement changed over the course of time, both in direction and character. From the beginning of the twelfth century, the factors causing scholars

and other elites to leave Islamic Spain (al-Andalus) and North Africa (the Maghrib) and move eastward gradually grew stronger and Syria (Bilad al-Sham) and Egypt under the Ayyubids and the Mamluks became a desirable destination for intellectuals, pilgrims, and others.² Egypt and Palestine also drew Maghribi and Andalusian Jews, some of whom reached high positions, including Nathan and Ishaq Sholal, who each served as *nagid* (head of the Jewish community) in late fifteenth- and early sixteenth-century Egypt.³ Numerous factors affected their movement and attracted them to new locations. This study addresses the primary motivating factors for the emigration of Muslim Maghribis and Andalusians to the East, and especially to Syria; the absorption and treatment of Maghribi migrants once they arrived; and the impacts and status of Maghribis in late medieval Syria.

Throughout the Mamluk period, Syria enjoyed relative stability, while the rest of the Islamic world was precarious and plagued by conflicts, including those with the Mongols in the east and within Islamic Spain and North Africa in the west. These conditions served as an important factor of Andalusian and Maghribi migration to Syria and Egypt. Motivation to migrate was also influenced by the treatment of Muslim scholars or *ulama* and other intellectuals by Ayyubid and Mamluk rulers who displayed a benevolent and encouraging attitude toward scholars and professionals. Rulers, emirs, and other benefactors in Syria and Egypt increased the number of available opportunities by establishing Islamic institutions and positions as pious endowments (*awqaf*; singular, *waqf*), and consequently broadened Islamic educational and cultural activities. Thus, Syria drew many scholars from across the Islamic world who sought positions in educational institutions (*madaris*; singular, *madrasa*).⁴

Migration Factors

Medieval sources, including travel accounts and scholars' biographies, indicate that a combination of factors made Syria the primary destination for Maghribi migrants traveling east, before and after the fall of Granada in 1492. Ahmad ibn Muhammad al-Maqqari's seventeenth-century treatise *Nafh al-tib* offers several reasons why Andalusian emigrants and scholars moved to the East and settled in Syria,⁵ while 'Ali al-Muntasir al-Kattani mentions that prophetic hadiths and religious narrations had granted Syria a special place in the hearts of Moroccans and Andalusians from a religious point of view.⁶ Although these movements were initially individual affairs, by the second half of the thirteenth century, the migration grew into a phenomenon of mass movement.⁷ During this period, the Spaniards increased their attacks and pressure on the southern Muslim areas around Granada, continuing until the ultimate defeat of Islamic rule at the end of the fifteenth century.⁸

Spanish confiscation and expropriation of Muslim and Jewish property caused Muslim and Jewish residents tremendous suffering and made it difficult for them to find adequate sources of income. Thus, they were motivated to emigrate, in the hope of finding a safer and a more politically stable place to dwell, as well as the opportunity to earn a decent living. These pressures continued to dominate the lives of Muslims

in Spain and in the Maghrib areas until the end of Muslim rule there, and affected life in North Africa even afterward. The political disintegration of the Maghrib after the fall of the Muwahhidun dynasty (Almohads, r. 1121–1269) was also a strong cause of migration to the East. After the fall of Cordoba and Seville in the mid-thirteenth century, Arab Muslims fled Andalusia for North Africa in uninterrupted waves. Most of the refugees made Tunisia their home, and there they remained a distinct group, keeping an identity separate from the local society of Tunisia and establishing their own villages and separate quarters in the cities of Tunisia and in other areas in North Africa.⁹ They were also organized politically as an independent community under a leader known as *shaykh al-Andalus*.

From the second half of the fifteenth century, Andalusian mass migration into the Maghrib continued, sparked by political crises and conflicts among Islamic emirates brought on by persistent Spanish and Portuguese attacks. Economic and social crises, in addition to famine and epidemics, left their impact further on Andalusian and Maghribi communities.¹⁰ The fall of Muslim Andalusia in 1492, and the subsequent persecution of Muslims, prompted the migration of many Andalusians to Morocco and then toward the East.

These conflicts had a direct impact on the emigration of the educated class, ulama and government officials, who feared hostility and revenge. However, educated and wealthy Maghribi migrants could also afford the dangers of a long trip to rebuild their lives in Mamluk, and later Ottoman, Egypt and Syria. There they settled in separate quarters in the main cities of Syria and Egypt, such as in Jerusalem, Cairo, and others.¹¹ The case of the Abu al-Walid family is an example of forced migration from Andalusia in the thirteenth century. Abu al-Walid Muhammad b. Ahmad arrived in Damascus in 1285, after his pilgrimage to Mecca. His migration with his family occurred in several stages; first, he fled to Seville (Ishbiliyya) when the Spaniards conquered his hometown of Cordoba (Qurtuba) in the first half of the thirteenth century. There, he lost his property to the local Muslim governors (amirs), who forced him to emigrate again with his family to Syria and settle in Damascus.¹²

In times of difficulty in Andalusia and the Maghrib, then, the Mamluk state in Egypt and Syria offered relative political stability. As Ibn Jubayr wrote:

Whoever wants to succeed, from the origin of our Maghrib, should travel to this country [Syria] to seek knowledge [*ilm*], and he will find that supporting matters are many, first of all, the peace of mind regarding living matters, which is the biggest and most important assistance.¹³

During the Ayyubid and Mamluk periods, the major cities of Syria – Damascus, Aleppo, and Jerusalem – absorbed the largest number of Maghribi immigrants. Biographies of Maghribi and Andalusian immigrants to Syria suggest that until the fourteenth century the majority of the Maghribis indeed preferred to settle in Damascus. Ibn Kinan, for instance, stated that Damascus had a separate place for settling Maghribis.¹⁴ From the beginning of the fifteenth century, however, Jerusalem became the preferred destination for Maghribis.¹⁵ The Maghribi community in

Jerusalem (Bayt al-Maqdis) continued to expand throughout the later Mamluk period, while it decreased in other Syrian cities.¹⁶ This was linked to Timur's conquest of Syria in 1400 and the subsequent damage to the educational system, especially in the cities of northern Syria. Jerusalem was unharmed and its institutions were relatively well protected. The last Mamluk sultans preserved religious and educational institutions and their waqf system in the city.¹⁷ Beyond political stability, however, historians of the period and biographies of Maghribis who immigrated to Syria have noted some of its attractive features, including its natural beauty, which evoked their places of origin; the chance to visit holy sites; local rulers' and residents' favorable treatment of Maghribis; and employment opportunities.

The Appeal of Syria

On their visits and travels to Syria, many Maghribis found similarities between the Syrian and Andalusian scenery, a factor that may have helped the newcomers' assimilation. The eleventh-century traveler Abu Hamid al-Gharnati praised Damascus and its landscape, comparing it to the city from which he originated, Granada: "Granada is the base of Andalusia, and it is like Damascus in the plentifulness of its fruits."¹⁸ Two of the most famous travelers from the Muslim West, Ibn Jubayr and Ibn Battuta, also describe the beauty of the Syrian landscape and its many similarities to that of al-Andalus. Ibn Jubayr, who traversed Egypt, Syria, and Iraq from 1182 to 1187, compared the city of Qinnasrin in northern Syria with Jiyan in al-Andalus, writing: "Jiyan of the Andalusian countries is like it [Qinnasrin]. So, it is mentioned that the people of Qinnasrin, at the conquest of al-Andalus, settled in Jiyan feeling at ease in the semi-homeland."¹⁹ Ibn Jubayr also compared the Syrian city of Homs to Seville in al-Andalus, noting that, "You find in these countries [surrounding Homs], when you view them from afar, in their plan and view and their shape of location, some similarity to Seville of al-Andalus."²⁰ The Moroccan Ibn Battuta travelled throughout Africa and Asia from 1325 to 1354 and he, too, was fascinated by Syria's natural and urban landscapes.²¹ He praised the beauty of Damascus, citing Ibn Jubayr's description and lauding its location, orchards, and flowers: "The best of all countries, the paradise of the East and the bride of all cities."²²

Beyond its natural beauty, the religious sites of Syria also drew visitors and migrants. In the medieval Muslim era, historians and scholars composed and collected writings praising the virtues of Jerusalem (*fada'il Bayt al-Maqdis*). Jerusalem served as a destination for many travelers and pilgrims, including Maghribis, who undertook religiously motivated visits of various lengths known as *ziyara*, *mujawara*, and *qurba* (visiting or being in proximity to) to the holy sites of al-Aqsa Mosque and al-Haram al-Sharif.²³

The customs and friendly conduct of the residents and rulers of Syria toward the Maghribis and Andalusians also served as a major attraction for many. During the Crusader period, Syrians viewed it as generous, even honorable, to support the release and redemption of Maghribi prisoners (*iftikak al-Maghariba*). Muslim rulers of Syria,

their princesses (*al-khawatin min al-nisa'*), and people of wealth (*ahl al-thara' wal-yusur*) spent their money for that purpose already from the time of Sultan Nur al-Din Zangi (d. 1174).²⁴ Ibn Jubayr and Ibn Battuta both describe Syrians as treating migrants with trust and provided extensive accounts of locals' enthusiastic welcome of Maghribis. Ibn Jubayr, for instance, states that Syria's gates were always open to the Maghribis (*hatha al-mashriq babuhu maftuh*).²⁵ Likewise, both Ibn Jubayr and Ibn Battuta note that Syrians preferred employing Maghribis in a wide range of positions, because of their reputation as trustworthy and honorable. Rulers of Syria and Egypt extended a welcoming hand to foreigners in general and to Andalusians and Maghribis in particular. Maghribis could be found in many occupations such as agriculture, security and defense, business, or government service, in addition to various posts in religious and educational institutions.²⁶

Medieval Arabic and Islamic sources, including Ibn Abi Usaybi'a and al-Maqqari, provide examples of many Maghribi scholars and high-ranking immigrants who moved to Egypt and Syria. The case of the Maghribi physician Abu Zakariyya Yahya al-Bayasi al-Andalusi who served in Egypt and Syria under the Ayyubid Sultan Salah al-Din (d. 1193), is but one example among many.²⁷ Abu al-Walid, mentioned above, served as the *imam* at the *mihrab* of the adherents to the Maliki rite in the Umayyad Mosque upon his arrival in Damascus. To pay for the studies of his two sons, he took on additional work as a transcriber of books. Another example was the *qadi* (judge) of Granada, Shams al-Din Muhammad ibn al-Azraq (d. 1490), who was forced to leave Andalusia after his city was conquered by the Spanish, and moved to Egypt. When he arrived in Egypt, the Mamluk Sultan Qaytbay (d. 1496) appointed him *qadi* of the Maliki community in Jerusalem, enabling him to earn a decent living.²⁸ Such accounts suggest that Maghribi scholars underwent a relatively painless process of acclimation to their new environment. Attractive employment opportunities compensated for the pitiful economic circumstances to which they had been reduced in their homeland and encouraged others to follow in their footsteps.

Integration into Syrian Society

Pious endowments (*awqaf*) played an important role in the development of the urban infrastructures of the Middle Eastern cities, including during the Ayyubid and Mamluk eras, and were fundamental to the integration of Andalusians and Maghribis into Syrian society.²⁹ Ayyubid and Mamluk rulers dedicated various educational and religious institutions for the Maghribis in Syria and allocated important endowments to support them. Ibn Jubayr presents a fine description of the endowments established by Sultan Nur al-Din Zangi in Syria and his favorable attitude toward the ulama. He referred particularly to al-Malikiyya zawiya (a prayer corner, often a Sufi building) at the Umayyad Mosque in Damascus and the special waqf allocated for it.³⁰ Such endowments provided all services and means of subsistence, including food and drink, clothing, accommodations, and opportunities to study and work, to those coming from the Maghrib and Andalusia, whether students, ulama, or pilgrims, as well as the poor

and needy members of this community residing in Jerusalem.³¹

After Salah al-Din's conquest of Jerusalem in 1187, the number of Maghribis in the city increased. The Ayyubid ruler of Damascus, al-Malik al-Afdal (d. 1225), Salah al-Din's son, dedicated the Afdaliyya madrasa as an endowment for the Maghribis in Jerusalem in 1195 and designated a quarter for the Maghribi community in the city, just west of al-Aqsa mosque, which became known as *harat al-Maghribi* (the Mughrabi Quarter). Since then, this quarter attracted Maghribis who came to Jerusalem for religious purposes, employment, education, and trade, among other reasons.³²

Despite the affiliation of the majority of Maghribis and Andalusians with the Maliki school of law (*madhhab*), and the dominance of the Shafi'i and Hanafi schools in Syria, the rulers of Syria did much to accommodate them. Sultan Salah al-Din established two institutions in Damascus to serve the Maliki school: the Malikiyya zawiya and the Salahiyya madrasa, both founded in 1193. Several other institutions of the Maliki school were established during the Mamluk period, particularly during the reign of Sayf al-Din Tankiz (d. 1340) as governor of Damascus, such as the Samsamiyya madrasa in 1317 and the Sharabishiyya madrasa in 1333.³³ Ibn Battuta noted in his account that there were three Maliki madrasas in Damascus, adding the al-Nuriyya madrasa of Sultan Nur al-Din Zangi, and mentioned that, during his stay in the city, he himself had lodged at the Maliki madrasa, al-Sharabishiyya.³⁴

On the other hand, despite the generally good treatment of Maghribis in Syria, some tensions may have arisen between the immigrants and the locals due to differences in culture, Arabic dialect, school of Muslim law and more that may have encouraged conversions.³⁵ Despite the good treatment of Maghribis in Syria, some (though apparently the number is relatively small) changed their affiliation from the Maliki madhhab to adapt to the Shafi'i or, to a lesser degree, the Hanafi schools. The sources do not provide a detailed account of the reasons for these shifts, though 'Ali Ahmad argues that they were economically motivated, serving as a pathway to obtain positions, the assumption being that these individuals were candidates for higher-level and better-paying positions in Shafi'i or Hanafi madrasas.³⁶ Jamal al-Din Muhammad ibn Malik (d. 1274), for example, changed his affiliation to the Shafi'i school when he arrived in Syria and succeeded in obtaining teaching positions in Aleppo and Damascus.³⁷ Another Andalusian, Shihab al-Din ibn Muhajir al-Wadi Ashi (d. 1338), converted to the Hanafi school. Undoubtedly, the main reason for his change of affiliation during his stay in Aleppo was to teach in the madrasas of the Hanafi judge Ibn al-'Adim, as in fact occurred.³⁸

As the number of Andalusian and Maghribi migrants in Syria grew, meanwhile, they not only sought to attach themselves to existing institutions, but established their own. One example of this is the waqf of Abu Madyan in Jerusalem, which served the city's Maghribis in various ways. Shaykh Abu Madyan (d. 1320), who established the endowment in Jerusalem, was a grandson of the shaykh and mystic Madyan al-Ghawth Shu'ayb bin al-Hasan al-Andalusi (d. 1197), whose grave in the Algerian city of Tlemcen in Algeria is visited by many of his followers.³⁹ The Abu Madyan

endowment deed (*waqfiyya*) allocated endowments from the lands of ‘Ayn Karim (a village in Jerusalem) including houses, orchards, and other assets, to the interests of the Maghribis. Abu Madyan also dedicated a *zawiya* – consisting of an *iwan*, a house, a yard, and private facilities, below which is a store and a cellar – as a *waqf* to serve Maghribi men, providing for their needs, including food, drink, and clothing.⁴⁰ The dedication of *zawiyas* and other special areas such as the *mihrab* in the major mosques of Syrian cities to serve the Maliki school was another indication of the rising status of Maghribis in the region. Prime examples were the Maliki *zawiyas* in the Umayyad mosques of Damascus and Aleppo, and in the al-Aqsa mosque in Jerusalem. Establishing such institutions was one of several ways in which the impact of Andalusian and Maghribi scholars was felt in Syria.

Education and Law

Andalusians who were able to escape their homeland and the Inquisition had a remarkable influence on societies to which they emigrated. Andalusians helped Arabicize parts of Africa, including Sudan and Mauritania. In his study on the history of the Maghrib, Jamil Abun-Nasr discusses the influence that Andalusians had on sailing and navigation.⁴¹ More generally, Andalusians introduced and preserved their heritage in the places they resettled. They also revolutionized politics, loosening its ties with religion. Unlike most Muslims of that time, Maghribis had regarded religion as a private concern – a far cry from the view held in the countries of Christian Europe and the Muslim East. As Andalusians and Maghribis migrated in greater numbers to Syria, it is thus unsurprising that they would have an impact, and this impact was perhaps felt more strongly in the realm of education.

The biographies of Maghribi intellectuals who migrated to the East emphasized their proficiency in the Arabic language. These scholars specialized in teaching Arabic in the Syrian madrasas, and some had a tremendous impact on the pedagogic materials used to teach Arabic, not only within Syria but also in other parts of the Islamic world. A particularly renowned figure was Jamal al-Din ibn Malik (d. 1273) who held various teaching positions in Aleppo and Damascus.⁴² His *al-Alfiyya* was considered one of the most important grammar textbooks, and was later used as a foundational text by the Andalusian teacher Athir al-Din Muhammad Abu Hayyan al-Jiyani (d. 1344), who was given the title *sultan ‘ilm al-nahu* (sultan of Arabic grammar).⁴³ Knowing Andalusians’ and Maghribis’ reputation for expertise in the Arabic language, Nasir al-Din ibn al-‘Adim, qadi of Aleppo, appointed the Andalusian Shihab al-Din ibn Muhajir al-Wadi Ashi (d. 1338) to various teaching positions in the madrasas of that city.⁴⁴

The Maliki madhhab also gained strength in the region, thanks to the Maghribi ulama, and the Ayyubid and Mamluk policies of reinforcing the Sunni stream of Islam enabled Malikis to participate in the propagation of Sunni Islamic education in the area. In 1263, Sultan Baybars executed a judicial reform in Egypt, appointing four main *qadis* from the four major Sunni schools of law to create a uniform legal system.

