



The Nationalization of Cities in the 20th Century. East Central Europe and Palestine/Israel Compared. Berlin: Philipp Ther, EUI Florenz/EUV Frankfurt an der Oder philipp.ther@eui.eu, 17.09.2007-18.09.2007.

Reviewed by Iris Engemann

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The Nationalization of Cities in the 20th Century. East Central Europe and Palestine/Israel Compared

This conference focused on a comparative perspective on the nationalization of cities in East Central Europe and Palestine/Israel in the 20th century. The meeting, which was hosted by Philipp Ther, organized by the authors of this report and supported by the Marga und Kurt-Møllgaard-Stiftung im Stifterverband für die deutsche Wissenschaft, forms a significant part of the three year project *Out of Place: Ethnic Migration, Nation State Formation and Property Regimes in Poland, Czechoslovakia and Israel* of the German-Israeli Foundation. The project brings together scholars from Germany and Israel: Principal investigators are Dieter Gosewinkel of the Social Science Research Centre Berlin, Yfaat Weiss of the Bucerus Institute in Haifa, Sandy Kedar of the Faculty of Law at Haifa University, and Philipp Ther of the European University Viadrina in Frankfurt an der Oder. The project employs junior researchers.

The title of the conference evolved around two dimensions of nationalization. The first one is, how previously multinational spaces were turned into nationally almost homogenous cities after World War I and during and after World War II. The second dimension refers to property transfers in these cities that are closely connected to nation-state formation and subsequent ethnic migration. The conference also sought to explore the cultural and legal aspects of the appropriation in the context of nation state formation in Poland, Czechoslovakia and Israel. This interdisciplinary and comparative approach of the conference was reflected in the choice of the participating scholars – cultural historians and legal

experts from Germany, Poland, Great Britain, France and Israel. The presented papers were arranged into three panels, the first (Multinational Urban History and Memory) having an introductory character. The second (Nationalization, Property Changes and Appropriation) was dedicated to urban case studies from cities in present-day Poland, Slovakia and Israel, and the third panel (Property Changes in Ethnic Transformation) dealt with legal aspects of property transfers. The panels were moderated and commented on by Daniel Monterescu (Budapest, Florence), Claudia Kraft (Erfurt), Thomas Serrier (Paris, Frankfurt an der Oder), Jan Musekamp (Frankfurt an der Oder), Dietmar Möller (Leipzig), Stanislaw Tyszka (Florence) and Catriona Drew (London).

PHILIPP THER opened the conference with a paper on the new relevance of and research on urban history since 1989, which had until then been subordinated to national history and limited by ideological barriers. With the breakup of the national-communist paradigm of historiography since the 1980s, approaches to urban history started to diversify and it became a much more covered topic. Ther presented several case studies of cities in order to show different attempts to overcome the national paradigm. Discussing the current state of scientific research on memory, it was stated that urban history could provide a useful level for tracing the interconnection of property and memory, and for overcoming the juxtaposition of national memories.

Introducing the legal aspect of the topic, DIETER

GOSEWINKEL opened his presentation with a reflection on the function and social implications of 'property'. He proposed a liberal concept of property of the 19th century, a 'cosmopolitan right' emphasizing the protection of private property irrespective of nationality and citizenship - a concept which was then increasingly diluted in the consequence of the two World Wars and the totalitarianisms in the first half of the 20th century.

Following this, four case studies on the ethnic appropriation of urban space were presented. YFAAT WEISS portrayed the Israeli city of Haifa, where the delicate balance of the Arab and Jewish population was disrupted in the War of Independence 1948. Henceforth Israeli policy aimed at marginalizing the Arabs and the Arab heritage in town, also at the expense of the urban structure. A second line of conflict sprung up from the different treatment of Ashkenazi Jews and later Jewish immigrants from Romania and Morocco.

A second Israeli example was presented by DANNA PIROYANSKY, who dealt with dispossession, expropriation and redistribution of material property in the formerly Arab town of Ramle - today's Ramla. Focusing on the formative period of 1948-50, she lined out the overall conflictual and quickly changing setting between civil and military institutions, governmental offices, local authorities and individuals involved. Only weak attempts were made to protect the Arab inhabitants' property rights, most of which had fled or been expelled, the few remaining ghettoized under military rule. Instead, public discourse focused on the new owner, the state of Israel and the need for 'fair' allocation among the new immigrants. The example of Ramla exemplified how local needs - especially the need for legitimacy - inspired the creation of national legislation, a topic taken up by the legal history case studies further down.

With a case study from Poland, ANNA MOSKAL used the example of the former German Opera House to discuss the nationalization of Posen/Poznan after World Wars I and II. This institution was subjected to a twofold and conflicting nationalization process: One was initiated on the local level and focused on the change from a German to a Polish theatre. The other one was a conflict between the city and the state, which aimed to nationalize the most prominent cultural institution of the city. This was rejected by the city council until 1949, when in the course of Stalinist centralization the theatre was put under state supervision.

Presenting an analogous example from Slovakia, IRIS ENGEMANN portrayed the Bratislava city theatre as a

focal point of the struggle for political and cultural dominance between the ethnic groups: While the Czechoslovak interwar period was marked by the struggle to establish a (Czecho)Slovak ensemble in the formerly German-Hungarian theatre life of the city, the wartime Slovak Republic saw the culmination of the internal Czech-Slovak struggle over content and staff of the Slovak National Theatre itself. Under the property aspect, the example showed the shift of power from the municipal to the national level: While the city remained the owner of the building, it lost the decision making rights on its usage to the state.

