

East and West Jerusalem, two worlds in a single city: labour rights' situation. Discrimination and solutions.

Abstract

Jerusalem represents an exasperating summary of the problems and contradictions between Israelis and Palestinians and more generally speaking it is a fundamental issue in the complex geopolitical Middle East scenario.

The professional realm is undoubtedly one of the areas where the differences between Israelis and Palestinians are most noticeable. These disparities have profound consequences for the economic and social situation of the two communities, which live in Jerusalem in a strong connection that is unique among other Israeli and Palestinian cities.

After the Six Days War, which took place between the 5th and the 10th of June 1967, the state of Israel decided to annex unilaterally the eastern part of Jerusalem, which was part of Jordan at that time. This annexation, besides being rejected by the international community, has been condemned by several UN Resolutions (Resolution 242 of 1967, Resolution 298 of 1971, Resolution 78 of 1980). Despite all this, in 1980 the Knesset approved the Jerusalem Basic Law, which ratified the indivisibility of the city and its role as capital of the state of Israel, thus providing an internal, legal basis to the de facto annexation accomplished 13 years before.

The 1967 annexation has created a peculiar situation for the inhabitants of eastern Jerusalem, the area delimited by the political boundary prior to the 1967 occupation and known as the “green line”. These people consider themselves as belonging to the Palestinian nation and people. As a matter of fact, 93% of this population owns a permanent residency certificate, while only 5% has Israeli citizenship (at the time of the annexation, the state of Israel proposed to those who lived in East Jerusalem to acquire Israeli citizenship, but most of them refused). If being a simple resident does not allow you to vote in the national legislative elections (East Jerusalem can only vote in the administrative elections), then this status has no direct consequences for the fruition of the basic social services managed by the NII (National Insurance

Institute) and the Israeli National Health Service. Despite this formal equality with Israeli citizens, the inhabitants of East Jerusalem are victims of strong discrimination at work and examples of violations of their rights are widespread.

The possibilities for economic and social success for East Jerusalem inhabitants are seriously hampered from the beginning by an educational system very far below the average for the rest of Israel in terms of teaching quality and infrastructure.

In East Jerusalem, the schools do not have a unified system for the school curricula and those are totally unsuitable to prepare the youngsters for the Israeli job market, unlike the Palestinians holding Israeli citizenship, who can benefit from curricula integrated with the Israeli system. In addition, the two entities in charge of the control and development of the East Jerusalem educational system, namely the Israeli Ministry of Education and the JEA (Jerusalem Education Administration), do not coordinate their activities, and it has been estimated that approximately 18.000 Palestinian children of school age do not attend any kind of school, despite the fact that the state of Israel grants the right/duty of free and obligatory education through a 1953 law. This situation can easily be explained if one considers the indiscriminate use of Palestinian children under 16 years of age as underpaid workers in many sectors of the West Jerusalem economy.

The educational system in East Jerusalem is divided into public schools and *Unofficial Recognized Schools*. There are 76 of the latter and they are attended by about 25% of all East Jerusalem pupils. They are not obliged to fulfil many of the requirements foreseen by the state of Israel on educational matters. The dropout rate in East Jerusalem schools is 50% and among those who complete the required school cycle, about 10% cannot read or write. Considering this situation, the JEA decided to launch the Holistic Program in 1999 in order to improve the learning conditions and to decrease the inequalities in educational matters between East Jerusalem students and the rest of Israel.

Another endemic problem is the absolute inadequacy of the infrastructure, much of which is crumbling and does not respect even the most basic of safety measures.

The educational system in East Jerusalem is suffering from heavy negative consequences due to the building of the Separation Wall, which has physically divided students and teachers from their school buildings, making access to them extremely complicated.

The Separation Wall is leading to harmful consequences for the job market in East Jerusalem and generally for the whole economic situation of the eastern part of the city and for the West Bank. In Jerusalem, the wall separates a densely populated area and divides East Jerusalem from the rural areas and suburbs which surround the city. On one side of the West Bank, possibilities for inhabitants to find a job in Jerusalem have drastically decreased, due to the fact that the several check points giving access to the city are often insurmountable obstacles and on the other side, East Jerusalem inhabitants are deprived of an important market for their economic activities. East Jerusalem inhabitants think that the most important consequence of the construction of the wall is the serious difficulty in finding and keeping a job. In both the areas where the wall exists (East Jerusalem and the West Bank) unemployment has increased much more than in the rest of Israel. A big loss of income among East Jerusalem residents has been registered, with an alarming increase in family units which have no income at all (from 1% in 2000 to 5,5% in 2006).

