

Hidden links unearthed between state, settler group at Israel's most controversial dig

Jerusalem's largest dig in decades is also its most problematic. Internal documents reveal links between the Antiquities Authority and the right-wing Elad group at the City of David site, next to Silwan.

By Nir Hasson 15:12 17.11.14 0

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As you leave the Western Wall compound in Jerusalem's Old City via the Dung Gate, turn left, toward the City of David National Park. On your right is a metal fence decorated with painted figures; beyond it is a vast pit. For the past seven years, this huge trench has been the site of the biggest archaeological excavation carried out in the city in decades, and one of the largest, in terms of the volume of earth removed, ever carried out in the country. What's eventually planned for the site is a structure called the Kedem Center – an immense, and immensely controversial, building intended to serve as a visitors' center, museum and entrance to the national park.

The project, both the dig and the proposed construction, is being sponsored by Elad (a Hebrew acronym for "To the City of David"), a right-wing settlers organization that already administers the park and is engaged in Judaizing the adjacent Palestinian residential neighborhood of Silwan.

The story of the pit and its ever-deepening penetration of Jerusalem's soil reflects the growing ties between Elad and the state authorities, particularly the Israel Antiquities Authority. The excavation has turned up many impressive findings, dating from the second century B.C.E. and up through the fourth century C.E., including a Jewish dwelling from the Hasmonean period, a mansion from the Second Temple era, a large villa from the Roman period and gold from Byzantine times.

However, a find of another kind altogether – in the form of hundreds of internal documents belonging to the IAA, which were made available to Haaretz – exposes the tangled relations between Elad and the authority. These documents reveal the sharp shift in the latter's policy over the decade from 2001 to 2012: from sweeping opposition to construction at the site, to ardent support for the project. They also show that the excavation has no clear plan for the conservation in-place of historically significant finds, despite the protest of senior archaeologists on the authority's professional staff, and that the Supreme Court was not told the whole truth about the dig. Also revealed in the documents is fact that a Muslim cemetery was removed from the site and the existence of Jewish graves there – along with the fact that the project is being funded, primarily – not by Elad, but by Israeli taxpayers.

The Emek Shaveh organization – a group of archaeologists who are critical of the political use of archaeological research by Elad and the state – obtained the documents under the Freedom of Information Act. To the credit of the IAA, it did not resist the request, and handed the papers over – even those liable to embarrass it. "It proves we have nothing to hide," a source in the authority says. "Let the public be the judge."

Dead of night

Hardly a day has gone by since the summer that the neighborhood of Silwan hasn't been in the news. It has been the scene of some of the worst violence in Jerusalem in recent times, with ongoing clashes between residents and the police. Last month, dozens of young Jews took the locals by surprise when they took possession of 25 apartments in the dead of night. The homes had been purchased by Elad through a company registered abroad. The next day, Economy Minister Naftali Bennett visited the neighborhood and declared: "There is now a Jewish majority in the City of David – formerly known as Silwan. That means the City of David will always remain in Israel. This is a historic event."

Bennett thus revealed the basic ambition of Elad and other settlement-oriented groups in East Jerusalem: to Judaize the area in order to prevent the city's partition, or at least to ensure that this area remains part of Israel should Jerusalem be divided. Despite Bennett's declaration, and decades of massive investment, the settlers are nowhere near achieving a majority in Silwan: They number some 700, versus about 4,000 Palestinians. However, Elad can point proudly to one project that is changing the neighborhood's face and character: the archaeological dig in the City of David.

Elad started out in the early 1990s as an NGO with the aim of settling Jews in the City of David (specifically, the upper part of Silwan, closest to the Temple Mount). Over time, its main occupation became development of the City of David park and archaeological site, which was placed under its management. Its efforts to build a large visitors' center are backed by Jerusalem Mayor Nir Barkat, by the Israel Nature and Parks Authority – the official manager of the park – and by most of the municipal planning bodies. But to move ahead with the construction of the structure in the heart of one of Israel's most important archaeological sites, Elad needs the IAA.

