

## The Case for a Unified Jerusalem

*“The first man who, having enclosed a piece of ground, bethought himself of saying “This is mine,” and found people simple enough to believe him, was the real founder of civil society. Beware of listening to this imposter; you are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody.”*

–Jacques Rousseau (Tariq Ramadan, *The Quest For Meaning*).

Over the streets of Gaza a billboard looms overhead, Yasir Arafat’s face floating over a faded Palestinian flag, the famous Dome of the Rock standing proudly in the horizon behind him. In crisp bold Arabic reads, *“Without You, O Jerusalem, My Dream Will Never be Fulfilled.”* That dream of a city now mired in endless violence and anger that dream for something to be done that would allow Palestinian and Israeli citizens to take a step away from the terror that has plagued its historic cobblestone streets. The image of Arafat sitting high above the Old City encompasses the Palestinian yearning to return home, to have substantial access to religious sites that have helped to shape their faith and will continue to guide them. This pull is not unique to the Palestinians, but to all those who feel drawn to the holy city itself.

Jerusalem has long been a city of the spirits as much as a tangible construction liable to sways of political influence. It is inextricably tied to the role it played thousands of years ago in the founding of the three great Abrahamic Religions, which continue to shape the lives of millions across the world. Holiness and sacredness have been a continuous part of the city’s intimate story of faith (Romann pg. 6). As a result of this incredibly historical role, it has become one of the most hotly contentious zones in the world and continues to face significant foreign and domestic influences. Following the creation of the state of Israel, the questions of who should control the city itself has remained under debate.

The city of Jerusalem is built atop nearly 3000 years of history, architectural marvels just below the worn cobblestone streets where thousands of residents and tourists walk everyday. The city can now be seen as being divided between populations, roughly separating the Jewish populace from Muslim residents. During the Umayyad period (1600-1700) the lines between these communities were blurred, allowing people within the city intermingled more freely. In the 12<sup>th</sup> century the Ayyubid Caliphs helped to develop parts of Old City into a more uniform Islamic Quarter by building a series of mosques, religious schools, and tombs to help enrich the Muslim community. These smaller separations illustrate the sectarian nature that has been adopted within the city. Today, the Old City is separated into four quarters; Muslim, Jewish, Christian, and Armenian (Rosen pg. 3).

The state of Israel itself is considered the homeland of the Jewish people as well as of Judaism itself. Known as *Eretz Israel*, or what is known as the biblical land of Israel, is of vast importance to thousands of devout followers and paramount within this land is the city of Jerusalem. Jerusalem is home to the sacred *Haram al-Sharif*, or Temple Mount, which is arguably the most contended piece of land in existence. Built in the place of the first original two Jewish Temples it’s a significant location for Jews who

make pilgrimage to visit the single remaining part of the ancient building, the Western Wall. Known as the *Wailing Wall* for the way that pilgrims would pray while facing it with loud and genuine cries, they would call to God and mourn the destruction of the sacred buildings by Romans who had historically controlled the region (Betts pg. 112). The location of these temples makes it an unquestionably critical city for those of the Jewish faith.

But *Haram al-Sharif* is also an essential religious location for Muslims across the world. After *Masjid al-Haram* in Makah, and *Al-Masjid an-Nabawi* in Medina, the city of Jerusalem holds the third most sacred place of worship. Built on the raised platform on Temple Mount the Al-Aqsa Mosque and the Dome of the Rock rise above the city skyline. These holy places have been under Islamic Control since the end of the 12<sup>th</sup> century after being constructed by the Caliph Omar. The Dome of the Rock is thought to have been built to commemorate the Prophet's ascent to heaven to receive the word of God although critiques accuse it of having been built as a demonstration of Islam's dominance over Christianity in the region. Today, the Mosque and Dome of the Rock are closed to non-Muslims although all can access Temple Mount (Betts pg. 113). This is due to various security concerns as well as a desire to keep it religiously pure and sacred, a safe space for all those who wish to worship there.

