



The Prospects for a Shared Jerusalem

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On April 5th, 2001, the American Committee on Jerusalem organized a panel discussion on Capitol Hill, featuring prominent Palestinian and Israeli analysts, to discuss the possibility of dividing Jerusalem equitably between the Israelis and Palestinians.¹ Here, JQF provides a synopsis of some of the main points addressed by the speakers.

Can common ground be found on sharing Jerusalem? Against a background of a six-

¹ Co-sponsors of the ACJ briefing also include the Foundation for Middle East Peace, the Middle East Institute, and the Pro-Jerusalem Society.

month intifada that first erupted in Jerusalem, four leading Palestinian and Israeli thinkers - Dr. Alon Ben-Meir, Dr. Salim Tamari, Dr. Rashid Khalidi, and Daniel Seidemann - wandered into controversial territory to explore whether Jerusalem could ever be shared.² The past year's events have crystallized what many already knew, as pointed out by Tamari and Khalidi: the Oslo process was a 10-year diversion that prevented the discussion of any substantial issues, while allowing settlement expansion and land expropriation to continue. Tamari concluded that the conflict's outstanding features - such as territorial claims and control of the holy places and settlements - are "embedded within Jerusalem." In a similar vein, Ben-Meir felt that a solution to the Jerusalem question would be a catalyst for an overall settlement of the conflict. Ultimately, all agreed that a final settlement on Jerusalem must include a solution whereby the city remains open to all with unlimited access.

While the Camp David and Taba negotiations did not tangibly realize the demands of either side, the panelists agreed that the recent discussions did breach new ground, particularly in the discussion on Jerusalem: Ehud Barak was the first Israeli prime minister to discuss a re-division of the city. In fact, Seidemann told the audience that most Israelis have accepted the concept of a

shared Jerusalem, with full Palestinian sovereignty in some areas of the city. Therefore, from the Israeli perspective, the question is no longer of whether to share Jerusalem, but "where and under what circumstances."

Whatever the final status of Jerusalem, urban demographics show that, in the future, the city will have to be shared and both sides will have to face the other's religious and cultural aspirations. "Israelis and Palestinians know that they must accommodate each other. For nearly three and half decades (1967-2000), Jerusalem has served as a microcosm for Israeli and Palestinian cooperation. Even at the peak of the Palestinian uprising known as the Intifada, this cooperation prevailed. Jerusalem must take the lead now. Within its walls, the largest concentration of Jews and Palestinians live side by side, and each population is determined to stay in place. Jerusalem is the only city that can prove the validity of Israeli-Palestinian co-existence," said Dr. Alon Ben-Meir. According to Ben-Meir, any future solution must reflect the reality of the interspersed population - nearly 400,000 Jews and 200,000 Palestinians: "East and West Jerusalem have now been fully integrated in all aspects of day-to-day life with the social integrity of the city's separate ethnic quarters in tact...Israel has created the reality of coexistence." He avoided discussing the underlying power relations between the Palestinians and Israelis, emphasizing instead the need for both sides to acknowledge the other's historical and cultural aspirations in the city.

However, Rashid Khalidi rejected the claim that Jerusalem is a unified city. In his view, claims that today's co-existence must

² Alon Ben-Meir is professor of international relations and Middle Eastern Studies at the New School for Social Research in New York; Salim Tamari is Director of the Institute of Jerusalem Studies and the editor of the Jerusalem Quarterly File; Rashid Khalidi is ACJ President and Director of the Center for International Studies at the University of Chicago; and Daniel Seidemann, of the Pro-Jerusalem Society, is a lawyer representing Palestinians whose land has been confiscated.

continue in order to reach a final settlement distorts reality. He argued that Jerusalem is in fact not a united city, but one under occupation, where one people subjugates another; Jerusalem is not a symbol of co-existence. "What we have to have is a situation where all Israelis can come to any part of Jerusalem, and all Palestinians can come to any part of Jerusalem... where people have equal rights in all parts of the city... and where [urban policies], such as zoning, are not decided on the basis of Israeli national objectives, rather than the needs and requirements of the two national communities," he concluded.

Salim Tamari also refuted the claim that Jerusalem is an open city delineating the type of discriminatory policies faced by Palestinians that would indicate that simply respecting each other's legacy in the city is not enough. He reminded the audience that while Israelis are free to move and settle anywhere within Jerusalem, Palestinians are barred from visiting or from even reclaiming their properties in West Jerusalem: "As long as one group is denied access to the other side of the city, then we have to treat the colonial presence of the city on the Arab side as a colonial or settler presence." According to Tamari, the illegal presence of 200,000 Israeli settlers in East Jerusalem was a key reason for the collapse of the discussions on Jerusalem during the Camp David talks. Whereas Ben-Meir refers to the presence of settlers in East Jerusalem as a historical right, Tamari argues that these settlers were "imported" into East Jerusalem to ensure a Jewish majority in the Palestinian areas of the city. The importing of Jewish residents is part of an overall plan by the Israeli government to reduce the proportion of

Palestinian residents in Jerusalem. The effects were felt in 1985 when, for the first time since the Israeli occupation of 1967, Israeli Jews formed the greater part of East Jerusalem's population. The tactics of the Israeli government are various and irreversible. Strict and discriminatory building codes favoring Jewish residents have forced Palestinian residents to the margins of the city or the West Bank; once they live outside of Jerusalem boundaries, the Israeli government accuses them of leaving the city and strips many of them of their residency. Tamari also discussed how damaging the Oslo process has been for the Palestinian people. Economic life, for instance, has been stunted, as continual closures imposed on Palestinian areas have severed the West Bank and Gaza from Jerusalem - their main metropolitan center and commercial marketing outlet.

