



**Transition from Displacement to Emplacement:  
The Case of East Jerusalemites The Right to The City**

**Master Thesis**

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## *Abstract*

Lawyers in East Jerusalem are central to the Palestinian inhabitants' right to the city. When specialized professionals endeavor to secure the home of the permanent residents inhabiting East Jerusalem, lawyers embark in various battles. The complex nature of this socio-legal field compels legal and human rights practitioners to engage in legal, political and societal contestations. The situation of the permanent residents living in East Jerusalem is anchored in their precarious residency status. This thesis illuminates these facets of the spatial and temporal configuration of East Jerusalem, as well as other struggles inherent to the living situation of native East Jerusalemites. As such, the thesis constructs a specific understanding of East Jerusalem that was inspired from the testimonies of interviewed lawyers.

This research problematizes the unseen relational and procedural aspects of the given configuration. Therefore, the analysis sheds light on the strategies employed by lawyers within and outside the law in order to secure the homes of East Jerusalemites. The investigation moves beyond the traditional preventive struggles. In doing so, this research accounts for avenues through which legal and human rights practitioners embark on a transition towards emplacement. Throughout the efforts of lawyers to achieve their goal and enable East Jerusalemites to reclaim the city, the paradigm begins to shift from one of displacement to one of emplacement.

Keywords:

Emplacement, displacement, home, the right to the city, East Jerusalem, family reunification

### *Abbreviations*

CAT Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

CEDAW Convention on the Elimination of all Forms of Discrimination Against Women

CRC Convention on the Rights of the Child CRC

GC Geneva Convention

HCJ High Court of Justice

ICCPR International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

ICJ International Court of Justice

IHLR International Human Rights Law

IHR International Humanitarian Law

JLAC Jerusalem Legal Aid and Human Right Center

MoI Ministry of Interior

oPt occupied Palestinian territories

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## Introduction

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Multiple periods of foreign domination over the Jerusalem territories have made Palestinians one of the largest displaced populations in the world today (Shiblak,2006). While displacement is commonly studied through a historical lens, this research takes a different stance. Throughout this study, I approach the way the displacement phenomenon unfolds today. In doing so, I analyze the current causes that lead to the Palestinian population transfer from the Eastern neighborhoods of Jerusalem. My approach illuminates the drivers of displacement to shed light on the strategies and tactics used by lawyers to prevent displacement before it occurs, and thus before it causes East Jerusalemites to move away from their home. As such, this thesis is an investigation of avenues through which lawyers enable East Jerusalemites to realize their full rights as permanent residents without having to naturalize as Israeli citizens.

This thesis is an investigation of East Jerusalem and its inhabitants from a socio-legal lens. This perspective is given by focusing on the relationship between the local Palestinian society and the Israeli system that governs it. As such, the discussion in this paper endeavors to bring a critical analysis of different strategies used by lawyers to counter the political apparatus that dispossesses Palestinians of their right to the city. In this context, lawyers have a specific goal, which is to emplace a population that has been subjected to protracted displacement. Accordingly, emplacement is understood as the different practices employed by legal practitioners who aim to counter the displacement phenomenon. It emerges that legal and human rights professionals work towards the phenomenological counterpart of displacement. I perceive emplacement as the opposition to displacement as inspired from Malkki's analogy of emplacement which takes place when one is not displaced (Malkki,1995). Hence, this thesis traces the process of change from displacement to emplacement by arguing that emplacement begins to emerge when lawyers secure East Jerusalemites' right to the city and protect their home in Jerusalem.

The right to the city has fruitfully conceptualized various collective struggles and human rights battles. However, in this paper, I refer to the right to the city as the action of lawyers to

reclaim Jerusalem for the Palestinian population. As such, it becomes an overarching platform, which opens a legal investigation while expanding the analysis beyond legal questions. Through this method, I am able to focus on approaches taken by practitioners to challenge the state practices and its corresponding forms of legality when they struggle to protect aspects of Jerusalem that are not legal per se (Harvey,2008). In this regard, when addressing the right to the city, this thesis looks outside notions of human rights. As such, I consider the right to the city a framework for analyzing practitioners' efforts regarding kin affiliations, demographic considerations, territorial continuity, civil future and resistance to continuous displacement. In doing so, my study examines a collection of civil, legal and institutional characteristics of East Jerusalem as they are seen from the perspectives of lawyers. Thus, this thesis illustrates how lawyers strive to operationalize the right to the city and trigger its transformative effects of emplacement (Schechla,2014).

For the purpose of analyzing the spatial and temporal configuration of East Jerusalem and its transition from a structure of displacement to one of emplacement, I employ a social constructivist approach given by the Grounded Theory Method. This method helps me investigate how lawyers struggle to construct a specific understanding of East Jerusalem and its inhabitants, as people with the right to have their home in the city. In light of such endeavors, I examine the strategies through which lawyers promote these understandings and make them generally shared and accepted in East Jerusalem and beyond. As such, in problematizing the essence of the city's configuration. a great consideration is given to the home of the Arab population residing in East Jerusalem. While contestations around the home of East Jerusalemites are longstanding, I shed light on how these disputes are traced back to the precarious legal status held by persons residing in the given territories. While lawyers are invested in different aspects concerning Jerusalemites' place in the city, they focus on the inhabitants' home as a means to access their rights as permanent residents. In this regard, this thesis examines matters emerging from the permanent residency permit to outline how lawyers struggle to prevent the dislocation of Palestinian residents.



## Chapter I – Methodology

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### 1. Significance of the Paper

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As I work through the outlines of the grounded theory approach, this thesis aims to fill the following gap found in citizenship and migration literature. While such studies commonly approach the question of East Jerusalem from one single discipline, I found that an interdisciplinary analysis of its configuration needed to be urgently addressed (Gordon, 2016 and Guego, 2006). As such, the scope of this thesis is to bridge that gap by designing a study focused on fundamental processes that underpin the situation of displacement in East Jerusalem. In doing so, my contribution is rooted in a collection of sources from different languages, practices and disciplines which together support the analysis of the process of transition that lawyers aspire to achieve for East Jerusalemites. With the aim of mapping the means for thinking of future prospects for Palestinians in their native territories, I build towards the premise that emplacing this indigenous group in Jerusalem enables them to claim a right to the city. In doing so, one needs to problematize the procedural and relational aspects that transform this space. Such features are often regarded as immaterial. However, as this thesis shows, it is precisely through these aspects that lawyers secure the claims of East Jerusalemites to the city. As follows, this research illustrates how the future prospects of Palestinians in their homes become feasible.

### 2. Problem Area

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After the 1967 Six-Day War where Israel further occupied the Palestinian territories, authorities expanded the Israeli laws, administrations, and jurisdiction over East Jerusalem. In doing so, they incorporated these territories into the municipality of West Jerusalem and unilaterally declared East Jerusalem an annexed territory. Nonetheless, for the purpose of this thesis any reference to Jerusalem or to the city is understood as the Jerusalem municipality.

The de facto<sup>1</sup> annexation triggered contestations between Israel who considers East Jerusalem to be annexed, and the international community who perceives the territories to be occupied. Following this period, there have been extensive internal analyses and frequent political and legal debates about measures to transform Jerusalem into a demographically Jewish city (Schechla,2014). In this regard, the process for governing the municipality included a set of “demographic-manipulation policy” (Schechla,2014, p.5). Amongst these policies, one is particularly relevant for illustrating the problem area of this thesis. Accordingly, the debated policy focused on maintaining a Jewish majority in the city. This could be achieved by impeding the ability of the Palestinian native population to reside in the capital. Such considerations culminated in the displacement of the Arab population of East Jerusalem from the city (ibid). Nonetheless, as Israel is mandated to protect all people it governs, East Jerusalemites were given a distinctive type of legal identity which serves the demographic goals.

The permanent residency status held by East Jerusalemites is significantly different from that of Israeli citizens. Holders of the permanent residency permit are theoretically entitled to reside and work in Israel without additional permits. Moreover, they can also receive social benefits. However, while permanent residents are able to vote, they are only given voting rights in municipal election and not in the national election equal to ordinary Israeli citizens. In addition, the residency status does not automatically pass to the residents’ children or spouses. Citizenship for Israeli children is acquired by descent, on the principle of *jus sanguinis*<sup>2</sup>, or through the right of return which can be exercised at any time only by an ethnic or religious Jewish person (Guego, 2006).

According to specialized literature, East Jerusalemites could avoid legal and political trends that target their removal from the city by becoming Israeli citizens. Indeed, procedures exist through which Palestinian residents of Jerusalem could acquire citizenship. However, proponents of such naturalization processes disregard the fact that these procedures are based

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<sup>1</sup> Latin for “in fact”. The term is a description for practices that occur in reality, despite the fact that they are not recognized by laws.

<sup>2</sup> *Jus sanguinis* translates from Latin into the “sight of blood” and it is a principle of nationality law by which citizenship is determined or acquired by the nationality or ethnicity of one or both parents.

on the condition to pledge allegiance to the Israeli state (Kawar,2010). Such conditions often lead the Palestinian community to deny the given possibilities. In addition, application for citizenship is perceived to be a taboo by the wider Palestinian community also in light of political considerations. Such understandings are rooted in the fact that Palestinian East Jerusalemites are considered the key in the negotiations for the final status of Jerusalem, for the Palestinian and Israeli capital in Jerusalem, and for the two-state solution<sup>3</sup> (ibid). As such, naturalization implies acknowledging that East Jerusalem is incorporated in the larger Israeli territories occupied in 1948. Moreover, if one undertakes naturalization and becomes an Israeli citizen, the Palestinian community would consider that they are betraying the Palestinian cause. This premise emerged from the understanding that by naturalizing, East Jerusalemites would engage in normalization of the Jerusalem unilateral annexation (تطبيع-*tatbyah* specific Arabic word regarding normalization). Nevertheless, this understanding is conveyed due to the fact that Palestinian dislocation from East Jerusalem escalated following the Israeli-Palestinian agreement that left debates over Jerusalem to the ‘final status’ negotiations (Nuseibeh, 2016).

While East Jerusalemites are considered indigenous by Israeli courts, since they are natives of the territory, this population holds a precarious type of legal status. The status requires a high standard of proof which East Jerusalemites need to uphold so they can live within the municipality. In 1995, the Israeli Ministry of Interior started using the center of life policy which emerged from a ruling by the High Court of Justice. Jefferis describes “center of life” policy – “as the institutionalization of statelessness and forced displacement of thousands of Palestinian East Jerusalemites.”(Jefferis,2011, p.1) According to the policy, Palestinians are required to demonstrate that they have been constantly living in Jerusalem during the previous seven years. These demands are so strict that even people who have never left the territory consider it difficult to meet the standards (Chiodeli,2016). As problematized in this thesis, Palestinians residents who are unable to demonstrate that the ‘center of life’ has been Jerusalem, are at an increased risk of having their legal identity removed, and their applications for family reunification or child registration denied. The policy had a severe impact on Palestinians entitlement to live in their home. The enactment compelled many

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<sup>3</sup> “In 1947 the United Nations recommended that Palestine be partitioned into two states for the “two peoples who inhabited it.” (Robinson, 2013, p. 9)

either to live in illegality in Jerusalem, or to move to the West Bank. As Goego writes, the ‘centre of life’ enactment resulted in a rise of confiscated Jerusalem residencies of over 600 per cent (Guego, 2006). Hence, the precarious nature of this status becomes apparent. From this understanding, it emerges that the given status holds a core position in state strategies aimed at transferring the Palestinian population, thus achieving ‘de-Arabization’ of the city (i.e. suppressing the Arab urban expansion) (Yiftachel ,2009, p.58). As such, the insecure nature of the East Jerusalemites’ status illustrates urgency of a discussion on future prospects and the emplacement of Palestinians.

For these reasons, it emerged that when Palestinians are positioned at the crossroad between confinement in a limited territory and a set of socio-political considerations, the antagonism regarding East Jerusalem leaves its residents in a situation of stuckness. In view of the deteriorating situation on the ground including mass demolitions and displacement, avenues for securing the Jerusalemites’ right to the city under Israeli rule are increasingly undermined (Gordon, 2016). In light of such trends that displace the Arab inhabitants of East Jerusalem, I raise the research problem focused on the Palestinian considerations regarding their home in the city, and on the populations’ emplacement.

### 2.1. Central Research Question:

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*“How and to what extent do lawyers challenge structures of displacement to achieve emplacement for East Jerusalemites?”*

### 3. Research Design

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The central research question stipulates a number of aspects that I need to account for. First, it is important to mention that my research question implies that I will examine the perspective of lawyers and leave out different impressions of the state institutions. As such, the question enables me to investigate displacement and emplacement as empirical phenomena. I began this research with a set of ideas about statelessness and the legal identity held by Palestinians living in East Jerusalem. However, through my examination of the situation in East Jerusalem, it emerged that questions of statelessness and naturalization are no longer fundamental for legal practitioners. As such, the informants indicated that while statelessness is one of the legal battles in East Jerusalem, there are other important issues that define the area. From this standpoint, it is gathered that lawyers have shifted their focus from preventing displacement to securing emplacement. It is important to note that none of the

informants referred to emplacement per se. When describing their different legal fights, I concluded that they essentially struggle to emplace the Arab inhabitants of Jerusalem. My conclusion emerged from the informants' account of their goal to oppose displacement by working with matters concerning family unification, child registration and other human rights.

Since the area itself is intricate, an appropriate approach was needed for designing a research that encompasses this transition. Thus, I found that the Grounded Theory Methodology would enable me to design my research adequately. Such an approach allows one to grasp issues that could not be problematized by means of a legal methodology. In addition, the Grounded Theory Methodology (GT) is a research approach used when little is known about the essence behind the area of study (Charmaz, 2015). Hence, by employing this methodology, I am able to move beyond what seemed to be a matter of statelessness and investigate the processes of transition that is intrinsic to the struggle of lawyers in East Jerusalem.

### 3.1. Grounded Theory

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While the first stages of the investigation focused on statelessness, on East Jerusalemites' legal status, and on the impediments engrained in the permanent residency permits, this methodology helped me explore what is important rather than assuming that citizenship is the only crucial battle. As such, I was able to deepen my investigation and reach the root causes that make this status precarious. Hence, my thesis was constructed within the outlines of the GT as given by its proponents Glaser and Strauss. During its emergence, in the 1960s, the methodology was presented as a means for sociologists to construct a theory through an inductive approach. As the methodology stipulates, one designs their research in two phases. In this regard, the first phase is data gathering. This stage illuminates how the research is rooted in data. Accordingly, the materials are first gathered, then analyzed as themes, and afterwards conceptualized (Charmaz, 2015). In doing so, the themes that emerged from the data lay the foundation for a theory 'grounded' in that data, as I explain later in the chapter.

The second stage entails using the information I collected to ask new questions to the material. In doing so, I generate an explanatory theory which reveals the struggles of lawyers in the configuration of East Jerusalem. In a contemporary setting, the method is applied across various fields. Thus, it allows an inter-disciplinary analysis of the social phenomenon

that is at the core of the given research. Since this thesis builds on various disciplines such as law, politics, and anthropology, the given methodology helps me achieve the goal of this research. This implies unveiling specific social processes, which are a central trait of the socio-legal in field East Jerusalem (Strauss and Corbin, 1994). Accordingly, I am able to bring a contribution that explores the endeavors of lawyers in East Jerusalem as follows.

