

Is Jerusalem International or Palestinian? Rethinking UNGA Resolution 181

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“The City of Jerusalem shall be established as a *corpus separatum* under a special international regime and shall be administered by the United Nations [which] will protect and preserve the unique spiritual and religious interests located in the city of the three great monotheistic religions across the world.”

– UNGA Resolution 181¹

On 29 November 1947, the nascent UN General Assembly (UNGA) adopted Resolution 181. This would go down in history as the infamous partition plan that proposed carving Palestine into separate Arab and Jewish states, with the latter taking more than half (55.5 percent) of the land.² Resolution 181 would come to dominate the UN’s relationship with the Palestinian people, its significance so pronounced that the UNGA later commemorated 29 November as the International Day of Solidarity with the Palestinian People.³ As the eminent Palestinian historian Walid Khalidi has observed, partition subsequently became the paradigm around which much of the discourse on the so-called “Palestine problem” has been structured.⁴

UN Resolution 181 did not only propose partition, however. Part III of the resolution, which has received a great deal less attention than the recommendation for partition, called for Jerusalem to be detached from both the proposed Arab and

Ibrahim Dakkak Award for Outstanding Essay on Jerusalem is an annual award launched in 2017 to commemorate Ibrahim Dakkak (1929–2016), the former chairman of the Advisory Board.

the Jewish states and established as a *corpus separatum* under UN administration. In doing so, the resolution codified the older European idea that Jerusalem's intense religious significance rendered it special, unique, and distinctive from the Palestinian nation. On the basis of its spiritual importance – not least for European Christians themselves – they argued that the city should be treated as a separate entity.

This designation of Jerusalem as uniquely “international” is significant for several reasons. Most importantly, it served to cleave Jerusalem from the rest of Palestine, and thus divided and weakened the Palestinian nation in both substance and concept. In doing so, Resolution 181 provided the basis for a long-term trend to “de-Palestinianize” Jerusalem – a cornerstone of Israeli policy particularly after 1967. Moreover, the resolution signified an ongoing tendency for outside forces – chiefly the Western European powers and the United States, often via the UN – to determine the fate of Palestine. As such, the resolution is a microcosm of broader international policy toward Jerusalem, Palestine and the Palestinians.

This essay situates Resolution 181's plan for Jerusalem in a broader historical context. It examines the Western conception of Jerusalem as an “international” city, and assesses how resulting European policy proposals ultimately led to the UN plan in 1947. The final section explores the persistence of internationalist ideas about Jerusalem in the late twentieth and early twenty-first centuries, despite their non-implementation. It is argued here that Resolution 181 has been wrongly reduced to the partition plan, which – although crucial – did not constitute the resolution in its entirety. The plan to internationalize Jerusalem had its own significance in how it chimed with older European ideas and became a blueprint for future peace proposals. Finally, this essay demonstrates that international policy toward Jerusalem has functioned as a microcosm of wider strategies that undermine and delegitimize Palestinian national claims and political rights. It is therefore essential that these internationalist conceptions of Jerusalem are considered when assessing long-term global policies toward the city.

Early European Plans for Jerusalem

Jerusalem has long been perceived as more than a mere city. Its historical significance across the Abrahamic faiths, combined with its preponderance of holy sites, churches, mosques and synagogues, have made it a by-word for transcendental sanctity and religiosity. Historically, some have made use of this understanding to argue that Jerusalem cannot be contained within a nation-state or limited to the rule of a national government, but should belong to everyone. As a result, the early twentieth century saw repeated suggestions from the Western powers that the city should be administered “internationally.” In practice, this was often a cover for advancing claims on it.

Such ideas were not merely abstract, but had a concrete impact on policy-making. The British and French foreign ministers were the first to codify such a plan as part of their infamous secret deal in 1916 to divide the collapsing Ottoman Empire between the European powers. The resulting Sykes-Picot agreement stated that while Britain was

to take Baghdad and France would have Damascus, the Ottoman *sanjak* of Jerusalem (encompassing most of southern and central Palestine) would have a special international status.⁵ In reality, this was an unhappy compromise stemming from François Georges-Picot's refusal to allow Britain to claim the *sanjak*. Indeed, Mark Sykes's unhappiness with the outcome was signified by the fact that he signed his name in pencil.⁶ However, the agreement was ostensibly explained by Jerusalem's religious significance, which would repeatedly be cited in future decades to justify treating it as separate and "special."⁷ Sykes-Picot was the first in a long list of such policy plans for the city.

