



Lifta. (Photo by: Seth J. Frantzman)

Court rules against demolition of empty Lifta homes

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Tender canceled for construction of luxury villas in neighborhood on capital's western slopes.

The abandoned Arab homes of Lifta at the western entrance to the capital will not become luxury villas, at least for the time being, after the Jerusalem District Court ruled on Monday to cancel the plan for construction.

Activists called it an "historic victory" for an important heritage site in Jerusalem's history.

In December 2010, the Israel Lands Authority published a tender for Lifta, a collection of historic stone homes that climb up the steep slopes at the entrance to Jerusalem, and were abandoned in early 1948, ahead of the War of Independence. The tender calls for 212 luxury villas to be built on top of the existing stone structures.

But the plan drew condemnation from many activists, architects, historians and former residents of Lifta, who argued that the village's unique construction should not be replaced by new buildings. Former Lifta residents, Rabbis for Human Rights, and the Jafra Association, a Palestinian heritage organization, filed a petition in March of last year that called for the courts to freeze the bidding process and the transfer of the public assets into private hands. The courts agreed to the freeze until the case came to trial, which finished on Tuesday.

"It was amazing that the courts give such importance to preserving historical areas and preserving our heritage in Israel," said lawyer Sami Eersheid, who filed the petition. "It was a victory for ownership and for the idea that there are things in this land that you should not destroy them, that you need to preserve things."

At the heart of the issue was an archeological survey that would document the state of the existing buildings and determine what needs to be preserved and what can be replaced. In the original plan from the Israel Lands Authority, the survey was to be carried out by the contractors performing the construction. Activists and the Antiquities Authority wanted an independent survey, carried out by the Antiquities Authority or other independent experts. They argued in the petition that contractors looking to make a profit would not have the best interests of the site in mind.

The Israel Lands Authority eventually changed its position to allow the Antiquities Authority to carry out the survey before giving the land to private companies.

Jerusalem District Court on Monday ruled that the survey should not be completed by private contractors, and canceled the tender.

Isaac Shweky, the head of the Council for the Preservation of Historic Sites, favors building housing in Lifta because he believes that preservation of the buildings, a very costly process, will only be possible with private investment. Still, he welcomed the court's decision to cancel the tender until an independent body finishes a survey of the area.

"We're in favor of building, but we're not in favor of the way the ILA did it," he said. "In my opinion, if we don't build in the area, it simply won't be there in two generations, and there won't be any heritage," Shweky said.

The scenic area is famous for the old stone buildings that are visible from the entrance to Jerusalem, which were built into the steep hillside by Arab residents in the 19th century. The area also has buildings from the First Temple period and the Crusader period. The swimming hole in the center of the village is popular in the summer with ultra-Orthodox males from the nearby Romema neighborhood.

Activists, including Rabbis for Human Rights and the Zochrot BGO also argue that preserving the village as it was abandoned would be an important move to memorialize Arab culture and way of life in Jerusalem before 1948. However, conservation experts such as Shweky are worried that the ravages of time, weather and vandals will destroy the buildings if they are not actively preserved.

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