Because of the religious gravity of Jerusalem, the control of the city has swung between international and state actors fighting for the great influence gained by having control of one of the most religious cities in the world. The Ottoman Empire controlled the region of Palestine and therefore Jerusalem after the start of the 14<sup>th</sup> century, which lasted until the end of World War I when, in May of 1916, the Sykes-Picot Treaty was signed, partitioning the Mid East between the victors of WWI. After Russia was forced to pull out due to the domestic turmoil caused by the Bolshevik Revolution in 1917, the land formerly controlled by the Ottoman Turks was split between the United Kingdom and France (Smith pg. 73). Before the separation and before a single community grew stronger than the others, Jews, Christians, and Muslims existed in relative peace, able to determine policies within their own unique quarter. The problem began to grow, however, when Arab and Jewish nationalism began to increase near the end of the Ottoman's rule and through the British occupation (Emmett pg. 16).

Great Britain became a protectorate of Palestine under the *British Mandate*, taking on a custodial role with the stated goal of preparing Palestine for independence. However, with the Balfour Declaration's issuance in November of 1917 it became clear that the British leadership was sympathetic to the Jewish cause as they gave Jews a homeland within Palestine. This foreign influence, which allowed thousands of Jews in the *Third Aliya* to enter the state of Palestine, continued until British control was shaken by the building tensions that would lead to WWII (Smith pg. 70). While the British fought to keep Palestine peaceful, they were forced to make various concessions to Arab leadership, which was concerned about the rate of Jewish immigration. The 1939 White Paper, while accommodating the need for Jewish refugees to find safety in the region, challenged the idea of a Jewish State that would overtake the current Arab control by limiting the number of Jews that would be allowed to enter, and regulating land sales to non-natives (Smith pg. 162). Despite this attempt by a foreign occupation to find middle ground between the two actors, the wants and needs of Palestinian Arabs and the Jewish Settlers were irreconcilable (Rabinovich pg. 8).

While Great Britain came out as a victor at the end of World War II, the nations suffered greatly economically and its ability to maintain its imperial role in the Middle East was incredibly weakened (Smith pg. 181). In 1947 the problem of Palestine was placed into the hands of the United Nations. The United Nations Special Committee on Palestine (UNSCOP) was created to assess the situation and to prescribe a solution that would help to find meaningful and lasting peace for all (Smith pg. 191). Their recommendation suggested a partition that would create both an independent Arab state and an independent Palestinian state and the City of Jerusalem as an independent body (Smith pg. 215). What was envisioned was that Jerusalem would be a *Corpus Separatum*, or a body separate from the two states controlled by the international community, however, this plan was never realized (Zahriyeh).

Only a year later another actor took control of part of Jerusalem. On May 14 of 1948 Ben-Gurion, the founder and first Prime Minister of Israel, declared statehood. This was not acceptable to the Arabs who were native to the region and massive waves of violence resulted. The holocaust had validated Zionist claims of needing their own state, and this helped Zionist leaders gain recognition and international sovereignty. At the end of the “War of Independence” for Israel, and the “Nakhba” for Palestinians, Israel controlled nearly 80 percent of the land. The West Bank fell under the control of Jordan and Gaza fell to Egyptian oversight. Jerusalem fell on the division lines; East Jerusalem (or the Old City) remained under Palestinian control while West Jerusalem (or the New City) was controlled by the new Israeli state. To Israel, the idea of Jerusalem being an international city was unacceptable in unsuspected agreement with King Abdullah of Jordan who wanted control for himself (Smith pg. 201).

After gaining independence, Israeli leadership declared Jerusalem the new capital, representative of the religious significance that it played for the Jewish people. However, other international actors despite recognizing the state of Israel’s existence would not concede the city of Jerusalem to their control. As a demonstration that Jerusalem would not be the sole property of Israel, many foreign embassies refused to function within the city and instead had to be placed in Tel Aviv along the Western Mediterranean coast. The international community considered Eastern Jerusalem as an occupied territory and would not legitimize Israel’s control there (Zahriyeh).

Following the declaration of Israel as an independent state and after gaining recognition from international powers, a coarse line was drawn, known as the 1949 Armistice Line, which left Jerusalem in limbo. Neither party was allowed control and the international community continued to consider the city a distinct body, however this was not practiced. In reality, Jerusalem was divided, split between Jordanian and Israeli control (Zahriyeh).