The research method stipulates that at the initiation of the research, one needs to identify an area of interests. In the case of this thesis, the interest was the unstable legal status which dislocated Palestinians from their homes. When endeavoring to understand what triggers the phenomenon of displacement, a distinctive approach is required, which can shed light on the essence of this field. In this regard, GT is considered fruitful for supporting the study of relations in a specific context. As illustrated later in the thesis, the relational aspect of the field is of paramount importance for lawyers who struggle to emplace East Jerusalemites. Moreover, through the given study approach, I was able to illuminate particular reasons, conditions and the effects of the field process of transition (Charmaz, 2015). Therefore, the approach helped me work through the data collected in the field and shed light on the procedural and relational aspects that are at the core of the lawyers' struggles.

As per the GT, one should focus on the empirical materials found at the specific site and in the situation being researched. This understanding enabled me to transition from the local and factual understandings to a more conceptual level of perception. The transformation of different accounts of the reality into concepts, is an essential feature of constructionism and the GT (Charmaz,2015). In designing the research along these lines, I was able to outline the actions of lawyers and different practices while I construct a specific understanding of the researched field.

As mentioned above, I designed my research in two phases. However, it is important to note that both phases were constantly revised until reaching the final understanding of emplacement. This aspect of the research process is stipulated in the GT. The theory considers the revision of one's findings to be the key to achieving a precise illustration of the research problem (Charmaz, 2015). In the following section, I will map each one of the design phases, while simultaneously providing further explanations about the chosen methodology. In light of these aims, the section below addresses the data collection stage. As such, I discuss the materials underpinning this research, before I move to account for the

second part of the GT, where I present theoretical framework and explain the emergent themes.

### 3.2. GT Phase One: The Primary Data

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The focus of this thesis is a specific social change which concerns the law on one hand, and the social and political structures of East Jerusalem on the other hand. By investigating these elements, the research aims to gain a better understanding of how different socio-legal contestations shape the future prospects of the Palestinian inhabitants in East Jerusalem. To reach a more accurate overview, this paper will combine quantitative and qualitative research strategies to unravel the problem formulated above. The questions leading this thesis emerged from a number of interviews conducted at the end of February 2020 during a week of field work in Jerusalem. For these reasons, I will first present the primary data and the approach used to collect the material, before addressing the secondary data. The section will start by accounting for my interview approach and positionality, before a brief presentation of the informants and the reason behind my choice of participants. In the final part of the section, I will discuss how I approached the ethical considerations, after which I will outline other matters that shaped the research process.

#### 3.2.1. *Problem approach*

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The point of departure for this thesis was statelessness and citizenship status, an increasingly prevalent matter in refugee studies. In light of the preliminary interests behind this paper, the configuration of East Jerusalem appeared to be a substantial illustration for such socio-legal questions. Due to the specific research design outlined above, the core of this paper shifted from citizenship to emplacement. As such, the endeavors of this thesis are positioned at a crossroad between the politics and a population that has been deprived of its right to the city. My aim was to examine what connects the two. From this understanding, the GT proved valuable as it sheds light on aspects of East Jerusalem beyond the law or politics. Given the interests in conveying the dynamics behind these political and social structures, I gathered that legal practitioners are the most suitable informants for my goals. Therefore, I use the interviews in this thesis to uncover the informant's perception of the lived world. In this regard, the structure of interviews resembles an everyday conversation. However, due to the informants' focus on professional practices, the interviewing process involved a distinct approach and a particular set of questioning strategies (Brinkmann and Kvale, 2015).

### *3.2.2. Semi-structured Interview Approach*

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To sharpen my account of East Jerusalem and the legal strategies that are considered valuable for emplacing the inhabitants, I used semi-structured interviews. Through this research component, I attempted to nuance various aspects of the Jerusalem legal world (Brinkmann and Kvale,2015). In this regard David E. Gray considers that semi-structured interviews are an avenue for collecting data about an informant's knowledge, perceptions and values (Gray,2004). Hence, this approach to research enabled me to account for what the interviewee regarded as being valuable in their field of practice. During and following each discussion, field notes helped me document the interviews and any preliminary impressions arising from the discussions (ibid). One of my previous experiences researching the Israel-Palestine region showed that interviewees in these territories preferred if the research team did not record the interviews. For these reasons, I chose to document the February 2020 interviews in writing. As such, important statements were written down directly, while other fundamental ideas were paraphrased (AKqua,2007). Nonetheless, it is important to account that my approach to recording the interviews might indeed affect the reliability of my materials.

In the case of this thesis, the interviews are used to present how practitioners experience the situation in East Jerusalem, and how they convey its representation. This approach to interviews also illustrates that I was interested to hear all possible answers and impressions. My informants would not convey these if I had chosen a structured interview approach. Moreover, my openness to note all the information is an essential characteristic of the GT (Glaser, 1987). When listening to what my informants would like to communicate, I was able to compare different beliefs and practices which enabled me to reach a definition of what is essential to the field.

### *3.2.3. Positionality and Ethical Standards*

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Kvale (2007) defines the interview process as a moral inquiry. Accordingly, the interview entails a degree of personal interaction which involuntarily affects the interviewer. In doing so, when investigating such complex a society as Jerusalem, a set of considerations are imperative. In this area, one sees a combination of multiple ethnicities, religions and political stances. It is therefore important to act with great respect towards all components. This premise calls for the researcher to constantly reflect on ethical standards. As proposed by



Kvale, ethical parameters are structured according to four considerations. During the interview, a researcher needs to reiterate their role, to receive the informed consent of the interviewee, to account for the consequences of the interview, and to respect the confidentiality of the informants. Moreover, since ethical codes often lack a concrete answer regarding the normative framework necessary during a research project, ethical considerations rely in contextual interpretation of the researcher(ibid).

When doing ethnographic investigation, one engages substantially with the field. This was not an impediment in the given research, since I am a native Arabic and Hebrew speaker. Thus, the challenge was not how to participate in the field, but rather how to respect the ethical boundaries for conducting the investigations. I decided the ethics standards were attained at the beginning of each interview, where I accounted for my positionality as a Palestinian-Israeli masters student residing in Denmark. As it emerged, my position was advantageous. On one hand, there was my belonging to the territory through which informants justified my interest. And on the other hand, my position as a student specializing in Global Refugee Studies at a Copenhagen-based university, which validated my impartiality.

My personal experiences also factored into my access to the field. Many interviews commenced with a brief discussion about the parliamentary elections. Having voted myself conveyed a degree of accountability to my informants' struggles, which helped me gain the interviewees' trust and openness. In addition, my position is of such a kind that selected informants were part of a struggle which I also identify as my own. This stance forced me to constantly consider how to convey my informants' understandings in this thesis and differentiate their perceptions from my own.

#### *3.2.4. Informants*

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For the purposes of investigating the research question, I conducted interviews with six legal practitioners working with different aspects of the law. Nonetheless, all the informants are involved in the human rights field.

I selected my interviewees based on their expertise in different matters regarding the configuration of East Jerusalem. Moreover, another consideration that factored in my selection was their belonging to both ethnic groups in these regions. My choices aimed at nuancing the legal practice, thereby conveying different understandings of Palestinians' right

to reside in East Jerusalem. The contact approach varied from internet searches, to LinkedIn messages, and emails, but also through recommendations from my personal networks in Israel. The table below outlines the informants, their different positions, and their contributions to this thesis (Figure 1).

	Informant	Position	Organization	Ethnicity	Contribution
1.	Leena Dallasheh	Former lawyer and current historian	Humboldt State University	Palestinian citizen of Israel	-Experience as a former lawyer collaborating with grassroots organizations in the occupied Palestinian territories (oPt); - Expertise as historian specializing in the Modern Middle East and issues of identity and citizenship in colonial transition;
2.	Alaa Mahajne	Land Lawyer	Jerusalem-based private practice	Israeli Arab	-Expertise in human rights and land claims in the West Bank; -Experience from former collaboration with Israeli civil society;

3.	Adi Landau Lustigman	Immigration Lawyers	Jerusalem- based Lustigman and Bank Law Firm	Jewish Israeli	-Expertise in citizenship and immigration law;  -extensive practice defending East Jerusalemites civil status;  -Petitioner on behalf of a number of Israeli-based civil society organizations;
4.	Dani Shenhar	Lawyer and the director of legal department	HaMoked (Center for the Defence of the Individual)	Jewish Israeli	-The organization has extensive experience in enforcing international humanitarian and human rights standards;  -HaMoked is reputed for handling human rights violations and residency rights in East Jerusalem;
5.	Abir Joubran Dakwar	Lawyer and Unit Director of Human Rights in the Occupied Territories	ACRI (The Association for Civil Rights in Israel)	Palestinian Citizen of Israel	- ACRI is reputed for precedent-setting litigation  -Abir has lengthy experience in the protection of human

					rights both in Israel and in the oPt
6.	Soheir Assad	Lawyer and the International Advocacy Coordinator	Adalah (The Legal Center for Arab Minority Rights in Israel)	Arab Israeli	-Adalah is reputed for its with international legal instruments -Adalah had extensive practice in the protection of vulnerable populations under Israeli rule

Figure 1

### *3.2.5. Research Limitations and Further Consideration*

Throughout my investigation of the processes of change in East Jerusalem, there was a general feeling of synchronization with a momentum. My researched was timely with regards to local politics. As such, the Israeli Parliament (Knesset) saw the highest number of Arab-Israeli representative since its establishment. Nationwide discussions on Palestinian displacement, disposition and violations of human rights have been articulated extensively during the fieldwork period. The three national elections within one year were repeated due to the inability to form a government. This political barrier appeared to be triggered by a voting majority that had shifted from the right to the center. Such political dysfunctions emerged in 2019 when the previous government led by Benjamin Netanyahu declared that it was going to annex the Jordan Valley located in the occupied West Bank. This announcement triggered higher turnout from the Arab-Israeli population. Since these votes were coupled with voters who no longer supported Netanyahu’s Likud party, prospects of political change emerged. Such voting trends were driven by the population’s consideration for the human rights violations and territorial dispossessions that could emerge if such talks would materialize the annexation. While the given matters did not have a direct impact on my research problem, the momentum did attract the informants’ interest in my investigation.

Research limitations came in light of access to additional informants. As such, it should be acknowledged that two other organizations were approached for interviews but failed to participate. The first is the Jerusalem Legal Aid Center which is a fundamental stakeholder in matters regarding permanent residency and the related issues of family unification. The contribution of the center would have enriched the understanding of the problem with a potential account of East Jerusalemites' live experiences. Nonetheless, since the focus of this paper is on legal practitioners working with Palestinians' claims and not on the population itself, such impediments did not harm the value of the data. The second institution that denied participation was the Norwegian Refugee Council. The Council's perspective on such socio-legal contestations would have informed the international legal strategies employed in these territories. Nevertheless, I overcome such obstacles by supplementing the data with reports published by the organization or by lawyers working on its behalf. For these reasons, I believe the research materials remain valuable for informing different aspects of my analysis.

### 3.3. Secondary data

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In the endeavor of reaching an answer to the research question underpinning this thesis, I developed my analysis based on a collection of different sources. In this regard, it is important to mention that both the primary data as well as the secondary data came in the form of multiple languages (Arabic and Hebrew), which I was able to personally translate into English. As such, the translations are not professional.

The secondary data comprises of a varied collection of resources and different purposes. I used the NGO reports to convey additional specialized knowledge. Through the legal journals and books written by both foreign and local scholars, I nuanced the theoretical perspective on the situation. The governmental websites informed my research with statistics. Moreover, I provided external evaluations of international law in addition to policy documents and treaty body recommendations to strengthen my hypothesis. As such, the research question was consolidated through multiple sources, from several legal and academic dimensions.

Sources of secondary literature were employed in the analysis, according to the GT. In the given methodology, secondary sources were used to fill gaps found in the primary materials, and support the emergent themes. Furthermore, the collected literature was employed to reassess the meaning of the problem and the actions revealed during the interviews. In doing

so, I generated the theory which emerged from the first stage of the research (Charmaz, 2015).

#### 2.4.GT Phase Two: Theoretical Framework

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I have chosen a (social) constructivist approach to conduct my analysis as it enables me to deconstruct the relational and procedural aspect emerging from the data on East Jerusalem. Such a study approach stipulates that knowledge is constructed through interactions with others (McKinley,2015). In this regard, through my interaction with the informants I was able to generate new knowledge, which uncovered the essence of the socio-legal field in this region. By means of the GT, the collected materials revealed the informants' perception of legal struggles in the city's configuration. To convey practitioners' perspectives, the inductive GT approach proved suitable for developing a set of conceptually informed questions. Thus, the following section will map the process through which the conceptual and theoretical framework was formed and how it was constructed in a manner that echoes the interviews.

##### 2.4.1. *The Data Coding Process*

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When engaging with questions of legal identity, based on the GT approach, I was able to undertake a systematic engagement with the data. The data coding process stipulated a constant revision of the interviews, while drafting interpretations of the data as outlined below. At first, I coded the data collected gathered the interviews. During this stage, I drafted a lengthy collection of my analytical interpretations of the materials. In the second stage of the coding process, I clustered the analysis in three fundamental themes. In doing so, I categorized the themes in the following three conceptual pillars: displacement, emplacement, and home which is linked to the concept of the right to the city.

##### 2.4.2. *Engagement with data*

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I will now account for the process of theory formation, before I move on to convey an understanding of the questions that enabled me to analyze the essence of the situation in East Jerusalem.

During the different degrees of coding, the GT approach helped me to compare the three concepts with relevant literature. At this stage, I was able to narrow down the scholarly field and select writings that could generate a set of questions about the given concepts. In doing so, I formulated a theoretical and empirical hierarchy that underpins this thesis. Accordingly,

the hierarchy of this research is twofold; on one side, it problematized aspects displacement and on the other hand, it examines its empirical counterpart phenomenon, emplacement.

### *2.4.3. Theoretical position on the Structure of Displacement*

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Since my data illustrates that the socio-legal field is distinctive in its form, structure and function, I found that contributions from Pierre Bourdieu and Sally Falk Moore enable me to construct the first theoretical position which is valuable for my analysis of the field. In this regard, East Jerusalem is “a field of forces within which agents occupy positions that statistically determine the positions they take with respect to the field, this position-taking being aimed either at conserving or transforming the structure of relations of forces that is constructive of the field” (Bourdieu, 2005 p.30).

As this research takes the point of departure from the perspectives of practitioners about their field of practice, working through Bourdieu’s *Dynamics of The Field* becomes fruitful due to the scholar’s emphasis on the field in terms of practice (Bourdieu,1984). Nonetheless, while Bourdieu did write about the judicial field, I was only inspired by his concept of the field. This was not due to the conclusion he had reached, but nonetheless it helped me advance my own analytical labor. Since practitioners are the bridge between legal and political practices, Bourdieu’s analysis of the field is relevant since it examined precisely the relation between law and politics. According to Bourdieu, the field is not defined a priori (Bourdieu,1984). This premise stipulates that first, one needs to define what constitutes the field. In this respect, a set of questions were generated that will assist my analysis of the field as a social space of legal contestations. From reading Bourdieu’s *Theory of the Field*, it emerged that one could understand East Jerusalem as a field, and thus ask questions about the structure of the field. This understanding lead me to formulate the question that guides the first analytical chapter: *How did the structure of displacement emerge in East Jerusalem?* In this regard, answers were reached by addressing the three sub-questions elaborated below.

Since Bourdieu helped me ask questions about the story that emerged from my coding of the interviews, I built on additional scholars to strengthen the questions formulated and to convey informed responses. As emphasized above, my research was inspired from the *Theory of the Field* only to the degree that it enables me to unpack the structure of the socio-legal field in East Jerusalem, as well as the order of practice, the networks of practitioners, and the architecture of relevant legal professions as follows.