In reality, of course, Picot was unsuccessful in preventing Britain from claiming the Jerusalem *sanjak*. Toward the end of the First World War, Britain occupied not only the latter but also northern Palestine. Neither the city nor the *sanjak* was given a special international status; instead, the Sykes-Picot agreement became the first such plan to be overtaken by events on the ground. However, there remained an internationalist tilt to proceedings. The British government in Palestine drew its legitimacy from the fledgling League of Nations, which in 1922 formally granted it a Mandate to govern the country.⁸ The nature of the Mandate meant that the British regime was ultimately answerable to an international body, to which it submitted annual reports. In theory at least, Palestine was thus internationalized.⁹

Yet, crucially, the British Mandate saw Jerusalem administratively unified with the whole of Palestine. It of course retained a special significance in spiritual and religious terms, but far from being a separate entity, it was the capital of Mandatory Palestine. Its centrality was reflected in the actions of the Palestinian nationalist and Zionist movements at this time. The first Palestine Arab Congress was held in Jerusalem in 1919; it subsequently met again in the city in 1921 and 1928. Meanwhile the Jewish Agency chose to house its headquarters in Jerusalem, on land purchased in the same year that the British Mandate was formalized.¹⁰ The importance of the city hinged precisely on the understanding that, far from being separate, it lay at the heart of Palestine.

Enter the UN, 1945–1950

Ideas about internationalizing Jerusalem had not died, however. On the contrary, such plans would reach their zenith in the aftermath of the Second World War. By this time, the League of Nations had collapsed and the British regime in Palestine faced the effects of the Zionist insurrection and the rising clashes between nationalist movements on the ground. In February 1947, the British government formally handed over responsibility for resolving the so-called "Palestine problem" to the league's newly created successor, the United Nations. In doing so, it explicitly invoked the theoretically international status that Palestine held as a Mandated territory. The UN responded by creating the Special Committee on Palestine (UNSCOP) to investigate events on the grounds and devise a solution.¹¹ In line with its mandate, UNSCOP launched a fact-finding mission in Palestine.

The respective reactions of the Zionist and Palestinian nationalist organizations to UNSCOP's mission spoke volumes about their differing perceptions of internationalism

and their places in it. The Zionist organizations, which already had extensive international connections, saw an opportunity to promote their cause and gain representation at the UN.¹² This was a key consideration for many in the movement; Chaim Weizmann, two-time president of the World Zionist Organization, had previously criticized a plan for regional autonomy precisely on the grounds that it would not give the Jewish people international representation at the UN.¹³ Accordingly, the Jewish Agency and Jewish National Council cooperated with UNSCOP, and even the extremist Irgun Zvai Leumi (National Zionist Organisation or IZL) submitted a formal report.¹⁴ By contrast, the Arab Higher Committee for Palestine refused to cooperate with the mission, seeing its purpose as illegitimate and sensing that international intervention in Palestine would only disadvantage them. It consequently called on Palestinians to strike and boycott UNSCOP.¹⁵

When it came to Jerusalem, UNSCOP consulted a range of figures, many of whom were not themselves Palestinian. The Churches of England and Scotland, concerned about their fate in Jerusalem once the British Mandate ended, submitted a joint report.¹⁶ This featured an explicitly international vision of the city, framing the relevant issues as global concerns affecting 700 million Christians worldwide. Prior to this, the Anglican bishop in Jerusalem had written to the archbishop of Canterbury expressing concern that the Christian interest there may be lost, and suggesting that “the Christian case would be better and more effectively put by Christian Heads outside of Palestine rather than by those within it.”¹⁷ The archbishop replied in the affirmative.¹⁸ Their correspondence signaled another form of internationalist ideas that diminished the Palestinian character of Jerusalem and suggested that the city could be best protected by outsiders – itself a common colonial trope.