In June of 1967, another war broke out between the Arab world and the state of Israel and resulted in glaring Arab defeat. After fighting for fewer than six days, Israel gained large amounts of territory and annexed a large part of Eastern Jerusalem against the wishes of the international community. Even Israel’s strongest allies have condemned the building of settlements in East Jerusalem, however that has not ended the continuation of this practice. In 1980 Israel passed the “Jerusalem Law,” hoping to bring Jerusalem fully under the control of Israel and to establish it as the clear and only capital of Israel. The international community immediately disagreed, and the United Nations Security Council passed Resolution 478, which basically denied the validity of the

Jerusalem Law and has led to the continuation of all foreign embassies being located in Tel Aviv (Zahriyeh).

In the status quo, Jerusalem is a divided city, controlled by the state of Israel illegitimately. While the international community considers it a *Corpus Separatum* under distinct international rule, in practice Israel occupies much of the West and has begun to settle throughout East Jerusalem illegally taking control of the city itself. The holy city wavers between powers, torn between Palestinian, Israeli, and international leadership. A divided Jerusalem is not a viable solution because it makes peace negotiations all but impossible, providing an insurmountable hurdle that intensifies the violence that fuels the fire of the Arab Israeli Conflict itself. As Gershom Gorenburg of the National Journal explains, “Jerusalem is the glaring flaw in the idea of a two-state outcome leading to complete separation.” A clean split would not be possible due to the lasting

Jerusalem is critical component of the Arab-Israeli conflict, without definitive action towards resolving the issues that have plagued the holy city since it’s inception, no lasting peace can or will be found. Chad F. Emmett, Assistant Professor of Geography at Brigham Young University explains, “Israelis and Palestinians have proven incapable of compromising on many issues, but Jerusalem seems to be a point of intransigence.” Despite optimism in the past, despite substantial gains towards long-term solutions, Jerusalem has been an impassable hurdle. From Jimmy Carter’s advancements of peace between Israel and Egypt, to efforts made by subsequent world leaders, no final solution has been reached to date (Rosen pg. 186).

In 1967, the United Nations Security Council passed Resolution 242 as an attempt to make peace between the two critically opposed parties. Soon however, it became clear that a “land for peace” solution asked too much from the Arab population who had slowly seen their homeland occupied. The resolution failed in large part due to the vague wording of various translations, which led to disagreement, and misunderstanding between negotiators. In the English translation it specified only that Israel was obligated to withdraw from “territories” and did not clarify how many, or all of the territories that needed to be evacuated. It was also only a recommended measure and not required by the UNSC (BBC). Too, went unaddressed the situation of Jerusalem. Would the city maintain the status quo of being under international control in name but split in practice? In 1973 as another war erupted, it became clear that the UNSC Resolution 242 was unable to solve the split between the Arab world and Israel (Smith pg. 341).

The next official attempt to find a middle ground came in 1978 as the US President Jimmy Carter took significant initiative to personally negotiate a deal. The ceaseless conflict that plagued the region had begun to wear on international leaders. In 1977 the president of Egypt, Anwar al-Sadat took an unprecedented step towards peace, visiting the city of Jerusalem and addressing the Israeli Knesset, or unicameral parliament (BBC).

The arrival of the Egyptian President Sadat into Jerusalem was unprecedented and represented a shift of the peace process that would irreversibly change the balance of power between the Arab States and Israel. Both Egyptians and Palestinians were shocked to hear of Sadat’s visit but his visit to the Knesset was actualized in November of 1977. The talk was significant, demonstrating substantive action taken to deescalate the situation, which lead to countless wars and thousands of deaths on both sides of the

conflict. Since the address to the Israeli Knesset by President Sadat no conflict between the states of Israel and Egypt has amounted the deadline of those prior (Omer-Man).