The first independent judges were appointed in Damascus in 1265, which further contributed to the growing power of the Maliki madhhab in the city. Subsequently, in other cities in Syria, judges from the other schools joined the Shafi'i qadi according to the size of the community following that rite in each city. Along with attending to the interests of their community members, qadis also strived to promote the principles of their respective schools by means of educational and religious activities.⁴⁵

Maliki judges in Syria applied themselves energetically to strengthening their school and to providing educational and religious services to its adherents. Medieval scholars and historians such as Ibn Kathir and Ibn Hajar mention Jamal al-Din Muhammad al-Zawawi al-Maghribi (d. 1317), who moved from Cairo to Damascus in 1288 to assume the office of Maliki qadi after it had remained vacant for three years. While in office, he reinforced the Maliki educational and religious institutions in Damascus, introducing innovations and supervising the renovation of al-Samsamiyya and al-Nuriyya (also known as al-Salahiyya or al-Malikiyya) madrasas. The curriculum he implemented in these madrasas aimed to meet the needs of the Maliki community and included the study of the Maliki legal doctrine based on *Muwatta' Malik*, the writings of its founder Malik ibn Anas (d. 795).⁴⁶

The growing number of Maghribis in Jerusalem, meanwhile, bolstered the status of their community in the city and allowed them to achieve independence in judicial matters. The city's first Maliki qadi, Ibn al-Shahhada, was officially appointed in 1399 and was entrusted with managing the affairs of the Maliki community in and around Jerusalem. In the Ayyubid period, the Maghribis also succeeded in obtaining a separate prayer area for the Maliki rite in the western side of the al-Aqsa Mosque, known as *jama'at al-Maghariba*. The Maliki shaykh Musa al-Maghribi (d. 1397) was the first imam to organize prayers there. Maghribis administered all the educational and religious institutions connected to the Maliki school in the city.⁴⁷ The head of the Maghribis (*mashyakhat al-Maghariba*) became an office appointed by the Mamluk Sultan in Cairo at the end of the Mamluk period, and those who held it could intervene in appointing and dismissing the qadis who had jurisdiction over the Maghribi community and the Maliki madhhab.⁴⁸

'Abd al-Rahman ibn Khaldun (d. 1406) is a prominent example of a Maghribi scholar whose family had made its way from Andalusia to North Africa, and who then proceeded from there to the Mamluk domain of Egypt. In 1382, after serving in a number of positions in al-Andalus and the Maghrib, Ibn Khaldun felt that his influence with the ruler and popularity among his students had provoked court intrigue and left Tunis for Egypt under the pretext of a pilgrimage to Mecca. He was granted several educational posts at the famous *madrasas* in Cairo and was appointed chief Maliki judge (*qadi qudat al-Malikiyya*) several times. He enjoyed the favor of the sultans Barquq and Faraj. Sultan Faraj had Ibn Khaldun accompany him to Damascus in his campaign against Timur's invasion of Syria in 1400 where, because of Ibn Khaldun's high rank and fame (*min a'lam al-a'yan*), Timur invited him to his camp outside Damascus.⁴⁹

Sufis and Mystics

From the Zangid regime onward, Syrian rulers' policies were tolerant and supportive of Sufis, both as individuals and organized Sufi orders. Syria became a magnet for Sufis, both students and shaykhs, from around the Muslim world. Sultan Nur al-Din Zangi provided the Sufis with the moral and economic support they needed, both in funding and in building institutions throughout Syria.⁵⁰ Ibn Zangi was a strong believer in the spiritual-religious powers of the Sufi shaykhs and their miracles (*karamat*) and would visit them to receive their blessings (*baraka*). During his journey to Syria in 1184, Ibn Jubayr describes Sufism as strong in the region, with shaykhs' status as high as kings (*hum al-muluk bi-hathihi al-bilad*) and Sufi institutions like elaborately decorated palaces (*wa-hiya qusur muzakhrafa*).⁵¹

Perhaps the best known Sufi shaykh to exemplify the links between al-Andalus and the Maghrib and Bilad al-Sham is Muhyi al-Din ibn 'Arabi (d. 1240). Ibn 'Arabi began his journey from Andalusia in 1201–2 and ended up in Syria, where he remained until his death. He left a controversial legacy in Syria, and throughout the Islamic world, because of his views and ideas about pantheism (*wihdat al-wujud*), which aroused sharp differences among the ulama. Some scholars considered Ibn 'Arabi a "friend of God" (*waliyy*), while others, such as Shams al-Din al-Dhahabi, 'Izz al-Din ibn 'Abd al-Salam, Ibn Taymiyya, and Badr al-Din ibn Jama'a, saw him as a heretic. Ibn 'Arabi's tomb on Mount Qasiyun in Damascus became, especially after the Ottoman conquest of Syria, a site for visitation (*ziyara/mazar*) and pilgrimage by his followers, who gave him the title *al-shaykh al-akbar* (the Greatest Shaykh) and believed in his philosophy and miracles.⁵²

The Maghribi mystic Abu al-Hasan al-Shadhili (d. 1258) offers a somewhat different case. It is not known whether al-Shadhili ever lived in Syria or only stayed there on a visit. Al-Shadhili died in Egypt, while on his way to make pilgrimage to Mecca, and was buried there, his shrine becoming highly venerated, and a site visited by his followers ever since. Still, al-Shadhili left his impact on the public sphere throughout Syria as a result of the zawiyas established by his followers in the Shadhuli Sufi order (al-Shadhiliyya).⁵³

Indeed, the growing population of Sufi immigrants from the Maghrib and Andalusia, together with the increasing number of their local adherents, brought about the construction of new institutions. Those Sufi institutions were known either by the name of the main Maghribi Sufi shaykh with whom each was affiliated or by the place of origin of its adherents. Maghribi Sufis and mystics also dedicated awqaf for religious and educational aims in Jerusalem. In the Mamluk era, the waqf of the Maghribi Sufi shaykh 'Umar b. 'Abdallah al-Masmudi, whose zawiya was built in the Maghribi quarter in Jerusalem in 1303, became a center for Sufis and Maghribi visitors. The zawiya was built with the shaykh's private funds and known as zawayat al-Masmudi or al-Maghribiyya.⁵⁴ The zawiya of Abu Madyan, endowed in 1320 and mentioned above, also serves the Maghribi community in Jerusalem, whether locals or visitors.⁵⁵ In 1352, a Maghribi ruler, 'Ali b. 'Uthman, the sultan of Marin, endowed

a copy of the Holy Qur'an that he had copied and dedicated for the Maghribi students, scholars, and worshippers in Jerusalem.⁵⁶

In Damascus, too, a number of institutions were established by and for Sufis from the Islamic West. In 1399, Shaykh 'Ala' al-Din 'Ali ibn Watiyya founded al-Watiyya zawiya, which became known as zawiyat al-Maghariya.⁵⁷ Shaykh 'Ala' al-Din dedicated stores and houses around the zawiya for the use of all classes of Maghribis, on condition they were not heretics or evil (*bi-shart an la yakun al-nazil bi-ha muftadi'an wa-la shirriran*).⁵⁸ Other Sufi institutions established by Maghribis included a zawiya in the Baqa'a, a region in Lebanon, built to accommodate foreigners passing through the area, and the Andalusiyya khankah in Damascus. Aleppo also had numerous institutions for adherents of the Maliki madhhab, although these were shared by the other schools of Islamic jurisprudence. These included the madrasas of al-Zajjajiyya, al-Salahiyya, al-Nafisiyya, al-Jubayl, al-Sayfiyya al-Juwaniyya, and a zawiya in the Umayyad Mosque in Aleppo.⁵⁹

Conclusion

The waves of migration of Maghribis and Andalusians to Syria in late medieval times were affected by several factors. Migrants' main motives were political crises in their home environments and the generous opportunities for livelihoods, though the attractive landscape of Syria and the sites of religious significance found there were also draws. It is important to stress the significance of Bilad al-Sham as a place that attracted Maghribis and Andalusians, especially in the Mamluk era, when its cities were a safe haven, providing opportunities for work and education. Further, Maghribis showed ingenuity in adapting to life in the Syrian cities and in their dedication to their positions and occupations, becoming prominent in religious and educational spheres. They were a significant force and excelled in Arabic language and literature, for which they received acceptance and respect from both the rulers and the local people. Finally, most Andalusians and Maghribis maintained their affiliation with the Maliki madhhab and contributed to strengthening it in the cities of Syria, in terms of the administration and endowment of religious and educational institutions such as mosques, madrasas, and zawiyas for Sufis. The extent of their influence can be seen in the establishment of separate quarters in major cities, such as in Jerusalem and Cairo. The political crisis of the Islamic West was thus, in many ways, a boon to the Mamluks and would have long-lasting influence on the cities of Greater Syria for generations before and after the fall of al-Andalus.

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Endnotes

- 1 Because of the close connection between both the Maghrib and Andalusia and their people, the term Maghribis (*al-maghariba*) could be used to refer to both North Africa and Andalusia. See 'Ali al-Muntasir al-Kattani, *Inbi'ath al-Islam fi al-Andalus* [The emergence of Islam in al-Andalus] (Beirut: Dar al-Kutub al-'Ilmiyya, 2005), 15–19.
- 2 On the mobility of ulama to Central Asia and the Middle East, see: Richard W. Bulliet, "A Quantitative Approach to Medieval Muslim Biographical Dictionaries," *Journal of the Economic and Social History of the Orient* 13 (1970): 195–211; Carl F. Petry, *The Civilian Elite of Cairo in the Later Middle Ages* (Princeton: Princeton University Press, 1981); and Hatim Mahamid, *Waqf, Education, and Politics in Late Medieval Syria* (Saarbrücken: Lap Lambert Academic Publishing, 2013), 7–54.
- 3 See Joseph R. Hacker, "Maghribi Jews in Egypt and in Jerusalem in the Late Fifteenth Century and Intellectual Activity Under Mameluke Rule," in *Atara L'Haim: Studies in the Talmud and Medieval Rabbinic Literature in Honor of Professor Haim Zalman Dimitrovsky*, ed. Daniel Boyarin et al., (Jerusalem: Magnes, 2000): 573–603 (in Hebrew). Various scholars have highlighted the good Islamic-Jewish relationship at the time, especially in al-Andalus and the Maghrib. See, for example, the work of David Wasserstein, including: "How Islam Saved the Jews," Opening Lecture, Department of Religions and Philosophies, School of History, Religions, and Philosophies, SOAS University of London, 14 May 2012, online at (soas.ac.uk) bit.ly/3NhXuGQ (accessed 8 February 2021); *The Jewish Communities of the Early Islamic World* (Farnham, UK: Ashgate, 2014); "The Muslims and the Golden Age of the Jews in al-Andalus," in *Dhimmis and Others: Jews and Christians and the World of Classical Islam*, ed. David Wasserstein and Uri Rubin (University Park, PA: Eisenbrauns, 1997), 179–96.
- 4 On developments of waqf and education in Syria (Bilad al-Sham) at the time, see: Hatim Mahamid, "Waqf and Madrasas in Late Medieval Syria," *Educational Research and Review* 8, no. 10 (23 May 2013): 602–12; and Mahamid, *Waqf, Education, and Politics*, 130–92.
- 5 See Ahmad b. Muhammad al-Maqqari, *Nafh al-tib min ghusn al-Andalus al-ratib* [The breath of perfume from the branch of flourishing al-Andalus] (Beirut: Dar Sadir, 1968), 8 vols. On such biographies, see, for instance, Maqqari, *Nafh al-tib*, vol. 2, 502–704.
- 6 Al-Kattani, *Inbi'ath al-Islam*, 406–9. Many medieval Muslim scholars dealt with the topic of the virtues of the Levant and its advantages (*fada'il al-Sham*). See, for example, the virtues of Syria (*al-Sham*) by al-Badri in the late Mamluk period: Abu al-Baqa' 'Abdallah al-Badri, *Nuzhat al-anam fi mahasin al-Sham* [Mankind's promenade through the merits of Greater Syria] (Beirut: Dar al-Ra'id al-'Arabi, 1980). On the virtues of Jerusalem in particular (*kutub fada'il Bayt al-Maqdis*), including published writings, manuscripts, and lost books from the Ayyubid and Mamluk periods, see Amina Sulayman al-Badawi, "Kutub fada'il Bayt al-Maqdis fi al-'asrayn al-Ayyubi wa-l-Mamluki" [Books on the virtues of Jerusalem in the Ayyubid and Mamluk periods], *Majallat al-Jami'a al-Islamiyya* 2 (June 2013): 295–314.
- 7 'Ali Ahmad, *al-Andalusiiyun wa-l-maghariba fi bilad al-Sham min nihayat al-qarn al-khamis wa hata nihayat al-qarn at-tase' al-hijri* [Andalusians and Maghribis in Greater Syria] (Damascus: Dar Tlas, 1989); see also Mahamid, *Waqf, Education, and Politics*, 29–39. For examples of early immigrants to Syria, see al-Kattani, *Inbi'ath al-Islam*, 406–9.
- 8 On the internal political conflicts and the external threats in Andalusia, see: Hugh Kennedy, *Muslim Spain and Portugal: A Political History of al-Andalus* (New York: Routledge, 2014), 189–304; Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia: University of Pennsylvania Press, 2003); and Muhammad 'Abdallah 'Anan, *Dawlat al-Islam fi al-Andalus* [Islam's state in al-Andalus] (Cairo: Maktabat al-Khanji, 1997), 6 vols.
- 9 On relations between Andalusia and the Maghrib, see Jamil M. Abun-Nasr, *A History of the Maghrib in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 71–143. On similar concepts, see Beebe Bahrami, "The Persistence of the Andalusian Identity in Rabat, Morocco" (PhD diss., University of Pennsylvania, 1995), online at repository.upenn.edu/

edissertations/1176 (accessed 4 July 2020).

- 10 See Muhammad Razzuq, *al-Andalusiyyun wa-hijratuhum ila al-maghrib khilal al-qarnayn 16–17* [Andalusians and their migrations to the Maghrib during the sixteenth and seventeenth centuries] (Casablanca: Afriqiya al-sharq, 1998), 141–73.
- 11 On the Maghribi quarter in Jerusalem, for instance, see: Huda Lutfi, *al-Quds al-Mamlukiyya: A History of Mamluk Jerusalem Based on the Haram Documents* (Berlin: Schwarz, 1985), 235–36, 246–47; Hatim Mahamid, “Developments and Changes in the Establishment of Islamic Educational Institutions in Medieval Jerusalem,” *Annales islamologiques* 37 (2003): 34–46; Mahamid, *Waqf, Education, and Politics*, 32; Mahamid, *Dirasat fi tarikh al-Quds al-thaqafi fi al-‘asr al-wasit* [Studies in Jerusalem’s Cultural History during the Middle Period] (Amman: Dar Ward al-‘Urduniyya, 2009): 112–14; and Thomas Abowd, “The Moroccan Quarter: A History of the Present,” *Jerusalem Quarterly* 7 (Winter 2000): 6–16. On the Mughrabi quarter in Jerusalem and its demolition by the Israeli authorities in 1967, see Noura al-Tijani, “The Moroccan Community in Palestine,” *This Week in Palestine*, online at (thisweekinpalestine.com) bit.ly/3LbRoBx (accessed 12 March 2018).
- 12 Abu al-Fida’ Isma‘il Ibn Kathir, *al-Bidaya wa-l-nihaya fi al-tarikh* [The beginning and the end in history] (Beirut: Maktabat al-Ma‘arif, 1988), vol. 14, 91; Ahmad Ibn Hajar al-‘Asqalani, *al-Durar al-kamina fi a‘yan al-ma‘a al-thamina* [Pearls hidden in the notables of the eighth hundred] (Beirut: Dar al-Jil, 1993), vol. 3, 350–51; and ‘Abd al-Qadir b. Muhammad al-Nu‘aymi, *al-Daris fi tarikh al-madaris* [A guide in the History of Schools] (Beirut: Dar al-Kitab al-Jadid, 1988), vol. 2, 6. See also on this concept: Mahamid, *Waqf, Education, and Politics*, 29–30.
- 13 Muhammad b. Ahmad Ibn Jubayr, *Rihlat Ibn Jubayr* (Beirut: Dar Beirut, 1984), 258.
- 14 Muhammad b. ‘Issa ibn Kinan, *al-Mawakib al-Islamiyya fi al-mamalik wa-l-mahasin al-Shamiyya* [Islamic processions in Damascene kingdoms and attractions] (Damascus: Wizarat al-Thaqafa, 1993), vol. 1, 85.
- 15 ‘Ali Ahmad argues that most Maghribis in Syria chose Damascus as their destination during the Mamluk period. However, apparently his study does not consider the historical changes and circumstances that occurred during the fifteenth century in the Syrian regions. Ahmad, *al-Andalusiyyun wa-l-Maghariba*, 111–16.
- 16 See Mahamid, *Waqf, Education, and Politics*, 21 (table 1), 24 (table 2). On the demographic situation in Jerusalem during the Mamluk period, see also Lutfi, *al-Quds al-Mamlukiyya*, 217–58.
- 17 On the political, religious, and educational developments in Jerusalem in this period, see Mahamid, *Dirasat*, 103–40.
- 18 Ibn Hajar, *al-Durar*, vol. 4, 307.
- 19 Ibn Jubayr, *Rihlat*, 228.
- 20 Ibn Jubayr, *Rihlat*, 232–33.
- 21 See Muhammad b. Ibrahim Ibn Battuta, *Rihlat ibn Battuta: tuhfat al-nuthar fi ghara’ib al-amsar wa ‘aja’ib al-asfar* [The journey of Ibn Battuta: a masterpiece to those who contemplate the wonders of cities and the marvels of traveling] (Beirut: Dar Beirut, 1985). A number of scholars have studied Ibn Battuta’s travelogue; see, for instance: Ross E. Dunn, *The Adventures of Ibn Battuta: A Muslim Traveler of the 14th Century*, 3rd ed. (Berkeley: University of California Press, 2012); David Waines, *The Odyssey of Ibn Battuta: Uncommon Tales of a Medieval Adventurer* (Chicago: University of Chicago Press, 2010).
- 22 See their descriptions of Damascus: Ibn Battuta, *Rihlat*, 84–87; and Ibn Jubayr, *Rihlat*, 234–35.
- 23 On the establishment and development of the Maghribi quarter in Jerusalem and the factors attracting Maghribis and Andalusians to the city at that time, see: Kadrya Bendary, “Hayy al-maghariba bi-l-Quds al-sharif: dirasa athariyya” [The Moroccan quarter in Jerusalem: an archaeological study], *Dirasat fi athar al-watan al-‘Arabi* 11 (2008): 839–45, online at cguaa.journals.ekb.eg/article_38268.html (accessed 16 November 2021); and al-Ju‘beh, *Harat al-Yahud wa harat al-Maghariba*, 149–256. On the virtues of Bayt al-Maqdis, see for example: ‘Abd al-Rahman b. Muhammad Ibn al-Jawzi, *Fada’il al-Quds* [The virtues of Jerusalem] (Beirut: Dar al-Afaq al-Jadida, 1980); and Shihab al-Din al-Maqdisi, *Muthir al-gharam ila ziyaret al-Quds wa-l-Sham* [Amorous to visiting Jerusalem and Greater Syria] (Beirut: Dar al-Jil, 1994). See also the study on *kutub al-fada’il* on Jerusalem, including published writings, manuscripts, and lost books, in the