Besides that, the East Jerusalem workers are almost exclusively employed in less qualified jobs, meaning that they earn lower salaries and are subject to strong social and economic discrimination. They are often obliged to pay taxes which are not distributed in a fair way, considering the fact that, although the East Jerusalem population represents 33% of Jerusalem, the budget assigned to East Jerusalem is only 10%, with consequent macroscopic differences in the services and infrastructures in the two parts of the city. For example, Jerusalem inhabitants are burdened by a municipal tax (Arnona Tax) that hits heavily the already low salaries of East Jerusalem workers and inhabitants.

An important change in the social protection system for the unemployed workers has occurred with the introduction in Israel of the *Welfare to Work Plan* (Winsconsin

Plan) in 2005. This programme was already tried out in many US and European states and its purpose is to push unemployed people to find a job through formation and training courses, binding the benefit of receiving subsidies (Income-Support) to the factual engagement in these courses. This program has two different variants: 1) Human Capital: which concentrates on the effective training of the people who benefit from the programme and 2) Work First: which aims at finding a job for the people involved in the programme as quickly as possible, with no consideration of the training and professional aspects. This last model was chosen to be implemented in Israel, in four test cities (Nazareth, Ashkelon, Hadera and Jerusalem).

In East Jerusalem, this project has taken a deep political and social meaning. A fundamental feature of the Wisconsin Plan is the privatisation of social services; the state gives some private companies the task of encouraging people who receive a subsidy to find a job, but the same companies judge the progress and decide if someone is participating in a proper way. If they judge it to be insufficient they can expel that person from the programme and the state is no longer obliged to pay a subsidy to that person, with consequent profit for the organisation and the state.

This programme is part of the progressive dismantling of the welfare state in Israel started in the 70s and improved in the 90s, where a right that was considered as fundamental and inalienable, granted by the state itself (the right of getting a subsidy to have a worthy life), has been converted into a profit mechanism.

Among the sectors of the population that are the most important users of this programme are the Palestinian women, for whom it is often very difficult to find work (only 10% of Palestinian women have a remunerated job). This situation is getting worse due to the emergence of traditional and religious extremist positions in Palestinian society.

After about two years of implementation, Amin, the Anglo-Israeli company managing the programme in Jerusalem, has released very partial data from which it is very hard to have an exhaustive view of the functioning of the programme; for this

reason direct experiences represent almost the only source which can help us to understand a little more of its implementation.

In addition to this programme, many Israeli governments have been approving measures aiming at facilitating the temporary entrance of immigrant workers from Vietnam, China, and the Philippines since 2000. These immigrant workers work in very bad conditions and with salaries that are by far lower than those of their Israeli counterparts and many times lower even than Palestinian workers' salaries.

Even though labour conditions in East Jerusalem involve all these problems, the State of Israel has a very advanced and protective labour legislation. Since its foundation, Israel has approved pro workers and against discrimination laws, like for example the *Collective Agreements Law* of 1957 or the *Employment (Equal Opportunities) Law* of 1988 until the Supreme Court Sentence of 2008 that extended rights and protection offered by the Israeli legislation also to the Palestinian workers in the West Bank in the case they work for an Israeli society.

Furthermore, many NGOs (many of them created by Israeli civil society activists) are supporting and developing projects with the aim of improving labour conditions in East Jerusalem through micro-financing and training programmes such as the MATI (Jerusalem Business Development Centre), which organises courses of entrepreneurial management in Arabic and enables many Palestinians from East Jerusalem to undertake their own activities.

Another important activity is led by the Youth Development Department, a branch of the Oriental House aiming at supporting activities of the Jerusalem institutions dealing with youth problems, by providing them with resources and contacts in order to set up transversal cooperation and collaboration activities.

Analysing these three factors (education, Separation Wall and labour reforms), it is possible to find some elements that may suggest a more and more difficulty of insertion of the Palestinians inside the Israeli job market, through an inefficient educational system, totally separated from the Israeli job market; through a physical obstacle (the Wall) which makes it very difficult for Palestinians to reach their places

of work in Israel; through a very liberal labour system (that produced high economic and social differences even inside Israel) which tries to create a substratum of underpaid immigrant workers in Israel in order to substitute the Palestinian workforce coming from the West Bank and Gaza and the consequent *de-arabisation* of Jerusalem and the Israeli job market.