President Jimmy Carter saw these growing trends and utilized the opportunity, uniting Israeli Prime Minister Meacham Begin and President Sadat in **Camp David** and encouraging them sit down and to make meaningful progress on the issue of Palestine. The first portion of the Accords drew back to the earlier conclusions made by the UNSC Resolution 242, calling for agreements to be made between neighboring states and Israel to begin to end the conflict that was becoming endemic to the region. The framework, however, like Resolution 242, lacked specific clarity in how to resolve the “Palestine Problem.” The talks, which lasted from September 5 to the 17, included bargaining from both sides in order to better their own geopolitical positions. This strategy, unfortunately, was unable to express the voices of the Palestinian’s themselves, and resulted in Israel making changes to the resolution that severely crippled it’s effectiveness. Begin took the negotiations as an opportunity to delete conclusions drawn about the fate of territories within the West Bank. Another critical point of interest is the omission of any reference to the city of Jerusalem. At this point in time the international community continued to insist that the territory within the city belonged to none, but instead Israel controlled portions, increasing settlements illegally. In return for these technical gains, Sadat gained back the land lost in the Sinai from the war of 1973 (Smith pg. 61). Egypt’s role as a negotiator on the behalf of the Palestinian people was inherently biased due to the benefits that Sadat gained through the process itself.

The effects of the Camp David framework for peace between Egypt and Israel have been long lasting. The agreement made between Sadat and Begin, while at least temporarily alienating Egypt from the Arab world, successfully deescalated tensions between the two nations (BBC). While this agreement had a host of consequences, what is important to note is that it made no significant progress in the way of successfully finding peace between the Palestinians and Israelis fighting for the right to the same homeland. Instead, it simply placed a metaphorical Band-Aid on a side affect of the root problem, only addressing the issue of Egypt’s anger over Israeli dominance rather than the issue itself.

The trend of ignoring the real issues of Palestinians and of the essential core of the problem continued in following peacemaking processes. In the Madrid Conference in 1991, the focus was again the relationships of other Arab nations to Israel rather than the problems faced by Palestinians within occupied territories, failing to address the fundamental conflicts within the region; surrounding divisions of important lands.

In the Oslo Agreements that commenced only two years later, it became clear that previous talks had not been successful. Negotiations over Jerusalem still functioned as one of the main hurdles preventing significant progress from being made. In fact, the status of large settlements around Jerusalem was “possibly the most critical final status issue.” (Smith 493) While the Oslo Agreements took steps to attempt to correct for previous mistakes, in the end it failed to find a middle ground that was acceptable for both parties. Israel wished to maintain significant settlements throughout the West Bank and Palestinians required a contiguous amount of land and water access that would not be controlled by Israeli forces. (Smith 493)

Despite the PLO (Palestinian Liberation Organization) being allowed to represent the real interests of the Palestinian people, in the Oslo accords, its representation was

conditional and tied to the Jordanian delegation which greatly hindered the effectiveness of the step towards giving Palestinians and international voice. The agreement continued to face significant hurdles, and was rejected by Palestinian organizations like Hamas and Israeli groups who wished to maintain control of occupied territories. Implementation was impossible with such radical groups fighting against all enforcement measures and the true goals of the Oslo Agreements were never reached (BBC).

It was not until the next course of Camp David accords in 2000 that the issue of Jerusalem was addressed in specific terms. The Oslo Agreement had failed to negotiate a method for the two states to deal with the refugee crisis, determine official borders, and find a way to address the situation in Jerusalem. It was known that these issues would have crippled the ability of the Oslo agreements to pass. Instead the issues were put off until the next session of negotiations. At Camp David in 2000, the Israeli Prime Minister Ehud Barak met with Yasser Arafat, the Chairman of the PLO. It cannot be understated the significance of having a Palestinian representative playing such a large role in negotiations, and while in the end, no agreement was reached, more progress was made than ever before towards addressing the real issues on the ground in Palestine and Israel. Barak was willing to give up some territories within the West Bank, and offered to allow Islamic control of specific religious sites in the Old City but continued to insist on maintaining most of East Jerusalem, and the continuation of large settlement blocs within the city. Arafat was unhappy with the arrangement proposed by Barak, wishing instead to revert to the borders before the 1967 war, willing to give Israel the Jewish Quarter of the Old City (BBC). The Intifada that quickly followed in 2000 after the failure of the Camp David negotiations represented the necessity of finding a solution to the Jerusalem Problem and for the people stuck between divisive borders.

After the deadly uprising, US President Bill Clinton continued to push important negotiations and while progress was made, no official resolutions could be reached. In Taba, Egypt in 2001 Israeli negotiators agreed that Eastern Jerusalem would be the new capital of a Palestinian state, but the negotiations did not end in the creation of that state itself (BBC). This development was furthered in 2003 with the Geneva Accord, which generated more significant compromise than ever before. Palestinian negotiators agreed on the topic of refugees that the new state would not guarantee their return, in exchange, Israeli delegates agreed to make East Jerusalem the capital so long as Israel was allowed to control the Western Wall to protect its religious importance.