- Ayyubid and Mamluk periods: al-Badawi, "Kutub," 295–314.
- 24 See Ibn Jubayr, *Rihlat*, 280–81.
 - 25 For descriptions regarding the good treatment of strangers in Syria, see Ibn Jubayr, *Rihlat*, 258, 259, 261, 280–81.
 - 26 On popular occupations of Maghribis in Syria, see: Ibn Jubayr, *Rihlat*, 250–51; and Ibn Battuta, *Rihlat*, 104–6.
 - 27 See Ibn Abi Usaybi'a, '*Uyun al-anba' fi tabaqat al-atibba'* [Sources of accounts on the classes of physicians] (Beirut: Dar Maktabat al-Hayat, 1965), 637.
 - 28 Mujir al-Din al-Hanbali al-Ulaymi, *al-Uns al-jalil bi-tarikh al-Quds wa-l-Khalil* [The glorious history of Jerusalem and Hebron] (Amman: Maktabat al-Muhtasib, 1973), vol. 2, 255; al-Maqqari, *Nafh al-tib*, vol. 2, 699–704.
 - 29 See Toru Miura, *Dynamism in the Urban Society of Damascus* (Brill: Leiden, 2015), especially 11–49. On contribution and endowing educational institutions in late medieval Syria, see Mahamid, *Waqf, Education, and Politics*, 130–92.
 - 30 Ibn Jubayr, *Rihlat*, 257. See also: 'Abd al-Rahman Abu Shama al-Maqdisi, '*Uyun al-rawdatayn fi akhbar al-dawlatayn: al-Nuriyya wa-l-Salahiyya* [The springs of two meadows in the accounts of two states: those of Nur al-Din and Salah al-Din] (Damascus: Wizarat al-Thaqafa, 1991), vol. 1, 381–82. On the Maliki madrasa al-Sharabishiyya in Damascus, see Nu'aymi, *al-Daris*, vol. 2, 7–8. Most of the Maghribis and Andalusians were affiliated to the Maliki school of law.
 - 31 See Abdul-Latif Tibawi, *The Islamic Pious Foundations in Jerusalem: Origins, History, and Usurpation by Israel* (London: Islamic Cultural Centre, 1978), 10–15. On the waqf of the Maghribis in Jerusalem, see Bendary, "Hayy al-Maghariba," 845–48.
 - 32 See Francis E. Peters, *Jerusalem: The Holy City in the Eyes of Chroniclers, Visitors, Pilgrims, and Prophets from the Days of Abraham to the Beginnings of Modern Times* (Princeton, NJ: Princeton University Press, 1984), 357–59, 394–96; al-'Ulaymi, *al-Uns al-jalil*, vol. 2, 46, 51–52. See also: Lutfi, *al-Quds al-Mamlukiyya*, 235–36, 246–47; Mahamid, "Developments and Changes," 345–46; Mahamid, *Dirasat*, 112–14; Tijani, "Moroccan Community"; and Abowd, "Moroccan Quarter." On the Maghribi waqf in Jerusalem, see: "Waqf harat al-Maghariba," online at (moghrabi-jerusalem.com) bit.ly/357JYzO (accessed 5 July 2020); Tibawi, *Islamic Pious Foundations*; Abdul-Latif Tibawi, *al-Awqaf al-Islamiyya bi-jiwar masjid al-Aqsa bi-l-Quds* [Islamic pious endowments in the vicinity of al-Aqsa mosque in Jerusalem] (Amman: Wizarat al-Awqaf, 1981); and Bendary, "Hayy al-Maghariba," 835–81. The Maghribi quarter in the Old City of Jerusalem continued serving the Maghribis and other Muslims until June 1967. When the 1967 war ended, Israeli authorities destroyed all its buildings, institutions, and endowments. Its inhabitants were expelled to establish a courtyard for Jewish worshipers in front of the Western Wall (*ha'it al-Buraq*). See: Maryvelma Smith O'Neil, "The Mughrabi Quarter Digital Archive and the Virtual Illés Relief Initiative," *Jerusalem Quarterly* 81 (Spring 2020): 52–76; and al-Ju'beh, *Harat al-yahud wa harat al-maghariba*, 257–87.
 - 33 See al-Nu'aymi, *al-Daris*, vol. 2, 3–10.
 - 34 Ibn Battuta, *Rihlat*, 84, 97.
 - 35 On differences and tensions in Cairo in late Mamluk and early Ottoman Egypt, see H. Z. Hirschberg, "The Agreement between the Musta'ribs and the Maghribis in Cairo 1527," in *Salo Wittmayer Baron's Jubilee Volume*, ed. Saul Lieberman (New York: Columbia University, 1974), 577–90.
 - 36 See Ahmad, *al-Andalusiyyun wa-l-Maghariba*, 129–31.
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 - 38 Ibn Hajar, *al-Durar*, 1: 182–83; al-Maqqari, *Nafh al-tib*, 2: 653–55.
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- 40 See the waqf deed (*waqfiyya*) of Abu Madyan in Jerusalem, its details, and conditions: Bendary, "Hayy al-Maghariba," 870–72. On the waqf of the Maghribis in Jerusalem, see: al-Ju'beh, *Harat al-Yahud wa harat al-Maghariba*, 165–84. On the alleged mismanagement of the Abu Madyan waqf in Jerusalem, which contributed to the confiscation of waqf property, allocated to a waqf, and, thus to the gradual disintegration of the waqf system in early twentieth-century Jerusalem, see: Serife Eroğlu Memiş, "Petitioning the Waqf Cases: Conflict over the Abu Madyan Waqf, Old City of Jerusalem, at the Beginning of the Twentieth Century," *Die Welt des Islams*, 8 November 2021, online at doi.org/10.1163/15700607-61040013 (accessed 14 February 2022).
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 - 44 Ibn Hajar, *al-Durar*, vol. 1, 182. Many examples of Maghribis who became experts in the Arabic language in Syria are known, such as Ahmad b. Sa'id al-Andarushi, who brought his books with him from Andalusia and dedicated them as waqf for the use of his students, see Ibn Hajar, *al-Durar*, vol. 1, 135–36.
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 - 49 On Ibn Khaldun's meeting with Timur, see: Shihab al-Din Ahmad ibn 'Arab-Shah, *'Aja'ib al-maqdur fi nawa'ib Taymur* [Wonders of fate in the vicissitudes of Timur] (Beirut: Mu'assasat al-Risala, 1986), 252–57; and al-Maqqari, *Nafh al-tib*, vol. 2, 521–23. Regarding Ibn Khaldun's biography, see: Muhammad b. Ahmad Ibn Iyas, *Bada'i' al-zuhur fi waqa'i' al-duhur* [Marvelous blossoms in the chronicles of the ages] (Cairo: al-Hay'a al-Misriyya al-'Amma lil-Kitab, 1983), vol. 2, 754; 'Abd al-Hayy b. Ahmad Ibn al-'Imad, *Shatharat al-thahab* [Fragments of gold] (Beirut: Dar al-Kutub al-'Ilmiyya, 1990), vol. 7, 76; Shams al-Din Muhammad al-Sakhawi, *al-Daw' al-lami' li-ahl al-qarn al-tasi'* [The shining light for the people of the ninth century] (Beirut: Dar al-Jil, 1992), vol. 4, 145–49.
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- 56 On the waqf dedicated for the Maghribis in Jerusalem, see: Peters, *Jerusalem*, 394–99.
- 57 See: Muhammad ibn Tulun, *I'lam al-wara* [Informing Humankind] (Damascus: Dar al-Fikr, 1984), 121; Ibn Kinan, *al-Mawakib*, vol. 1, 85. Al-Nu'aymi mentioned this zawiya as zawiya al-Watiyya, from the name of its founder Ibn Watiyya, see al-Nu'aymi, *al-Daris*, vol. 2, 204.
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A Memorable Educator from Palestine

Ahmad Samih al-Khalidi (1896-1951)

Kamal Moed

Abstract

The broad context of this article is the British Mandate on Palestine 1920–48, a period that was in fact a brutal British colonial occupation that led not only to the prevention of the realization of Palestinians' national aspirations but ultimately to the ethnic cleansing of Palestinians from their homeland. During that period, the national struggle of the Palestinians involved activists from the fields of politics, economics, education, and culture. Each field became an arena of resistance. One of the significant results was that a group of prominent and visionary Arab teachers and educators began to emerge and took upon themselves to lead and advance the educational endeavors of Palestinian society under those difficult and complex conditions. Ahmad Samih al-Khalidi was one of the most important and influential of them.

Keywords

Palestine; British Mandate; education; modernization; Ahmad Samih al-Khalidi; Arab nationalism.

Editor's Note

This essay was a notable contribution to the 2021 Ibrahim Dakkak Award for Outstanding Essay on Jerusalem.

The colonial British Mandate over Palestine was, as Rashid Khalidi explains, the first war declared by colonial Britain and its ally, the Zionist movement, against the Palestinians and began with the Balfour Declaration of 1917.¹ Khalidi's thesis reinforces the views of historians who see British and even American support until today as the basis for the existence of the state of Israel.² During the Mandate, dramatic upheavals and changes took place that

transformed Palestinian society, including in politics, economy, society, culture, and education.³

Unfortunately, the process of comprehensive modernization that Palestinian society underwent throughout the Mandate period has been largely neglected in Palestinian historiography; as such, this inattentiveness weakens and harms the otherwise fair and accurate Palestinian narrative.⁴ The story of the Palestinian press, sports, and culture, and writers and libraries has been ignored.⁵ Also, the enormous influence of progressive Palestinian educators in shaping the social, political, and national identity of Arab students throughout the Mandate years has not yet gained the attention it deserves.⁶ I argue that despite work published in the last decade by scholars such as Furas, Schneider, Greenberg, Brownson, Davis, Demichelis, ‘Adawi, and others, official and private Arab education, including its schools, teachers, and students, require more comprehensive and in-depth research.

This essay seeks to contribute to that effort by focusing on the impressive work of one of the greatest Palestinian educators and agents of new pedagogical ideas during the Mandate, Ahmad Samih al-Khalidi (1896–1951). For thirty years, Khalidi worked as a teacher, principal, and inspector of education, leaving a huge impact on generations of students and teachers. From 1925 to 1948, Khalidi presided over the renowned Arab College in Jerusalem. During this time, he succeeded in shaping its image and goals, promoting it and elevating its status until it became the most important and influential Arab educational institution in Mandate Palestine.⁷ This essay examines and analyzes Khalidi’s vision, principles, and projects and sheds light on his activity in the social and national field, which continued even after the Nakba. To do so, this essay draws on diaries and memoirs of Khalidi’s students, colleagues, and friends, including the memoirs of his wife ‘Anbara,⁸ and his influential book *Arkan al-tadris* (Foundations of Teaching),⁹ as well as his articles published mainly in the college’s journal *Majallat al-Kulliyya al-‘Arabiyya* (the Arab College).

Pioneering Principles and Vision

Many of Khalidi’s contemporaries saw him as the greatest Palestinian educator during the Mandate, alongside Khalil al-Sakakini.¹⁰ Khalidi first began to form his progressive educational vision when he was a student at the American University of Beirut. At this early stage, he was exposed to Western ideas about education and, in preparing to be a future educator, sought a deeper knowledge of these foundations. Khalidi’s attitude toward the West, like that of many educated Palestinians and Arabs, stemmed from the complex reality of those days. On the one hand, he admired Western science, culture, democracy, and liberalism, but on the other hand he opposed European colonialism and its arrogant and violent colonial foreign policy. Like other colonial elites, Khalidi adopted a pragmatic position that emphasized the usefulness of higher education and Western ideas and worldviews.

In late 1925, after the British Mandate placed him in charge of the Arab College, Khalidi began writing about his educational beliefs and insights in the college’s journal.¹¹

Khalidi saw Palestinian society as an undeveloped, traditional, and weak society in a precarious state and unable to withstand the many threats and challenges facing it. He believed that only education and modernization could strengthen Palestinian society and rescue it from its distress and misery. Khalidi was not convinced of the principles of democratic education and argued against equal distribution of resources and equal opportunity in secondary and higher education. Secondary school graduates had the weighty responsibility of leading society to a better and more successful future, and so Khalidi insisted there was no place for mediocre or weak students.¹²

To redress the failures of Arab education, Khalidi proposed evaluating modern Western education and taking from it only what was appropriate. The strengths and weaknesses of Western education, Khalidi concluded, were embodied in the German and U.S. systems, respectively. Secondary education, according to Khalidi, was designed for students with high intelligence and capabilities and strong desire, competitiveness, and motivation – a model he associated with Germany.¹³ Differentiation in the allocation of resources and in curricula, in his opinion, served the highest interest of society and state, while the principle of equality wasted time and resources because the entry of weak students forced the system to be flexible, pulling down the average level of instruction and, accordingly, academic results – a trend he associated with the United States.

Khalidi believed that the primary purpose of education was to provide graduates a breadth of knowledge and independent and critical thinking skills to enable what he called “self-discovery,” meaning the inner contemplation that would allow the graduate to discover himself, his desires and aspirations. According to Khalidi, education in the United States emphasized students’ rote memorization to pass exams, while students in Germany did not rely on notebooks, writing, or dictation but on creativity and deep understanding. Whereas German education prepared the student to succeed in life, the U.S. system ultimately hurt the student’s imagination and the ability to develop creative concrete thinking.¹⁴

Khalidi had a broad pedagogical education and was inspired by some progressive European educators such as Italian physician and educator Maria Montessori (1870–1952) and Swiss thinker Johann Heinrich Pestalozzi. Khalidi wrote a pamphlet on Pestalozzi’s educational principles, which he distributed to his students. He was also, according to his wife ‘Anbara, the first Arab educator to devise intelligence tests, which were then used by schools and parents.¹⁵

The Need for the “Ideal Teacher”

A significant part of Khalidi’s educational thought and work focused on introducing innovative and modern models in the training of educators. Most Arab teachers under the Mandate were trained during the Ottoman period,¹⁶ training that Khalidi thought was superficial and did not address students’ minimum psychological needs. Khalidi viewed teachers as of central importance in realizing the main goal of education as he saw it, namely, to strengthen Palestinian society from within and enable it to

modernize, rescuing it from social stagnation and outdated tradition. Teachers were responsible for preparing the next generation, the leadership of the future, to bring a better life to Palestinian society. Khalidi thus sought to transform the Arab College into an educational institution that was selective in admitting students but also careful in hiring teachers.

At the graduation ceremony in July 1933, Khalidi spoke of the importance of the quality of the students and teachers to the success of any educational work: "Proper educational institutions do not rely on the splendor of the buildings and luxurious furniture, but on the quality and level of the curricula, on students and teachers."¹⁷ The college regulations and its strict agenda were also influenced by the spirit of the education in which Khalidi believed. A kind of semi-military code required every student to perform duties, respect punctuality, and comply with regulations. Khalidi appointed an "officer" (Fakhri al-Khatib) to oversee the observance of regulations and respect for the agenda. The procedures also included a school uniform that Khalidi designed with his colleagues: a green suit jacket with the college emblem on the top left side, brown trousers, and a green tie. The emblem of the college was an Arab falcon, another hint at Khalidi's desire to emphasize the Arab character of the college.¹⁸

Between 1929 and 1938, Khalidi published dozens of original articles and translations on pedagogy in the college's journal. He devoted most of them to European paradigms in teacher training with an emphasis on the German model. In his articles and books, Khalidi addressed students' psychological, social, and intellectual aspects and emphasized to teachers the importance of respecting students, encouraging them, avoiding any form of humiliating punishment, and raising their self-confidence and inner capability. In 1929, Khalidi translated Robert S. Woodworth's 1921 textbook *Psychology: A Study of Mental Life*, which clarified the connection between education, teaching, and psychology.¹⁹

Khalidi believed that the most reliable measure of a teacher's performance was the student. A good teacher must be a source of inspiration and a role model through his values, his attitudes toward his students, and his aspiration for knowledge and education.²⁰ In his memoir, Ihsan 'Abbas (1920–2003) described studying at the Arab College in Jerusalem from 1937 to 1941. 'Abbas gave special respect to Khalidi, remarking on his teaching methods and his attitude toward his students: "Khalidi designed strict school procedures to educate his students on values such as responsibility, seriousness, and commitment. On the other hand, he did not punish in an abusive or degrading manner and thus he saved many students from dropping out. He was always an educator."²¹

In *Arkan al-tadris*, Khalidi expressed his dissatisfaction with the existing teaching methods, and presented innovations for all stages of education, especially in subjects like mathematics, science, geography, and history. Khalidi gave special emphasis to Arabic language instruction, considering it of utmost national importance.²² In the book, Khalidi elaborated on his progressive vision of the vital importance of the work of teachers to the supreme interests of society and the nation: "The hands of the teacher, more than any other person, hold the future of the nation, its progress, and

the development of its culture and literature . . . the teacher can do all this only if he embodies the knowledge, morals, professionalism, strong personality, and personal example.”²³

Khalidi was uncompromising about the quality standards for teachers. He aspired to train high-level professional teachers who had an outstanding work ethic with disciplinary specialization, alongside broad and diverse general education. He did not tolerate superficial, mediocre, narrow-minded teachers. He abhorred those teachers who saw school only as a livelihood and called for such individuals to give way voluntarily to teachers dedicated to serving society; if they would not, he called for them to be fired immediately. As he wrote in *Arkan al-tadris*:

Teaching is a profession that has rules, so it is not a refuge for the unemployed. We knew that this profession requires scientific preparation and that it has specific rules, so it is only permissible for those who are qualified . . . It is a shame in any country for the teaching profession to be taken over by ignorant people who do not know anything about the rules and principles of teaching, and all that matters to them is employment and a salary.²⁴

Politics, Education, and Modernization

Education policy in Mandate Palestine reflected British beliefs in the inferiority of Palestinian society and the Mandate’s structural commitment to the Zionist project at the expense of any Arab efforts and aspirations to establish an independent state. The budget for Arab education, for example, never exceeded 6.5 percent of the total budget; meanwhile, the British prioritized the establishment of agricultural-oriented elementary schools in Palestinian villages, which offered only three years of schooling, and closely monitored teachers and students with an eye toward suppressing any degree of nationalism.²⁵ The history curriculum focused on European history and culture while neglecting the study of Arab history and culture.²⁶ Khalidi’s legacy includes dozens of books and articles on topics in Arab and Islamic history, alongside his contributions on education and pedagogy. Despite the deep political crises through which the Palestinian people lived, Khalidi’s intention was clearly to assert that Palestinians have a history, have contributed in the fields of education and culture, have never been a barren society, and will always have a future.²⁷

Unlike many of his family members, Khalidi never belonged to a party or political movement.²⁸ Apparently political activities did not suit his personality and character. Although he was engaged in a number of social organizations, including charitable and professional institutions as well as the Association for Palestine (*Jam‘iyat Filastin*) and the Muslim Youth Association (*Jam‘iyat al-shubban al-Muslimin*), Khalidi saw himself primarily as an educator.²⁹ Yet Khalidi clearly saw a connection between education and the realization of the interests of society and future generations. As

his wife ‘Anbara wrote: “He understood the reality and saw the future, and believed that advancing future generations is the most important service to the Palestinian people.”³⁰ Unlike other prominent educators like Akram Zu‘aytir and Darwish al-Miqdadi, Khalidi believed in the effectiveness of education as a way of resisting the British and Zionists more than he believed in the effectiveness of politicizing the Arab education system.³¹

At the same time, although Khalidi was a senior official in the Mandatory Department of Education for about thirty years, he did not refrain from expressing himself freely in articles on nationalist issues such as Palestinian history, or from expressing Arab national pride. It is best to assume that Khalidi’s attitude was pragmatic. He saw a reality in which a colonial power had conquered Palestine and ruled over his people, a reality in which Palestinian society suffered a severe political, social, and economic crisis. Given this reality, Khalidi believed that the most effective and realistic way to deal with the situation was to promote education and culture, to educate those who could lead the Palestinians more successfully than the existing leadership.

To this end, Khalidi insisted on the importance of strengthening the status of the Arabic language as the official language of instruction in the Palestinian Arab education system from kindergarten to college:

Excluding education for ethics and morals, teaching Arabic language, the language of the nation, is considered the most important subject to teach in primary and secondary education. . . . The importance of the Arabic language differs from other professions because it is the tool through which we communicate, think, and express opinions, and also through it students learn the rest of the subjects.³²

Directing the Arab College

The first director of the Arab College was the influential educator Khalil al-Sakakini, appointed in 1919. Sakakini resigned in July of the following year to protest the appointment of Herbert Samuel, a prominent British Zionist, as Palestine’s High Commissioner.³³ After Sakakini, the British appointed another important educator, Khalil Totah.³⁴ Totah also resigned, following the student strike in protest of Lord Balfour’s visit to Jerusalem in 1925 to inaugurate the new Hebrew University. Humphrey Bowman, the British director of education, immediately appointed Khalidi who was at the time a highly regarded senior inspector in the education department. In the summer of 1926, Khalidi received a permanent appointment, beginning a cautious chapter in the history of the college. In large part due to Khalidi, the college quickly became one of the most important colleges for teacher training in Palestine, so much so that, as students testify, every Palestinian family dreamed of sending their sons to the Arab College.³⁵ Nicola Ziadeh writes that Khalidi’s main preoccupation was the constant need to recruit professional teachers with a progressive educational vision,

aware of their mission as change agents working for the benefit of society and the nation. To accomplish this, he recruited highly qualified teachers from universities in Lebanon, Iraq, Egypt, and Sudan.³⁶

Khalidi also changed the admission policy with the aim of turning the college into a selective institution. Thus, only the top two graduates of each elementary school were accepted. As a result, the number of students remained limited, never exceeding 120.³⁷ Khalidi added a fifth year to the school's curriculum in 1926, and a sixth year in 1938, indicating his intention to upgrade the college's academic level and status. The additional years were meant to help its graduates integrate into teaching, and pursue their studies to obtain graduate degrees. By 1927, a graduate who had completed four years had to pass the government matriculation exam under the supervision of the Palestinian Council for Higher Education, after which he could obtain a certificate authorizing him to teach elementary school. Beginning in 1927, fifth-year graduates were able to obtain a diploma that would allow them to teach in elementary schools and the first two years of high school.³⁸ With the addition of the sixth year in the 1938–39 school year, graduates who passed the government intermediate exam were able to continue their studies for another year at university, earn a bachelor's degree, and then teach all levels of high school.³⁹

In keeping with these changes, in 1927, Khalidi changed the name of the college from Dar al-Mu'allimin (Teacher training institution) to the Government Arab College for Teacher Training in Jerusalem. The name change was not merely cosmetic, but proof of his ambitious vision, two elements of which were emphasized through the new name: academic status, and the Arab character of the college.⁴⁰ Khalidi was aided in executing his vision by his friendship with Humphrey Bowman and, especially, his successor, Jerome Farrell, who took over the education office in 1936. As Bowman noted, Khalidi "was given a large measure of independence, and knowing well that, so long as he did not exceed his authority, he could rely on my support . . . he never abused his powers."⁴¹ Walid Raghbi al-Khalidi explains the extent of Farrell's influence and support for the college and the administration: "Farrell supported the college when he saw that the level of teaching in it was advancing to the level of colleges in London and America and was run according to Western standards, something that did not exist in any Arab country."⁴² Under Khalidi's stewardship, the Arab College moved in March 1935 from an old, crowded building opposite Bab al-Zahra, near Damascus Gate, to a new building east of Jerusalem, on the hill of Jabal Mukabir, close to the British High Commissioner's palace.⁴³

With the addition of the fifth and sixth years, students at the Arab College were given the choice of specializing in either humanities or sciences. This change obliged Khalidi to upgrade the curricula, teaching methods, and teachers.⁴⁴ Students of the sciences studied mathematics, physics, chemistry, and laboratory and scientific research. They submitted research work at the end of the year and underwent practical training, teaching in two schools in Jerusalem: al-'Umariyya Elementary School and al-Rashidiyya High School.⁴⁵

Rapidly, the college progressed and become a serious competitor to the wealthy

missionary colleges. By 1931, 284 Palestinians had studied at the American University of Beirut and another 30 in Egypt. It is probably the case that graduates of the Arab College were prominent among those graduates. The results of the matriculation exam held in 1948, the year of the Nakba, showed that 95 percent of the Arab College students who took the Arabic exam had passed, compared to 77 percent of the non-governmental college students.⁴⁶

Following the college's successes and growing reputation, Khalidi demanded that the Department of Education turn it into a post-secondary academic college that could award a bachelor's degree and then to declare it the Arab University of Palestine. In 1947, the government began to add buildings and expand the college compound, but the events of the Nakba and the closure of the college thwarted this.⁴⁷

Conclusion

Khalidi was from the highly respected and influential generation of educated Palestinians who acted with national and social awareness during the dramatic years of the Mandate. Educators like Sakakini, Totah, Miqdadi, and Zu'aytir took advantage of their positions within the Mandatory education system to offer a more progressive educational experience for Palestinians with the hope of serving the nation. Like Sakakini and Totah, Khalidi believed that education was capable of producing the modernization needed by the Palestinians. To this end, he adopted Western ideas and principles of education despite his awareness of the history of relations between the Arab and Western worlds. Khalidi was not active in the political arena, perhaps because he was a senior official in the Department of Education, but also because he believed that through education he could better serve society and homeland.