First, I considered how the legal field in East Jerusalem derives from a structure of displacement imposed by the formal top entities (Bourdieu, 1984). In this case the structure of displacement is enforced by different institutions representing the Israeli state. This aspect of the field generated the first sub-question: *How is East Jerusalem considered a socio-legal field?* In this phase of the investigation, Shira Robinson proved fruitful for strengthening the understanding of the structural component of the field which further validated the question raised above. Based on her book *Citizen Stranger*, I was able to derive a comprehensive understanding of Palestinians and the formation of the Israeli State (Robinson, 2013). Thus, her contribution enabled me to problematize the state practices of de-Arabization and Judaization of the Jerusalem municipality. The two practices are paramount for this discussion, since they underpin the given structure of displacement (Chiodelli, 2017). Moreover, despite the limited space and time, I managed to account for imperative practitioners (referred to as actors), who can support and confirm my hypothesis regarding Palestinians subjected to structures of displacement in Jerusalem. What is essential to examining the outer contour of the field, are the institutions and actors active in the process regarding family reunification. This understanding derives from the fact that such matters are commonly used as means to dispossess Palestinians of their right to the city (Robinson, 2013).

By examining Bourdieu's *Theory of Fields*, I gathered that when lawyers work in the Jerusalem configuration, they become actors of the field. As such, my understanding reflects Papilloud's reading of Bourdieu. Papilloud writes that "the order in the field is defined as hierarchical structure" (2003, p.9). Based on this interpretation, I generated the second sub-question of the chapter: *How do lawyers position themselves in the field?* As such, these literary contributions help me problematize the architecture of practice in which lawyers and human rights actors are positioned when working towards their goal to impede the displacement of East Jerusalemites.

By thinking through Bourdieu's contributions, I found that a field is shaped by components that are not evident from the outside. As such, an assumption emerged that one can in fact study the social practice and even examine things that are not explained, such as rules of the field. Based on this premise, I gathered that one must ask: *How are the rules of the field navigated to impede displacement?* In responding to this question, it emerged that James Holston's concept of differentiated citizenship legitimized the last sub-question of the



chapter. This contribution is relevant to the degree that it illustrated how the structure of displacement resulted from “a differential distribution of rights, not from an explicit exclusion” (Holston, 2011, p. 342). As such, it emerges that there are a set of tacit rules in the East Jerusalem that established the parameters of legal practice. Therefore, the chapter presents how lawyers are positioned in the given structure, and how such positionalities form a specific order which enables practitioners to address these differences. In doing so, practitioners are compelled to respect a set of rules through which they can enter the field and shape the power relation that dispossess Palestinians of their claim to the city.

#### *2.4.4. Theoretical Position on the Structure of Emplacement*

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As I outlined above the theoretical stance through which I investigated the outer contour of the field, I will now address the second theoretical composition that enables me to examine the internal dynamics of the field. In this regard, I addressed two theoretical positions which enabled me to analyze legal practices, and the structure of emplacement. In the first chapter, I problematized the structures of displacement implemented by the Israeli state. I clarified why the Palestinians who are subjected to these structures find it nearly impossible claim their right to the city. In light of this reality, it emerged that Israel is a rule of law society, and thus the struggles undertaken by lawyers come in legal forms (Kretzmer, 2002). Since the interviews illustrated that my informants’ fights are not only about questions of law, the theoretical framework will be supplemented with an account of the concepts of home and the right to the city, which are paramount for emplacing East Jerusalemites. As such, I will convey first a theoretical position that problematizes the legal pillar, before moving to the second theoretical stance which addressed aspects outside the law.

By reading Moore’s contribution to legal anthropological scholarships, it emerged that one is able to investigate the relation between law and social change. Based on this premise, this research needed a theoretical framework which would enable me to illuminate how legal strategies and processes within the field create social change. For these purposes I relied heavily on Sally Falk Moore’s concept of “semi-autonomous (social) fields” throughout my empirical analysis. The given concept emerged from the premise that “social structures” are defined by their “processual characteristic, the fact that it [they] can generate rules and coerce or induce compliance to them” (Moore, 1978, p.57). This approach to law helped me analyze how my informants work to develop an understanding of East Jerusalem and its inhabitants as people with a right to the city. Moreover, such scholarships assisted my investigation of

how lawyers endeavor to change the perception of East Jerusalemites, from displaced people to emplaced persons.

This premise led to my understanding that through law, practitioners such as my informant are able to trigger change in the structure of displacement and create possibilities for Palestinians in East Jerusalem. These findings gave rise to the question leading this chapter *How do lawyers create possibilities of emplacement?* When I examined the case of this thesis in line with Moore's analysis of law, it became apparent that the legal field in East Jerusalem is not autonomous, nor is it independent from all social constrains and external influences (Kelsen, 1948). Rather, it can be perceived as semi-autonomous since "a field can generate customs and symbols internally, but it is also vulnerable to rules and decisions and other forces emanating from the larger world by which it is surrounded" (Moore, 1973, p. 720). Such theoretical understandings proved appropriate for conveying an analysis of the themes that emerged from my coding of the collected data.

By deconstructing Moore's concept of semi-autonomous fields, I gathered that the field has its own norms, that it is subjected to external influences. From these understandings, I generated the first sub-question *How did home become a scarce resource?* When answering this question, I accounted for the internal norms of the field that are subjected to the wider political considerations. In this regard, home is a fundamental theme, which was illuminated throughout the coding process of the interviews. Ghassan Hage validated the question I raised above since he conceptualizes home with reference to three aspects that mirror my informants' understanding of Palestinians' home. First, home is a matter of (personal) security that enables a feeling of stability. Secondly, home illustrates familiarity which marks a process of continuity. And thirdly, home entails community which promotes belonging and a sense of possibility (Hage, 1997 p. 102 cited in Löfving,2007). Together these interpretations lay the foundation for examining the legal practices navigated by actors working to counter a political apparatus which encourages East Jerusalemites to leave the city (HaMoked, 2019). As such, practitioners work with various legal instruments that secure permanent residents' claim to their home in Jerusalem in order to change the structure. For a critical analysis of legal practices, Hage's third conception of home is essential. The sense of possibility expands the notion of home beyond the mere physical and social affiliation. Instead, home becomes affiliated with prospects of change, stability and development (Hage, 1997). As per Hage, in order for a territory to attain the status of home, the place needs to be

open enough so it facilitates opportunities for one to continued moving forward with their life (Hage, 1997, p.104). As such, the given theoretical pillar illustrated why a discussion on family reunification and child registration is a good example of how lawyers endeavor to secure the home of permanent residents.

The second pillar of the chapter emerged from Moore's contribution which stipulates that internal norms, such as that of East Jerusalemites home can trigger the "compliance" of external Israeli Institutions (Moore, 1978, p.57). From this understanding emerged the second sub-question: *How are practitioners both lawyers and political agents?* This problem question is further supported by the contributions of citizenship scholar Gianluca Parolin and to his concept of resilient communities (Parolin, 2009). I used this theoretical approach to outline, how a discussion on law and social change in this case expands beyond the law itself.

According to Parolin, being resilient is first and foremost a vital feature of the Arab community, due to its denotation of kin affiliation. Parolin writes that such affiliations affect both nationality and citizenship (Parolin, 2009). However, in the situation of East Jerusalem, I consider being resilient as being emplaced since both phenomena reflect an endeavor to impede the exiting political apparatus. As such, emplacement illustrates the means through which Palestinians are able to maintain their home despite extensive strategies from the governing state to do away with kin and spatial affiliations (Schechla,2014). From such understandings, it emerges that claims to home are important to the degree that they enable East Jerusalemites' right to the city. By discussing processes of family reunification, this thesis outlines how the state uses these procedures to minimize the number of Palestinians living in East Jerusalem, while they are simultaneously employed by lawyers to increase the number of Palestinians in the city. Thus, emplacing Palestinians in East Jerusalem indicates not only a victory over the structure of displacement, but also a reinforcement of one's right to a space that is considered by East Jerusalemites as their home for generations (Becker,2013).

Such contestations of the displacement structure gave rise to the last sub-question of the chapter: *How does the field change when lawyers fight for East Jerusalemites' right to the city?* When I examined the given question, I accounted for a central theme that underpins the entire thesis. As mentioned above, the concept of home and the right to the city are interlinked. For the purpose of this thesis, both concepts enable a discussion of possibilities beyond the law. Building on this premise, this thesis is able to investigate the essence of this

configuration of East Jerusalem, which is increasingly centered on issues of home and the right to the city. While these themes emerged from the interviews, the question I raised above is further supported by a theoretical position which I constructed by reading the contributions of Staffan Löfving and David Harvey.

Extensive discussions about the right to the city have analyzed the concept in light of the urbanization phenomenon and various other social movements (Harvey, 2008). Nonetheless, Harvey's concept of the right to the city as "a right to change ourselves by changing the city" (Harvey, 2008, p.1) illuminates the struggle of my informants beyond legal questions. I consider the right to the city as the premise used by lawyers to prevent processes of displacement and enable a native-born population to maintain its home. When these understandings of East Jerusalemites' rights are coupled with Löfving's contribution to issues of home, that is understood as a "communal spheres of insurgent societal transformation" (Löfving, 2007, p.1) the last theoretical position is examined. Accordingly, I was able to investigate East Jerusalem through this framework as a territorial and spatial configuration where practitioners enable insurgent changes for the local society.

In conclusion, the theoretical positions outlined above are replicated in the wider analytical chapters of the thesis. In this regard, the analysis of research question is outlined as follows. The first chapter accounts for the socio-legal field which is dominated by Israeli law and political strategies, that are aimed at displacing the Palestinians inhabitants of East Jerusalem. As such, Bourdieusian contributions helped me open a discussion of the structure of displacement and of the means through which practitioners struggle to alter the given structure. In this regard, I formulated the question leading the first chapter: *How did the structure of displacement emerge in East Jerusalem?* Moreover, in order to reach an accurate answer, I generated the following three sub-questions: 1) *How is East Jerusalem considered a socio-legal field?* 2) *How do lawyers position themselves in the field?* 3) *How are the rules of the field navigated to impede displacement?* Throughout this outline, I examine how practitioners challenge a structure that expels an indigenous population from their native city. In the second analytical chapter I investigate how lawyers navigate the field in their endeavor of finding ways to emplace Jerusalemites. In this regard, I illuminated practices within the law as well as beyond questions of law. For these purposes, the questions leading this chapter were inspired from Moore's concept of semi-autonomous fields. As such, the following outline enabled me to illustrate how lawyers trigger a process of transition from displacement

to emplacement. This will be addressed in light of the overarching question of the chapter: *How do lawyers create possibilities of emplacement?* My analysis will be further advanced through the following three sub-questions: 1) *How did home become a scarce resource?* 2) *How are practitioners both lawyers and political agents?* 3) *How does the field change when lawyers fight for East Jerusalemites' right to the city?* In doing so, I will illustrate the consequences of the struggles of lawyers to secure Jerusalemites' home and their right to the city.

## Analysis - Chapter II- The East Jerusalem Field and the Structures of Displacement

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### 1. Introduction

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The longstanding contestations over Jerusalem led to a present reality where the Palestinian inhabitants of East Jerusalem are caught up in structures that make their right to the city precarious. In this context, I formulated the central research question: *How and to what extent do lawyers challenge structures of displacement to achieve emplacement for East Jerusalemites?*

Against this background, the given chapter explores the ways in which the state apparatus formulates procedures, and a structure that aims to expel East Jerusalemites. In this regard, the purpose of this chapter is to position practitioners in the field of law located in East Jerusalem, and to analyze how such positions can impede the present structures of displacement. Accordingly, the chapter is led by the question: *How did the structure of displacement emerge in East Jerusalem?* In building towards concrete answers, I will now investigate how lawyers work in a state structure that is systematically weighted against them, and their Palestinian clients (White, 2013). In doing so, I will first ask the question: *How is East Jerusalem considered a socio-legal field?* This section will allow me to examine the historical emergence of the East Jerusalem, in a manner that enables me to analyze it from a socio-legal lens (Bourdieu, 1984). The second component comes after an account of the legacies of the East Jerusalem annexation. Here, I will address the question: *How do lawyers position themselves in the field?* In this section, the chapter maps different categories of professionals who struggle to oppose the displacement of residents from East Jerusalem.

According to the positions held by different practitioners in the field, it emerged that there is a specific order of legal practice. Once a structure of these practices is conveyed, I move to the third component of the chapter, which examines: *How are the rules of the field navigated to impede displacement?* In this part, the chapter considers the dynamics and rules that practitioners are compelled to consider when opposing the displacement of Palestinians (Papilloud, 2003). Through the given outline, I will analyze the scenography of law and the order of different legal practices. As such, I will shed light on the extent to which the field is dominated by laws and policies that expel the indigenous population of East Jerusalem.

I hereby open a discussion about the state structure confronted by practitioners throughout their practice. It is important to remember that Palestinian expulsion from Jerusalem reflects the Israeli state's demographic goal for establishing a lasting Jewish majority in the municipality (Yiftachel, 2009). Due to this premise, legal practitioners in East Jerusalem work according to a distinct professional arrangement and a specific set of rules. While such structures of practice are indeed generated as a result of the power held by different state agencies, legal practitioners are bound to navigate these rules in their goal of emplacing East Jerusalemites. In light of the lawyers' endeavors, which were communicated during the interviews, it emerged that laws enabling Palestinians to reside in East Jerusalem are used by local authorities in a manner that seeks to remove this population from its birthplace. The given reality generated an analytical challenge that led this chapter to investigate the way in which East Jerusalem is a socio-legal field. In doing so, the analysis outlines how do lawyers and human rights representatives situate themselves in this territorial and spatial configuration. Thus, I address the means through which legal practitioners organize themselves to attain their goal of emplacement, and how in doing so they impede the displacement structures Israeli institutions strive to impose.

When mapping different actors specialized in emplacement seeking possibilities, I began to shed light on the structural component of the field, which is deconstructed throughout this chapter. During different interviews with practitioners specializing in matters regarding East Jerusalemites, it emerged that their field of practice has a distinct structure. Abir Joubran explained during our interview how practitioners such as herself work in a system that is extremely organized, and thoroughly legislated. I began to understand why the legal field in East Jerusalem should be analyzed as a "social arena within which struggles and maneuvers take place over specific resources and access to them" (Bourdieu, 1984 as cited in Wolf,

2007, p. 133). As such, the chapter will first account for the outer contour of the field before moving to consider the different approaches through which practitioners counter the displacement phenomenon.

## 2. The field

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Since the field is a reflection of the historical factors under which this legal environment has been emerging, the object of this section is to account for the sources and social needs that lead to the construction of the laws and politics governing East Jerusalemites. Through these accounts, the section illustrates how a distinct power relation has been established in East Jerusalem. In doing so, I will address the question: *How is East Jerusalem considered a socio-legal field?* I will investigate the structure of displacement in a field that is comprised of abundant legal and political strategies. Based on this premise, I analyze how structures of displacement are contested within the relationships of “established figures and challengers” (Bourdieu, 1980, p.269). In this thesis, such relations refer to those between state institutions and legal practitioners.

### 2.1. Historical Emergence of the Displacement Structure

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While prolonged disputes and extended foreign domination contributed to the current reality in East Jerusalem, I consider the 1967 Six Day War as the turning point for contestations over East Jerusalemites’ right to claim the city as their home. After Israel seized the territory and established its military rule in the West Bank and Gaza, authorities applied Israeli civil law in Jerusalem when they unilaterally considered East Jerusalem as annexed to the Israeli State (HaMoked & B ’Tselem, 2010). Following these practices, a new reality was created; the Israeli government wanted the land of those territories but did not want the people residing in them (Goldston, 2006). In order to control this Arab population, the response was a census meant to document the inhabitants of these lands in the Israeli Population Registry. This strategy led a great number of the indigenous population into refugeehood, across different states. Since the census included only residents who were physically present in the territory annexed, Palestinians who at the time were absent from their homes, persons previously displaced, and individuals studying or residing abroad, were excluded from registration and remain in exile until this day (Robinson, 2013).