In 1997, the authority learned that the state was planning to put Elad in charge of the state-owned parts of Silwan. Its legal adviser sent a sharply worded letter of protest to then-Attorney General Elyakim Rubinstein, stating, "In recent years, Elad has been directly responsible for offenses of damaging antiquities and of illegal construction, forcing the IAA to summon the police." He added, "The firmly held view of the authority is that it is essential to preserve the City of David and not allow any construction there."

Yet, within a about a dozen years, the IAA became a full partner to the plan to build the huge visitors' center atop what is undoubtedly one of Jerusalem's historically significant tels, in the City of David. This is also contrary to the declared policy of not building on multilayered archaeological sites.

The authority's documents reflect its change of approach, beginning in 2000-2001, vis-a-vis Elad and the construction project. In June 2001, for example, the IAA did not reject outright an Elad plan to build a large underground parking area and an entryway to the national park. "We need to see the overall picture of the area's development," the authority noted.

A year later, in an internal meeting, the authority's director at the time, the late Yehoshua Dorfman, ordered the start of work at the site. The minutes of the meeting state that, "if distinctive antiquities are found, no construction at all will be permitted," while at the same time contradicting itself by noting that "the archaeological findings will be integrated into the structure."

This stage, according to archaeologist Raphael Greenberg, from Emek Shaveh, marked a complete turnabout in the authority's approach. The planned format now saw the excavation as little more than a rescue dig, which involves the quick removal of ancient findings in order to develop an area.

Says Greenberg a professor at Tel Aviv University: "When Shuka Dorfman began negotiating over the dig, he was effectively saying, 'I have agreed to the structure; I am using my authority to change the character of this site.' All that remained was to haggle over the price, and over what should be removed and what should remain."

Cooperation between the IAA and Elad became closer after the excavation began in 2003. The documents show the authority yielding to Elad's demands time after time. In 2005, senior authority officials met with the director of Elad, David Be'eri, and one of its leading figures, Dvir Kahana (today the director general of Bennett's Jerusalem and Diaspora Affairs Ministry). They discussed the question of who would be responsible for the antiquities discovered at the site of the planned construction. At that stage, the plan called for a parking area and entryway – a relatively modest project to be designed by the noted architect Moshe Safdie.

In 2007, after a short break, the dig was resumed full-tilt under the IAA's Dr. Doron Ben-Ami and Yana Tchekhanovets.

From parking lot to mall

The so-called Givati Brigade parking lot, the site of the excavation, begins about 20 meters from the Old City wall. To conduct the dig without causing damage to the Ophel Road, which runs between the lot and the wall, Elad and the IAA erected a towering concrete wall to buttress the sides of the vast excavation trench.

In 2008, Peace Now and residents of Silwan petitioned the High Court of Justice, arguing that the wall was constructed without a building permit and that the dig too was illegal. In its response, the IAA declared that it had no intention of even considering any building plan until the archaeological excavations were done – but failed to tell the court that it had already given its approval to Safdie's plan. The Silwan residents added that the parking lot, which covers some four dunams (about one acre) was the last open space in the neighborhood, and that it should be utilized to build sorely needed schools or other public structures.

Supreme Court Justice Edna Arbel accepted the authority's stance and authorized the dig and the concrete wall, explaining: "The City of David tells the story of the thousands of years of Jerusalem's history, as can be gleaned from the Bible and elsewhere. National and international importance attaches to revealing the secrets of the City of David."

In the meantime, the original relatively modest plan morphed into the current, grandiose design for the Kedem Center – a seven-story building of 16,000 square meters – planned by the architect Arie Rachamimov. Archaeological finds will be displayed in situ, at the bottom level, above which there will be a parking lot and a structure that will include the park entrance, offices, classrooms, a museum, an auditorium, a souvenir shop and a restaurant. All this on an archaeological tel, 20 meters from the Old City walls.

The new plan has infuriated a coalition of intellectuals, architects and archaeologists alike. "I am not yet convinced that this structure, at this distance from Al-Aqsa [mosque, on the Temple Mount] will create fraternity between the peoples and the religions," the well-known poet Haim Gouri told Haaretz, at the beginning of 2014. To which David Kroyanker, an architect and authority on the history of Jerusalem, added, "I have never encountered a plan of such brazenness and such lethal potential as this one."