Even after the Nakba, when he lived in Lebanon, Khalidi never stopped thinking of ways and initiatives to serve his refugee people. When the Lebanese-born scholar and activist 'Ajaj Nuwayhid met his friend Khalidi in Beirut after 1948, Khalidi told him of his intention to establish a college in Jordan that would form the basis of a university serving both Jordanian citizens and Palestinian refugees, but this plan too would go unrealized.⁴⁸

Khalidi was renowned for his broad and strategic vision, his grand aspirations and dreams, his bold and groundbreaking activities, and for his spirit of giving and contributing to his society. Khalidi took a firm stand against traditional educational norms that dominated Arab education at the time, considering them as a legacy that must be disposed of in order to transform and modernize Arab society, and struggled to bring elements of the European education system, which he viewed as more advanced and successful, into the Arab education system.

Unlike influential democratic educators like Sakakini and Totah, Khalidi did not believe in a democratic secondary education open to all students in accordance with the principle of equal opportunity. He believed that Palestinian society's complex and crisis-ridden reality and the general weakness of Arab education left no room for the progressive ideals of democratic humanist education. Khalidi resolutely expressed his

views in meetings with Arab school principals and inspectors, arguing that secondary education must be selective. Because of his impressive personality and wide influence, Khalidi earned the respect of students and colleagues, who treated him with great admiration as an unforgettable “educator of a generation.”

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JERUSALEM
NEIGHBORHOODS

The Dom and the African Palestinians

Platforming Two Marginalized Jerusalem Communities

Matthew Teller

Abstract

Two marginalized communities living within the walls of Jerusalem's Old City, the Dom (who self-identify in English as Gypsies) and the African Community (who self-identify in English as African Palestinians), have long suffered from racism from the Israeli authorities and wider Israeli public as well as from within Palestinian society. Yet despite sharing some similarities in their historic exclusion, they live with recent experience that is very different: The African Palestinians are, broadly speaking and despite persistent racism, accepted into Palestinian society, and granted status and dignity, while the Dom remain excluded and widely vilified. This article presents voices from both communities, and offers some ideas as to why their experience differs.

Keywords

Minorities in Jerusalem; Dom; Domari; Gypsies; African Palestinians; Black culture in Jerusalem; racism in Palestinian society; racism in Israeli society.

Two marginalized communities living within the walls of Jerusalem's Old City, the Dom (who self-identify in English as Gypsies) and the African Community (who self-identify in English as African Palestinians), have long suffered from racism from the Israeli authorities and wider Israeli public as well as from within Palestinian society. Yet despite sharing some similarities in their historic exclusion, they live with recent experience that is very different: The

African Palestinians are, broadly speaking and despite persistent racism, accepted into Palestinian society, and granted status and dignity, while the Dom remain excluded and widely vilified.

This article presents voices from both communities, and offers some ideas as to why their experience differs. It is based on face-to-face interviews conducted in Jerusalem in October 2019, and is adapted from material in my book *Nine Quarters of Jerusalem: A New Biography of the Old City* (London: Profile, 2022).¹ It is not an academic study, but I hope there is value in amplifying these voices and stories nonetheless, and that my findings may prompt further, and more scientific, research. I hope, too, that platforming marginalized communities in this way might help continue to open channels of engagement for scholars and artists from within these communities to be able to tell their own stories, in their own way.



The girl dropped out of school when her mother died.² It was a heart attack, they said. So young, only thirty-seven. The girl was about seven, and didn't understand what a heart attack was. Suddenly her father had become a widower, taking care of nine children – five boys and four girls. The girl's grandma helped raise her. Grandma was very kind but she died after only three years, and then it was much harder. The girl was sad. All of the family was sad. It left a big impact. This was not the life they wanted.

Now the girl is grown. Her name is Amoun Sleem. She is from the women of Dom, born into a family that has lived in Jerusalem for more than two hundred years. In English, she chooses to call herself a “Gypsy,” even though that word is emotive and often carries pejorative overtones in Europe and elsewhere. But “Gypsy” is her preference and her prerogative. (The word seems to have originated in England in the sixteenth century, after people with Amoun's history first began arriving there and the English thought they had come from Egypt.)

Dom is what Amoun's people call themselves. Their roots, like the roots of almost all Gypsies, lie in India, where a low-status caste of people who travel and earn a living from music and craftmaking, was – and still is – known as Domba. In irregular waves of migration that began roughly fifteen hundred years ago, some Domba people moved westwards.

Some reached Armenia and the Caucasus around the eleventh century. They are the Lom, who now speak Lomavren.

Some continued into eastern and central Europe around the thirteenth century, and some of these kept moving, reaching northern and western Europe in the fifteenth and sixteenth centuries. They are the Rom (or Roma), who now speak Romani.

Others stayed in Turkey, Iran, central Asia, and the Arab lands of southwest Asia, travelling on their own or forcibly relocated from place to place by rulers or invading armies. They are the Dom and they speak Amoun's language, Domari.

Lom, Rom, and Dom – all connected.

There are many other, smaller groups within those three, such as the Sinti and Yenish of German-speaking Europe, the Kale or Calé of Spain and Brazil, the Lyuli of Tajikistan and Kyrgyzstan, and many more. Some, like Irish Travelers, who are not

Romani, have their own, unique history.

The Dom reappear here and there throughout the centuries, always on the edge of things: Brought to entertain the Shah of Persia as dancers and musicians. Exiled first to the Mediterranean coast, then to the islands of Greece, kept well away from power centers in Damascus and Baghdad. Employed as acrobats, fortune-tellers, and bear handlers in Constantinople. Scraping a living in Cyprus selling nails and handmade belts.

Today there are maybe two million Dom altogether, with most in Turkey and Iran. There are sizeable communities in Jordan and Egypt and, before the war, also in Syria. Roughly, twenty thousand Dom live across Gaza and the West Bank, Amoun estimates, with perhaps one thousand or fifteen hundred in Jerusalem, about half of them inside the Old City. The Dom are Muslim (with a few Christian), speak Arabic, and live within Palestinian communities, but Amoun is very clear: they are neither Palestinian nor Israeli. They are Dom.

Almost everybody calls the Dom *nawar* but Amoun clicks her tongue at that. *Nawar* may derive from the Arabic word *nar*, for fire. It has local meanings connected to wandering, and pejorative connotations of fire-worship. Perhaps that is because people were envious of Dom blacksmithing skills, she says. Or maybe they just mixed up Dom with Zoroastrians. Nobody knows. But the word also has older meanings connected to deceit and witchcraft, and has come to stand for people lacking decency and civilized values. People who are dirty, living in filth, begging from others. Some translate it as “black,” suggesting it refers to the Dom’s often darker skin color. It is a racist slur that deliberately ropes together lots of different minorities, not only the Dom. But few people consider the disrespect, or care. They just say *nawar*, and spit. They don’t recognize the Dom as part of society, Amoun says.

They experience a lot of discrimination.³ Israelis dismiss the Dom as Palestinian. But Palestinians dismiss the Dom as *nawar*. Socially, politically, and economically these people are at the bottom of every heap. Almost no Dom children leave school with qualifications. Perhaps two-thirds of Dom men are unemployed. Many of the rest earn a living as sanitation workers, clearing drains and sewers.⁴

Amoun grew up among the Dom community that lives in the northeast corner of the Old City inside Bab al-Asbat, Lions Gate, in one room in a house next to the Old City wall. People still call that area *harat al-nawar*, the Gypsy quarter. It is very precious to her. She thinks of it as her hideaway. Those streets were her home, and the compound around the Church of St. Anne, a few steps from her house, was her favorite place when she was a child. Whenever things got too much, she would retreat into those shady gardens to find peace and privacy, or sneak inside the church to listen to the pilgrim groups singing hallelujahs.

Amoun’s parents could not read or write, so when the family got a letter, she’d be sent out to find a neighbor who would read it for her. It was so humiliating. She could see nobody really wanted to help them, and it made her angry and ashamed to be put in the middle like that.

She’s never forgotten how abusive the teacher was to her at school when she was

little. The teacher would stand her up in front of the whole class and shame her, calling her names like “nawar” and “street urchin.” Sometimes the teacher would hit Amoun. She would call Amoun worthless, or say there was no point her being at school because she’d just grow up to be a prostitute and a beggar, like all *nawar*. When Amoun’s mother died that was the last straw. Amoun ran away from school, and stayed away, for two years.

Finally, she did go back – but the very first day, the teacher pulled her by the ear so hard that she lost her earring. From then on, she and her friend Latifa, another girl with dark skin, agreed that whatever the teachers did to them, they were going to laugh, turn it into their private joke. At every punishment, Amoun and Latifa laughed and laughed.

It was about that time that the head teacher, who hated her too, called Amoun a flea, an insect, and said she should be exterminated. That was terrible. Amoun cried a lot about that, at home. In private.

She remembers her school uniform. Blue and white it was. Like prison clothes, she says. The day she graduated, she tore it to shreds.

But she refused to see herself as a victim. Quite the opposite. She led a gang of girls in her neighborhood who fought back against boys who would bother them. She saw herself as someone who would never do what is expected.

She was always open to the world, always talking to foreigners, especially the tourists at St. Anne’s Church, selling them postcards. Maybe that’s why her language skills are better than some other people’s, she says. During and after school she worked as a cleaner at a Dutch guesthouse, Huis op de Berg, then on the Mount of Olives. The money helped her through three years of college, where she qualified with a diploma in business administration.

She owes that spirit to her wonderful dad, she says. He was strict, but also kind and patient. He spent all his life trying to be father and mother in one. Every year, Amoun would rename Mother’s Day as Father’s Day, and hunt around for some small gift she could afford for him. Socks are cheap, but useful. He got a lot of socks.

Her father would talk to Amoun about the skills the Dom brought to Jerusalem, like weaving reeds into mats, working with metal to make cutlery and sieves or fix cooking pots, or training horses. Amoun remembers watching Gypsy guests of his carefully cutting at the bamboo that grew beside the house, then crafting bamboo flutes by hand and playing beautiful music.

Her father also gave her a lot of freedom from social traditions, including marriage. The usual Gypsy model, Amoun says, would be to marry his daughters off at fifteen or sixteen, but he let Amoun say no. The neighbors reckoned he thought he was better than them, that he had ideas above his station, but he didn’t, Amoun says – he was just open-minded and wanted the best for his children. So he let Amoun choose. And she chose to stay single. She still is today, in her late forties. She doesn’t feel sorry about it one bit, she says. Quite the opposite: her freedom and independence to make her own choices, and decide her own path, remain the most important things in her life.

Thanks to the kind and supportive staff at the Dutch guesthouse, Amoun had the

chance to visit Europe – that first trip was more than twenty-five years ago now – which helped open her eyes to new possibilities. Still, she lost many friends, at school and afterwards, when they realized she was *nawar*. All her siblings faced the same thing. Her three sisters also never married, and two of her five brothers married women who are not Dom. This comes from the open-mindedness of her father, she says. But some Dom people don't like it. They ask Amoun why her brothers didn't take wives from within the community. She says she doesn't care what people say and neither do her brothers. They are happy with their choices, she says, and so is she. She loves all of her nieces and nephews.

This leads to what has become the major work of Amoun's life, trying to improve the situation for the Dom in Jerusalem. So often they give up, she says. They have no hope to make a better life for their children, or to create change by finding new doors to open. But she has long been committed to try and show her community that misery and poverty need not continue unbroken from generation to generation. The future can be new, she says. Her father understood the importance of education, and she wants to pass that on.

At the beginning, in 1999, she would just try and help people by distributing clothes and blankets, and running informal classes to boost literacy and job skills. Her office was her bedroom. That was where the nonprofit Domari Society of Gypsies in Jerusalem began.

Then, by meeting people from outside the community, she slowly started to develop wider networks. Volunteers arrived to help. Small amounts of funding began to trickle in from donors. By chance she found a building available to rent in a low-income area of Shu'fat, a neighborhood north of the Old City, and the Domari Society moved there in 2005 and expanded to become a community center, offering more classes and more support.

Now she and her team of volunteers offer Dom women access to vocational training and opportunity to earn income from craft skills like embroidery and jewelry making, hairdressing and cooking. Women – and even some men, she says – take literacy classes, to improve their reading and writing. The idea, she insists, has always been to try and help the Dom help themselves.



Figure 1. Sign at the Domari Society community center in Shu'fat. Photo by author, October 2019.

Amoun remembers her father speaking the Domari language sometimes, but it is hardly heard any more. Everyone speaks Arabic, and Domari is getting lost. It is poorly documented. There are maybe as few as ten or twenty individuals left who are still fluent. That's another motivation for the society, she says, to help keep Domari alive and support scholars who are able to study it.⁵

So she had the last laugh on those awful, sadistic teachers. Now she calls herself a warrior for education. Discrimination in school is not as bad as it was when she was young, she says, but it still exists, and it still dissuades children from completing their studies. Amoun has put more than a hundred Dom children through the Domari Society's after-school program since it started, giving them support with homework and one-to-one tutoring for extra study in Arabic, mathematics, and English. Some of those children have gone on to university. At the moment, she has fifteen students enrolled, and two teachers coming in to help them.

But, equally importantly, she's taken on the role of changing minds about the Dom. Too many Palestinian people stick to old stereotypes about the Gypsies being a closed community, unwelcoming to strangers, she says. It's not true, she says: she'd welcome anyone willing to help or support, but nobody comes. She gets some interest from Israeli academics and journalists, and she receives them because she says people need to know the hardships the Dom face, but she is adamant that she doesn't want to take anything from them.

A key concern is raising awareness internationally about the situation of the Dom. There have been exhibitions and lectures, and Amoun has traveled abroad to collect awards. She always says yes to interview requests from the media, she says, because before the Domari Society few people even knew that the Dom existed. Her community was unseen and unheard. Now it has a voice. With the help of friends and supporters, in 2014 Amoun published a book in English to tell the story of her life and family, and also, she says, to help readers around the world understand Dom perspectives from the inside.

Tourism is another way. Before the pandemic Amoun started hosting international tourist groups at the



Figure 2. Front cover of Amoun Sleem's book in English. Photo by author, October 2019.

center in Shu‘fat. They ate, and talked, and hopefully would buy some crafts. All of it helps take her message about the Dom to the world and generates income for future sustainability.

But despite all this, she’s faced huge opposition, not least from within the Dom community itself. Some say she is trying to change Dom culture, or seeking power and money for herself. She knows that people don’t like how she’s broken down gender barriers and challenged the community’s traditionally patriarchal leadership. Some accuse her of corruption. They shun her and slander her. But, as she wrote in her book, she did not seek the pain of being a Gypsy, the pain of being a woman, or the pain of people attacking her.

And there are still lots of attacks and violence within her community. Things sometimes feel desperate to Amoun. But she tries to live her life decently and honestly, she says, to bring no disrespect to her two cultures, Arab and Gypsy, and to encourage children and adults to be proud of their identity. That was missing for many years here, Amoun says. She is proud she has been able to help bring it back.



After one brief account of marginalization in Jerusalem, here comes another, about a community with roots far from the Dom. African Palestinian society in the Old City is centered on a street with a unique history. My story of that street begins once upon a time, long ago, with a blind man called Aladdin who loved animals.

Aladdin was special all his life, and even after he died people never forgot him. When he was still young and sighted, he was trusted with dangerous, clandestine missions. When he got older and settled into a position of authority, he wielded his power so wisely and generously people began to talk about him as a sign of divine intervention, so determined was he to make life better for all. Folk even gave him a new, gently ironic – but religiously inspired and deeply respectful – nickname: “Someone Who Sees Things Clearly.”

You can give a nod to Aladdin today, if you’d like to, because he was real, and he’s still sleeping the big sleep, more than seven hundred years on, behind a window looking onto the flagstone street in Jerusalem that carries his name.

Our Aladdin was born probably in the early 1220s, named ‘Ala’ al-Din Aydughdi⁶ (sometimes rendered as Idghadi or Edgadi) ibn Abdallah al-Salihi al-Najmi al-Rukni.⁷ He was a Mamluk, and the Mamluks – who ruled the Islamic world for more than 250 years – changed the face of Jerusalem entirely. Jerusalemites today live with the built legacy of Mamluk culture.

Going by Mamluk history and his family name, which is of Turkic origin (meaning “son of the rising moon”), it is possible ‘Ala’ al-Din Aydughdi was born in Crimea or the Caucasus. He was trafficked to Egypt most likely as a young boy, probably along with many others. He would have been installed in the military barracks at the hilltop citadel overlooking Cairo, cut off from wider society and trained intensively. Since he was one of the thousands of enslaved soldiers – that is, Mamluks – of Sultan al-Salih Najm al-Din Ayyub, he was dubbed “al-Salihi” and “al-Najmi” to show his

ownership. We know little of his early life. Following Salih's death and the Mamluk coup in 1250, he moved into the service of famed military commander Baybars, also a Mamluk, also once a Salihi, who had been trafficked to Cairo from somewhere around Astrakhan, north of the Caspian coast in the modern Russia-Kazakhstan borderlands. Baybars excelled, rising to the highest echelons of the army and eventually, in 1260, to the throne as sultan. To mark his new allegiance, 'Ala' al-Din became known as "al-Rukni" (Baybars' full name was Zahir Rukn al-Din Baybars al-Bunduqdari).

It was soon after 1262, when he was sent on a secret mission on Baybars' orders to arrest the governor of Damascus, that 'Ala' al-Din's life changed forever. For some reason – I've not been able to find out why – he lost his sight. No record of his personal anguish has survived. Perhaps, in desperation, when he must have feared for his future, he sought support from his master and patron: Baybars and he were about the same age. We don't know.

'Ala' al-Din next appears as a Mamluk oligarch, shunted off to Jerusalem, where he served for many years as governor. Even into old age, he held particular renown as a breeder of horses. It was said he loved his animals so much that he was able to recognize each individual by its distinctive smell and gait. People gave him the tender nickname al-Basir, meaning all-seeing when used as one of Islam's names of God, but better translated in this context as astute or insightful.

Governor 'Ala' al-Din also established endowments for public institutions, including in 1267 or 1268, soon after his arrival in Jerusalem, a *ribat* (pilgrim hospice) for impoverished men and women arriving to pray at al-Aqsa. Ribat 'Ala' al-Din still stands today as one of the city's oldest Mamluk buildings, an array of cells around a central courtyard a few meters from Bab al-Nazir (Inspector's Gate) also known as Bab al-Majlis (Council Gate), one of the entrances into the Haram al-Sharif compound.