Rashid Khalidi argued that the current conditions are worse than before the peace process because of increased settlement expansion and continued land expropriation during the Oslo years. According to Khalidi, although the 10-year negotiations avoided discussing the core issues - Jerusalem, refugees, borders, sovereignty, settlements, and water - the ongoing discussions focused on managing the conflict. While necessary, crisis management alone will not lead to a satisfactory settlement to both sides. He argued that any solution on Jerusalem must be based on equality and international law - a "situation that clearly has not now prevailed for the better part of a decade, as far as Palestinians are concerned" and referred to the discriminatory stripping of Palestinian rights to reside in Jerusalem. International law should also be the underpinning of a final

settlement and of any involvement of U.S. administrations in the peace process. While it must not impose a settlement, the U.S. should clearly state its position on East Jerusalem, which is illegally occupied under the terms of the Fourth Geneva Convention. "Israel does not have any legal right to build its settlements," he said. "Meanwhile, there is a constant buildup of settlements [and] constant confiscation of land. If one side is eating the pie they're supposed to be negotiating, then there is clearly a problem."

While Tamari and Khalidi unsurprisingly pointed to the status quo of the Israeli occupation as the root cause for the failure of the Oslo/Camp David framework, Ben Meir called for its formalization within the negotiations framework: "Both sides should continue to administer their holy places as they have... since Israel captured the Old City in 1967. The Palestinians have been exercising de facto sovereignty over their holy shrines and educational institutions. Israel should now formalize this arrangement by extending extraterritoriality to the Palestinians over the entire area called Haram al-Sharif - including much of the Old City where a majority of Palestinians reside. This solution...could satisfy the Muslim needs without compromising the integrity of a united city." Rashid Khalidi countered that such a plan will not lead to a satisfactory or equitable solution for the sharing of Jerusalem's holy places: "The status quo has led to killings, on three occasions in ten years of Palestinian worshippers on the Haram al-Sharif. This, to my way of thinking, is not an acceptable status quo. People were shot down in 1990, 1996, and 2000 in one of the holiest places in Islam." The status quo has led to "violence in holy places all over Palestine -

in both Jewish and Muslim holy places," he reiterated.

Interestingly, one of the main discussion points of Daniel Seidemann is that there is no status quo per se in Jerusalem, alluding to the fact that Jerusalem's current reality is one of instability and constant flux. Although the city is seen as the "detonator" of the current uprising, which is blamed on Sharon's visit to the Haram al-Sharif, the city remains quiet on the surface. Yet Seidemann urged people not to be deceived by the apparent calm: "Jerusalem...is like an atomic device. When it blows, watch out..." He believes that expectations of Palestinians in East Jerusalem are high and that they will not accept a continuation of Israeli hegemony. Seidemann issued a "dire" warning, saying the Intifada will find its way into Jerusalem, especially if the current move towards unilateralism is completed: "Unilateral withdrawal...is almost like a surgical removal between Israelis and Palestinians. Nothing will motivate the Palestinians in Jerusalem more than if they are to be sealed from their hinterland in Ramallah."

What will bring a final settlement on the issue of Jerusalem? Khalidi and Tamari reasoned that any solution would be based on parity between both sides and international law, yet felt that an agreement is beyond reach as long as the underlying root of the conflict - the occupation - is ignored. The intensification of mistrust since the Intifada's outbreak suggests the continued avoidance of the core issues. Instead of far-reaching solutions, the political echelons are busy constructing so-called 'cease fires' to manage the conflict on a day-to-day basis. Seidemann pointed to the importance of 'micro-managing' crises within Jerusalem, briefly

achieved between Israeli and Palestinian leaders in Jerusalem during Barak's term. He referred to an incident where constant communications via telephone between Faisal al-Husseini, the PLO Executive Committee member in charge of the Jerusalem portfolio, U.S. diplomats, and Israeli government representatives helped prevent an "explosion" following an attempted takeover by Israeli settlers of a Palestinian home in Silwan. Now, there is nobody within Israel's current government to

prevent such crises. "Unless there is hands-on management of these crises, we are heading for a conflagration," said Seidemann (the tragic passing of Husseini in May makes such a warning seem even more ominous.) Seidemann left the audience with the seemingly unanswerable question: "How much blood? How much time? How much suffering before we arrive at the inevitable and [we engage] in the grueling task of narrowing the gap between the impossible and the inevitable? That's what it's all about."