UNSCOP’s recommendation, issued in September 1947, became the basis for Resolution 181 and was the first of many moves by the nascent UN to promote the internationalization of Jerusalem.¹⁹ In keeping with UNSCOP’s findings, Resolution 181 proposed the partition of Palestine and the establishment of Jerusalem as a *corpus separatum* under a special international regime, to be administered by a UN trusteeship council.²⁰ In doing so, it essentially resurrected the plan originally put forward by Britain and France thirty years earlier in the Sykes-Picot agreement.

Like that agreement, Resolution 181 was quickly overtaken by events on the ground. Despite this, the idea of internationalizing Jerusalem appeared to have taken hold at the UN. A year after the partition plan, the UNGA adopted Resolution 194. While most famous for endorsing the Palestinian refugees’ right to return to their homes, it also called for Jerusalem to be demilitarized and placed under UN control.²¹ The following year, UNGA Resolution 303 reiterated calls for Jerusalem to be put under a permanent international regime.²² The Arab states voted in favor of this; Israel, which was admitted to the UN as a full member state in May 1949, opposed and disregarded it.²³ The Palestine Liberation Organization (PLO) would later accuse Israel of hypocrisy over this, in view of its frequent citation of Resolution 181 as a source of international legitimacy.²⁴

Despite the apparent popularity of the internationalist plan for Jerusalem at the UN at this time, it bore little connection to reality. After 1948, Jerusalem was not governed internationally, but was formally divided for 19 years. The city’s division between Israeli

and Jordanian control provided a clear example of how Palestinian claims to Jerusalem had been undermined and disregarded. It continued to be a key site for the activities of the Zionist and Palestinian nationalist movements, but Palestinian agency in the city was limited. Israel declared West Jerusalem its capital in January 1950. Meanwhile the Palestinians held their inaugural national council in the east of the city 14 years later – with the Jordanian regime controlling who could attend.²⁵

While these events might be used to argue that Resolution 181 was ultimately unimportant, its plan to internationalize Jerusalem laid important foundations for future developments. Part III, which was reinforced in subsequent Resolutions 194 and 303, embedded a precedent – whether intentionally or not – for distinguishing Jerusalem from the rest of Palestine and thus undermining the claims and interests of its indigenous residents. The potency of this idea facilitated the discursive detachment of Jerusalem from the Palestinian nation; the UN’s weakness in actually implementing it meant that the city would ultimately fall to whichever party was powerful enough to take it.

From Internationalization to Israelization

The significance of Resolution 181 is further demonstrated by the continuing recurrence of internationalist plans for Jerusalem in the second half of the twentieth century. While such plans lay dormant for some decades after 1948, they did not disappear. In fact, the “reunification” of Jerusalem under Israeli occupation in 1967 led to renewed discussion about the city’s status and future. In 1968, Pope Paul VI informed the commissioner-general of the UN Relief and Works Agency for Palestine Refugees (UNRWA) that he favored the internationalization of the city’s holy sites under a neutral system supervised by the UN.²⁶ Two years later, the Middle East Institute think tank in Washington, DC, published a proposal for an international commission to represent global religious and other interests in Jerusalem.²⁷ Neither had any effect on the ground – which is not surprising, given the events that had overtaken Jerusalem from 1967 – but both proposals indicated the continuing presence of the internationalist presentation of Jerusalem in discourse.

As the city was conquered and unified under the Israeli flag in 1967, thousands of Palestinian Jerusalemites found themselves living under an Israeli regime. Much as the UN had distinguished Jerusalem from the rest of Palestine in the 1940s by declaring it “international,” now Israel worked to detach it by applying different policies to the holy city and the rest of the West Bank. On 27 June 1967, less than three weeks after its victory, the Israeli government proclaimed new municipal boundaries for Jerusalem, annexing the east. Thereafter, it repeatedly and explicitly declared the city to be its unified capital. By contrast, Israel did not annex the West Bank but rather kept it in a prolonged state of occupation.