When the governor died in late summer 1294, he was laid to rest in a side room within the hospice. And there he still lies, behind a barred window looking out onto Tariq 'Ala' al-Din – named not for the man but for his tomb, which over the centuries became venerated as the mausoleum of a saint. Pray beside it and God answers your prayers, wrote Mujir al-Din in 1495.

Fifteen years after Ribat 'Ala' al-Din opened its doors, another similar hospice, but larger, was completed directly across the narrow lane, and named Ribat al-Mansuri for the new sultan, al-Mansur Qalawun. Both ribats flourished, and by the sixteenth or seventeenth century they had gained a new function, converted into permanent lodgings for people described as Takarna. Who the Takarna are takes us into a story of Africa.

War Jabi (or, in some readings, *the* War Jabi – it may be a title rather than a personal name) – was the first ruler in the West African Sahel to adopt Islam, in 1035.⁸ He had authority as king of Takrur, an independent state established in the semi-arid country that flanks the lower Senegal River, on the border between today's Senegal and Mauritania. Mass conversion of the king's subjects quickly brought Takrur new links of culture, politics, and trade with the wider world of Muslim Africa to the north and east. In the years after, Takrur became prosperous enough and confident enough to

challenge and eventually subdue the Ghana Empire that was for several centuries the regional superpower, founded on dizzying wealth from gold and salt.

Takrur faded,⁹ but its Muslim status had already propelled it into the consciousness of Arab and Muslim geographers and historians, observing from beyond the great expanse of the Sahara.¹⁰ Some even visited Takrur, to write reports and compile maps. Interest in the region grew rapidly, and the name of the country became an Arabic shorthand for West Africa as a whole. The adjectival form *Takruri* (plural, *Takarir*) or *Takruni* (plural, *Takarin* or *Takarna*) morphed into a broad-brush descriptor for any Black Muslim person with origins in West Africa – or, in some usages, central or eastern Africa, too. That looseness persists to this day: some will hazily place Takrur in the deserts and arid highlands of Darfur, where today Chad and Sudan meet, thousands of kilometers distant from Senegal.

African Muslims may have been visiting Jerusalem from the earliest days of Islam, but the tradition of coming to the city in sizeable numbers on pilgrimage after completing the *hajj* to Mecca only really took off in about the fifteenth century.¹¹ And, as always, some pilgrims chose to settle. During the Ottoman period, as also in Mecca and Medina, Africans – or Takarna – who lived in Jerusalem found jobs as police enforcers and security guards for the colleges and residential courtyards that clustered around the edges of the al-Aqsa compound, and as gatekeepers ensuring non-Muslims did not enter the compound itself. These loyal employees needed somewhere to live, and the Ottoman authorities selected the ribat of ‘Ala’ al-Din – which was then being called Ribat al-Basiri, after ‘Ala’ al-Din’s nickname – and its neighbor Ribat al-Mansuri.

This small section of a small street became a center of African settlement in the very heart of Jerusalem. As under the Mamluks, social stratification gave the free Muslim Takarna higher status than Jerusalem’s many enslaved non-Muslim Africans, who lived where they did without choice and were invariably dismissed in speech as ‘*abd*’ (slave; plural, ‘*abid*’), a term still freighted with racism across the Arab world today as a slur used against Black people.¹²

More changes swept through the narrow street in the early twentieth century. It is not clear where the Takarna had been relocated, but by the time the British displaced the Ottomans in 1917 the two ribats had been converted into a prison, to cope with fallout from the growing Arab resistance to Ottoman rule. Ribat al-Mansuri had become a holding pen for those with short sentences or awaiting judgment, while Ribat al-Basiri housed long-term prisoners and those condemned to death, thereby gaining another name along the way – Habs al-Dam, the Prison of Blood. Soon after taking power, the British moved the prison to al-Maskubiyya (Russian Compound) outside the walls of the Old City.

“At that time, you know, Amin al-Husayni – who would become the mufti of Jerusalem – had six bodyguards, all Africans.”

Musa Qaws, tall, glasses pushed up on his forehead, quick to smile, is standing in a room within Ribat al-Mansuri, a long hall of rough stone divided into five bays by four squat columns.¹³ Each column supports cross vaults sprouting to form the

ceiling. Notwithstanding the new tiled floor and a bit of touching up here and there, the structure of the interior is pretty much how it would have been when ‘Ala’ al-Din Aydughdi stood here.

“The mufti was in conflict with the British then. They chased him inside the [al-Aqsa] mosque and shot dead one of his bodyguards, a man called Jibril, but the others helped him escape to Silwan and then outside the country.”

Musa is talking about 1920, when Husayni was implicated in fomenting violent protests (the so-called Nabi Musa Riots). The British authorities tried him *in absentia* and sentenced him to ten years in prison, before upending their own policy by issuing a pardon and appointing him mufti the following year.

“In return for the help from the bodyguards, the mufti used his influence with the waqf. Since then, Africans have lived here in these two courtyards. We are protected, and we pay a [nominal] rent to the waqf.”

It is an extraordinary connection, and an unlikely chain of events, that nonetheless helped ensure the continuity of Jerusalem’s centuries-long African presence in the Bab al-Majlis neighborhood.

Musa is a journalist, working the late shift at *al-Quds* newspaper translating English news reports into Arabic for the morning edition. He has lived all his life in Bab al-Majlis as part of *al-jaliya al-Afriqiyya*, the African community, that won the right to settle almost a hundred years ago. He also volunteers to help run the African Community Society, a grassroots local organization founded in 1983 that punches far above its weight in terms of social impact and visibility among the wider Palestinian community.¹⁴

“More than two hundred people live here, most of them kids. There are about twenty-eight families,” Musa says, referring only to Ribat al-Mansuri. Slightly fewer live in Ribat al-Basiri, he adds, estimating that something approaching 450 people altogether form the community.

These two Mamluk ribats are full of life, with children and mothers and shouts and laughter and smells of cigarettes and cooking. Both courtyards, formerly large open spaces (28 x 23 meters in Ribat al-Mansuri and 23 x 20 meters in Ribat al-Basiri), are



Figure 3. Musa Qaws of the African Community Society. Photo by author, October 2019.

now crammed with modern housing, built with support from Taawon, a Palestinian NGO that draws international funding to help renovate Jerusalem's Old City buildings. Few people here can afford renovation costs themselves; estimates suggest around three-quarters of Palestinians in Jerusalem live below the poverty line.¹⁵ Within the ribats, narrow alleys now thread between unmarked doors and walls of stone or concrete for only a few meters before reaching a dead end: the pressure on space does not allow for throughways. Every corner is occupied, rising three and four stories overhead.

"We consider ourselves Afro-Palestinians," says Musa. "We are Palestinian, but we have African roots. We have built here in order to keep our residency rights in Jerusalem."

There are African Muslim communities of varying backgrounds and histories outside Jerusalem – in Gaza, Jericho, Haifa, Jaffa – but the families living in the two ribats claim origins in four specific areas: Senegal at the westernmost edge of the continent, and Nigeria, Chad, and Sudan stretching towards the east.

That said, there may be confusion over nomenclature. Palestinian researcher Husni Shaheen in 1984 identified the four areas as Senegal, Nigeria, Chad, and "French Sudan," a distinct colonial term – *Soudan français* in French – which equates more or less to modern Mali, also at times including parts of Niger.¹⁶ A related term in Arabic, *bilad al-sudan*, meaning Lands of the Black People, is vague, referring to a trans-Saharan region stretching all across the continent from west to east. With that in mind, and the haziness of cultural memory, African Palestinians' use of the term "Sudan" may not always refer to today's Sudan, and may perhaps better be defined loosely as west-central Africa, extending at its easternmost extremity to Darfur, in the west of the Republic of Sudan. A parallel Black Muslim community in Damascus, reportedly established in the years around 1948, also claims West African origins, though from the area of Sierra Leone, Guinea, and Côte d'Ivoire, on Mali's southern borders.¹⁷ British anthropologist Susan Beckerleg quoted one unnamed woman she spoke to in Jerusalem in the period 1995–97 as follows: "We just say [we came from] Sudan because we do not know and because the name means 'place of black people'. It could just as easily have been Congo!"¹⁸



Figure 4. Entrance to Ribat al-Mansuri. Photo by author, October 2019.

Either way, of the many people who came to Jerusalem after performing hajj, some chose to volunteer with the Syrian-led Arab Liberation (or Arab Salvation) Army in 1948 and then stayed on after defeat. They are, and – as Musa emphasizes – always have been, free. Other African communities in and around Jerusalem may have roots in slavery, he says, but not the people of Bab al-Majlis.

“Our older generation used to get in fights with people about this,” says Musa in his easy, soft-spoken way, crow’s-feet crinkling the corners of his eyes. “My father came from Chad. People would say ‘*abid* [slaves] and call this place *habs al-‘abid* [prison of slaves] or *harat al-‘abid* [slave quarter] and [my father’s generation] would have to say no, we came here voluntarily, as pilgrims. Now we rarely hear this word ‘*abid*. Because of our activity in the Palestinian community, in the last ten or twenty years we succeeded in changing this name. If you ask anyone about this place now, they will say *al-jaliyya al-Afriqiyya*, not ‘*abid*.”

That activity – open and accessible to all – is a source of pride. Manar Idris, from the African Community Society, describes a children’s club run for under-twelves, designed to improve mental health and combat high dropout rates among Palestinian students by offering help with homework, emotional support from a social worker, and space for leisure activities and social interaction. She outlines programs to strengthen bonds of identity between Palestinian young people living inside and outside Jerusalem, as well as mentoring schemes, skills courses such as sewing workshops for women, and grassroots projects to build links between neighborhoods across the Old City. The hall in Ribat al-Mansuri was recently renovated to serve as a community hub, hosting exhibitions and arts events as well as seminars and workshops. It draws outsiders to ‘Ala’ al-Din Street, raising the community’s profile and providing an independent source of income.

But the respect shown by wider society to Jerusalem’s African community also stems from political action. Several individuals have played significant roles in Palestinian resistance to Israel’s occupation. Nasir Qaws, Musa’s brother, heads the Jerusalem section of the Palestinian Prisoners Society, supporting Palestinians in the Israeli justice system. Fatima Barnawi, of Nigerian descent, served ten years in Israeli jail for a failed bombing attempt in 1967 before joining the Palestinian national movement and becoming the head of the Palestinian Authority’s women’s police force in the 1990s. She died in Amman in 2016. Mahmud Jiddah and his cousin Ali Jiddah both served seventeen years in Israeli jail for a 1968 bomb attack when they were members – Mahmud aged twenty, Ali aged eighteen – of the Popular Front for the Liberation of Palestine. Both, now in their seventies, are freelance political tour guides, explaining Palestinian perspectives to visitors, and are well-known Jerusalem characters.

The prestige of having members serve as gatekeepers for the Haram al-Sharif until 1967 and take an active role since then as resistance fighters and community organizers under occupation gives the African Palestinians unusual status.

“We have high respect from the people, which helps us to be more integrated,” says Musa. “We don’t feel that there is discrimination against us in Palestinian society.”

Ali Jiddah concurs. “We are well accepted and respected,” he has said. “I never felt discriminated [against] because of my color. I think it has to do with our role in the national struggle.”¹⁹

The community’s location, steps from al-Aqsa, also gives it symbolic significance: African Palestinian youth see themselves as a first line of defense for the whole Old City community and are often first on the scene whenever there are clashes inside the mosque compound. This frequently makes them the first targets of Israeli police. Many have served prison terms, which, as Musa explains, often rules out decent jobs thereafter. “We are not very compliant people,” he says. “Most of the youth are unemployed.”

Mahmud Jiddah, born in 1948, remembers growing up in one of the original cells around the edge of the Mamluk courtyard of Ribat al-Basiri, his family of eight occupying one room of seven and a half square meters.

“I believe at that time I was happier, much more, than this time,” he has said. “Because we were living as one family. We can share everything together. We have condolences that we all share. If somebody got married, we all shared. I remember my father when he used to come from work, he used to ask my mother if she cooked that day. We rarely cooked because we were very poor, but if she said yes, then the second question was: ‘Did you send something to our neighbors?’ Because if we cook, for sure our neighbors would smell it, and maybe they don’t have food. How could we enjoy our food if at the same time our neighbors are hungry?”²⁰

Mahmud’s cousin Muhammad, who came to Jerusalem in the 1940s, recalled the same era in a 1997 interview.²¹ “When I arrived there was a big war going on between Germany and England,” he said. “But it didn’t affect us much.”

His family’s journey began before that, and far away. Muhammad was born in the Chad capital N’Djamena, then known as Fort-Lamy. His family was Hausa – Africa’s largest ethnic group – and as a young boy he spent five years studying the Qur’an at schools in northeastern Nigeria. Around the age of fifteen, he and his uncle started walking. They walked east for two months, across Chad and Sudan, until they reached the Eritrean coast. They found passage across the Red Sea to Yemen. Then they started walking north, to Mecca for the hajj, then to Medina, then to Jerusalem. The route totals at least five thousand kilometers, probably more.

“I was married [in Jerusalem] when I was about twenty,” he said. “My wife had been born here. But her father was Fulani [a West African ethnicity], born in Nigeria. He did as I did, marrying an Arabic-speaking woman.”

Today, all these lines are getting blurred. A hundred years of intermarriage, along with cultural and political assimilation, means that many in the African Palestinian community, now in its third generation, freely recognize a complex layering of identity.

“I’m an Arab and I’m an African,” says Mahmud Jiddah. “At the same time, for example, my mother has two sisters, one is a villager, one is a Bedouin – so I am from the city, the village and [the desert]. I live these three things.”

Musa Qaws speaks even more plainly. “I am Black, and Arab, and Muslim,” he says.

As so often here, though, paperwork rarely matches personal identity. Like Mahmud's father and others, Musa's Chadian father carried a French passport, a legacy of Chad's colonial history. Musa himself, though, has no passport, after being deemed ineligible decades ago for a French one and wary of seeking any other. "I am considered by the Israelis a resident, not a citizen – if I apply for Chadian nationality it means I am rejecting my status as a Jerusalem resident, so the Israelis might revoke my ID card and kick me out."

He laughs dryly and drops his hands while he talks.

"My wife is Palestinian, born in the U.S.; she holds an American passport. My children also hold the American passport. But if I want to travel abroad, I must get a travel document from the Israelis, and they put in it that my nationality is Jordanian. I am not Jordanian! Before 1967, during Jordanian rule, Jordan called us [African Palestinians] foreigners, and refused to give us passports."

He also expresses concern around assimilation.

"The Jiddah family and the Qaws family are both from the Salamat tribe in Chad. The first generation [who came to Jerusalem] used to speak [Hausa and other] African languages. But because our mothers are Palestinian, we – the second generation – didn't learn these languages, only Arabic. There's a hidden conflict between them and us. They considered themselves to be the originals, and said that we were not pure. They called us *muwallad* [meaning, in this context, a person with one African and one non-African parent]. With the intermarriage with the Palestinian community, little by little in fifty years' time you won't find a Black person here."

Bab al-Majlis has suffered from a tightening of control by the Israeli authorities.²² In addition to the checkpoint at the street's eastern end by the Haram gate, armed police now also stand ninety meters away at the street's western end, where it meets the main market thoroughfare al-Wad Street. They effectively seal off the neighborhood. Only residents, and sometimes older Muslim Jerusalemites, can pass, usually after questioning. Others must show permission, or be escorted. Tourists are barred from entering what is a public street.

No other similar street is blocked off in this way. The extra checkpoint raises tensions – the only racist name-calling that African Palestinians face now is in Hebrew, remarks Ali Jiddah – and it has had a devastating impact on the street's half-dozen small businesses, who now see no tourist traffic and instead must rely on selling children's toys and knick-knacks to worshippers passing to and fro between prayer-times. The community's social programs, workshops and after-school clubs – reliant on ease of access – are often suspended, for months at a time or permanently.

Faced with the extra stress and ever-worsening overcrowding, Musa says, some in the community are moving away to the suburbs or to towns such as Lyd and Ramla, west of Jerusalem, and Rahat in the south, "though the majority prefer to stay here." Dispersal is helping to forge links with other Black communities. Musa describes cordial relations between the African Palestinians and Jerusalem's Ethiopian Christian congregations, as well as with a group known as the Black Hebrews, founded by African Americans in the 1960s and based in the Israeli town of Dimona. But he

draws a sharp contrast with Israel's substantial Ethiopian Jewish community, who – like all Israelis – serve in Israel's army. "We don't have any relations with them at all, because of their military connection," he says.

Why does Musa stay? He offers a familiar Jerusalemite metaphor.

"If you take a fish from the sea it will die. Jerusalem is my sea. I can't live outside it. There's a special feeling you get when you walk in the Old City. When I leave my work at the newspaper around midnight, and arrive back at Damascus Gate, quite often I just stop and look. You feel secure, even though there are many settlers, and soldiers. It's a feeling I can't describe. I can't live anywhere else."



Of all the many migrations into pre-World War II Palestine, that of people from western and central Africa has been studied perhaps the least. Literature is sparse, and many questions remain unaddressed. Why, for instance, has the twentieth-century experience of two marginalized and racialized Muslim communities – the African Palestinians and the Dom – been so different in terms of integration? Some in the Dom, as in other disempowered groups in Jerusalem, are taking concrete steps to try to preserve their cultural heritage, but the African Palestinian community seem to have already lost much of theirs in the space of a few decades, apparently without regrets.

British writer Nikesh Shukla helped develop the thesis of the "good immigrant."²³ It suggests immigrants are automatically assumed by host populations to be bad people – bad for society, bad for the economy, and/or just bad in general – until they somehow prove otherwise and thereby "earn" the right to be called good and treated fairly. Where that mark of proof lies can be arbitrary, and may be different for one person or group of people from another. For mainstream Palestinian society, it seems, the Dom – despite having been present for centuries, settling, speaking Arabic, sharing community – haven't reached the mark and so remain "bad," still ostracized and dehumanized with racist slurs.

By contrast, Palestinian society has judged that Jerusalem's immigrant African community – also settled, also Arabic speaking, also community oriented – has done enough to merit acceptance and a shift away from racist name-calling. That's surely welcome, even though it reveals another layer of patronizing racism in itself.

Some of the difference seems to rest on each community's self-identification and impressions of its relationship with the Israeli state. The Dom try to withdraw from political engagement to occupy a tiny space *between* Palestinians and Israelis, suffering grievously from both sides as a result. The African Palestinian community has thrown itself wholeheartedly into Palestinian national politics, also suffering terrible hardships, injustices, and bereavements but able, through sacrifice, to claim a moral standing that has overcome antipathy.

Yet according to historian Yasir Qaws, slurs such as 'abid remain "oddly frequent," as does generic labelling of Black people as Sudani or Takturi. He states: "While other Palestinians perceive them as a single entity, West African descendants are far from

constituting a homogeneous group.” He describes how patterns of self-identification reflect a desire to accelerate social acceptance: “West Africans in Jerusalem highlight their Arab origins to the detriment of their African origins . . . The use of genealogies or stories can prove the quality of their Arabism [to] the Arab world.”²⁴

‘Ala’ al-Din Street itself may play a role. Would the situation have been the same had it been the Africans who had settled in a far-flung corner of the city by Burj al-Luqluq and the Dom who had established themselves at the very gates of al-Aqsa? It is impossible to say, and the processes within Palestinian society that deny dignity and agency to entire subgroups on the basis of inherited stereotypes remain under-investigated.

Looking beyond issues of discrimination, Michael Hamilton Burgoyne quotes Jerusalemite historian ‘Arif al-‘Arif’s account of the Takarna, referring to an 1855 visit to al-Aqsa by Belgian nobility during which the Takarna were imprisoned so that the visit could take place unchallenged.²⁵ This suggests the community was resident in the two ribats on ‘Ala’ al-Din Street at that time, but I can find no reference to where the authorities confined them: was it in their own homes, or elsewhere? Al-‘Arif says the two ribats were converted into a prison “at the end of the Turkish period,” but omits mention of the fate of the Takarna in the intervening five or six decades. Were they relocated, or did they continue to live within the prison – and if the latter, was their movement restricted?