The minutes of the meeting, in 2008, when Elad presented the new plan to the IAA, reveal that some of its own senior archaeologists were taken aback by the scale of the project.

"It's a structure in the format of a shopping mall," said Dr. Yuval Baruch, now head of the Jerusalem district of the IAA. To which Dorman himself added, "We were talking about a modest structure for parking, and now we're being shown an immense building." Nevertheless, the authority continued to support the project.

In 2009, Jerusalem's District Planning and Building Committee added a condition: that a conservation plan be prepared ahead of final authorization of the project. Elad was worried: This could cause a delay of years. But the organization's friends in the IAA came to the rescue: After a request from Elad, Baruch wrote the committee that the authority was not posing a conservation scheme as a condition for the project. That is a problem, says archaeologist Greenberg, as it means that no proper criteria have been set regarding what to keep and what to discard in the course of the dig.

Conservation and consternation

According to Greenberg, the excavation at the City of David site has already gone on for 2,000 days – compared with 350 days of the legendary Masada dig in the mid-1960s by Yigael Yadin.

At present, the excavation is proceeding at a breakneck pace, Greenberg says, at the expense of the archaeological finds, especially those of little interest to Elad. Thus, on the way down to the Jewish strata, the excavators dismantled the layers dating to the Muslim periods, including an 11th-century Muslim cemetery, without an anthropologist being present.

The IAA documents show that in February 2008, the dig's director, Doron Ben-Ami, informed Baruch that human bones had been found. "I asked him to stop digging in places where bones were discovered, and I also asked him to keep things quiet," Baruch noted in internal correspondence. Baruch's impression was that there were only a few bones scattered here and there, but when collected, they filled 100 boxes. "I was very surprised by the number," he admitted.

Ben-Ami too thought they were the remains of only a few dozen people, but emphasizes in the documents that he lacked the necessary anthropological knowledge to confirm that. He added that no complete skeletons had been found. The boxes with the bones were placed in storage in a container at the site and were eventually buried.

The removal of human bones from archaeological sites in Israel is not unusual – as long as they are not believed to belong to Jews, which, according to religious law, are not supposed to be disturbed. But the documents in question show that Jewish graves were indeed found at the site. According to Greenberg, the initial scientific reports from the dig say nothing about the discovery of dozens of Jewish or Muslim graves, and an effort was apparently made to keep this secret. For its part, the authority denies that it tried to hide the presence of the graves, and says the relevant report hasn't even been published yet. Greenberg asks: "How can a report be published if there was no anthropologist at the site?"

In June 2012, the director of the IAA's conservation department, Raanan Kislev, said at an internal meeting: "To this day, Elad has not integrated an architect of ours into the project... Elad is ignoring our requests..." In fact, he emphasized, the standard conservation practices for preserving essential archaeological finds in situ were not being observed. Three months later, excavation director Ben-Ami added: "Conservation has been carried out only for a few days; Elad did not accede to our requests to do conservation work."

Ministerial funding?

Elad has two strong cards to play here: It owns the land and it is ostensibly funding the whole project. The land in question was formerly Palestinian-owned, but was purchased by the organization in 2002. As for the funding, the documents show that Elad is financing the costly dig – but they also suggest that the group might actually be little more than a conduit for the transfer of government funds for the dig and may be paying very little itself.

Emek Shaveh's Greenberg, aided by his organization's accountant, estimate that the City of David dig costs 3 million shekels (about \$787,000) a year. The documents show that the money Elad transfers to the IAA to underwrite the project are, at source, government funds. In most cases, the money has been transferred directly from the government to the authority, which then credits the amount to Elad. Thus, between 2011 and 2013, government ministries transferred 26.3 million shekels (\$6.9 million) to the IAA as indirect funding for Elad's excavations and development projects.