As a result of this dual system, Palestinian Jerusalemites were categorized differently than their counterparts elsewhere in the West Bank, and had a distinctive legal status. Such an approach exemplified the divide-and-rule strategy that often served to undermine

Palestinian national unity. However, the Palestinian people themselves virulently rejected this separation. On the ground, Palestinian activism in Jerusalem maintained its connections to boycotts, protests, and demonstrations across the West Bank and even Gaza.²⁸

Moreover, after 1967, Jerusalem became even more central to Palestinian nationalist rhetoric. As the PLO relocated its headquarters to Jordan, Jerusalem seemed both literally and figuratively further away than ever, and a new generation of Palestinian activists were anxious to reverse this.²⁹ In the immediate aftermath of the war, the Union of Arab Students called on members to strike “in the name of Jerusalem, which has been deprived of its Arabic name.”³⁰ Two years later, Israeli inspectors found slogans at UNRWA schools in Ramallah that pledged allegiance to “our holy Jerusalem” [*ladayna al-Quds al-muqaddasa*], and proclaimed “Jerusalem is Arab and will remain Arab” [*al-Quds ‘Arabiyya wa satabqa ‘Arabiyya*].³¹ Nor did the potency of this rallying cry desist over time; on the contrary, Palestinian calls for statehood continued to emphasize the demand for the return of Jerusalem as their capital, not least in statements to the international community at the UN.³²

The UN itself also condemned Israel’s post-1967 policies in Jerusalem. UN Security Council Resolution 242, adopted five months after the war, called on Israel to withdraw from the newly occupied territories.³³ This resolution was widely interpreted to include East Jerusalem, although Israel refuted this.³⁴ Both the general assembly and the security council subsequently issued further resolutions that condemned the Israeli annexation of Jerusalem and its attempts to create new facts on the ground, albeit with no effect.³⁵

In practical terms, after 1967, UN agencies continued to treat East Jerusalem as part of the West Bank. UNRWA demonstrated this most clearly by opting to manage its West Bank operations from its East Jerusalem field office.³⁶ Despite having to cooperate with the Israeli government to carry out its work in the occupied territories, as a UN body, UNRWA refused to formally recognize the occupation as legitimate, in keeping with Resolution 242.³⁷ Yet at the same time, the UN appeared to have abandoned any pursuit of earlier resolutions calling to internationalize Jerusalem. Resolutions after 1967 did not repeat earlier calls for UN trusteeship over the city. Indeed, the UN’s actions suggested a *de facto* acceptance that its proposed internationalization of Jerusalem had been overtaken by events.

The differences between Israeli and UN policy on Jerusalem are self-evident and numerous. Unlike the UN, the Israeli government did not seek to give Jerusalem a completely unique status, but rather to absorb it into Israel as a definitively Jewish city. Accordingly, its policies in Jerusalem after 1967 involved building Jewish settlements and taking measures to deter Palestinian residency. Yet despite their distinctiveness from earlier UN plans, such moves were aligned with internationalist notions of Jerusalem in two important ways. First, Israeli attempts to “de-Palestinianize” Jerusalem were facilitated by an earlier discourse that had detached the city from the Palestinian nation in the global consciousness, treating it as distinctive and “different.” Second, Israel arguably promoted its own internationalist vision of Jerusalem by proclaiming it as the capital of a state that exists for Jews around the world. In this sense, the Israeli representation of Jerusalem after 1967 demonstrated the different possible meanings of “internationalization” and the various ways in which it has been applied to the city in practice.

The Revival of Internationalization since 1987

In more recent decades, the question of Jerusalem's status and future has remained highly contentious. It is one of the so-called "intractable issues" that were deliberately deferred from the Oslo accords for this supposed reason. At the same time, Israel's "Judaicization" policies have continued apace across the city – as recently as June 2016, the Netanyahu government announced plans to build more than 1,000 new housing units in three settlements across Jerusalem.³⁸

The apparent impossibility of a conventional resolution has spurred a partial revival of the old "internationalist" plan for the city, with various parties exploring such options. In 2000, Michel Sabbah, then the Roman Catholic patriarch and himself a Palestinian from Nazareth, suggested that Jerusalem should become a divine city-state, with sovereignty stripped from any nation and instead entrusted to God. Ehud Olmert, the Israeli mayor of Jerusalem at the time, backed the plan.³⁹ While some commentators were amused by the so-called "God option," it was far from new. King Husayn had previously suggested a similar scheme, as of course had Pope Paul VI in 1968.⁴⁰ While these plans are distinct from what the UNGA had originally suggested in 1947, they retained an internationalist element in their proposed reliance on international religious cooperation for their implementation.