Many gaps in knowledge remain. It is fervently hoped such gaps will be filled principally by scholars and artists from within the marginalized Jerusalemite communities I have been so privileged to meet and write about.

Matthew Teller is a writer and journalist based in the United Kingdom. His book Nine Quarters of Jerusalem: A New Biography of the Old City was published by Profile Books (UK) and Other Press (United States.) in 2022.

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JERUSALEM NEIGHBORHOODS

Jerusalem, We Are Here

Reflections on the Collaborative Construction of a Living Archive and Its Offshoots

Dorit Naaman, Mona Hajjar
Halaby, and Marina Parisinou

Abstract

The interactive documentary *Jerusalem, We Are Here* (JWRH) (2016) digitally reinscribes Palestinians into the Jerusalem neighborhoods from which they were expelled in 1948. The project was created by filmmaker and film theorist Dorit Naaman in close collaboration with Palestinian participants and other contributors. Two of Naaman's closest collaborators are Marina Parisinou who started as a participant, and eventually also became an associate producer of the project; and Mona Hajjar Halaby, an amateur social historian of Palestine, who does the English narration and was the inspiration behind the map portion, having kept track of Jerusalemites' houses for years.

Following the release of JWRH, the three women continued to work closely together to expand and disseminate the project. Furthermore, they leveraged the synergy they had developed, as well as the power of the internet, to inspire and support each other in the creation of a number of offshoot projects about Palestine, focused mostly on Jerusalem. In this conversation, they take stock of their collaboration, the paths that led them to their current projects, what they have learned in the process and their plans for the future. The project is freely available online at jerusalemwearehere.com

Keywords

Jerusalem; Qatamon; 1948 War; British Mandate; interactive documentary; oral history; map-counter-map; online platforms; collaboration; living archive.



Figure 1. Screening *Jerusalem, We Are Here* in Jerusalem, July 2018. From left: Anwar Ben Badis, Marina Parisinou, and Dorit Naaman.

Jerusalem, We Are Here (JWRH) is an interactive documentary that digitally brings Palestinians back to the Jerusalem neighborhoods from which they were expelled in 1948.¹ Focusing primarily on the neighborhood of Qatamon, Palestinian participants and their descendants probed their families' past and engaged with the painful present. The short films thus produced were projected on their homes and can be encountered in a virtual "walk" of the neighborhood. The project includes an online map where each house that existed before 1948 has a live link through which information can be submitted by both researchers and the community. JWRH was released in 2016. It has since been screened in dozens of festivals, museums, cinemathèques, and universities, and has received two awards.

The project was created by documentary filmmaker and film theorist Dorit Naaman. In September 2021, Naaman had a conversation on Zoom with two of her key collaborators: Mona Hajjar Halaby,² the English narrator and the inspiration behind the map section of the project, and Marina Parisinou, one of the project's participants and associate producer.³ In the past seven years, the three women have worked closely together to produce, expand, disseminate and promote the project.

This essay is based on the transcript of that conversation in which the three collaborators discussed the process of creating JWRH, as well as a number of offshoot projects that emerged as a result of their meeting one another. All of these projects disseminate knowledge about Palestinian Jerusalem through websites, blogs, social

media, and Zoom meetings. They use photographs and documents to reach multiple audiences, both within and beyond academia, and engage multiple generations in conversations. The projects have revived (albeit online) the vibrant community of Palestinian Jerusalemites and their descendants. In concluding the conversation, Naaman, Halaby, and Parisinou discussed their future projects.

Note: Before reading the conversation, we encourage you to experience *Jerusalem, We Are Here*; it is freely available online at jerusalemwearehere.com. Upon entering, you will find yourself inside the Regent Cinema. You will then exit, meet your guides, and select one of the three tours. The guides (Mona Hajjar Halaby in English or Anwar Ben Badis in Arabic) will lead you on a virtual “walk” (proceed by clicking forward) through the neighborhood streets. The stops of the tours are the participants’ houses; at each one you can view a short video and listen to audio. You can navigate to the other part of the project, the map, at any point, by clicking the green map marker labeled “Remapping Jerusalem.” The “?” at the top right-hand corner provides access to the supplemental information website which hosts a blog and other resources about the project (online at info.jerusalemwearehere.com).



Figure 2. Presenting *Jerusalem, We Are Here* at Dar al-Kalima University, Bethlehem, July 2017. From left: Mona Halaby (on screen), Dorit Naaman, Lubna Taha (translator and organizer of the event), and Marina Parisinou.

Coming Together

We began our conversation by remembering how the three of us met.

MARINA. In the summer of 2012, I received an email from my aunt Cynthia Schtakleff in New York, who was forwarding an email from a lady called Mona Halaby who, in her turn, was forwarding an email from a project that was about to begin regarding Qatamon, a neighborhood in what today is known as West Jerusalem. The project was looking to recruit old residents of Qatamon or their descendants as participants.

I jumped at the opportunity and responded immediately to the project, explaining that my mother grew up in Qatamon. I had always been interested in family history, had in fact been collecting stories from a young age, and I was excited to participate. Out of courtesy, I copied this lady who forwarded the email, Mona Halaby.

Within an hour, Mona replied telling me how glad she was I copied her because she lived in Berkeley, just across the bay from my home base in San Francisco. The two of us started a correspondence and eventually I visited Mona at her home. I discovered that we were kindred spirits: We were both passionate about family history, particularly as seen through old documents and photographs. We became fast friends.

After some preliminaries, the project disappeared until the summer of 2013. They explained that they had had some issues and now were ready to resume. In the fall, we began a series of Skype calls and that was the first time I met Dorit with whom I had an immediate rapport. It was not clear to me where this project was going; their plans at the time were very different from what it ended up being. But I felt comfortable and was prepared to go along for the ride, however it turned out.

DORIT. Of course, I am the lead of the project that disappeared!

I secured the funding from a Research-Creation Grant by the Social Sciences and Humanities Research Council (SSHRC) of Canada, which is something like the National Endowment for the Humanities in the United States.

We had started with a team in Canada, with two Palestinians and myself, but we had many changes, as often happens, in terms of who was involved in the project and what their roles were. The initial idea was to work in Qatamon with the Palestinian rightful owners of the houses, that is, the people who were expelled during 1948 and had not been allowed to return. We planned to work with the families or their descendants and make short films. Additionally, we thought we would also work with the Israeli families that had lived there since 1948, to make short films with them, too.

What I had envisioned was projecting the films on the houses in a nightly installation over a period of time, aiming to complicate the story of the neighborhood and the houses, not only in terms of the Palestinian-Israeli conflict or impasse – this binary of “either-or” – but also in terms of some of the internal “others” of Zionism, specifically ultra-Orthodox Jews and Middle Eastern Jews who were in a way second- and third-class citizens, especially in the early years of Israel’s statehood.

But as processes tend to go, the project changed quite radically. In 2013, I went to Jerusalem on sabbatical. I had already made contact with Zochrot⁴ – which is the only

Israeli non-profit organization that calls for the return of the 1948 Palestinian refugees and for a bi-national state – and they gave me Mona's name. She had some help from them when she organized a vigil in Jerusalem in 2008 on the sixtieth anniversary of the Nakba. We contacted Mona who offered to connect us with people. As she was not from Qatamon herself, she was somewhat reticent about being involved herself, which of course we respected.

By this time, it became clear that for various reasons, including lack of access, the Palestinian collaborators in Canada could not continue on the project. In Jerusalem, I met Anwar Ben Badis, Muna Dajani, Nahla Assali and others, and started new collaborations that eventually led to the design of the interactive documentary *Jerusalem, We Are Here*.



Figure 3. Testing a collage for the short video on the Kassotis house: Anna Kassotou in front of her Jerusalem home, August 1986. See online at jerusalemwearehere.com/#!/tours/tour-3/way-kassotis

In total, I worked with two dozen families and individuals at varying levels of involvement, forming organic collaborations, some with people I never met face-to-face. The project includes fifteen short films and a dozen audio files, all embedded into the locations they reference.

Marina and I had a series of Skype meetings and workshops. Marina took photos and brought in poetry, and we would have conversations in which she shared some photographs and stories of her family. Based on that, I started editing a video of a series of images that superimposed her mother in front of the house in its current iteration. In the summer of 2014, as Marina was preparing for her annual trip to Cyprus, she suggested she come to Jerusalem to meet me, which would also give her the opportunity to explore.

MARINA. During our Skype calls with Dorit, I kept urging her to get in touch with Mona. I had had enough contact with Mona to know that the material she possessed and the extent of her knowledge of the place and the people would be an enormous contribution to the project.

MONA. In 2013, Dorit invited me to help with the project. Because I was not from

Qatamon, and I was also dealing with my husband David's diagnosis of cancer, I initially declined. After David died in March 2014, I joined the project.



Figure 4. The Muna house on the JWRH map.

DORIT. Mona and I met for the first time on Skype (Zoom did not yet exist). We spoke for a couple of hours and I remember thinking, “This woman is a walking archive! We have to make something so that her knowledge can be shared.” It really was one of those moments in which I knew – not in my head but in the pit of my stomach – that Mona had a treasure. The amount of work she had done by scanning thousands of photographs, telling people's stories and identifying houses was just incredible. That was the beginning of our online map.

MONA. When I was contacted again by Dorit, I was willing to help but with some time restrictions. I also knew that Dorit was an Israeli woman, but I had no idea about her politics. I remember asking her if she could share some of her writing, and I shared some of mine. I thought that rather than waste time talking politics, it would be best to read each other's work. When I did, I was very



Figure 5. Filming in Jerusalem, July 2015. From left: Anwar Ben Badis, Dorit Naaman, and Mona Halaby at St. Simeon monastery, Qatamon.



Figure 6. Filming in Jerusalem, July 2015. From left: Mona Halaby, Dorit and Lily Naaman, and Marina Parisinou at the Regent Cinema, German Colony.

much taken by her work, her expertise and her integrity. I admired her politics and her honesty in tackling the issues as an Israeli Jew and as an academic. I was relieved and pleased to work with her. In 2015, I joined Dorit and Marina in Jerusalem where we did the walkthrough and narration of Qatamon.

Collaboration and Offshoots

From how we met, the conversation veered to how our collaboration on JWRH resulted in molding the project and also in helping each other spawn a number of individual or collaborative projects. These projects are, in effect, the children of JWRH.

MONA. One day in the spring of 2014, I was discussing with Marina my collection of digitized photographs of Palestine and what to do with it. I had thought of perhaps creating a book of photo essays, grouping photographs together based on certain themes or geographic areas, and accompanying each group with an essay.

In talking with Marina it became clear that, firstly, it would be very expensive to have such a book published and, secondly, not many people could afford to buy it and so it would not have as much visibility as an online presence would. Marina suggested I create a Facebook community page. As I did not have the know-how, she set it up for me and I started to post my photos. I called it “British Mandate Jerusalemites Photo Library” (BMJ).⁵

At first, I would post one picture at a time with just a few words. My goal was to share photos and I had hoped that doing so would also help me in writing my book about my mother’s life, providing me with more information, such as identification of people and places.

Little did I know that BMJ would have a life of its own! It has become a place where Palestinians in the diaspora meet and connect, and children of the Nakba survivors find each other. It has grown to be much bigger than I had expected, and I am no longer writing one or two lines with a single photo. I write a longer piece about, say, a particular family, with a group of photos, and my posts are very well received. I am happy that BMJ is providing a community for the Palestinians in the diaspora.

MARINA. Both the start of JWRH and Mona’s BMJ page show how, even though the plans you have for a project may not necessarily work out as intended, they still serve as the means to get you started on the journey. The journey then follows a path of its own and may lead you to an entirely different place from where you were originally headed. It can potentially be an even better place, or simply different but still very valuable.

DORIT. So true! I often tell my students, and also when I present JWRH, that I started with a very different idea for an output. I tell them not to be hung up on creating a book, a documentary or a website: Think about the questions you want to ask, what your passion is and who your audience is. When you consider these factors, the proper medium will emerge.

Mona’s page has 22,000 fans, which is incredible. It attests to the power of the

photograph to assert things that verbal narratives cannot, or to supplement the verbal narratives. It asserts: *Yes, we were there. Yes, we had a beautiful life.* It is not just about the loss, it is also about all the picnics and all the weddings and the baby moments and the family events that I find so beautiful.

When I met Marina she was busy working on the photographs of her father who was a wonderful amateur photographer. She had a Facebook page for his photographs but somehow the work on JWRH caused her work to shift and that is when she started her blog, “My Palestinian Story.”

MARINA. I have been interested in family history from early on. My father (who was Cypriot) had a wonderful collection of color slides he had taken in Cyprus and on his trips abroad, in the 1950s–1970s. As I was going through family documents one summer, I started organizing them and the following year I took a scanner to Cyprus and spent the entire summer digitizing them. As my father at the time was gradually being lost to dementia, I wanted to capture his memories while I could.

Then a friend suggested that I post them on Facebook so I started a page that became fairly popular (“Jules Parisinos’s Photo Library”). In fact, that is the page I showed Mona when we discussed her photo collection, suggesting she do something along similar lines. At the time, I was thinking of perhaps rephotographing my father’s Cyprus scenes, that is, scout out the places where he had taken them, shoot the same frame, and then publish the before-and-afters in a book. I had already started doing some of the rephotographing.

But that was a project on which I was working by myself. Then I found myself in the JWRH project, working with other people. It was a “real” project in the sense that it had funding, a team, and someone driving it. It was easy to get pulled into that.

In any case, the Palestinian side of my family has always interested me more. There is something about lost homes that has more pull rather than a place in which someone is fairly comfortably settled. Having met Dorit and Mona – kindred spirits with diverse pools of knowledge which they were happy to share – I got drawn into JWRH and also started my blog, “MyPalestinianStory.com” in May 2015. (My father’s slides project has been put on the back burner for now.)

DORIT. It is interesting to see how our roles and projects have changed through our interactions. The initial design of JWRH was for me to work with Israelis because I am an Israeli filmmaker, and for a Palestinian filmmaker to work with Palestinian families, and of course it would have been a very different project. But as I already mentioned, the Palestinian filmmaker was no longer on the team when I arrived in Jerusalem for a year. And I had already established relationships with people, so it made sense to work directly with them – it felt very natural and organic to do so.

Through my work with all the participants, I also realized that this project could not take place physically in Jerusalem. We could not project on houses when Palestinians had so little access to Jerusalem. It would have to be online. It would have to be available to all Palestinians, wherever they may be, without having to get permits or pass checkpoints or feel like they have to justify their right to be in the space or in front of their houses or knocking on the door, trying to get in.

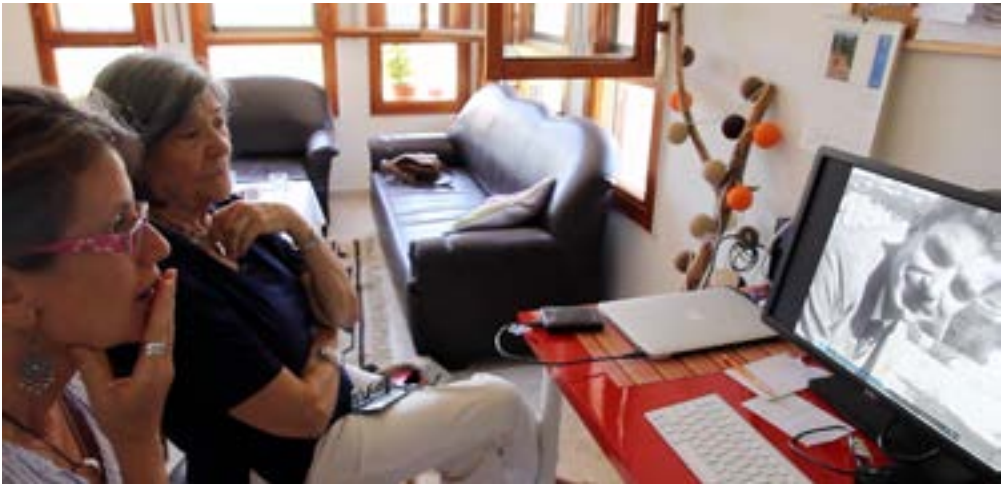


Figure 7. Marina Parisinou and Ellie Savvides (née Louisidis) in Jerusalem, July 2014.

That was the essence of the process for me – a slow process. I was very fortunate in that the funding structure of my grant was flexible and I could extend the timeline to completion, to allow the relationships to make the project what it is. Which brings to mind a concept I read about: “Moving at the speed of trust.”

MONA. It is so true that collaborating with people you respect and admire makes for a different combustion, when we put all of our energies together. At first, I felt I had nothing really to offer. I am not an academic. I have done everything at a grassroots level. A little map I had created on Google Maps, with pins on the houses, was not an academic piece of work; it was just for my own benefit.

When I first talked with Dorit, I remember her saying that it would be great to have a website for the map, so that it would be separate from the interactive documentary, not part of JWRH. I was very grateful that she was willing to create a more sophisticated platform for my rudimentary map. Then she decided to incorporate it into JWRH and make it interactive so that people could provide more information, increase the number of houses identified and so on. It is interesting how that had a life of its own, too.

DORIT. When I met Mona and Marina individually, I knew that I had so much to learn from both. Not only do we all have a passion for history and for details and for animating archives, but also I do not think that somebody must have a degree in order to be an expert.



Figure 8. Ellie Savvides (née Louisidis), Dorit Naaman, and Marina Parisinou at the screening at the Regent, Jerusalem, July 2018.

Mona called it combustion. I think of it as a soup in which we each are a couple of ingredients, we bring a set of skills and then it can only become what it is because we have all contributed to it.

In hindsight, I think the bigger legacy of JWRH is the map.

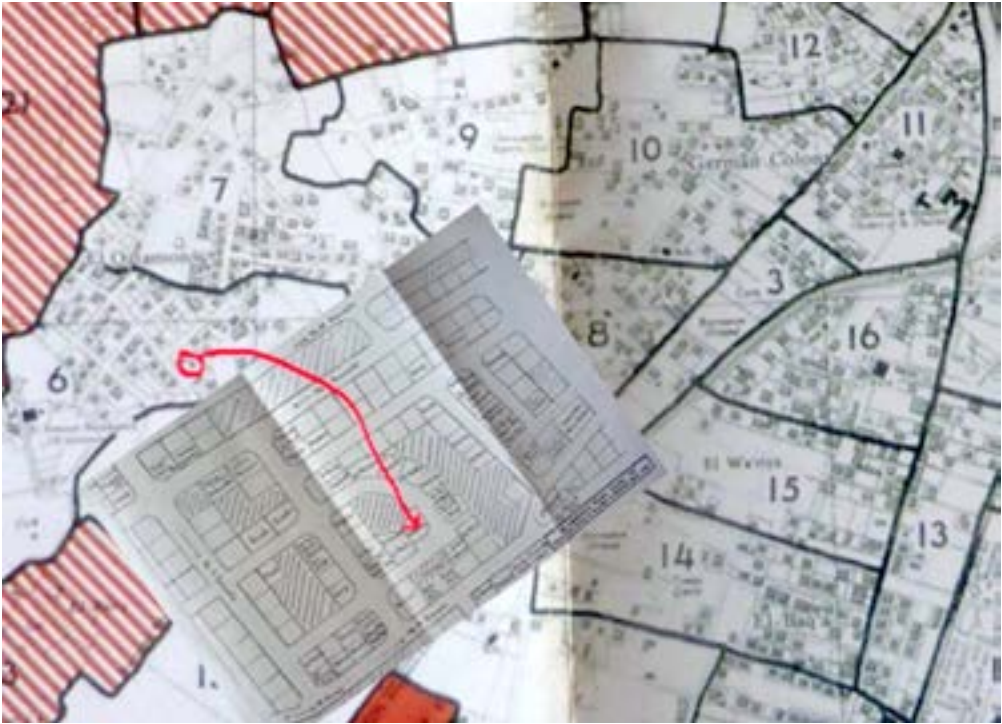


Figure 9. Hala Sakakini's map, on top of a British Mandate map.

