

Sheikh Jarrah

History of the neighborhood

Sheikh Jarrah is a Palestinian neighborhood in East Jerusalem, located on the slopes of Mount Scopus, home to about 3,000 residents.

In the 19th century, a small Jewish community lived there, most of which left by 1948, as East Jerusalem came under Jordanian rule. In 1956, 28 Palestinian families who were made refugees from West Jerusalem in the 1948 war were settled there through an agreement reached between Jordan and UNRWA.

In recent years, several of these families were evicted as a result of Israeli court decisions to recognize pre-1948 ownership claims made by two Jewish bodies, the Sephardic Community Committee and the Knesset Israel Committee, which enabled Jewish settlers to move into their homes immediately.

Although implemented according to Israeli legal and justice systems, the move set a political double standard that justifies Jewish claims to property held before 1948, but does not allow Palestinians to make similar claims to properties they were forced to leave in West Jerusalem.

The protest movement

In the summer of 2009, following the eviction of the Rhawi and Hanoun families from their homes, which were immediately then inhabited by Jews, a few dozen Israeli and international activists came to the neighborhood to be with the families and demonstrate.

Soon, growing numbers of protesters joined, and by the end of 2009, the Solidarity Sheikh Jarrah protest movement emerged as the organizing body of Israeli activists coordinating weekly demonstrations with the Palestinian residents of the neighborhood.

As the movement grew, the Jerusalem Police began to use force against the protesters. The police refused to issue permits for the demonstrations, and repeatedly arrested non-violent activists on a weekly basis.

In January 2010, 15 people were arrested during a protest in Sheikh Jarrah, with some of them held for two days before seeing a judge. The Jerusalem Magistrate's court ruled there was no pretense for arresting the activists, and the police was forced to recognize the legality of the protests. However, they limited the location of the protests, pushing them back away from the houses to the Sheikh Jarrah Park.

At their height, the demonstrations in Sheikh Jarrah drew thousands of Israelis, including many first-time activists. The movement successfully placed Israel's policies of settlement expansion in the heart of East Jerusalem in the spotlight.

After two years of regular Friday demonstrations, the Solidarity Movement announced in September 2011 that it would cease organizing protests in Sheikh Jarrah and focus its activities in other locations; activists promised to return to the neighborhood in case of further evictions of Palestinian families.

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Dozens of Arab families may be evicted from East Jerusalem neighborhood under court ruling

Judges reject appeal by Palestinians claiming to own a large plot in the western portion of Sheikh Jarrah, enabling settlers to move ahead with plans to build in the area.

By Nir Hasson | Sep.28, 2010 | 1:11 AM

A Supreme Court ruling Sunday may allow settler groups to move into dozens more homes in the East Jerusalem neighborhood of Sheikh Jarrah.

Justices Yoram Danziger, Esther Hayut and Miriam Naor unanimously rejected an appeal by Palestinians claiming to own a large plot in the western portion of the neighborhood. The court ruled that the custodian general, and other owners, including settler representatives, succeeded in proving they owned the property.

The decision means the properties' owners will be able to initiate proceedings for the eviction of dozens of Palestinian families living on the property.

Moreover, the settlers will be able to move ahead with plans to build in the area.

Aryeh King, one of the leaders of the settlement movement in East Jerusalem said yesterday that in two days three Palestinian families whose leases are ending are expected to be evicted from their homes. The plan is for Jewish families to move in.

King also said that he is advancing a project to build dozens of housing units for Jews in the neighborhood.

Sheikh Jarrah has been a bone of contention between Jewish groups - who call the neighborhood Shimon Hatzadik after the ancient rabbi they believe is buried there - and Palestinians living there. Tensions have risen over the last year as the court has allowed Jewish groups to reclaim homes they said they were forced to leave after 1948, thereby allowing them to evict Palestinian families in favor of Jewish ones.

To date the struggle had focused on the eastern part of the neighborhood. Three families have thus far been evicted from the area and 25 more are under threat of eviction.

Settlers ready to claim plots

However a settler group had made preparations to claim plots in the western segment.

Following the Six-Day War, the custodian general took over the homes and the properties in the area. Over the years the custodian general restored some of the properties to the legal Jewish owners. Other properties were bought by groups that identify themselves with the settlers - either directly by the custodian general or by the inheritors.

Among those owning property in the neighborhood is American businessman Irwin Moskowitz, who is considered an important patron of settlement activity.

Yithzak Memo, another right-wing activist involved in settlement in the western portion of the neighborhood, also bought property in the area.

King says that right-wing groups own about half the homes in the neighborhood.

In 1997 Palestinians sued, arguing that the property on which Jews settled in the 19th century had not been sold to them but leased and that the ownership remained Palestinian. In 2006 the Jerusalem District Court rejected the suit and they appealed to the Supreme Court.

Sunday the Supreme Court rejected their appeal and ruled that Jews are the owners of the homes. The ruling, written by Danziger, states that the Palestinians failed to prove the terms of the lease between the original owners and the Jews who lived in the neighborhood.

Evidence that payments for the lease were made were rejected by the court as constituting evidence that the Jews did not buy the property.

The legal significance of the ruling is that the status of the Palestinians living in the eastern portion of the neighborhood is now the same as that of those living in the western side - subletting Jewish owned property.

Sources familiar with the issue say that henceforth it will be easier for settler groups to evict Palestinians from the area.