Israeli leaders strongly disagreed about the fate of the occupied territory. Nonetheless, there was consensus over the population of East Jerusalem, which by no means was desired to be

absorbed into the permanent population of Israel (Goldston, 2006). As a result, Palestinian Jerusalemites took part in the Israeli Population Registry as holders of Israeli Blue identity cards representing the permanent residency status (Robinson, 20013). As lawyer and historian Leena Dallashah elaborated during our interview, East Jerusalemites' status was defined as 'Permanent Residency' in 1998 by the Israeli High Court during a ruling in the case of Mubarak Awad and the Prime Minister of Israel (Awad v. Prime Minister and Minister of Interior, 1988). She also emphasized that such a ruling was and continues to be an absurdity because the status of an East Jerusalemite is rather "precarious and temporary" (L. Dallashah, personal communication, March 06, 2020). While this type of legal identity generally stipulates an adherence to Israeli citizenship, the indigenous population of East Jerusalem is in fact under Israeli law and jurisdiction equal to immigrants who voluntarily reside in Israel (Robinson, 2013). In addition to their systematic treatment as foreigners, the status of East Jerusalemites becomes increasingly insecure in light of the governmental goals of maintaining a demography of 28 per cent Arab population and 72 percent Jewish population in the city (Dumper, 2014). These political concerns marked a milestone for institutionalizing practices that undermine the claims of Palestinian Jerusalemites to their place of birth (Tamimi, 2016). From this standpoint, one begins to see how the structure of displacement emerged as a result of concerns with a specific demographic ratio.

## 2.2.Gentrification and the Socio-legal Field

The Israeli State Comptroller, represented by the retired Judge Joseph Chaim Shapira, drafted a report that speaks extensively about the situation experienced by the Palestinian residents of East Jerusalem. The report shows that East Jerusalem hosts approximately 319,000 inhabitants. This Palestinian population represents about 38% of the Jerusalem's population (Israel, Central Bureau of Statistics, 2015). The process of gentrification was amplified when the inhabitants became holders of the Israeli Permanent Residency Permit, after the Entry into Israel Law (Lees, 2015). The law applied to 97% of the Arab residents of Jerusalem, who today reside only in neighborhoods located across the Eastern part of the city. By virtue of the law, this group was not automatically naturalized which gave rise to the subsequently intricate reality. In 2019, the Israeli Bureau of Statistics registered about 22,000 of East Jerusalemites as Israeli civilians (i.e. holders of Israeli citizenship), 294,000 permanent residents (i.e. holders of Blue ID card), and over 3,000 temporary residents (i.e. holders of A5 residency cards) (Israel, Central Bureau of Statistics, 2015).



While the Citizenship Law (1952) provided the rules for acquiring Israeli citizenship, the Entry into Israel Law (1952) and the Entry into Israel Regulation (1974) gives access visas and residency permits, such as the status held by Palestinians (Citizenship and Entry into Israel Law (temporary provision), 2003). In this regard, Dallasheh alerted me during our interview, that while the civil law system is comprehensively legislated today, back at the creation of the Israeli state, these laws concerning the identity documents of East Jerusalemites were developed over a long period of time. As Tobias Kelly writes in his account of Israeli jurisprudence, this group of people is part of a social order engineered to the highest degree (Tobias Kelly, 2006, p. 102). As such, this period left Palestinians in an extended legal limbo. In light of this reality, Dallasheh as well as other informants consider these legal gaps to be part of a wider strategy through which the ruling government would establish a distinct power relation (L. Dallasheh, personal communication, March 06, 2020). From these standpoints, it emerged that the specific structures governing Arab permanent residents were originally constructed in a manner that would disrupt this population's claim to the city (Harvey, 2008). Dani Shenhar representing HaMoked, also acknowledged in our interview that that such strategies triggered an increase of "deficient conduct" regarding those Palestinians (D. Shenhar, personal communication, March 05, 2020). The deficiency "harms, often in a very severe manner, [their] possibility... to fully realize their rights as permanent residents, and as people whose families lived in the country years before the State of Israel was established" (ibid). The given reality compels the Palestinian permanent residents to "turn to judicial instances to fulfill their rights to civil status and other rights deriving from that status" (ibid). From this stance, the chapter sheds light on how East Jerusalem is a socio-legal field, which is defined by the legal strategies of lawyers that emerged as a response to certain needs from the wider society.

Regarding the nature of this field, Bourdieu strongly emphasizes the autonomous character of such structures. However, it is important to remember that my research is inspired from Bourdieu only with regards to the societal dominance of East Jerusalemites through the field. Hence, the degree of the field's autonomy is addressed in the subsequent analytical chapter, where Moore supports the analysis of the nature of this field. However, for the purpose of this chapter one should note that over time the field established specific principles according to which it functions. Hence, having understood the historical emergence of the field, one begins to grasp its particular structure and its specific function(s) of securing Palestinians

right to the city (Wolf,2007). As I accounted above for the outer contour of this legal field, one begins to see how the state's structure of displacement gave rise to a distinct socio-legal field. Since I positioned this research in line with theorists who recognize that a legal field is the result of social contestations, I will now outline the different practices through which lawyers fight displacement.

### 3. The Actors Contesting Displacement

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The order of practitioners in the field reflects a structure generated through the power relations between practitioners operating in the field and state institutions. As a result, the field is shaped according to the positions actors occupy. The practitioners' positionality unfolds in a manner that enables such professionals to have an impact over these power relations. In this case, I refer to actors when discussing legal and human rights practitioners, who employ different strategies in their goal to emplace the Palestinian inhabitants in East Jerusalem. The question leading this section: *How do practitioners position themselves in the field?* will be addressed following a specific order of legal practice. As such, the given architecture of practices is structured according to the access each actor has to influence the decision-makers who are involved in engineering the structures of displacement in East Jerusalem. Accordingly, the map of the legal practice in the field begins with the residents' first contact with the law. This often takes place through human rights organizations, which for the purpose of this thesis are referred to as the civil society actor. After accounting for this type of actors, the chapter turns to the private practitioners who are regarded as legal actors.

Following numerous discussions with legal practitioners located in Jerusalem, all informants reiterated that this socio-legal field has a particular formula according to which it operates. Thus, this section conveys their perspectives on the structure of the field, and not the absolute configuration of the Israeli jurisprudence. In order to outline the map of this field, this section evolves in line with the Bourdieusian understandings of the field. The chapter turns to examine how the struggles to diminish displacement determine each actor's practice. The analysis thus focuses on different legal practices, their arrangement and the professional architecture of this practice which dictates each practitioner's legal strategies. In this regard, a great consideration is given to relations between the practitioners themselves and the connections between them and state institutions. These relations are emphasized, since such arrangements are perceived as being productive for achieving the goal of securing East Jerusalemites' right to the city.

Due to the broad ramification of law in Jerusalem, one can only account for specific actors that are imperative for this research. Thus, I mapped a number of representative actors to create a foundation in this thesis, to later discuss how lawyers navigate a system that is weighted against them. In this given case, the actors involved vary from legal practitioners, NGO representatives, and Human Rights professionals, which together establish a specific architecture of the field. The structure at play is constructed on the axis of their ability to secure permanent presence for the Palestinians inhabitants in the city. Over time, these actors have formed a network of practitioners, focused on enabling emplacement for the population residing in Eastern Jerusalem. While Bourdieu emphasizes the competition amongst actors in the field, in this socio-legal field competitiveness seemed immaterial. From discussions with the interviewed practitioners, it emerged that in Jerusalem, actors are defined and ordered according to their common aspiration to “transform the established order” (Bourdieu, 1984, p. 242), which is achieved when a change in the structure of displacement is installed.

### 3.1. The Civil Society Actor

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The field encompasses a structure of legal practices, which takes place without coordinated and deliberate planning. Against this premise, and from the Field Theory, I gathered that the precise form of this field of practice is given by the struggle of actors and state agencies in their efforts to shape the law according to each of their concerns (Bourdieu, 1987). Moreover, in East Jerusalem, practitioners’ position themselves according to a specific architecture, which is formulated in light of the most efficient ways of changing the system that is built to establish a Jewish majority in the city. However, these architectures are also structured in line with different organizational mandates, political stances and personal affiliations.

Nonetheless, when put together, such different positions, dictate a specific structural organization of the practitioners working in the socio-legal field.

The first actor positioned at the top of the labor structure was described during my interview with specialized immigration lawyers Adi Lustigman. Throughout our discussion, she emphasized how the cumbersome legal complexities faced by East Jerusalemites force them to reach out to local NGOs and human rights organizations working in the city. Aside from the complex legal procedures faced by this population, Lustigman articulated that East Jerusalemites appeal to the services of NGOs due to their position below the poverty line on the regional poverty scale (A. Lustigman, personal communication, February 28, 2020).

These understandings justify why legal aid from NGOs is the first choice for Palestinians

who strive to secure their home and right to the city. An example of this actor is the Jerusalem Legal Aid and Human Rights Center (JLAC), a pioneering human rights organization in the occupied Palestinian territories (oPt). The actor specializes in defending all facets of a dignified living regardless of the violator. Moreover, the JLAC is one of the few organizations that provides legal aid services with a clear mandate in “tackling violations made by the Israeli government (in the case of securing the social and economic rights of Jerusalemites)” (JLAC, About JLAC, p.1). From this standpoint, one begins to see why the civil society actors are at the top of the architecture of legal professionals. Furthermore, from the mandate of the JLAC one also gathers how this type of system is being challenged by practitioners through their work.

### 3.2. The Legal Actors

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As the chapter moves higher on the architecture of practice, the analysis will now focus on legal practitioners. Though they are all fighting against the structure of displacement, their different positions make the field increasingly fragmented. There is a category of lawyers who choose to disengage from civil matters, such as claims of family unification, child registration and other Palestinian rights associated with the city. Their practice focuses on the West Bank and on instruments of Israeli military law, Palestinian civil rule, as well as international humanitarian and human rights law. International legal instruments will be addressed in the second analytical chapter where the thesis analyzes the relation between law and social change. However, for the purpose of this section, this point enables me to present such practitioners as human rights defenders, who nonetheless are not involved in matters pertaining to the civil status of East Jerusalemites. For instance, Alaa Mahajna whose private practice is based in Jerusalem, is the case in point. During our interview he informed me of his stance regarding East Jerusalemites. Accordingly, matters concerning holders of the Blue ID cards (the permanent residency status) are an “issue of state structure” (A. Mahajna, personal communication, March 05, 2020). From these accounts, it is gathered that such practitioners have political considerations about the status of Jerusalem, which outweigh other concerns about East Jerusalemites’ lasting presence in the city. The reasoning behind these choices became apparent when I interrogated their disengagement. I noted arguments such as Mahajna’s during the discussion with Abir Joubran Dakwar who represents ACRI. Joubran spoke about key NGOs that perceive “working through Israeli civil law implies normalization of the unilateral annexation” (A. Joubran, personal communication, March 03,

2020). Such positions are fundamentally politicized. As presented by Mahajna who explained that working through the domestic (Israeli) human rights system would mean giving up on the Palestinian cause, and on any prospects for a divided (Palestinian and Israeli) capital in Jerusalem (A. Mahajna, personal communication, March 05,2020). Nonetheless, based on such informants' contributions to this thesis, I made an overall observation. Despite the fragmented legal practices, I gathered that all interviewed actors working in the field are involved (in different ways) with the struggle to counter the structures of the displacement exercised by the Israeli State in territories it controls.

For the reasons presented above, neither one of the reputed human rights organizations such as ACRI or HaMoked, work on matters regarding legal identity. Instead, if a person approaches these organizations with a wish to acquire (Israeli) citizenship and to naturalize, their citizenship request will be directed to a specialized lawyer. Lawyers specialized in immigration law, such as matters concerning East Jerusalemites, are central in the architecture of practice, due to their access to decision-makers as elaborated below. As such, this analysis conveyed how the legal practice has a specific architecture when endeavoring to achieve the goal of changing a state structure that displaces the native-born population from Jerusalem.

Having presented the order of actors working in the East Jerusalemite field, one now understands the degree to which legal practices are essentially the product of the field (Bourdieu, 1992). As such, with the aim of diminishing the displacement of Palestinians, a variety of legal approaches emerge that counter each institutional strategy. Despite the fact that such approaches to these goals are fragmented through mandates, political considerations and positions in the field, this analysis demonstrated how all practitioners share the same endeavor to secure East Jerusalemites' place in the city. Based on this premise, a specific logic emerges according to which productive relations enable Palestinians' claim to Jerusalem. Once an account for the architecture of legal practice was made, the analysis can move to focus on the rules of the field. In doing so, this thesis outlines a fundamental rationale whereby when practitioners organize themselves in relations and networks, they are able to work effectively through the rules of the field and achieve their goal. As such, these arrangements are regarded as being productive for the overarching aim of emplacement.

#### 4. Rules of Practice in the Socio-Legal Field

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Due to the distinctive structure of the socio-legal field in East Jerusalem, it is gathered that the field functions according to a specific set of rules. This premise accounts for the norms that compelled the actors to position themselves in a particular form. In this manner, when forming productive relations, practitioners can navigate the rules and thus tackle important aspects of the law. This is achieved once they change the power relation dominating this contested territory. As such, the following section presents these rules in a manner that illustrates the different categories and networks of practitioners. In doing so, the chapter sheds light on the premise that when practitioners work in networks, they can achieve their goal of shifting the structure from one of displacement to one of emplacement. As such, in the given situation, various informants expressed how their practice is essentially oriented around changing the state structure that has been displacing Palestinians for generations. Accordingly, Shenhar explained during our interview that the most valuable change comes in the form of legal reforms (D. Shenhar, personal communication, March 05, 2020). Therefore, the section illustrates how the given structural change is achieved when actors challenge state agencies by petitioning their procedures in court.

Due to the Israeli common law system, precedent-setting prerogatives become an important avenue for emplacing East Jerusalemites. As such, one must consider two aspects of the rules of legal practice in East Jerusalem. First, there is a distinctive power relation, through which decision-makers apply rules that practitioners uphold in their legal battles. Secondly, the rules of practice are navigated in a manner through which practitioners tap into the power relations. Therefore, it is gathered that there are a set of possible paths which practitioners can take in order to change the power relations (Jensen and Jefferson, 2009). In analyzing these aspects together, I examine question leading this section: *How are the rules of the field navigated to impede displacement?* In doing so, the chapter accounts for the internal dynamics of the field, where actors are invested in emplacing Palestinians.

Various informants disclosed that through relations to decision-makers, practitioners can make specific information public about state procedures, which would otherwise be unknown. The disclosed information is then used by networks of legal actors to petition the procedures in court and change the displacement structure (S. Assad, personal communication, March 04, 2020). From this standpoint, by mapping the legal strategies present in the Jerusalem region, the chapter provides an understanding of how “weak networks [of legal actors] can induce transition regardless the action of the strongest network

[of state institutions]” (Iranzo, 2016). Throughout this endeavor the research sheds light on the extent to which having ties, particularly connections to relevant institutions is an essential strategy for granting East Jerusalemites with access to the right to the city.