The second day of the conference emphasized the legal aspects of nationalization: Starting with an historical overview over the layers of land law in Palestine/Israel, GERMANY FORMAN analysed the internal diffusion of land legislation by using the example of legal norms that evolved during the process of 'settlement of title' in the Galilee region during the 1950s. He stressed the previously underestimated role of the district courts in shaping legislation with the aim of maximizing the share of state land as opposed to privately - Arab - owned land. Emphasizing the interrelation of both vertical and horizontal lines of diffusion, he then showed how this tailor-made legislation was adopted by the Supreme Court and consequently applied to other regions, namely the Negev and the Westbank.

The example of the Negev was then taken up by SANDY KEDAR who analysed the spatial-legal position of the Bedouins inhabiting that region. 'Settlement of title', a process interrupted in the 1960s and only recently reopened in 2003, was described as a means of land-taking by the Israeli state. This process is legitimized by court procedures, which in practice often prevent the Bedouins from proving their claims to the land, constructing them as trespassers instead.

In a joint presentation DIETER GOSEWINKEL and STEFAN MEYER provided a general survey on the legal connection of citizenship and property rights in Poland after World Wars I and II. In both periods nationality law aimed at the expropriation of the German population. However, it differed a lot in measure and impact, as after World War I the expropriation of German property was limited by the legal framework set by the Versailles Treaties, which demanded compensation for 'liquidation', while after World War II constraints set by international law didn't play a role any more. Therefore, after World War II expropriation could be instrumentalized in manifold ways: After World War I the

aim was mainly an ethnic homogenization of the population, whereas after World War II, expropriation of German property provided a means to reorganize the Polish economy. Furthermore it provided necessary economic resources to a country exhausted by the war. Upcoming archival research will document concrete examples for those policies. The presentation of the papers was followed by comments and a lively podium discussion:

A first parallel between the two regions concerned the *breakup of national master narratives* – the developments in East Central Europe after 1989 can be compared to a similar loss of the Zionist ideological monopoly in Palestine/Israel. Closely connected to these processes is the question of memory and forgetting, of contemporary and current debates on legitimization of property transfers. Claudia Kraft emphasized the capacity of urban history to encompass history with all its parallel strands by taking space and not national causal narratives as a continuum.

Agitated discussion addressed the *liberal concept of property*. It soon became clear that this is a normative concept in itself and thus needs to be relativized. Moreover, it has in its history always been biased and influenced by aspects like citizenship, social status, gender or race. As Catrona Drew emphasized, it can neither be said that international law provides for a direct protection of private property. Despite attempts at minority protection (collective rights) in the interwar period, there were already tendencies to resolve ethnic conflicts by population transfers which were voluntary on paper, including the liquidation of property rights. After 1945 there was a shift to a general endorsement of forceful transfers and individual human rights instead of group rights. The conclusion was that the definition and understanding of property rights and of law itself will be crucial for the entire project. Several speakers stated that law must be considered a function of society and of politics that was exploited not only by totalitarian regimes, but also by democratic states.

This led to the interesting question on the *origin and diffusion of law*: Legal norms evolve at the international, national and regional/local level, sometimes as a belated legitimization of already completed expropriation. With the creation of nation-states there is also the question of legal continuity – or conscious revision/compensation of previous norms. Having discussed the internal diffusion of law, the project shall also ask for possible diffusion across borders, i.e. possible transfers of concepts from East Central Europe to Palestine/Israel. Especially in this

context the interrelation of property rights and citizenship deserves attention. The construction of citizenship and ethnicity by law is often aiming not only at the ethnical composition of the new state, but also at social transformation.

The participants agreed that it will not be possible to work with a common uniform definition of the term *nationalization* for all countries concerned – one must take into account not only the cultural and legal aspects but also the varying political, legal, ethnical and even spatial situation: We have to keep in mind that already the size of the analyzed areas influenced the way certain policies could be enforced. Likewise the research periods will need adaptation to the local conditions.

The open questions and problems appearing during the conference proved that further research in this field is urgently needed. Therefore, we are looking forward to the next conference of the GIF project team towards the end of 2008 in Israel, which shall be followed by a publication summarizing papers and discussions of the two meetings.

Conference Overview:

Panel 1: Multinational Urban History and Memory
Philipp Ther: The Redefinition of Urban History in Central Europe

Dieter Gosewinkel: Introductory reflections on the concept of property

Yfaat Weiss: Wadi Salib – a Confiscated memory

Panel 2: Nationalization, Property Changes and Appropriation

Anna Moskal: In the service of the nation? The Great Theatre (Teatr Wielki) and the national appropriation of the city of Posen/Poznan after 1918 and 1945

Iris Engemann: Stadttheater - Magyar Nemzeti Színház - Slovenské Národné Divadlo. The Bratislava city theatre as a focal point of nationalization

Danna Pirovsky: Dispossession, Expropriation and Redistribution in Post-War Ramle

Panel 3: Property Changes in Ethnic Transformation
Jeremy Forman: Internal Region-Based Legal Diffusion and Arab Property in Israel

Sandy Kedar: Out of Place: The Bedouin of the Negev and the Israeli State

Dieter Gosewinkel & Stefan Meyer: Citizenship, property rights and dispossession in post-war Poland (1918 and 1945)

Roundtable Discussion

If there is additional discussion of this review, you may access it through the network, at:

<http://hsozkult.geschichte.hu-berlin.de/>

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