The issue of Jerusalem has been divisive and has complicated the peace process to the point of being ineffective. In the status quo, the division of Jerusalem and the lack of enforcement of the international status of the city plays a key role in crippling the effectiveness of peace negotiations. The status of Arabs within the city is unsustainable. In many cases, Arab Muslims face significant persecution in the West Bank and especially Jerusalem. Mosques are vandalized and destroyed, Qur'ans are periodically burned, and many innocent Arabs were killed. In 2014, Mohammad Abu Khdeir was killed in Jerusalem by Israeli settlers, which sparked international debate over the status of Arabs within Jerusalem and Israel as a whole. In many cases they were treated like second-class citizens, punished for the most minor of transgressions, and at the whim of the Israel Defense Forces who controlled the state. The violence against Arabs and Muslims is cyclical, creating a vicious bite back of judeophobia, which, in turn results in an escalation against the oppressed Arabs (Ma'oz pg. 1).

The threat of continued oppression and conflict is immense. Moshe Ma'oz of the Hebrew University warns, "There is a concrete danger that the Israeli-Palestinian conflict will turn into a religious war." Citing continued insistence that East Jerusalem is the capital of Israel, shootings and desecration of religious sites like Haram al-Sharif, and the killing of innocents like Khdeir, Ma'oz fears that it will be all too easy for Arab-Islamic relations to soar to a point beyond repair. Continued conflict over Temple Mount is especially worrying. The annexation of East Jerusalem in 1967, which greatly empowered the state of Israel, was to most Muslims and Palestinians, a terrifying loss of sacred ground. Israel granted power over Temple Mount to a religious Jordanian official, but this was not considered a legitimate solution to most Muslims and Palestinians who wished to retain control of the third most holy city in Islam.

It's very easy to look at the violence and mistrust growing between the Israeli and Palestinian citizens and to assume that it creates an insurmountable gap between the two populations. But Gershom Gorenburg of the National Journal disagrees, explaining in 2014,

Jerusalem is fragmented, roiling, more multicultural than any other place between the Mediterranean and the Jordan. And while it is constantly described in terms of its history, its future matters more: **The stunning, unrealized, possibly wasted potential of Jerusalem is to be a bridge between two societies.**

Since the Oslo process began, the expectation of many, perhaps most, Israeli proponents of a two-state agreement has been that it would lead to separation of Israelis and Palestinians. That attitude is easy to take in what Israelis call the "center" of the country: Tel Aviv and its environs, the unofficial economic and cultural capital. Here in Jerusalem, however, that view never made sense. And when the peace process someday resumes--after this cruel summer, it seems very far away, but eventually it must begin again--I believe it will have to be based not on separation but on more openness, on more cross-fertilization, on more shared seminar rooms, concert halls, laboratories, and parks.

**His conclusion is that the answer to the Arab Israeli Conflict is not separation, but managing the control of power in order to facilitate cooperation and meaningful communication between both parties.** The differences between Palestinians and Israelis or even Muslims and Jews, he argues, are not irreconcilable.

Rather, the situation within Jerusalem is one of balancing plurality. Michal Romann and Alex Weingrod with Princeton University explain that, "taking an even broader perspective, we can... view Jerusalem as an instance of a plural society in which different ethnic groups share the same political-territorial environment or live together in mixed cities." This is nothing unique to Jerusalem itself nearly every nation and city in existence has a mix of religious and ethnic backgrounds, and oftentimes these backgrounds clash. While Jerusalem may demonstrate a severe version of this clash, it is not impossible to "live together separately," as Romann and Weingrod put it.

Much of the sectarianism within Jerusalem is, in fact, worsened by disparities caused by an imbalance of power. As Israel continues to conduct the activities of a state and provides for Israeli citizens, Arab residents often lack the same provisions. In fact, Arab exemption from the Israeli army is used as a justification for not providing the same state services to those who live within the city. Formally, Arabs are granted the same rights as Jews, but in practice they are often denied the same opportunities, stuck as

second-class citizens working in lower-wage jobs that are less socially gratifying. Arabs also have less access to resources that would help them become more politically active or economically fruitful, continuing the cycle of poverty and oppression (Romann pg. 28).