I came to the project as a documentary filmmaker, very much invested in participatory documentary practices and working with families and descendants to make short films, and creating a platform to show those films. I knew from the beginning that there were a few constants: the films would not be oral history, they would not be the whole story of the family, and they would not be just the story of the Nakba. They would be a nugget, each one like a poem. Some are more documentary, some are more experimental or lyrical or animation. I love the films and I love that you can go for a “walk” and see those films and get all that affect, all the feelings, the emotions that come up from the films.

But after working with Mona, the map has been developed in a way that every house that existed before 1948 is a live link through which to add information, thus mapping from the ground up. When I started working with Helios Design Labs,⁶ the design and technology company that built the platform, we spent the largest part of our time figuring out the relationship between the walks and the map. It was tricky – not technically, as there were many ways to do that, but conceptually.

I love maps, I can pore over a map for hours, and I know both Mona and Marina love maps. But a lot of people are confused when they have a bird's-eye view. The one thing that is often lost is an emotional connection. I wanted viewers to stay with the stories of the participants, not to lose the tours and the films.



Figure 10. An abstracted map during production.



Figure 11. The final map layout. Each red house has information/identification and each dark grey house existed before 1948.

In the end, we decided on two tracks: one with the walking tours, which is at street level and the viewer can “walk” by clicking forward, and one with the map, which allows the bird’s-eye view of the area with all the houses. The two tracks are linked, just a click away from wherever you are, in a way that is not confusing.



Figure 12. A stop on the JWRH walking tour. You can watch a video, read information, continue walking, or switch to the map.

This brings me to another challenge that we have faced in JWRH. Marina created our protocol for how to handle information on the map. Because when we are dealing with people’s memories – it has been more than seventy years since the Nakba – to put it in Marina’s words from her JWRH video: “Memory is fickle.”

So how do we handle oral – or even written – history when we have multiple accounts? I am not talking about other parties’ stories. Obviously, there is an Israeli story about 1948 in Jerusalem; there is a Palestinian story, a Jordanian story. I am talking about the Palestinians who remember the Semiramis bombing being in February, or who remember family so-and-so lived here and insist on it when we have information that leads us to believe somebody else lived there.

MARINA. In my “previous life,” I was a database manager. As such, I see the map as a live database and I recognize that data is useful, can actually become information, only if it is properly taken care of. Simply putting data out there does not have much value until you have developed a way of managing it correctly, which is why I suggested the protocols that I did.

To begin with, we add our initials on the entries each of us has worked on. That enables communication among us when working on the same entries. If I want to add information on a house, I can see that, say, it was Mona who initially created the entry,

so I can discuss it with her and try and resolve issues. Inadvertently, the initials have also served as a means for third parties researching a particular building to get in touch with whoever among us worked on that entry. We also make an effort to document our sources as much as possible.

The “Change Log” is also an important part of our data-entry standards. There can be two (or more) conflicting versions of who lived in a particular place. Perhaps I wrote about the one and then Mona comes and says, “No, no, I found out that this other person lived there.” It does not mean that either of us is correct, nor that whoever comes last is correct. I wanted to make sure that we do not lose any of the information that we find out about a place. Thus, before superseding the old data with the new, we move the old data to the bottom of the entry under a “Change Log” where the history of the changes can be preserved. It is about data integrity.

DORIT. I think it is so important because I am not trained as a historian either and our medium is not a history book. I think that with Marina’s “Change Log” protocol we found a way to respect people’s memories with integrity as well as the fact that it is OK not to choose who is right.

I remember when I met Michel Moushabek who was born in Beirut in 1955. He told me that the house of his grandparents and his father was near the Semiramis, and I found it on the map Hala Sakakini had drawn from memory in 1951, thinking that I knew which one it was. So I went to the Israeli archives to look for documentation for all our participants’ houses, which sometimes I found but most often not. For the Moushabek house, we did find documentation but it showed a different owner, which confused me. That was before Mona came on the project.



Figure 13. Finding the Moushabek house with the help of a map drawn by Hala Sakakini.

Michel suggested we talk to his uncle Jamil Toubbeh who lives in Arizona. Jamil was in his eighties at the time and his memory was fantastic. He was not comfortable Skyping, but he would send me detailed emails. I asked him to describe where the Moushabek house was located. He wrote: “Take the number 4 bus, all the way to the last stop” (thankfully the 1940s’ bus route and terminal were marked on Hala

Sakakini's map). "You get off the bus, you turn around and go to the corner, you go up, and three houses on the left is the house" – which was the house marked Moushabek on the map. Then Mona came into the picture and explained that the Moushabeks were renters. Until then, it had not even occurred to me that naturally there must have been renters in the neighborhood. They may not have had a legal claim to the house, but they still lived in the houses where they were born, sometimes for many years. So on our map, it is marked as the Moushabek house even though legally it was owned by somebody else.

MARINA. Because we are not tracking legal ownership, we are tracking lives and homes.

DORIT. When we screened the project in Bethlehem, one of the questions I was asked as an Israeli was, "Aren't you afraid that this will be used in legal claims for the properties?" My answer was and still is: I am not afraid. I think that we cannot have a just and lasting solution to this conflict until we handle the loss of property in 1948 as a collective right and as an individual right.

We are certainly mapping the Palestinian history. We are not mapping what happened afterwards, although in JWRH there is one video that tries to explain to some degree the kind of legal manipulation that Israel did in order to sell the houses to Israelis.

MONA. Another project that is an outgrowth of our connection is the Palestine Ethnographic Society (PES). Marina and I have created a new venue for Palestinian oral histories. It started in January 2018 as a modest setup in my Berkeley living room, with a dozen people, an audio recorder, and lots of cookies and cakes to enjoy together.

With COVID-19, we switched to Zoom, and the PES has become international. We are now able to access people from the Nakba generation but also younger people who have memories from their family stories. They are from the Middle East, Europe, and all over the world. I feel that it is an important archive that Marina and I are building, and I do not think it would have been created had those other projects not happened – as if they were leading us to this.

MARINA. Again, the PES is an example of a project that started with some limited scope in mind but became something bigger. I remember Mona inviting me over to float the idea: she wanted the younger members of her family (David's side of the family, who were here in the San Francisco Bay area) to know more about what life in Palestine was like.

In the beginning, some of the sessions did not flow so well. We were not sure what to do. We did not want to talk politics but rather about life in Palestine pre-Nakba. We thought we would pick one topic at a time – schools or celebrations – but we did not have the members who had those memories. We would read from books; I read a little bit from my blog when I was writing about my great-uncle's Regent Cinema in Jerusalem's German Colony.

Then somehow, Mona invited an elderly Palestinian she had met to come and talk

to us. That became the established format for conducting these monthly meetings: Invite a guest, have them tell us their story and show us their photographs, ask them questions. With that, new blood came in because with every guest, their family would come along, too, and some of them remained as part of the group.

MONA. That's right! We started with those topics and even though Marina and I had not grown up in Palestine, we knew a lot more about Palestine than our initial members.

There are other forums where Palestinian oral histories have been recorded, websites like *Palestine Remembered*. So we have not really pioneered anything with the PES. But as a retired educator, I wanted to teach the younger generations about the Palestinians, our rich history, culture, and society.

However, right now the biggest benefit of this group is in reviving Palestine for the older generation of Palestinians in the diaspora. It is having a sort of therapeutic effect, as they tell stories about their neighborhoods, their schools, their friends, their society, as well as the beginning of the end for them: the King David Hotel and Semiramis Hotel bombings, all those memories of the approaching Nakba.

It is wonderful that we are serving the Palestinian octogenarians and older generations, giving them a platform. Marina remarked how several of our guest speakers are intimidated by the whole process because being invited to share their story on the PES is considered a "big deal."

MARINA. It has become an abstraction of their community in Palestine.

DORIT. I would dare to say it is not an abstraction; it is just that the meeting place is remote. It is important because one of the tragedies of war is that people disperse and lose contact.

What the internet has enabled in various ways is for people to come together. Usually when you do community-based work, you come to the community and work with it. But, as I said from the beginning of JWRH, the community is not in one place.

Michel Moushabek, whom I met years before JWRH, introduced me to Jacob Nammar; Umar al-Ghubari introduced me to Mona, and so on. I met Muna Dajani in a conference. I just talked to her in the ladies' room. Then some of the people in the project met each other and became part of a community. Certainly, the PES is a community, both online and offline. That's the gift – a real gift.

Mona mentioned the Semiramis. Another offshoot is Marina's new project about the Semiramis.

MARINA. The Semiramis was a small neighborhood hotel in Qatamon, two doors down from my grandfather's house. It was always mentioned in family stories and I grew up with the story of how it was blown up by the Haganah in early January 1948. I remember my grandmother telling me about it. On the seventieth anniversary of that explosion, I wrote a blog post with most of the information coming from the book, *O Jerusalem!*, written by two journalists, an American and a Frenchman. My mother had given it to me when I was younger, probably when I had started pestering her with questions, once I grew past the stage of just buying into the family story and wanted to know more.

It was the only source I had found about the Semiramis in English. Anything else I had found online was based on *O Jerusalem!*. I even found translations of it in other languages. So I wrote the blog post and mentioned the fact that one of the victims was the Spanish vice-consul, Manuel Allendesalazar (aka Manolo).

Soon after publishing it, a comment was posted by Alvaro Gomez Pidal whose grandmother was a sister of the vice-consul, of Manolo. He was very excited to have found my blog because he had just started researching his great-uncle's death.

We exchanged a couple of emails at the time, in 2018. Then in May 2020, as we were all sheltering in place due to COVID-19, Alvaro emailed me a copy of a magazine published in Barcelona in 1949, with a four-page report on the Semiramis explosion, written by Juan Ramón Masoliver, a Spanish journalist. Masoliver had actually shared a room with Manolo in the Semiramis for a couple of months, but left Jerusalem in early December 1947. A month later he learned that the hotel where he had stayed for so long had been blown up and his friend had been killed.

I suppose he started researching the incident and in July 1949 wrote this long report. When I read it with my intermediate Spanish, I realized that it overturned many of the “facts” that *O Jerusalem!* had presented. And that set me on a path of research.

I started digging and then Mona put me in touch with Nadia Aboussouan, who is a cousin of Sami Aboussouan, one of the survivors of the Semiramis. Nadia provided me with a wealth of information and a few months later sent me the diary that Sami had written only a few months after the event, and published later that year in Lebanon. Upon seeing it, I recognized it as the basis for Masoliver's article. There were many similarities and certain parts were identical.

From that point on, I continued to dig deeper. My initial thought was to write a revised blog post. As the information accumulated, it became clear that even a multi-part post would not be enough.

In the meantime, I was also contacted by a young Palestinian woman who was related to another victim and who had a story to tell about him. Additionally, I became aware that the grandson of Rauf Lorenzo, the manager of the hotel, had been following me on Facebook all along, having discovered my blog with the initial Semiramis post. I connected with him and his mother, and they are excited to work with me.

Various people, like Mona and Nadia, suggested I write a book. I toyed with the idea. Of course, it was intimidating. I am not an



Figure 14. The Semiramis stop on the JWRH Red tour.

academic; I have never written a book. But I do believe that I can tell the story of the Semiramis more accurately and fully than it has been told so far. So I am now on my way to writing this book.

Lessons Learned

We then wondered what each of us has learned in the eight or so years of working together on JWRH and on our other projects – not so much in terms of facts as important realizations and insights gained.

MONA. I am acutely aware that a lot of the work that I have been doing is a race against time, because I want to preserve the memories of the Palestinian people who have known Palestine pre-1948. We do of course have access to books written about that historical period, but having these primary sources is important, even though we cannot always rely on memory. Nevertheless, it is important to record their emotions about what happened. The photographs and interviews bring things to life.

As I see it, this is archival material as well as therapeutic material, because as people reflect on their lives, they come to terms with many issues that they had to experience. We are not psychologists – that is not our role – but I am noticing that when people tell their story, they are looking back and reflecting on the events of their lives. I am hoping this process gives them a sense of peace.

MARINA. To add to what Mona said, our work also provides validation for people's lives. Particularly under conditions where there are attempts at denial. There are still people who deny the existence of the Palestinians, which I think is absurd and is not really worth arguing with – in fact, I feel strongly that we should not dignify such arguments by engaging. But when people tell their own story and then they hear another person repeat a similar story, it gives them validation.

DORIT. That is so important to remember, especially when the experience of telling the story is painful. We are so concerned about triggering past trauma, but the retelling and hearing of other people's stories can also be affirming of who they are, where they belong to, or even an understanding of their own story.

I remember when Marina and I were together with Ellie Louisidis and her daughter Evi (in July 2014), heading towards the Louisidis building in Abdin circle, in Qatamon. Marina and Ellie were walking ahead, Evi and I were following behind, and she said to me: "Oh, my gosh, I'm looking at all these plants, like the rosemary and lavender that are blossoming. My grandfather tried to grow all these in Cyprus but they never did well. We would always tease him that he was a bad gardener and now I understand. He was just trying to recreate his Jerusalem garden in a climate and soil that were not suitable."

Understanding the story of a family better is validating, positive. We cannot always shy away fearing that it will be painful, because despite the pain, it also has merit in so many other ways.

MARINA. One of the things that strikes me is how time gets distorted, particularly when

it comes to traumatic events. For example, the story of the Semiramis is something that I grew up with. The way it was talked about, it was as if the Semiramis had always been there, part of the neighborhood. I was very surprised to discover through documents in the archives that the actual construction of the building finished in 1946. The hotel operated for barely a year, maybe just over. But in everyone's memory, the Semiramis bombing was such a momentous event that the physical place became sealed in time.

Similarly, the British Mandate lasted a relatively short time: about three decades, which is not long at all. But in those three decades all these people had lived big parts of their lives and so for them, it was an important period that got fixed in time.

DORIT. On the one hand, there is the phenomenon that some facts get cemented as momentous events (like the Semiramis bombing). But there are other things that completely disappear from narratives because of political agendas and contemporary reality. For me, one of the big discoveries was how integrated Palestinian/Arab and Jewish life was before the war.

Among the two dozen families I worked with, I learned of about half a dozen intermarriages between Muslims and Jews, Jews and Christians, or Christians and Muslims. I have not heard once about somebody being shunned from their family or having to convert, or being forced to choose one society to belong to.

It is also important not to just say that we all got along then, so we can all get along now. Perhaps we can get along as individuals, but structurally/politically, we cannot – or not yet. I am cognizant of what is happening currently in Canada as it reckons with the atrocities of the settler-colonial project and its effects on the Indigenous peoples in Canada. In the spirit of reconciliation, many settlers (that is, non-Indigenous people in Canada) feel remorse as they have learnt of abuses in residential schools through the Truth and Reconciliation Commission (2010–15), and the 2021 discoveries of over 9,000 remains of children buried in unmarked graves. But settlers often think that apologizing should be a sufficient condition to reconcile and move forward. Indigenous people and their allies recognize that in order for reconciliation to be meaningful, accountability, justice and, most importantly, political structural change, specifically treaty and land rights, have to be renegotiated. So I am always wary – or I do not want it to sound romantic – about this idea that people can live harmoniously together. In the case of pre-1948 Jerusalem, I think it is more like a lesson about possibility, but only under just political conditions.

That is the importance of history, which then brings me to an issue we have already touched upon. Marina talked about integrity and Mona talked about accessibility. There is a term people use right now in archival studies – the *living archive* – the idea that the archive should not be something that sits in a vault. Certainly documents should be preserved in the right kind of temperature and conditions. But when it is in a vault and you need gloves and permissions for access, it is not truly accessible, it becomes an artefact of history.

The living archive focuses on ways to make the artefacts part of the present, not

just part of the past. I did not know that term when we were working, but when I think about JWRH, I realize it certainly is a living archive. In some ways, it is also a counter archive, challenging official Israeli archival narratives about the Nakba, and all the erasure that Israel is officially very busy doing.

But it is also a living archive in another sense: It is experienced, for example, by my undergraduate student who was born in Toronto where her father immigrated to as a child. His own father was four in 1948. She sits with her grandfather in their living room in Toronto and they “walk” through JWRH and he starts telling her stories. This multi-generational exchange, the virtual “return,” are all a live experience. I love that. I did not imagine when we started the project that JWRH would not only be a historical archive but also a living one.

MONA. Another point is that some of our speakers on the PES had not shared much of their stories with their own children or their own family and now they are inviting their children to attend our sessions. It is a way of passing on those stories to the next generation.

Perhaps for some of the Palestinians who experienced the Nakba, it had felt too painful to talk about with their children. Perhaps others have done it, but in little bits and pieces. The PES brings it all together and that is another benefit that was unexpected.

DORIT. I heard that so many times. The disconnect because people left and did not talk to their children perhaps because the trauma was so intense. By the time the grandchildren came around, when they wanted to ask questions, some of their elders were no longer alive.

Michel Moushabek at first told me: “I have no story to tell. I’ve never been there, I don’t know if I can go there.” And I said: “But that’s the story! Or that is part of the story.”

I wonder if David was still alive, whether it would have affected the tone of Mona’s book. She told me many times that David was much more outwardly political and liked talking about the present.

MONA. Yes, his narrative would be obviously very different from mine. I was talking with my youngest son the other day about how for David the loss of Palestine was critical. In addition to that, a very important aspect was that his status in the Arab world changed after the loss of Palestine. They lived in Jordan, had very little money and felt the shame and humiliation; they knew they were not totally accepted. As Palestinian refugees, his mother had to work in order to provide for the family, which was also seen as something negative and shameful.

So, for David, there was also bitterness for their loss of status from being comfortable in Jerusalem and having connections and good jobs.

DORIT. When people lose everything, when it is all taken away by war, the way nostalgia works is that you sometimes get fixated.

I wonder if Zionism and Israel did not exist, whether today those middle classes would have been able to afford the big houses with their drivers, cooks, and gardeners.

Maybe some doctors, but I do not think that the architects, teachers, and radio broadcasters would have been able to. This fall from class that Mona just described for David and his family might have happened for other reasons too.

MARINA. But it would have happened more gradually and they would have had a chance to adjust and become what they would become organically.

MONA. I am writing at the moment a piece about poverty for my upcoming book on my childhood in Egypt, about growing up privileged in a country where the majority of the population was poor. As a child, it seemed totally normal to be from the middle class, but slowly, as I got older, I felt uncomfortable about my privilege, and started to realize that I did not fit in. But as a young child you take it for granted; this is what you are. You have poor people begging in the streets and you are wearing comfortable, elegant clothes and you are walking among them.

MARINA. It is interesting to look at JWRH as the framework out of which all these other projects have grown: the BMJ, the PES, my blog, the Semiramis book, people telling stories to each other. It really all started from JWRH – and from us three having such synergy.

The Future

We concluded by contemplating the future of JWRH and our other projects.

DORIT. As far as JWRH is concerned, I would love to find a home for the map. I believe that it should be extended to the whole of Jerusalem and it should be done quickly because the map is priceless and time is of the essence for Nakba survivors' memories. I do not think it will be expensive to add the rest of Jerusalem, so that every house in the city becomes a live link and information is added. It would also not take much to train a few research assistants in adding data. As Mona said, it is a race against time.

I know the platform will not last forever for the Walking Tours. I think digital-born art is short-lived because there is a limit to how far it can be updated or when it becomes cost-prohibitive to do so without funding. The short films themselves and the audio files will exist. It may be easy to recreate, or it may not. So I worry about that.

I am part of a group that is thinking about digital-born art and posterity. If we do not think about it now, we may wake up one day and find we have lost thirty years of artwork because anything from the 1990s on is not being preserved. There are efforts now to digitize, and we remediate single-channel work from the 1970s, like VHS tapes. But there is so much digital art and there are no good mechanisms to upgrade it to new technologies.

As for my current project, I have been living in Canada for a very long time. This January, I will be twenty years at Queens' University. While working on JWRH, the Truth and Reconciliation Commission in Canada was under way; in 2015 they published their important report about the cultural and physical genocide of Indigenous children in residential schools. That made me realize, first, that I am part of a settler

society here – actually all three of us are, both in Canada and in the United States. But it also made me reflect that even though I am a sixth-generation Jerusalemite, I am part of a settler society in Israel, too.

Therefore, as I often say in any presentation I give, I am a double settler. Working on JWRH made me realize that I cannot do all this work in Jerusalem, and live, work and be paid in Canada, and not be accountable for living in Canada, or come to terms with what my settler identity as a Canadian immigrant means.