#### 4.1. Networks of Practitioners as a Fundamental Rule of The Field

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Due to the existing power relations, practitioners are compelled to engage in networks. As such, this section will now explore how when respecting the rule of networks, lawyers can tap into power relations, and alter institutional decisions that expel East Jerusalemites. Positioning Palestinian claims to the city within a network of practitioners overcomes the legal limbo given by actors and organizations that disengage from civil matters due to political considerations. Hence, if the requests of East Jerusalemites are be denied due to limited mandates, and the applications would not be referred to other practitioners, Palestinians’ possibilities would be limited. As such, Joubran explained that when people approach NGOs with requests outside their mandate, such organizations would refer the cases to reputed private lawyers “in particular those who are connected to the Ministry of Interior” (A. Joubran, personal communication, March 03, 2020). Lustigman also spoke about such unwritten rules of the legal practice, when she clarified that private practitioners are able to secure a faster, just and less humiliating procedure for East Jerusalemites. These processes may vary between three to six years. However, if one has access to legal representation, it seems that Palestinians could get their applications approved without bureaucratic delays. Interestingly enough, when I asked about her representation of East Jerusalemites, Lustigman disclosed how state intuitions commonly fail to provide the reason behind their rejection of different requests advanced by permanent residents. In these instances, she elaborated that practitioners such as herself would personally ask the institution why they had rejected the request (A. Lustigman, personal communication, February 28, 2020). In doing so, the lawyers would sometimes be able to contest the decision and reverse the rejection (Abdel Haqq v Ministry of Interior HCJ (undisclosed)) This strategy of tapping into the exiting power relation was confirmed during all of my interviews either directly or indirectly. The given rule of network seems to be a truth dominating this field. Such dynamic was articulated clearly in the interview with Lustigman, who is an industry leader. Lustigman considered her position in the field to be twofold. On one hand, she is able to receive referred cases from NGOs and advance petitions to the courts. On the other hand, she acts as an intermediary of “justice and accountability” when she requests the Ministry to disclose the

reasoning behind specific decisions regarding residency requests (A. Lustigman, personal communication, February 28, 2020). Based on the latter legal practice undertaken by lawyers, it is gathered that legal actors are situated in the nucleus of this field. From this position, one begins to see how legal and human rights practitioners are not only legal professionals. Rather, they are also political agents when they change ministerial decisions and are thus able to shape the power relation dominating the structure. The different positionality of lawyers is examined further in the second analytical chapter. However, for the purpose of this section, practitioners' roles illustrate an understanding on how the field is constructed, according to a set of specific rules mirrored in the lawyers' practice. Moreover, one can grasp why the field's specific structure is built around the most effective means to secure Palestinians' presence in East Jerusalem. Having illustrated how legal practice unfolds according to the rules of a network, the chapter will now move its focus to the stakeholders that install the power relations. In the given context, the structure of displacement is established by state institutions through their strategies for maintaining specific power relations in the region. As OCHA reports, those state components of the field must be considered in light of the fact that institutions often impede Palestinians' claims in these territories ((United Nations High Commissioner for Human Rights, 2017).

#### 4.2. Tacit Rules concerning Legal Practitioners

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The state strategies through which displacement occurs also generate a set of rules through which lawyers navigate through in their endeavor to emplace Palestinians. In doing so, while the focus turns to the instruments through which the state governs these territories, the analysis maintains its orientation on strategies and rules that are relevant for the legal actor. This understanding enables me to shed light on the extent to which a place such as Jerusalem shapes professional practice, and calls for specific rules and legal strategies to secure the residents' claim to the city.

A report published by the Danish Immigration Service writes that Palestinians in East Jerusalem holding a Blue Israeli ID card must register their residency in Jerusalem with the Israeli authority before their 16<sup>th</sup> anniversary (Danish Ministry of Immigration and Integration, 2019). However, as Lustigman pointed out, even such fundamental procedures are best secured when the applicant acquires legal representation (A. Lustigman, personal communication, February 28, 2020). Moreover, the permanent residency ID is subject to



renewal every ten years (Entry into Israel Regulation, Art. 11, para. A). However, the requirements for renewal are unclear. The report notes that Israeli authorities sometimes change the requirements for holding a Blue ID, without notifying the permanent resident of all the changes. Hence, this creates instances where people would approach a border crossing or checkpoint and only then realize that their ID is no longer valid (A. Joubran, personal communication, March 03,2020). As such, it becomes clear how state strategies trigger the requirement for a specific legal practice, shaped according to societal needs. Moreover, the given situations are an example of measures used by the state institutions to establish themselves as the strongest entity in the field. These field dynamics trigger a different type of practice, this time by the civil society actor, which illustrates another rule of the field. The civil society is responsible for updating East Jerusalemites of such changes through their social media platforms. For instance, the JLAC Facebook page is essentially the main centralized platform for information regarding procedural changes concerning permanent residents (ibid). These avenues represent another rule according to which legal practices unfold in East Jerusalem.

Another fundamental state strategy was outlined during my interview with Shenhar. When asked about the procedures that are meant to safeguard Palestinians right to the city, he looked outraged and said that the Blue ID card “vanishes” (D. Shenhar, personal communication, March 05,2020). From this statement, it is gathered that when authorities exercise a procedural change that leaves many people without legal identity, it is in essence a strategy intended to displace the East Jerusalemites from their home without legally forcing people to relocate. In 2019, the Danish Ministry of Immigration and Integration reported that since the year 2000, about 150,000 Palestinians from East Jerusalem had lost their residency permits. Permanent residents with an expired or revoked status are not given another type of identity document, and thus are rendered stateless (Danish Ministry of Immigration and Integration, 2019 p. 195). Based on this premise, one begins to see the field dynamic and the need for various legal practices to counter the system weighted against people residing in this territory and against the practitioners working on their behalf.

Palestinians staying abroad generally verify the status of their residency by means of legal representation, or through family members who live in East Jerusalem. Nonetheless, if procedures have changed in a manner that leads to an expired residency, the residents have an

opportunity to reinstall their status. This aspect of the East Jerusalemite identity document was explained by Lustigman during our interview. While she acknowledged that such avenues are in place, she reiterated how bureaucratic and cumbersome the given process is. The Israeli Ministry of Interior (MoI), which is responsible for these procedures, would often ask for unexpected documents. In this case, if the applicant does not have access to a lawyer who is able to communicate with the MoI and understand all the requirements, the person would fail to accomplish all demands for reclaiming their residency (A. Lustigman, personal communication, February 28, 2020). This is another example that illustrates how legal practice is shaped by the power relations present in the field. Thus, by complying with these rules of the field lawyers have the opportunity to challenge the state structure.

For such applications to be successful, the person needs to prove that their ‘center of life’ has been in Jerusalem for the past years (Entry into Israel Law, 1952). In such cases, an application for recovery of residency is referred to the Population and Immigration Authority, which is a division of the Israeli MoI. Upon filling such requests, the person should receive a temporary stay permit, which would enable them to work and get access to social services in Israel (Israel, Population and Immigration Authority). The procedures were presented in this manner to emphasize the power relations engrained in the field, and to shed light upon the rules behind lawyers’ struggles to change this structure. Moreover, one begins to see the different approaches employed by the actors in the field; whether it is via Facebook information or legal representation, they are all avenues through which practitioners counter the state structure that displaces East Jerusalemites.

As pointed out above, East Jerusalem’s legal field is dominated by productive relations. Such ideas, which were inferred from Bourdieusian readings are translated into this context as follows (Bourdieu, 1992). Productivity lies in achieving a secured presence for the Palestinians in Jerusalem whose rights to the city are undermined. Whether it is the network between organizations and lawyers, or the lawyers’ connection to the MoI these are all rules through which practitioners work to contest the power relations. To continue with the strategies of the field, I will now account for the rules employed by institutions active in matters regarding Blue ID holders. The final part of this analysis is centered on state entities appointed to act in all matters concerning the legal identity of Palestinians; thus, it is not an ample overview of the state structure but only a representation of state actors that my

informants considered significant in discussing East Jerusalemites' future in Jerusalem. In this regard, I first present the role and strategies of the MoI, before moving to address the Justice Department.

### 4.3. Tacit Rules of the Field: The Strategies of State Institutions

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State agencies are discussed in this section as the field component, that dominates the power relations that practitioners endeavor to change. Hence, this chapter illuminates strategies outside the law through which displacement occurs while accounting for practitioners' responses to these strategies. For these reasons, the institutions in question are not addressed as a field actor but rather as the higher entities which led to the construction of the field in first place.

While the MoI is responsible for implementing the Entry into Israel Law governing East Jerusalemites, it has not enacted a governmental policy for this field, nor did it instruct the staff accordingly (Israel State Comptroller, 2019). The failure to instruct relevant staff alongside the lack of a written policy, leaves the decisions regarding permanent residents to be taken, in practice, by the Justice Department. Hence, aspects concerning the residency status such as family reunification or child registration, are subjected to procedures formulated through ad-hoc decisions in the courts. As outlined in the aforementioned report drafted by the state Comptroller, such a collection of procedures is not a substitute for an appropriate and comprehensive policy (ibid). Nonetheless, this reality sheds light on the extent to which the particular power relations dominating the field shapes the law in a manner that makes the status of East Jerusalemites increasingly unstable. Based on this premise, it emerges that when decisions regarding East Jerusalemites are taken based on of the court's interpretation of different procedures, it opens a terrain for social engineering and contestations. Accordingly, this field can be maneuvered by institutions, who through their nature are able to depict rights, and exercise them conforming to their own rules (and their predetermined demographic principles). As such, the relevant legal framework that exists for East Jerusalemites' civil matters does not have a complete response for fundamental issues. What these understandings of the field illustrate, is that there are tacit rules in place that dominate the legal field in East Jerusalem. Thus, the manner in which administrative procedures remain unwritten, leaves the arrangements to be determined in court, which is precisely a case of such tacit strategies. While the unwritten understandings are meant to serve the demographic considerations of state agencies, they are also an avenue for

practitioners to shape the structure of displacement in the city as elaborated in the last section of the chapter.

In addition to the Ministry, the Population and Immigration Authority (hereinafter the population authority) is important for this research, since it is the independent branch of the MoI mandated to handle requests regarding the status of civilians or permanent residents. When asked about the manner in which relevant institutions administer the inhabitants of East Jerusalem, Lustigman, Joubran and Shenhar emphasized how the systematic lack of transparency in the population authority's work (A. Lustigman, personal communication, February 27, 2020). The lack of public acknowledgment for policy changes severely impedes the ability of lawyers to realize the rights of permanent residents (Abeer Abdarge v National Insurance Institute, 2006). In light of this reality, one starts to understand why legal actors working closely with the Ministry are essential for securing Palestinians' claims to Jerusalem. With regards to other civil services, according to the (Israeli) Population Authority website, permanent residents can receive certain services (prescriptions, passports, etc.), though only from the East Jerusalem Population Bureau, which represents the population authority. Israeli citizens can however access services in any bureau regardless of their place of residency. This reality strengthens the premise that the given system is indeed weighted against Palestinians. Moreover, it is apparent that such state practices illustrate a case of differentiated citizenship. This understanding resulted from the fact that East Jerusalemites are confined to realize their rights to the city in one designated place, while Israeli citizens are free to access services anywhere in the country (Holston, 2011). Concerns from human rights actors advanced that "the Population Authority has not acted strongly enough to provide an effective and versatile service to residents of East Jerusalem" (Israel State Comptroller, 2019, p. 35). Israeli authorities responded to these concerns, suggesting the opening of more centers for services for East Jerusalemites (Hasson, 2020). Such developments were carefully discussed during my interview with Dallasheh who emphasized that "while they [the authorities] might propose such expansions, history taught us that it will only be a speedy injustice" (L. Dallasheh, personal communication, March 06, 2020). From these insights, it becomes clear that institutional concerns to maintain a specific demographic ratio within the municipal boundaries of the city outweigh their considerations to Palestinians' claims of a right to the city (Holston, 2011). Since such considerations are

challenged by different practitioners through the Justice Department, the following part of the chapter investigates the role of Israeli courts in the matters outlined above.

From the tacit rules outside the law examined previously, a conclusion is drawn. As such, the analysis showed how when lacking of a legislated procedure for claiming the right to the city, permanent residents are left with the option of appealing to the judiciary to secure their place in Jerusalem. This avenue is imperative in light of the fact that Israel gives East Jerusalemites their rights as permanent residents, since their families lived in this region long before the establishment of the Israeli state (Schechla, 2014). From the outlined situation one recognizes the extent to which East Jerusalem is a field dominated by relations that compete for the power to change the law (Bourdieu,1984).

#### 4.4. Rules around the Courts

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The last section of this analysis focuses on a fundamental entity in the field, which is the Justice Department. Having already touched upon the judiciary's involvement in aspects concerning East Jerusalemites' claims, the following section will deepen the understanding of the position and role taken by the Israeli courts. In doing so, the chapter further illuminates how practitioners use the court to legislate different aspects of the right to the city, thereby changing the structure of displacement.

Palestinians residing in East Jerusalem are entitled to file suits against the Israeli government and its institutions. After many years and numerous fundamental issues raised before the High Court of Justice sitting as the Israeli Supreme Court, an important ruling drafted valuable changes for the way in which the Israeli state treats claims from East Jerusalem residents (HRW, 2017). The given reality was discussed during various interviews, where claims advanced by lawyers to Judge Uzi Fogelman and Judge Aharon Barak were mentioned (L. Dallasheh, personal communication, March 06,2020). The precedents set by both judges changed the shape of this field (Staff, 2019). In the Awad case, Chief Justice Barak set a precedent according to which the status of East Jerusalemites reflects a "reality of life" [1988] Mubarak Awad v. Prime Minister of Israel 1988, para 426). This premise illustrates that East Jerusalemites hold an inferior status within a state structure over which they have no control (Holston, 2011).<sup>4</sup> When the claim to Judge Barak illuminated the nature

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<sup>4</sup> Due to their inability to vote in national elections

of the permanent residency status, a rule emerged. Accordingly, when legal aspects are neither defined, legislated nor acknowledged, lawyers can trigger such recognition through claims in court.

Over a decade later, various NGO reports recognized how Judge Fogelman's precedents strengthened the claims of East Jerusalemites to the city. The report revealed several judgements that reiterated the special connection between Palestinians and Jerusalem. Such rulings recognized that East Jerusalemites are indigenous people and natives of the territory, and as such this acknowledgment reflects the given rule of recognition through court (Lieber, 2017). By setting precedents, both judges illustrated how there is a process of transition in the struggles for East Jerusalemites' right to the city. Now, practitioners increasingly focus on measures to emplace this population. From this understanding, it is gathered that by working through the courts, lawyers are able to define Palestinians' position in the legal system as natives, which decreases their vulnerability to displacement. Moreover, during such rulings, the judges essentially enabled fundamental judicial instruments that actors employ in their struggles to emplace the permanent residents.

Both Shenhar and Joubran reflected during our interviews on these precedents. The two practitioners accounted for the fact that rulings came in light of a movement that began in the 1980s. The movement of 'quiet transfer' refers to the displacement of East Jerusalemites residents from the city based only on bureaucratic mechanisms. During with this period, the population had to relocate to the West Bank due to the numerous bureaucratic requirements for living in Jerusalem, which the inhabitants were unable to fulfill (D. Shenhar, personal communication, March 05,2020 and A. Joubran, personal communication, March 03,2020). At the time, over 10.000 Palestinians permanent residents were erased from the Israeli population registry (HaMoked and B'Tselem, 1998). HaMoked petitioned this practice to the High Court in 2000. In doing so, the organization contested the fact that the MoI had been practicing a change of policy without giving actual notice. Such procedures reiterate how lawyers enable a degree of "social endurance" in the field when they represent Arab Jerusalemites (Papilloud,2003, p.59). Petitions are a valuable strategy, but also a rule of the field through which actors transform the power relations in a manner that secures Palestinians' claims to the city.