A separation of the city itself would not be effective in stopping the conflict, tensions would still arise surrounding the exact definitions of these newly drawn lines, just as they still arise surrounding the 1967 borders. Unification is the only true solution that could feasibly end the larger conflict itself. “Jerusalem,” Gorenburg explains, “is reflexively called the core of the conflict between Israelis and Palestinians. More important, [he] suggest[s], it is where a possible future can be imagined.”

Jerusalem is a city of the spirits, arms open to welcome those who make the sacred pilgrimage to visit streets painted rich with history. Jerusalem is a city of peace, a city where many great civilizations were created, where people were able to live in harmony with God and with each other. Jerusalem should stand out as a city of peace amidst a conflict bigger than itself, should represent the diversity of faith and of community. The key to reaching this peace is in bringing people together, not splitting them apart.

Unification in Jerusalem could come in three distinct molds, one shaped by Israeli control, one by Palestinian leadership, and one by the international community itself. It is the third that best addressed the unique concerns of Jerusalem, and makes the most progress towards the creation of a peaceful and pluralistic community that will be able to prosper in the long term. The first option, which would be to allow Israel to fully control the city in order to insure that consistent law and governance is applied. Due to the current expansion of settlements throughout the West Bank and the unofficial control of the city, the shift of power would be relatively easy and generate very little change, although recognition on the international level would most likely not be well received by Muslims and Christians still living in the city. The second option would be exactly the opposite, to allow full Palestinian control of Jerusalem, returning to them the land that had belonged to them before the creation of Israel. However, Chad F. Emmett, Assistant Professor of Geography at Brigham Young University details why full control from a singular state power would not be effective,

From the standpoint of the most efficient governance and the spatial integrity of the city, the best solution would be to have a united city under one rule, which at present means Israel. Having one power in control could work if all peoples accepted the fact; however, given the ties of the Christian and Muslim Palestinians to the city and the Israeli policies since 1967 of land expropriations and population displacement, it is doubtful that either the Christians or Muslim Palestinians would ever willingly accept Israeli control of the whole city. Limited autonomy through boroughs could offer some compensation for Jerusalem’s Palestinians, but it would deny their equally strong desire to control their own sections of the city. With neither group willing to relinquish control to the other, a united Jerusalem under either completely Palestinian or completely Israeli control never would know true peace.

The third, and final solution would be to unify the city of Jerusalem, without giving power to either Israelis or Palestinians, but rather to create an international city as envisioned by the Partition Plan of 1947 made by the United Nations. (Smith pg. 194) Under Ottoman Rule, the various religious sets lived together in harmony, unsuppressed by other faith communities. Under an international eye, nationalism would have no sway

over the city and coexistence would become possible again. (Emmett pg. 16) This return to a *Corporus Separatum*, or separated body that would be in charge of controlling the city itself would allow each community to police it' own, while allowing larger governmental decisions to be made by an impartial body, unswayable to nationalism.

International actors today still do not accept the borders that were established after the brutal 1967, or Six-Day War, and therefore do not accept that Israel has legitimate claim to the entirety of the city of Jerusalem. (Smith pg. 201) This border, known know as the "Green Line" has acted as a sticking point for Palestinians fighting from further infringements. The Jerusalem Institute for Peace Studies explains, "The Green Line is presented as the legitimate border of the Palestinian state and is not subject to negotiation." Jerusalem cannot belong to one side without irreversibly crippling the other, power between two critically opposed group cannot be shared in an equal manner.

Instead, the last legitimate claim to the city itself rests in international hands, impartial to the nationalism that has plagued both the Israeli and Palestinian people. What is necessary is to move back to the international borders drawn in 1947 and to enforce these borders strongly and without question. With either Palestinian or Israeli control, or a mixture of the two, sectarian violence and oppression will continue without end. The only hope of allowing Israelis and Palestinians to reach Jerusalem, to fulfill the dream expressed across billboards in Gaza and through the hearts of all those affected by the conflict, is to allow the holy city to take a step back from nationalist biases and to function as a unified body, free of violence and sectarianism.

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