As a result, my current collaborative project is on Belle Park, a local park in Kingston, a place that experienced Indigenous life, colonial violence, and also environmental violence, because it is a place that was a landfill and is very toxic. The history of the park is not visible.

What I am carrying with me from JWRH is a commitment to make what is buried (both literally and politically) visible and legible so that we can think about a different, healthier, more just future. To me, it is never just about the past.

I am learning to work in “allyship” with Indigenous people, which is very different from JWRH. I do not have the same command of history to have the conversations I had with Palestinians where I understood the nuance. My position is, therefore, tenuous and changing.

MONA. I am completely absorbed in writing my second book about growing up in Egypt in the 1950s and becoming a refugee. In some ways, it is the prequel to my first book.

In my memoir *In My Mother's Footsteps*, I allude to the fact that I became a refugee in Egypt and I write a little bit about it. In my upcoming book, I delve into what that society was like in 1950. It was still influenced by colonialism and the international community that lived there. In some ways, my family never belonged in that society – my mother being Palestinian, my father being Syrian and born in Egypt but not truly feeling either Egyptian or Syrian. It is the whole complicated issue of identity and class.

But I also have beautiful memories of growing up in Egypt, of our housemaid who took care of us, and of playing with my sister. In one game, I chose to be the servant; it was as though I was trying out new clothes. I wanted to experience being on the other side of that class divide.

It is interesting how even though you are a child and you do not have access to knowledge about classes, you pick up on things and you try things out. Children in their dramatic play explore different roles in life and take on adult roles.

MARINA. My focus going forward, and for a long time, will be the Semiramis book. I suspect I have at least a year or two of research ahead of me. In the meantime, my challenge will be how to keep my blog going at the same time.

DORIT. On my last sabbatical, in the fall of 2017, I started writing a book about JWRH, and wrote about half of it. The writing came quickly, it flowed. And then my sabbatical ended and between administrative duties and teaching, I had no time to

continue. Now, four years have passed and part of me would love to finish that book because it addresses a few issues:

Firstly it explains how I – an Israeli who was raised smack in the middle of Zionist Ashkenazi society, privileged with all the blind spots that come with that – came to be in a position to want to engage this story and bring it to life, and how I negotiated my place in this story.

As I often say, because I am the filmmaker, because I wrote the grant, because I have an academic position, I became the nervous system of this project. But I am not its heart. You are its heart. All the participants are the heart of JWRH.

The book also tells all the stories that are not in the videos, which are very short. For each family or each person, there is a chapter or section that recounts our engagement, which adds a lot of past history, but also what it was like to film together, addressing present-day working in Jerusalem. The third section is about the method that we came up with which I believe could be very useful to people who try to do community-based art projects, whether they are interactive documentaries or not. I would love to be able to finish it.



Figure 15. The U.S. premiere of *Jerusalem, We Are Here* in Berkeley, California, February 2017. From left: Mona Halaby, Dorit Naaman, and Marina Parisinou.

Dorit Naaman is a documentarist and film theorist from Jerusalem, and a professor of

Film, Media, and Cultural Studies at Queen's University, Canada. Her in-production collaborative project The Belle Park Project is situated in Kingston, Ontario, and harnesses creative practice to make visible, legible, and audible both colonial and environmental violence, and also resistance, resilience, and re-naturalization, in a complex urban park/former landfill. Dorit is also engaged in a collaborative project on planning and mapping participatory media. She has previously researched film and media from the Middle East, specifically focusing on nationalism, gender, and militarism.

Mona Hajjar Halaby is a Palestinian American educator and writer residing in California. She is interested in the social history of Palestine, especially in the first half of the twentieth century, and has published several articles on that period in the Jerusalem Quarterly. Her archive of old photographs of Jerusalem and its people is on Facebook at "British Mandate Jerusalemites' Photo Library." She is a consultant, researcher, and tour guide in the Jerusalem, We Are Here interactive documentary. Her memoir In My Mother's Footsteps: A Palestinian Refugee Returns Home was published in August 2021 by Thread.

Marina Parisinou was born in Cyprus to a Greek Jerusalemite mother and a Cypriot father, and was weaned on stories of life in Palestine. Following a career in IT, she now splits her time between San Francisco and Nicosia working on family history projects. She publishes her research into her maternal family's history on her blog, "MyPalestinianStory.com." She is one of the participants in the Jerusalem, We Are Here interactive documentary and an associate producer of the project. Marina is currently researching a book on the January 1948 bombing of the Semiramis Hotel in Qatamon, Jerusalem.

Endnotes

¹ See *Jerusalem, We Are Here*, online at info. JerusalemWeAreHere.com (accessed 17 February 2022).

² See Mona Hajjar Halaby, online at facebook.com/MonaHajjarHalaby (accessed 17 February 2022).

³ See Marina Parisinou, "My Palestinian Story," (blog) online at mypalestinianstory.com (accessed 16 February 2022), and also online at facebook.com/mypalestinianstory

(accessed 17 February 2022).

⁴ Zochrot, online at zochrot.org (accessed 17 February 2022).

⁵ British Mandate Jerusalemites Photo Library, online at www.facebook.com/BMJerusalemitesPhotoLib (accessed 17 February 2022).

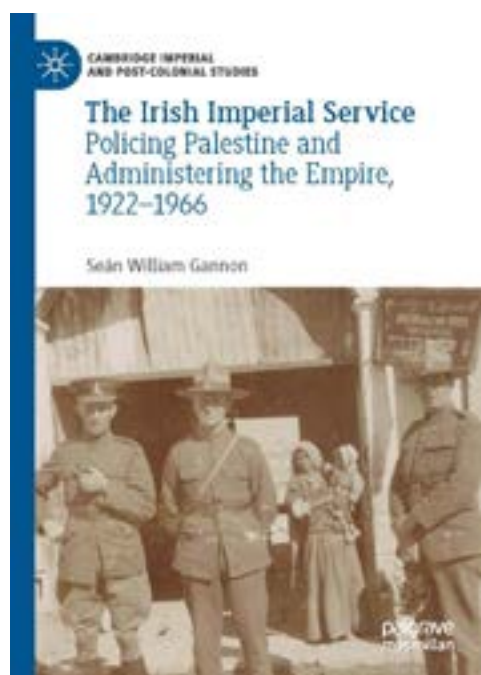
⁶ Helios Design Labs, online at heliosdesignlabs.com (accessed 17 February 2022).

BOOK REVIEWS

Ireland and Palestine as Models for the Policing of the British Empire

The Irish Imperial Service: Policing Palestine and Administering the Empire, 1922–1966 by Seán William Gannon. London: Palgrave MacMillan Cham, 2019. Hardcover, €74.99; paper, €49.99. (eBook, €42.79)

Review by Mahon Murphy



Abstract

In this review of *The Irish Imperial Service: Policing Palestine and Administering the Empire, 1922–1966* by Seán William Gannon, Mahon Murphy discusses the book's relevance for studies of Palestine and how British policing policy developed there impacting practice in the British Empire as a whole. The creation of the Irish Free State in 1922 created a rupture in Ireland's relationship with the British Empire and Irish imperial activity. Nonetheless, contacts and entanglements of Irish people with the administration of the British Empire continued through to the 1960s. Between 1922 and 1966 when the British Colonial Office closed, Irish men and women were continuously recruited into Britain's imperial civil services, thus maintaining a significant Irish presence in the governing of empire. The majority of these Irish colonial servants were assimilated into Britain's imperial ruling caste and their attitudes toward anti-colonialists in Africa and Asia were no different from those of their British counterparts. This book, with Mandatory Palestine as its base, makes an important contribution to the discussion of the complex relationship of Irish nationalist attitudes and the British Empire.

Keywords

Mandate Palestine; British Empire; Palestine Police Force; Ireland; British Palestine Gendarmerie.

The Palestine Police Force, established in July 1920, was to form the frontline against Zionist insurgency to British rule during the last decade of Palestine as a British Mandate. In 1926, to bolster the locally recruited Palestine Police Force, the British Section (BSPP) was created. Originally consisting of a 200-man elite squad, the BSPP evolved into a 4,000-strong semicivil police unit representing over half of the entire force. In 1938–39, Irish men and women accounted for 11 percent of enlistments and rose to about 20 percent in the last year of the Mandate. Seán William Gannon's new book traces the Irish contribution to the Palestine Police Force and the long-term impact of the Irish British Gendarmerie to the policing of the British Empire after the First World War. The creation of the Irish Free State in 1922 saw a rupture in Ireland's relationship with the British Empire and Irish imperial activity. Between 1922 and 1966 when the British Colonial Office closed, Irish men and women, and not only those north of the Irish border, were continuously recruited into Britain's imperial civil services, thus maintaining a significant Irish presence in the governing of empire. The majority of these Irish colonial servants were assimilated into Britain's imperial ruling caste and their attitudes toward anti-colonialists in Africa and Asia were no different from those of their British counterparts. This book, with Mandatory Palestine as its base, makes an important contribution to the discussion of the complex relationship of Irish nationalist attitudes and the British Empire. For readers of the *Jerusalem Quarterly*, the book's main interest will no doubt be in its discussion of the Palestine Police Force and, particularly, how it came to be a template for imperial policing.

Gannon's book traces six distinct yet connected aspects of the Irish contribution to the British imperial project after 1922. First, he examines the British Gendarmerie, which was almost entirely recruited from Royal Irish Constabulary (RIC) sources. The focus then shifts to Mandate Palestine and the Irish recruits both north and south of the Irish border that made up the BSPP between 1926 and 1947. With these recruits in place, Gannon then investigates their attitudes towards the Arab and Jewish communities that they policed and how their "Irishness" conditioned their response to Palestinian political issues. Taking a chronological step back, Gannon then discusses how the history of the British Gendarmerie helped act as a conduit for the transmission of an RIC culture of police brutality into the Palestine Police and through it to the wider empire. The latter chapters then build on this by examining the Irish imperial service's recruitment in southern Ireland after independence and the extent to which their "Irishness" shaped their professional experience of being servants of the British Empire in the mid-twentieth century. This book presents an independent Ireland that was not the anti-imperial "hothouse" that it is traditionally represented as being (18). While he does not deny that anti-colonialism was an important aspect of Irish political life in the era of decolonization, he stresses that there is an important discussion to be had about post-independence Ireland's relationship with empire. The many men and women who took part in Irish imperial service highlight a clear disconnect from Ireland's anti-imperialist political culture.

Gannon's book is based on an impressive array of primary source material. The

author has analyzed documents from various archives in Ireland and the United Kingdom along with the Central Zionist Archive in Tel Aviv and the Israel State Archives in Jerusalem. These are supported with memoirs, letters, interviews, and other material from former police officers to give the human narrative. While certainly adding some color, the introduction of extensive private source material allows the reader to gain a deeper understanding of the motivations of the Irish to join the Palestine Police Force than the official documents and data would allow.

Many of those Irish recruited for the British section of the Palestine Police had little or no knowledge of the region before deployment; their first meeting with either Palestinian Arabs or Jews would take place after they entered the country by train via Egypt. To make sense of the Arab-Zionist conflict they would fall back on what they were familiar with and thus view Palestine through an “Irish national lens” (106). In Ireland, parallels were drawn between the Arab experience in Palestine and that of the Catholic Irish in Ireland. From an Irish point of view, the privileged position of Zionists in Palestine was easily equated to that of Irish Protestant ascendancy rule, and the repression by the British section of Palestine was linked to that of the notorious Black and Tans in revolutionary Ireland. As Gannon notes, many Irish police officers in Palestine had sympathy for Palestinian Arabs. However, these tended to be personal rather than political sympathies. They were members of the Police Force above all and had been at the forefront of containing the Great Arab Revolt. Nonetheless, although they were active agents in the suppression of Arab nationalism, many Irish police officers still held an affinity for Palestine’s Arabs.

On the other hand, there were those who contextualized the forging of a Jewish national identity in Palestine during the Second World War as an independence movement similar to that of Ireland during the First World War. No matter what angle Irish police saw Palestine from, there were very few genuine friendships created between them and the Jewish and Arab population. The nature of the relationship was one between colonizers and colonized. Even among their Arab colleagues on the Police Force, there was little collegial interaction. Irish attributed one reason for this to the Muslim prohibition on alcohol, which for most was the center of Irish social life. There was also the lack of shared space: the Police Force had segregated canteens and the Irish saw themselves as part of the colonial ruling caste.

The creation of the Irish Free State in 1922 ruptured Ireland’s association with the British Empire. Ireland had long been an important recruiting ground for the British Colonial Office and this rupture threatened to interrupt the flow of new Irish charges into the Imperial administration. However, as Gannon shows, recruitment from what was now southern Ireland remained buoyant as Irish men (and women) from both sides of the religious divide looked to colonial recruitment as a way to escape from a country where they felt politically or otherwise alienated. The key focus on this book is on ex-Royal Irish Constabulary who were the targets of Irish Republican Army (IRA) violence due to their counterrevolutionary role. Around 250 of these men moved to Britain’s newly acquired League of Nations Mandate, Palestine, where they formed the core of the British Gendarmerie, bringing their institutional methods with

them. This initial wave of Irish recruits established a tradition that carried throughout the history of the Mandate's policing up to 1948.

A recent article published on the Irish national broadcaster RTÉ's website caused some controversy in Ireland as it discussed the need for a reopening of discussions of independent Ireland's relationship with empire.¹ The different experiences of Ireland as a partitioned island has greatly shaped how Irish history is written. With the centenary of Ireland's partition marked in 2021, a reappraisal of Ireland's entanglements with the histories of India, Egypt, and of course Palestine among others can help us to critically engage with empire as a system and its many contested legacies. Gannon's book is a very useful contribution to this debate. The default position among many Irish historians used to be that while Irish workers made significant contributions to the administration of the British Empire, this all stopped after 1922. Gannon successfully shows in a comprehensive manner that this was not the case and that the recruitment of Irish by Britain's imperial services was a link retained through the post-independence period up to the large waves of decolonialization in the 1950s and 1960s.

The British Section of the Palestine Gendarmerie created in 1922 became the focus for Irish Colonial Police recruitment post-partition. As Gannon shows, this created a conduit for the transmission of an RIC ethos into the Palestine Police and through it onto the wider empire. This resulted in a culture of police brutality similar to that used in revolutionary Ireland. This is seen in the BSPP's handling of the Arab and Zionist revolts. Gannon traces this to other sections of the empire, through either the movement of Palestine policemen across the empire or the creation of an institutional memory that transferred from Ireland to Palestine and onto the wider empire. Gannon's book is an important intervention in the debate on post-independence Ireland's relationship with the British Empire. It will also be of interest to those looking to understand the BSPP through its personnel and its institutions and is an excellent example of the entanglements created by empire.

Mahon Murphy is an associate professor at the Faculty of Law, Kyoto University, Japan. His research interests focus on the global impact of the First World War, looking at the conflict's extra-European theaters. He has published previously on the British military occupation of Jerusalem 1917–1920.

Endnotes

- 1 Dónal Hassett, Hussein Omar, Laura McAtackney, "The Case for Rethinking Ireland and Empire" (19 April 2021), online at ([rte.ie](https://www.rte.ie)) bit.ly/3ugNu3k (accessed 6 February 2022).

FACTS & FIGURES

Women and Men in Palestine

Issues and Statistics,
2021

Palestinian Central Bureau of
Statistics (PCBS)

Editor's Note:

JQ thanks the Palestinian Central Bureau of Statistics (PCBS) for providing this key document to *JQ* readers. The full report can be found online at pcbs.gov.ps/Downloads/book2586.pdf, under the same title.

This report, published in October 2021, aims to shed light on the status of men and women in Palestinian society and to provide the necessary data for policy-making pertinent to gender equity. It presents a selected group of key indicators on gender issues from many relevant perspectives: demographic indicators, education indicators, health, disability, labor force, and poverty indicators, in addition to the indicators on public life, the media, and the impact of the COVID-19 pandemic, and taking into account the indicators contained in the national framework of gender, and within the regional and international frameworks.

Main Indicators

From: Women and Men in Palestine: Issues and Statistics, 2021. PCBS.

Indicator	Total	Males	Females
Total Population, Mid-Year, 2021	5,227,193	2,657,069	2,570,124
Sex Ratio, 2021	103.4	-	-
Life Expectancy at Birth, 2021	74.2	73.1	75.3
Percentage Distribution of Households by Sex of the Head of Household, 2020	100	89.1	10.9
Literacy Rate among the Population (15 Years and Above), 2020	97.5	98.8	96.2
Drop-out Rates from Basic Stage, 2019/2020	0.36	0.55	0.16
Drop-out Rates from Secondary Stage, 2019/2020	2.18	2.95	1.56
Number of Teachers in Governmental Schools, 2020/2021	41,123	16,658	24,465
Percentage of Individuals Participated in Labor Force (15 Years and Above), 2020	40.9	65.1	16.1
Unemployment Rate for Individuals (15 Years and Above), 2020	25.9	22.5	40.1
Percentage of Individuals with Disability, 2017	2.1	2.3	1.9
Percentage of Poverty among Individuals According to Monthly Consumption Patterns, 2017	29.2	28.8	29.7
Percentage Distribution of Medical Practitioners, 2019	100	81.1	18.9
Percentage Distribution of Pharmacists, 2020	100	63.6	36.4
Percentage Distribution of Members in Local Councils, 2020	100	80.0	20.0
Percentage Distribution of Heads of Local Councils, 2020	100	98.2	1.8

Indicator	Total	Males	Females
Percentage Distribution of Ambassadors, 2020	100	89.2	10.8
Percentage Distribution of Heads of Student Councils in Universities, 2020	100	95.7	4.3
Percentage Distribution of Members of Student Councils in Universities, 2020	100	68.2	31.8
Percentage Distribution of Lawyers Practicing the Profession, 2020	100	72.9	27.1
Percentage Distribution of Judges, 2020	100	80.8	19.2
Percentage Distribution of Public Prosecution Staff, 2020	100	79.6	20.4
Percentage Distribution of Engineers Registered in the Engineering Association, 2020	100	75.4	24.6
Percentage Distribution of Editors in Chief Registered in the Palestinian Journalists Syndicate, 2020	100	84.3	15.7
Percentage Distribution of Journalists Registered in the Palestinian Journalists Syndicate, 2020	100	77.3	22.7
Percentage Distribution of Members of the Chambers of Commerce Industry and Agriculture, 2020	100	95.7	4.3
Percentage Distribution of Employees in Banking Sector, 2020	100	63.7	36.3
Percentage Distribution of Individuals Who Have Accounts in the Capital Market Authority, 2020	100	57	43
Percentage of Individuals (18 Years and Above) Who Own a Smart Phone , 2019	72.8	72.2	73.4
Percentage of Smoker Individuals (18 Years and Above), 2020	24.3	41.2	6.9

..—————.....—————..
The *Jerusalem Quarterly* is pleased to announce the winner of the 2022

**Ibrahim Dakkak Award
for Outstanding Essay on Jerusalem**

Adey Almohsen
Andrew W. Mellon Postdoctoral Fellow
and Visiting Assistant Professor, Grinnell College

**for his essay on
THE PRINT CULTURE AND LITERARY JOURNALISM
OF 1960s EAST JERUSALEM**



The essay will be published in a forthcoming issue of the *Jerusalem Quarterly*.



Jury

Lisa Taraki: Co-Editor of the *Jerusalem Quarterly*
Alex Winder: Co-Editor of the *Jerusalem Quarterly*
Roberto Mazza: Executive Editor of the *Jerusalem Quarterly*
Carol Khoury: Managing Editor of the *Jerusalem Quarterly*



Ibrahim Dakkak Award for Outstanding Essay on Jerusalem is an annual award launched by *JQ* in 2017 to commemorate the memory and work of Ibrahim Dakkak (1929–2016), former chairman of the Advisory Board of *JQ*. The deadline for submissions is **15 January of each year**. A committee selected by the *Jerusalem Quarterly* will determine the winning essay, which will receive a prize of \$1000, and will be published in the journal.

For more information, and for submissions:
www.palestine-studies.org/en/journals/jq/Ibrahim-Dakkak-Award





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Cover photo: A view of Lifta from one of its houses. Photo by Issa Freij, 2020.

Back cover: Mona Saudi, *The Seed*, 2007. Lebanese marble, 25 x 22.5 x 22.5 cm.