Through this strategy of petitions, one understands the distinctive dynamics of the field. As a result of the petitions against the population transfer, the MoI signed an affidavit concerning this movement. The statement held that people who were compelled to move to neighboring regions, mostly in the West Bank, could return to their homes in Jerusalem (B'Tselem, 2014). A milestone emerging from these legal efforts was the given statement, in which the MoI also acknowledged that it needed to inform a person when their residency becomes ineffective. These developments illustrate that when practitioners work through the rules of the field, they are able to tap into the dominating power relations.

The judgment that triggered such changes also enabled the process and means of getting a revoked residency back and securing their place in the city.<sup>5</sup> Despite the fact that this status is subject to periodic renewal, it ultimately leads to the permanent residence being reinstated (HaMoked et al. v. Minister of the Interior, 2000). However, in our interview, Shenhar shared his perspective on the procedures in explaining that while such procedures were put in place, it is only theoretical because in fact these requests are often rejected by the MoI (D. Shenhar, personal communication, March 05, 2020). This reality sheds light on the structures that actors struggle to change in order to trigger legal reforms. Moreover, the analysis conveys an understanding of why practitioners focus on means to emplacing the inhabitants residing in the contested East Jerusalem territory. From this standpoint one begins to see the variety of strategies employed in changing the power relations dominating East Jerusalem. As Shenhar himself disclosed: “with every such judgement, the wall of the MoI gets broken slowly” (D. Shenhar, personal communication, March 05, 2020). Such is the dynamic in the socio-legal field in East Jerusalem, where actors struggle to shape the existing power relations and to impede the structure of displacement, which expels Palestinians.

## 5. Sub-Conclusion

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<sup>5</sup> A legal identity is reinstated based on the following criteria: a. an application to reinstate the status, b. proof of housing in Jerusalem, c. employment contract in Jerusalem, d. proof of children's school in Jerusalem e. the request form. In theory, once an application is filed, East Jerusalemites would receive an A 5 residency (i.e. Temporary residency for one year).

My endeavor with this chapter has been to analyze East Jerusalem as a socio-legal field and to map how legal practitioners such as my informants position themselves in the field. By examining the question leading this chapter (*how did the structure of displacement emerge in East Jerusalem?*), I was able to illustrate how East Jerusalemites have been subjected to a structure focused on systematically dispossessing the inhabitants of their homes. Moreover, through the distinctive power relations between Israeli state institutions and legal practitioners, it was shown how East Jerusalem became a socio-legal field when the analysis responded to the first sub-question (*How is East Jerusalem considered a socio-legal field?*) From these findings, one is able to gather why practitioners structure their professional architecture in a specific manner and how this structure enables them to alter the power relations. As such, my question of "How do lawyers position themselves in the field?" outlines the map of actors working in the field concerning East Jerusalemites' claims. In this manner, I accounted for the fragmentation of legal practitioners, who are invested in the common goal of interfering with the state structure of gentrification.

By conveying an understanding of how the field is populated by networks of practitioners, referral systems, and connections to relevant institutions, a fundamental conclusion was developed. Productive relations are an avenue through which practitioners change the power relations dominating the socio-legal field. While different strategies were presented throughout the analysis in this chapter, the answer to "*How are the rules of the field navigated to impede displacement?*" helped me analyze the tacit rules of the field. Therefore, by examining the different set of rules which practitioners uphold at various stages of their struggles, I illuminated the ways in which actors navigate the field. Therefore, when problematizing the field amongst these lines, this thesis was able to examine an overarching understanding of the displacement structure found in East Jerusalem.

Based on the outlined scenography, one begins to grasp how legal practitioners are invested less in preventing displacement as they are transitioning towards the emplacement of Palestinians residents in East Jerusalem. In a field abundant in contestations, this chapter showed how actors struggle to shape the law by changing the established structure. Thus, it was evidenced how when considering East Jerusalem as a socio-legal field, one accounts for how lawyers change the legal framework in a way that strengthens the status of Palestinians in their city. In conclusion, as I analyzed how the laws and structures relate in East Jerusalem,



I was able to examine avenues through which practitioners secure the claims of an indigenous peoples to their birthplace, without naturalizing in the Jewish and Democratic State of Israel.

## Chapter III-The Practice and the Structure of Emplacement

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### 1. introduction

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East Jerusalem is a liminal temporal and spatial configuration, where intersecting legal systems contribute to a complex bureaucratic machinery. The subjects of these complexities are Palestinian inhabitants, who by virtue of their precarious residency status are vulnerable to dislocation (Laub and Daraghmeh, 2017). Due to the political goal of securing a Jewish majority and an Arab minority in the Jerusalem municipality, the Arab residents of Eastern Jerusalem have been at the center of prolonged demographic battles (Ir Amim, 2012). In light of this reality, I raised the central question of this thesis: *How and to what extent do lawyers challenge structures of displacement to achieve emplacement for East Jerusalemites?* As I formulate an answer, the previous chapter illuminated why East Jerusalem is a socio-legal field and how are lawyers positioned within this configuration.

After mapping the outer structure of the field, the actors involved, and the rules they work through, questions about the possibilities for change remained unanswered. In this regard, it emerged that such practitioners make primarily legal arguments. This premise led to the analysis in this chapter, where I examine the relation between law and social change. As such, in the following part of the thesis, I investigate how practitioners working within the field are able to impede the structure of displacement and install emplacement. In this regard, this chapter is led by the question *How do lawyers create possibilities for emplacement?* In doing so, I analyze how lawyers trigger a process of change for East Jerusalemites. From these arguments, I trace how Palestinians transition from being displaced persons towards becoming an emplaced population. In this regard, since Israel considers itself a rule of law society, one sees possibilities for change within the law itself (Kretzmer, 2002). Building on this premise, the first section of the given chapter aims at answering the question: *How did home become a scarce resource?* In doing so, I address the significance of home in light of the governing legal framework, which impedes the possibility of Palestinians to reside in Jerusalem. Secondly, I investigate the complexity of the field by answering the question: *How are practitioners both lawyers and political agents?* Finally, in the last part of the

analysis, I consider the means through which lawyers install effective change in the field through the question: *How does the field change when lawyers fight for East Jerusalemites' right to the city?* These sections will culminate in an analysis of different legal practices that oppose institutional procedures which disrupt Palestinians continuity in this city. By accomplishing the given endeavor, this chapter outlines the means through which lawyers achieve effective structural change and a lasting presence for the indigenous population in East Jerusalem.

In examining the relation between law and social change, I work towards illuminating three aspects of the field, resulting from my comparison of Sally Falk Moore's work with my primary material. Firstly, the field is subjected to a degree of social control, which has an impact on the behaviors, norms, and conducts within the field. Secondly, this configuration is complex. Such a feature can be identified by looking at the stakeholders' simultaneous navigation of the legal and political sphere. And thirdly, the field is semi-autonomous in that it can (to some degree) resist the external strategies of displacement inflicted upon it by local authorities (Moore, 1978).

Since questions concerning East Jerusalem expand beyond the legal realm, I work through the concept of semi-autonomous fields to shed light on matters that are of paramount importance for lawyers who fight for emplacement. This premise opens a discussion underpinned by a combination of two theoretical positions, namely one that is inspired from Sally Falk Moore and the other one by Stefan Löfving and David Harvey. As such, throughout the following discussion, I trace how lawyers move the right of East Jerusalemites to the city from a structure of displacement to being part of a structure of emplacement. In doing so, the thesis shifts its focus from mechanisms that dispossess Palestinians of their residency in Jerusalem home, to strategies that emplace permanent residents in the city. In light of these goals, the thesis will thus investigate issues evolving around the concept of home and the rights to the city.

## 2. Displacement and the Scarcity of Home

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East Jerusalemites face onerous conditions for maintaining their status which if lost, trigger severe consequences. East Jerusalemites' permanent residency is granted on the condition

that residents maintain their “center of life”<sup>6</sup> within the boundaries of the Jerusalem municipality, as defined by Israeli authorities. Hence, if one lives outside the Jerusalem home, their insecure status is lost. In light of this reality, home becomes a matter of fundamental contestations. Such conditions drive the analysis of this chapter, which begins by examining the question *How did home become a scarce resource?* For these purposes the section will first provide an understanding of why home is a significant variable in discussions about securing the place of Arab permanent residents in the city. After having accounted for the central element of contestation, I will address practices through which the state installs control and attempts to shape the internal norms of the field.

Since this thesis is built on a grounded approach, I will begin my analysis of the relation between law and social change with a revealing encounter from an interview in the field. The discussion with the private lawyer Alaa Mahajna illustrates precisely the importance of mapping the reality in East Jerusalem. As I scheduled an appointment with one of the legal informants, Mahajna, suggests we meet at Aroma café located by the Hebrew University in West Jerusalem. While I sat waiting for his arrival, I realized that it was the only place in the city where one could see both Palestinians from the East and Jewish people from Western neighborhoods under the same roof. This was a setting I saw for the first time after a week’s fieldwork throughout the city. As Mahajna points out, that is how the city could look like if permanent residents would stop being confined to only living in the East. Under the existing policies, this freedom could be possible only if Palestinians choose to naturalize in Israel (i.e. by acquiring citizenship). This would allow the population to move freely and live anywhere in the country. However, Mahajna emphasized “Palestinians would always choose their home over citizenship” (A. Mahajna, personal communication, 05, 2020). From this encounter, it became clear that what is essential for lawyers is to enable East Jerusalemites to realize their

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<sup>6</sup> “The requester from East Jerusalem has to yearly provide to the Ministry of Interior a long list of documents, to prove that he or she actually resides, receives income, pays taxes and educates children within the boundaries of Jerusalem. The requested documents, only for proving that the family actually resides in Jerusalem, are for example a complete record of electricity, gas, water, phone, cell phone, rent and Arnona (municipality tax) bills, as well as bank records, children certificates for schooling, and any other document the Ministry of Interior requests, in order to be certain of the authenticity of the presence in the city.” (The Society of St. Yves, 2013, p. 13)

rights as permanent residents and maintain their home without having to naturalize as Israeli citizens.

Such perspectives were also articulated by other informants. Not even in 1967 during the unilateral annexation, did people give more importance to the political apparatus. Abir Joubran with whom I met in her capacity as Unit Director at ACRI, shared her thoughts during our interview, when she spoke about the East Jerusalemites' status. Her logic outlined how even at the time of annexation, the only matter of concern to the Palestinian inhabitants was not to be forcibly displaced from their homes. This premise is valuable in light of a common perception about holders of permanent residencies, according to which they could normalize the occupation of East Jerusalem if they chose to naturalize (A. Joubran, personal communication, March 03,2020). These accounts illuminate the extent to which home is the most important concern for the East Jerusalemites' inhabitants, as well as for practitioners working to enable their claim to the city. Nevertheless, in addition to the pragmatic meaning of territory attached to "home", this chapter uses the notion of 'home' to open a space for critical analysis and ethnographic exploration of the struggles to protect Palestinians' claims. Thus, I bring the examples of practices that my informants considered to be relevant for securing East Jerusalemites' emplacement in Jerusalem. In East Jerusalem, home represents an individual prospect for societal change, rather than a mechanism of self-defense for the entire community (Löfving,2007). As such, it is argued that the internal dynamics of East Jerusalem can generate rules and norms that trigger a process of change in the political sphere governing permanent residents (Moore, 1973).

### 2.1.The Importance of Home

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In the given context, the value of home is mirrored in legal practices, which endeavor to enable family unification for the inhabitants of these territories. I advance this administrative procedure as an example of avenues through which East Jerusalemites holders of permanent residency permits are able to continue living in their birthplace without naturalizing in Israel. In this regard, the struggle of lawyers to ensure family reunification translates into their struggle to secure East Jerusalemites' home. This idea is inferred from citizenship scholar, Gianluca Parolin. Building on his analysis of resilient communities, I argue that Palestinians' future in East Jerusalem can be ensured once kin affiliations are secured. Such affiliations have a considerable impact in the context of this thesis, where the legal status of people is

governed by extensive political strategies built to do away with kin affiliations (and implicitly with territorial claims) (Parolin,2009). In light of these findings, it is gathered that once family unification takes place between permanent residents living in East Jerusalem (holders of the Blue ID card) and spouses residing in the West Bank (holders of the Green ID card), their vulnerability to displacement is diminished (The Civic Coalition for Defending Palestinian Rights in Jerusalem, December 2009). As such, family unification is considered as both the process through which the state disrupts Palestinians' claim to the city, but also the process through which legal practitioners work to stabilize East Jerusalemites' presence in their home.

This line of thoughts takes into consideration that child registration in the Israeli Population Registry does not take place automatically upon birth. Birth registration in East Jerusalem take place through family reunification, which is increasingly difficult for children of parents with a mixed legal status (Blue and Green ID cards). As analyzed later in this chapter, such reality left a high number of Palestinian children stateless, and thus with little to no future prospects. However, for the purpose of this section, the point also illustrates an understanding which immigration lawyer Adi Lustigman conveyed during our interview. When I asked about different strategies used by lawyers such as herself to secure the Palestinians' presence in the city, Lustigman referred to family unification procedures. In her field of practice, family unification procedures are considered important, also because these processes would help Palestinian parents avoid future confrontations and bureaucratic humiliations when attempting to register their newborns with Israeli institutions (A. Lustigman, personal communication, February 28, 2020). From these insights it is gathered that an application for child registration after the Palestinian family has reunified in Jerusalem becomes an additional avenue for lawyers to secure these families' future stay in the city (Keshet, 2013).

## [2.2.Home and the right to the city](#)

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Home, as conceptualized in this thesis, brings multiple hereditary claims over the same territory. The area of Jerusalem is a territory considered the home of various people. In this city, a situation emerges whereby Jerusalem is seen the home to decedents of Jewish immigrants, as well as to the remaining indigenous Palestinian community. Alongside these claims to the city, there are also assertions from exiled Palestinians living in neighboring Arab states (and across the larger international community) (Robinson, 2013). All such

claims over the same city generate competing contestations that position ‘home’ within Ghassan Hage’s understanding of home- as a space and a condition (Hage, 1997).

Additional understandings of home have emerged from the time Palestine was occupied in 1948 (Becker,2016). Over more than seven decades from the Arab-Israeli war, legal practitioners revealed to me how they have been confronting state structures with the goal of making people emplaced in the face of campaigns of displacement (A. Joubran, personal communication, March 03,2020). As Shira Robinson writes, the displacement phenomenon occurred in phases, rather than in a singular event of territorial occupation. This political strategy maintained the aspirations for people in exile to practice the international right of return to their home in Jerusalem (Robinson, 2013). However, as Shenhar pointed out when interviewed him in his capacity as the legal director of HaMoked, when movements such as the ‘quiet transfer’ began to displace thousands of Palestinians from East Jerusalem, the possibility of establishing a family in the area was endangered (D. Shenhar, personal communication, March 05,2020). Hence, when petitions and claims are advanced by practitioners defending Palestinians’ rights, they essentially transform the residents’ home into more than just a human right, indeed into a measure of personal security. This transformation emerges particularly in the face of the protracted displacement experienced by Palestinians after the formation of the Israeli State (Wolfe, 2006).

As this thesis considers Jerusalemites’ home to be the gate opener for rights for all permanent residents, it is thus part of the endeavor of legal actors to emplace Palestinians within the Israeli state. Thinking of ‘home’ in this manner comes from the standpoint that Israel would protect its wartime accomplishments and establish a specific demographic balance, while including the very people – who on account of their desire to hold onto their home (and bring back their compatriots) - would want to reverse these demographic achievements (Robinson, 2013). In the Jerusalem territories, which were unilaterally annexed after the 1967 War, ‘home’ became a personal security, a refuge and a strategy of survival (Bauman 1999 as cited in Löfving,2007). Thus, in light of these understandings of the area, Jerusalemites’ home functions as a process of emplacement, in spite of the administrative procedures that were put in place to keep the Arab population vulnerable to expulsion from the city.