It's not clear in all cases which ministries are making these payments. The largest check – in the amount of 11.5 million shekels (\$3 million) – came from the Culture and Sports Ministry; another 7.3 million shekels (\$1.9 million) came from the Tourism Ministry; and the same amount from other, unidentified government sources.

"The stock of antiquities in Jerusalem is very limited," Greenberg says. "What remains is a small fraction of what there was, and it must be preserved at all cost. It has to be excavated as slowly as possible and without pressure. We can't behave as though this were 1967, and bring in bulldozers to discard things, as was done with the Mughrabi Quarter [the Muslim neighborhood razed to create the Western Wall plaza]. You would think no one has any interest in the place other than Elad and the IAA."

In response

The Israel Antiquities Authority provided Haaretz with the following statement: "The findings at the Givati dig are open to anyone who is interested. Much information has been published on the excavation, in both scientific and popular forums. Like every dig, the Givati project is also subject to academic review. The sponsors of the project (Elad) are allocating major resources to the dig, for its execution and for carrying out a large number of accompanying studies, which place the Givati dig in the top ranks of world archaeological research.

"The allocation of the excavation funds for research studies is under the sole responsibility of the IAA, and is carried out on a strictly professional basis. The sponsor has no discretion in this matter, or in the pace of the dig and of the research.

"With regard to the Kedem Center, the IAA authorized the construction plans, but set strict and binding conditions. Thus, no building privileges

will be allotted until the archaeological dig is completed, and the issuing of a building permit is conditional on the preparation of a detailed conservation plan.

“As for the removal of strata, this is usually within the exclusive purview of the dig’s director. However, in the Givati dig, a team of archaeologists and conservators from the IAA discusses every act of removal of a layer or of the dismantling of a significant structural remnant. Any statement to the contrary is untrue.

“With regard to the graves, their excavation is done according to strict scientific rules, with respect for the dead and the supervision of the relevant religious authorities. To date, one volume of the final excavation report has been published. The analysis of the material for the coming volumes, including the one dealing with the graves, is in advanced stages. It is important to note that the IAA has no intention of publishing [reports related to] only parts of the dig and hiding others.

“As for funding, the mode of fund transfers from [Elad] to the authority over the years was determined according to substantive considerations at any given time. This is a procedural matter only.

“To conclude, the excavation project in the Givati lot is one of the most important archaeological operations carried out in Israel during the past generation. The IAA is proud to have the privilege to conduct and lead the project. It is being carried out without extraneous considerations and is adhering to the highest professional and scientific standards.”

For its part, the Elad organization had this to say: “For the past 11 years, Elad has been conducting a rescue dig, including its funding, in an area owned privately by the association, and under the supervision and management of the IAA, with the aim of building a public structure that will be a tourism site where the findings will be on public display. The structure will serve as an entry to the site for hundreds of thousands of visitors. The entrance is essential, befitting the City of David as a national and world heritage site. The structure will combine old and new, and present to the public the strata of life at the City of David, with appropriate representation of every historical period.

“All the professional archaeological decisions are made by the IAA, without [Elad’s] intervention. The fact that the dig has been proceeding in an ongoing manner for more than a decade is hardly consistent with the ‘accusation’ that it is being conducted at a rapid pace. Despite objective obstacles, and attempts to thwart the project by those who wish to prevent the site’s development, we believe the day is near when the public will enjoy a worthy and dignified tourism entryway.”

The Ministry of Culture and Sports provided this statement: “The ministry has never transferred budgets to Elad. The ministry funds the IAA in the amount of 70 million shekels [\$18.3 million] annually. This budget helps the authority carry out various projects, among them rescue excavations, including the one at the City of David. The authority makes decisions by itself, at its exclusive discretion, about which rescue digs to conduct and their funding.”

From the Tourism Ministry: “As part of a comprehensive investment in tourism infrastructures in Jerusalem, the Tourism Ministry has invested about 7 million shekels in the development of the City of David. This includes landscaping, parking, lighting, shade and archaeological digs (as part of the excavations in the national park around the Old City wall). The site is now a major attraction, is being maintained at a high level and constitutes a model of success.”

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