Having addressed why home is a matter of personal freedoms, and thus of paramount importance in the field, these findings enable me to analyze the specific legal practices that

secure Palestinians' home and their claims to the city. In doing so, the chapter essentially conveys the premise that legal measures are drafted in a manner that controls this population (Robinson, 2013). Moreover, such mechanisms of control are aimed at diminishing one of the field's main norms, that of maintaining continuity for Palestinians in Jerusalem (Moore, 1978). From this stance, one gathers that when lawyers successfully enable the Palestinian families to live in Jerusalem's Eastern neighborhoods, these practitioners essentially reduce the state's interference with the local norms for living in the city. The given understanding led this analysis to focus on procedures of family reunification. As both Shenhar and Joubran explained during our interviews, family reunification for Palestinian permanent residents is an example of avenue through which lawyers make it possible for East Jerusalemites to settle and have future opportunities in the city ( D. Shenhar, personal communication, March 05,2020 and A. Joubran, personal communication, March 03,2020).

### 2.3. Family Reunification as a Measures of Control over East Jerusalemites' Home

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During discussions with Shenhar, it emerged that matters of family reunification is one of the main avenues through which the state controls East Jerusalemites; it does so by not allowing them to reunite, thus maintaining the demographic ratio is maintained (D. Shenhar, personal communication, March 05,2020). Nonetheless, these are the same means through which lawyers secure Palestinians' claims to their home in East Jerusalem. When investigating such matters during the interview with Joubran, she disclosed how common these procedures are today. Joubran explained that "people in Bait Hanina [Palestinian neighborhood in East Jerusalem] have been applying extensively for family reunification" (A. Joubran, personal communication, March 03,2020). The increased number of applications for family reunification, and the fact that they are used as a means for controlling the population led me to account for the political matrix dominating these territories. The importance of such considerations was reflected in my interview with Shenhar. When discussing the political apparatus, he reiterated how "the Ministry of Interior saw an opportunity with this law [the temporary order legislating the freeze on family reunification] to clear the city of Jerusalemites" (Shenhar Dani, personal communication, 05, 2020). From this understanding, it is apparent that the same laws that are meant to protect Jerusalemites are used to displace them.

The year 2000 marked a milestone for actors specializing in Palestinian legal claims. At the time, a governmental decision to deny the reunification procedures of a Palestinian couple triggered extensive contestations by legal and human rights practitioners. However, since the legal decision is part of a wider political matrix designed to establish a specific demographic ratio, it had a great impact on the local population. These changes caused deterioration of the life conditions for a wide part of the Palestinian community inhabiting East Jerusalem (Society of St. Yves,2013). In this regard, Sally Falk Moore enables me to convey a fundamental aspect of the field, which supports the question of the states' interference with familial dynamics:

“One of the most usual ways in which centralized governments invade the social fields within their boundaries is by means of legislation. “(Moore, 1973, p.723)

Based on this premise, one begins to understand the mechanism of control present in this region. Moreover, these field dynamics further illustrates the degree to which such measures of social control have a great impact on the behavior of East Jerusalemites.

Having accounted for a state procedure that impede the Palestinian conduct in the field, the analysis moves to investigate the complex legal strategies used by practitioners to counter the state apparatus. Such strategies unfold in light of lawyers' endeavors to emplace Palestinians and thus to trigger a process of change for families that are unable to achieve their aspirations and reside in East Jerusalem.

### 3. Legal and Political Battles around Family Reunification

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The procedure of family reunification is at the center of both legal and political battles. Such complex understandings are derived from the fact that through of the family reunification procedure, the number of Palestinians residing in Jerusalem can be increased, but also decreased. On one hand, when authorities deny such requests, families will choose to reside in the West Bank, thus causing the Arab population of East Jerusalem to decrease. While on the other hand, when lawyers achieve a successful family reunification process, the applicants will be able to reside in Jerusalem, which increases the number of Palestinians inhabiting the municipality (B'Tselem,2004). As such, the political apparatus is countered by practitioners who through their legal strategies are able to emplace the native population. This dynamic gave rise to the complex nature of the field, which is analyzed in the following



section of the chapter. Thus, the analysis moves forward to investigate the procedures, legislation and fundamental contestations within Jerusalemites' right to the city, which is illustrated through the procedure of family reunification. These analytical goals will unfold while answering the question leading this second section: *How are practitioners both lawyers and political agents?*

### 3.1. Political Battles

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One of the most impactful practices that shape the political sphere in this field are the petitions advanced by legal actors and legal representatives acting as members of the civil society. The discussion with Shenhar illustrates this reality. During our interview, when the conversation focused on approaches through which practitioners such as himself work to secure the place of Palestinians in East Jerusalem, great consideration was given to petitions that oppose the administrative procedures regarding family reunification. A substantial way to illustrate this reality is by providing an understanding of the legal confrontations surrounding family reunification in cases where one spouse is registered in the Israeli Population Registry (Blue ID card holders) and another spouse is registered in the Palestinian Population Registry (Green ID card holders). For the purpose of this thesis, such marriages are referred to as mixed marriages, due to the different types of legal status.

During discussions in the field when the informants focused on avenues to establish change for the Palestinian community, a thought-provoking strategy was articulated. As explained by Assad, whom I interviewed in her capacity as a representative for Adalah, the civil society would often advance a claim in court knowing that the courts will never accept their petition. While at the face of it, this approach might seem ineffective, Assad elaborated her explanation. Such strategies are considered to be achievements for the following reasons. In doing so, the courts reveal the reasons behind their decisions and list the relevant laws used by the Ministry of Interior in their practice. As explained, this tactic is meant to expose different legal aspects which would be formally unknown (A. Assad, personal communication, March 04, 2020). This strategy was employed by legal practitioners when the Israeli government decided to freeze the processing and approval of family reunification requests. The institutional procedures and the laws used to implement the freeze were disclosed in courts across over 49 petitions. While the petitions uncover the tools used by the

Ministry, the contestations also led to a significant social change whereby the Ministry accepted numerous requests of family reunification.

The intricate nature of the field can be further illustrated by accounting for the different perspectives regarding the (above mentioned) decisions. The Israel state considers that the freeze was implemented as a response to the security risks following the start of the Second Intifada in September 2000. In addition, the MoI reported that its practice of stopping to process family reunification applications is justified since Palestinians who would benefit from such procedures were allegedly involved in the revolts (B'Tselem and HaMoked, 2004). However, what originally was an administrative freeze, later it was transformed into a temporary law (Temporary Order 2003) which has been renewed yearly since. Moreover, the complexity of the field is further articulated by the civil society when it investigated the parliamentary discussions on the matter. Another reality was shown. The demographic aspects of the Jerusalem municipality were discussed extensively during debates about family reunification in the Cabinet and in Parliament. Such different perceptions over the reasons behind the freeze were outlined in the given report published by Society of St. Yves. Accordingly, apart from the security considerations, it is gathered that the law was implemented to impede Palestinians' rights to the city.

“Demographic presence of Palestinians within the [...] annexed East Jerusalem. It is directly oriented towards the Palestinian population and infringes discriminatory and disproportionate family rights that are not only recognized by international conventions, but also by Israeli domestic law.” (Society of St. Yves, 2013, p.3)

This reality was challenged by legal practitioners through numerous petitions on behalf of persons who were victims to these administrative procedures. In this case, the Palestinian victimhood is derived from the fact that the arbitrary measures of Israeli authorities focused on maintaining a “Jewish majority in Jerusalem at any cost”( Society of St. Yves, 2013, p.3).Such political considerations culminated in extensive hardships for people in mixed marriages who were unable to unify their families in Jerusalem (Ir Amim,2012).

### 3.2. Legal Battles

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The states' decision caused significant harm to the residents of East Jerusalem because of their familial ties to the Palestinian community living in the West Bank. Reports on the

situation of East Jerusalem advanced how due to the gross violations this decision had on (domestic and international) human rights, organizations such as ACRI registered a petition to the High Court of Justice (HCJ) on behalf a person who was entitled to redress as a result of the freeze (Ir Amim, 2012).

“while the petition was pending in court, the Knesset [Israeli Parliament] passed the Citizenship and Entry into Israel Law (Temporary Order), 2003, which anchored the government decision of the suspension in law” (Ir Amim, 2012, p.40)

During my conversation with Lustigman, she explained the impact of the order as follow. Before the temporary order, a resident’s spouse would gain the permanent residency status from the MoI after a long and discriminatory family reunification procedure ((A. Lustigman, personal communication, February 28, 2020). However, after the order was legislated, Palestinian spouses were excluded from a procedure which would legalize their marital status in Israel (if the nonresident husband was under the age of 35 and if the nonresident wife was under 25).

Moreover, it is important to remember that one of the spouses would often reside in the West Bank before reunification requests are accepted by the Ministry. According to a civil society organization specializing in these matters, numerous families are unable to register their children with the Israeli Population Registry. This is mainly because permanent residents often lack the capacity to prove their center of life. This inability is rooted in the cumbersome requirements that trigger the need for legal representation to assist the applicants during such procedure. As such, another angle of complexities is illustrated when considering the costs of procedures which would theoretically enable this population to reside in the city, but factually such processes impede Jerusalemites from realizing their rights in the city. Birth registration procedures constitute an impediment due to the financial considerations that prevent this population from seeking legal representation. This reality left many children without a legal status, and thus (de facto) stateless (Pellicano,2013). From this standpoint, one begins to see why the lawyers involved in family reunification procedures are simultaneously part of the political battles for demography and the legal battles for emplacement.

#### 4. State Compliance with East Jerusalemites Norms and the Semi-Autonomous Field

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In this context, the government invades the social field by means of the legislation. Consequently, family reunifications are transformed into measures through which practitioners oppose such control. This dynamic leads this chapter to examine how the concept of semi-autonomous fields applies to East Jerusalem. Thus, it becomes important to ask the question *How does the field change when lawyers fight for East Jerusalemites' right to the city?* From the proponents of the concept it is known that new legislation often fails to accomplish its designated goals (Moore, 1973). This failure is due to one hand, the fact that legislation brings unplanned consequences, and on the other hand that the laws are applied upon social arrangements that already have their own rules in place. In this regard, the following section outlines different legal systems through which lawyers think of ways to transform home from a scarce resource into a secured right.

#### 4.1. The State Compliance with Jerusalemites' Family Unity Through Domestic Strategies

Practitioners' endeavor to emplace East Jerusalemites materializes through extensive legal strategies employed to change the character of the "Temporary Order" (Citizenship and Entry into Israel Law (Temporary Order), 2003). Since the law was an impediment for East Jerusalemites to make the status of their Palestinian spouses legal and to live with their children in East Jerusalem, such structures justify how the government invades the social field. Moreover, the manner in which external (governmental) norms are imposed and impinge on the social field trigger responses from practitioners that disrupt the autonomy of law (Moore, 1973).

"the various processes that make internally generated rules effective are often also the immediate forces that dictate the mode of compliance or noncompliance to state-made legal rules." (Moore, 1973, p. 21)

In applying this line of thought, this analysis examines instances of family reunification as follows. Joubran pointed out in Arabic during our interview that "Israel uses family reunification as a measure to control the female spouse. They [the Ministry of Interior] knows that it is in the Arab culture for the women follow the male spouse, which means in most cases that she would go to the West Bank instead of him moving to Jerusalem where she resides." (A. Joubran, personal communication, March 03, 2020). From this understanding regarding state strategies, it results that despite the ministry's willingness to interfere in cultural values, Jerusalemites' norms for living in Jerusalem outweighs all other

cultural and social considerations they might have. As such, since Jerusalem is the home which practitioners endeavor to secure, they are invested in fighting to enable family reunification processes in order to alter the nature of the law. As such when lawyers successfully assist a Palestinian family to unify in Jerusalem, such legal strategies make the states' measures of control less effective, and thus diminish the autonomous character of the law (Moore, 1973).

From the way in which the civil society actor petitions institutional procedures, an understanding emerges. When practitioners challenge state practices that are meant to dispossess Palestinians of their right to the city, it results that "the social arrangements are often effectively stronger than the new laws" (Moore, 1973, p.723). As such, the internal rules of the field regarding maintaining a family in Jerusalem are strengthened through the petitions advanced by civil society organization working to emplace East Jerusalemites. Several NGO reports such as the legal analysis drafted by Ir Amim revealed how the political apparatus is contested by lawyers in a manner that consolidates the right of Jerusalemites to have a claim to the city (Ir Ammi, 2012).

"In September 2003 ACRI petitioned the HCJ against the law for the first time. The petition was heard by a panel of 11 judges, along with other petitions challenging the law. In May 2006 the HCJ rejected the petitions by a majority of 6-5, ruling that the law served a temporary security purpose. However, the majority of the panel of judges ruled that the law was unconstitutional because it gravely violated constitutional rights to family life and quality. "(Ir Ammi, 2012, p. 40)

This passage of the report illustrates how when protecting the right to family life and securing procedures of family reunification, practitioners indeed challenge the structure of displacement imposed by the state. Moreover, while the judges did not consider the family freeze in light of Palestinians' claim to Jerusalem, their articulation regarding the respect to family life evidences how the internal norms of the field (to establish a family in Jerusalem) can be used as a judicial measure for practitioners who aspire to change these laws. Nonetheless, despite the judges' criticism toward governmental institutions and their emphasis that the law was meant to be temporary, the law was extended.

The long-lasting renewal of the law led a great number of families to live in forced separation (Israel, Knesset Press Release, 2017). In light of this reality, if permanent residents will choose to live in the West Bank with their families, they will lose their residency status and implicitly their right to live in the city (Misselwitz and Rieniets,2006). However, after extensive petitions by civil society actors such as HaMoked, these laws became less autonomous when the internal norms regarding reunifying Palestinians family in Jerusalem were accepted by the Ministry. At a time when the NGO offered representation to spouses in a mixed marriage wishing to reunify in Jerusalem, a social change was installed. These petitions culminated in positive results when in 2008 the Ministry granted family reunification to 32,000 people (Montell, 2019). In this regard, one begins to understand how social arrangements are more effective than governmentally installed laws. These conclusions validate the theoretical position underpinning this chapter whereby the socio-legal field in East Jerusalem can be seen from a semi-autonomous lens.

The endeavor to emplace Palestinians and create a lasting change was illustrated in light of the Temporary Order to the Citizenship and Entry into Israel Law. The Order was acknowledged as being discriminatory in an analysis sent to the Working Group on the Universal Periodic Review for Israel. The submission accounted for the fact that such a policy aims at “further limiting the number of Palestinians living in the city”(UPR, 2018, p.50).According to the submission, the government’s restriction of family reunification that targeted Palestinian, is a violation of fundamental rights “including the protection of family as a natural and fundamental group unit of society”( Article 16, UDHR). Such remarks underpin the analysis at the core of this chapter. As such, the investigation of law and social change is able to address other means through which lawyers bring the state to comply with the internal norms of the field. In illuminating such strategies, one begins to see how lawyers create an effective transition from the structure of displacement towards one of emplacement.

#### 4.2.The State Compliance with Family Unity through International Standards

Having outlined the extent to which the autonomy of law is limited through fights to secure Palestinians’ claims over their homes in East Jerusalem, I accounted for a fundamental understanding. Through my analysis legal practice and strategies concerning family unity, I examined how the petitions presented in courts can trigger social change in the East Jerusalem field. However, in order for the change to be effective one needs to address the

question of lasting change. In this context, lasting change is installed by means of avenues through which the state is compelled to respect family life, and acknowledge the claims of this indigenous population over their native territories.

Since it is considered that home and the future of Palestinians in East Jerusalem is a matter of rights, one needs to account for the scope and application of International human rights law. While domestically, the intricate situation of permanent residents' rights was addressed above, the chapter now turns to analyze the standards imposed by the international community which could have a considerable weight for lawyers' endeavor to secure Jerusalemites' right to the city.

In such a complex context, there is a debate about the simultaneous relevance of international human rights law (IHLR) and international humanitarian law (IHL) (Allen, 2009). While the global community considers the situation of East Jerusalem as one of occupation where IHL applies; such views generally would not accept the application of international human rights law in an occupied territory (D'Alessandra, 2014). However, in the case of East Jerusalem the International Court of Justice as well as human rights treaty bodies have considered the parallel application of both systems of rights (Kretzmer,2007). Nonetheless, if the annexation of East Jerusalem is to be considered valid, the discussion of international humanitarian law would not rise. As such, the territory would be perceived as part of Israel, therefore all human rights treaties ratified by Israel would apply. In this regard, the last part of my analysis will first briefly address the international humanitarian regime before moving to the international human rights laws which are employed by legal actors to secure East Jerusalemites' home in the city.

#### *4.2.1. International Humanitarian Law*

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Family rights are found in the law of belligerent occupation which is part of the international humanitarian law regime. Thus, even if Israel denies being bound by the codified IHL instruments relevant to this context (such the Hague Regulation on Land Warfare of 1899/1907 and the Fourth Geneva Convention referred to as GC IV), the GC IV constitutes customary law. As such, the Convention's customary status makes these instruments relevant in instances where its treaty law application is denied, as in the Israeli case (CCPRJ,2017).

Article 27 of the GC IV applies to Palestinians residing in East Jerusalem notwithstanding contestations whether it is to be considered occupied territory, or if the change of status as annexed is accepted. Since the article applies to territory of parties to the conflict, as well as to occupied territories, East Jerusalemites are “protected persons” under these instruments (under Art. 4 of GC IV). With regards to family reunification, Article 27 stipulates that people in such situations are entitled “to respect for their persons, their honor, their family right...” (GC (IV), Art. 27, 1949). In this regard, it is important to note that Assad did account for IHL during our discussion. In her explanation that Adalah builds on principles of IHL throughout their international advocacy missions, she also outlined that such instruments carry less weight in the Israeli domestic legal field (A. Assad, personal communication, March 04, 2020). As such, due to the focus of this thesis focuses on national legal actors, more weight is given to the international human rights instruments that lawyers are able to use in domestic courts.

#### *4.2.2. International Human Rights Law*

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This thesis gives greater considerations to the IHRL regime due to the fact that practitioners can use its instruments to navigate the framework and challenge the wider (political) matrix in domestic courts where the informants are active. As such, the extensive petitions brought by the Israeli-based civil society to the High Court relied on the argument that family reunification is a basic human freedom entrenched in international legal instruments.

“It is no longer disputed that the right to family is a fundamental right, that is it an essential element of human dignity, and that it is not a courtesy.” (Hamdan v. State of Israel, 2007 p. 53(2))

While the case was dismissed, the ruling recognized that East Jerusalemites’ right to family life and unity should be protected in accordance to international conventions (Stamka v. Minister of Interior, 1999) One can say that a landmark case which enabled the application of international law is the judgment regarding the legality of the Wall. While the precise claims are beyond the purpose of this research, the case is important because it provides further judicial instruments which legal actors can use through their work in the field of East Jerusalem. At the time of the ruling, the International Court of Justice (ICJ) instructed Israel to comply with its international human rights obligations and with the IV GC with regards to *all* persons brought under its control and jurisdiction (ICJ, Advisory Opinion, 2004). While



Israel dismisses its international human rights obligation to people residing in the occupied West Bank and the Gaza Strip, in East Jerusalem there is no such contestation (CEDAW, 2011). In this regard, Israel has signed and ratified the following relevant United Nations human rights treaties: International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Rights of the Child (CRC), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Additionally, the State is party to conventions that have protective language such as the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness which Israel signed but it failed to ratify (NRC,2012). However, since such protective instruments are not used by the informants, the given conventions remain beyond the scope of this paper.

While all instruments listed formulate a strong foundation of international human rights, the right to family reunification has a powerful recognition under the CRC (1989). This premise is advanced also because the relevant treaty body maintained that the Convention should be applied by Israel in the oPt, including East Jerusalem (CRC,2014). The Covenant contains a positive responsibility on the signatory states to secure family reunification for children. As such, application for family reunification on behalf of children are protected by Article 10 which provides that such requests “shall be dealt with by States Parties in a *positive, humane and expeditious manner*”(CRC, 1989). The given provisions of the Convention were brought in petitions advanced by the civil society to the HCJ. Moreover, additional resolutions of the Convention safeguard the child and his parents. An example is Article 8 which stipulates that states which are bound by the CRC must respect the child’s right to “preserve his or her identity, including nationality, name and family relations...”(ibid). Hence, the practice of not granting residency rights regardless of the family’s reunification status violates the article which protects the child’s bond to his parents(ibid). Moreover, HaMoked argued in one of its petitions to the HCJ that the CRC stipulates state parties such as Israel should have as primary concerns in everything regarding minors (children under 18 years old) the best interest of that child. However, the court rejected the petition (HaMoked, 2019). Despite the court’s denial of the arguments put forward by the civil society, this petition illustrates that

practitioners use international standards to compel the state to respect East Jerusalemites' requests for family reunification and thus also for child registration.

#### 4.3. Implications for Family Unity and The Right to The City

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Since both international and national norms secure the rights of children, this becomes an additional avenue used by lawyers to reclaim Jerusalem for the native Palestinians. Child registration is tied to their family's application of reunification because both applications require proof of the center of life. In this regard, the freeze on reunification procedures had a severe impact on children's birth registration (Society of St. Yves, 2013). A civil society actor reported extensively on the number of violations caused by the Temporary Order. According to the report, between 2004 and 2013, parents with mixed residencies advanced to the Ministry a number of 17,616 applications for child registration. However, because of the ingrained demographic considerations behind the MoI decisions, only a number of 12,247 applications were accepted while 2,933 requests were denied. The organization writing the report highlighted that the real figure of children living without legal status are much higher than the recorded 4,000 applications. As it is explained, this is due to the fact that the mentioned figures were published on the website of the Ministry. Such concern regarding maneuvering the statistics were raised also during my interview with Mahajna who stressed that one should "view Israeli statistics with a grain of salt" (A. Mahajna, personal communication, 05,2020). Therefore, when reading the report discussed above, it results that the organization estimates a number of 10,000 Palestinian children living in Jerusalem without legal documentation (Society of St. Yves, 2013). Nonetheless, from these understandings it emerges that the numbers of undocumented children could be higher than the given statistics. However, the findings remain valuable for illustrating that when lawyers are unable to protect the family unity and secure family reunification procedures, the right to the city and avenues to reclaim Jerusalem for the permanent residents are diminished.

While one might think that legal strategies are ineffective for reforming injurious laws such as the Temporary Order (2003), the reality is different. In response to the large figures of undocumented children resulting from unsuccessful family reunification procedures, this analysis of law and social change concludes with a successful legal practice. One of the strategies employed by actors in the socio-legal field of East Jerusalem are precisely their persuasive petitioning strategies. After an extensive series of petitions submitted to the HCJ

on behalf of Palestinian residents living in East Jerusalem, the state did respond in 2015. At the time, authorities announced the establishment of a joint committee of the Foreign Affairs Committee and the Internal Affairs Committee in the Knesset. The Committee was tasked with evaluating the information related to the Temporary Order. Moreover, the committee needed to recommend the Knesset whether the law could be further extended or not, and if a change in the law's provisions was necessary. In 2016, while the investigation of data related to the Order was ongoing, it was announced by the MoI that it would grant legal status (in form of the temporary residency) to a rough number of 2,000 Palestinians who had requested family reunification before the end of 2003 (when the order was enacted).

An additional accomplishment emerged also in light of the fact that the Court left open the possibility for submitting petitions and contesting the Temporary Order. Moreover, two of the three judges representing the panel highlighted that “the law should be mitigated” (Anonymous et al. v. Minister of Interior et al.,2014, p.813). As a result of the extensive petitions, the court informed the state that it should submit a notice to update any possible changes in the law. While the Knesset continues to approve the extension of the Citizenship and Entry into Israel Temporary Order, a change began to install in East Jerusalem when the Palestinian applicants were granted reunification. Such developments diminished the vulnerability of East Jerusalemites to displacement.

These changes are also encouraged by the international community. In 2012, the Committee for the Rights of the Child recognized the discriminatory regime in the field of East Jerusalem and further called on the Israeli authorities to remove the goal of “demographic balance” (CERD, UPR,2019, p.). Moreover, the Committee urged the state “to revoke the Citizenship and Entry into Israel Law (Temporary provision) and to facilitate family reunification of all citizens irrespective of their ethnicity or national or other origin.” (CERD, UPR,2019, p.63). When Israel institutions begin to address the Committee's recommendations with regards to child registration and family reunification in its domestic laws, then will the home of Palestinians in Jerusalem be secured, and the emplacement will be process finalized.

## 5. Sub-Conclusion

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From the legal strategies analyzed above concerning East Jerusalemites' right to the city, a conclusion is drawn. One can now see that rights in this context, are perceived as the ability of practitioners working within the field to "mobilize the state on their behalf" (Moore, 1973:729). After examining different legal strategies, practices and approaches, an observation is advanced. In my analysis of the manner in which home was transformed from a scarce resource into a right, the chapter answered the question *How do lawyers create possibilities for emplacement?* As such, I investigated different contestations that endeavor to protect Palestinians' home in Jerusalem. Throughout the analysis, it emerged that each struggle is fruitful in that it yields different possibilities within and outside the law. Based on this premise, it can be concluded that lawyers create possibilities of emplacement when they fight to protect Jerusalemites' home, their family unity and their right to the city.

In the first part, the chapter accounted for the process through which home became a scarce resource. Moreover, when analyzing this process, it emerged that issues around home carry such a strong value, that lawyers become invested in fighting the structure of displacement which had made home a scarce resource. These struggles that endeavor to achieve social change proved effective. In particular, when practitioners worked through family reunification and child registration procedures to secure the place of Jerusalemites' in the city and their home, a process of transition began to emerge. The given procedures illuminated the relations between law and social change, and how social arrangement such as family unity can trigger legal changes. Therefore, since the two mutually shape each other, it results that the East Jerusalem is a valuable illustration of the concept semi-autonomous field, in that the law stops being autonomous when Palestinian families are united in Jerusalem. Due to this nature of the field, the internal rules triggered a process of transition towards emplacement. This conclusion is made after having provided an understanding of the way in which the field can be affected by the states' demographic consideration. Nonetheless, as found in the analysis, the process of emplacement is ongoing due to the fact that practitioners are active within a field can compels state institutions to negotiate and eventually comply with the internal norms of the field.

Throughout the analysis of different means used by practitioners to challenge the state's structure of displacement, I illustrated how lawyers impact relevant institutions when the Ministry of Interior changes its procedures and recognizes the Palestinian norms of

maintaining a lasting presence in Jerusalem. Once Palestinians are recognized as an indigenous community whose home is Jerusalem, one begins to understand how lawyers transition towards a structure of emplacement. In doing so, the chapter simultaneously accounted for the value of binding rights, as well as the importance of obligations that are not legally enforceable, but which carry considerable weight. Through this analysis of the legal practices employed in East Jerusalem, the chapter conveyed the manner in which social structures are fought for until the governing laws are changes. Thus, I conclude that the field can be shaped through different strategies which culminate in the ability of the native-born Jerusalemites to reclaim Jerusalem through their right to the city.

#### IV. Conclusion

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In this thesis, I have examined how lawyers endeavor to change the structures that have lead generations of Palestinians into exile. In doing so, I traced the different strategies through which practitioners attempt to transform the socio-legal field in East Jerusalem from one of displacement to one of emplacement. This was done in order to examine the central research question: *How and to what extent do lawyers challenge the structure of displacement to achieve emplacement?*

I have employed the Grounded Theory Method to design an inductive research strategy, and to shed light on aspects of East Jerusalem that are not apparent on the surface of the matter. This approach to the research question enabled me to explore what my informants considered the most important legal

battles for securing East Jerusalemites' claim to the city. Interviews with lawyers and human rights practitioners were conducted to illuminate the essence of the given legal struggles. By means of this research design, I was able to uncover the procedural and relational aspects of East Jerusalem, which are of paramount importance to its present configuration. In doing so, I generated the following three themes that mirrored how lawyers perceive the reality in this field. The three themes focused on the issues of displacement, aspects of emplacement, as well as matters concerning home and the right to the city. It emerged that Palestinians living in East Jerusalem hold a precarious residency status. For this reason, their right to the city is increasingly insecure. This premise encourages lawyers to unite their efforts and trigger a process of transition for the Palestinian inhabitants of East Jerusalem.

Due to my choice of designing a research strategy according to the GT methodology, I was urged to use a specific set of materials in a designated manner. As such, throughout the given approach, I was compelled to convey what my informants considered to be the most valuable aspects of their practices, and to analyze it through relevant lenses. From this perspective, one can argue that my choice for taking an inductive approach in my thesis was rather limiting. Such arguments might be rooted in the fact that I was able to examine only a narrow collection of legal practices and political strategies.

Despite my limitations, I consider my arguments and findings to have merit for the following reasons. As I illustrated throughout my thesis, the legal struggles regarding East Jerusalemites have been part of a process of transition. I chose to examine this process through contestations regarding family reunification and child registration, due to the views of my informants. However, I argue that such changes would have surfaced when examining any other administrative procedures and legal instruments concerning East Jerusalemites. As such, what I gather from this understanding is that practitioners are increasingly concerned with East Jerusalemites' right to the city.

Despite the choices of legal instruments, the findings would remain unchanged. Whether lawyers choose to embark on this struggle by focusing on family reunification, on land claims, or on the permit regime and the right to development, their endeavor remains to reclaim Jerusalem for its indigenous inhabitants. Through these goals, the struggle of lawyers remains to enable East Jerusalemites with their full rights as permanent residents without forcing them to naturalize as Israeli citizens. It emerges that fights against statelessness and displacement become rather immaterial, since East Jerusalemites are recognized by Israeli courts as an indigenous people and natives of the city. Thus, I conclude that a different conceptual framework and another theoretical position would have illustrated different components of the East Jerusalem configuration.

In spite of the conceptual and theoretical lens applied to this field, I believe these positions would have illustrated the same procedural and relational aspects of Jerusalem, which I uncovered throughout my research. As such, the remarks accounted for above might discredit the struggle for

statelessness protection, both in the domestic and in the international arena. Nonetheless, I argue that the battles for acknowledging East Jerusalemites as an indigenous population within constitutional and international instruments could be the new central struggle for securing the place of Palestinians in East Jerusalem.

My thesis has opened a discussion on lawyers' contestations over East Jerusalemites right to the city. In doing so, I believe that my research is valuable in that it lays the foundation for further analyses and multidisciplinary debates over innovative struggles for emplacement, which might be worthy of the future efforts of lawyers, human rights practitioners and researchers.

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## **Testimony**

I herewith declare that I have written this paper on my own and that I have not used any other sources and materials than those indicated. I properly cited the materials I have relied upon. I have not submitted this document as a master thesis elsewhere.

Zahia Eva Nassar