A more conventional internationalist plan came from the Indonesian president Abdurrahman Wahid in 2000. Wahid proposed that Jerusalem's sovereignty should be granted to the UN and six countries, including both Israel and Palestine.⁴¹ As head of the world's most populous Muslim-majority country, President Wahid had an obvious interest in Jerusalem's fate. The interventions by both Wahid and Sabbah indicate the wide-reaching global repercussions of Jerusalem's sanctity within the Abrahamic tradition.

In 2002, Yasir Arafat proposed an entirely new plan for Jerusalem that was markedly different from any that had come before. Writing in the *New York Times*, he advocated that the city be shared between Israel and Palestine, as joint capital of both states.⁴² This marked the first time that any kind of supra-national plan for Jerusalem had been put forward by either Palestinian or Israeli representatives. Unlike UNGA Resolution 181, Arafat's plan did not propose removing the city from national status, and did not favor external trusteeship. It instead constituted an attempt to present an internationally acceptable plan for Jerusalem that would still allow it to function as a Palestinian capital. As such, it was arguably positioned at the intersection between national and international.

In many ways, the story of UNGA Resolution 181 encapsulates the weaknesses of the UN, particularly regarding Palestine. The resolution marked an attempt by the supranational organization to forge a workable compromise while operating within significantly restrictive limits. In practice, it had little impact and was quickly overtaken by events on the ground – as would be the case for so many international plans for Jerusalem and Palestine. The UN, lacking effective mechanisms to enforce its will, was reduced to

repeating itself through further resolutions and making symbolic gestures. The relevant parties selectively invoked the resolution when useful, and otherwise disregarded it.

As far as Resolution 181 did bear influence, it was overwhelmingly a negative one for the Palestinians when it came to Jerusalem – and indeed, the rest of the country. The city was never internationalized, but the repeated calls for this measure perpetuated its detachment from the Palestinian nation in the international discourse. It was repeatedly argued that Jerusalem transcended nationality, and implied that it could not be considered truly Palestinian. The argument followed that to protect the city’s status, “international” parties should act as guardians of the holy city – a contemporary twist on the bishop’s suggestion in 1947 that non-Palestinians would be better placed to protect its interests.

It is in this sense that Resolution 181 reflects a wider reality for both Jerusalem and Palestine. Internationalization has often been a cover for the colonization and neo-colonization of Palestine. At the time of the Nakba and immediately afterward, the UN was made up of and dominated by the Western powers, not least the recent colonizers Britain and France.⁴³ As such, it often served to implement Western neo-colonial interests in the aftermath of their formal withdrawal from imperial territories. Under the cover of acting “internationally,” the UN could sanction neo-colonial attacks on Palestinian political rights. Resolution 181 gave 45.5 percent of the land to 69 percent of the population;⁴⁴ Resolutions 194 and 242 did not speak of a “Palestinian people” but rather referred to “the refugee problem” in generic terms.⁴⁵

The same can be said for the proposal to internationalize Jerusalem, which in rhetorical terms detached the Palestinian capital city from the rest of the nation and facilitated suggestions that the people could not be left to administer such a holy place themselves. Plans for international trusteeship, first mooted in Resolution 181, unwittingly invoked earlier colonial ideas about indigenous peoples being unable to protect their natural resources, and needing “help” from outsiders to do so. This, of course, had been the premise of the British Mandate for Palestine itself.

The later twentieth century saw repeated moves by the PLO to turn these internationalization schemes on their head, invoking the same concepts and ideas to demand the realization of Palestinian political rights. In 1974, Arafat formally addressed the UN general assembly and argued that its repeated endorsement of Palestinian self-determination needed to be realized in practice rather than merely stated rhetorically.⁴⁶ More recently, Mahmud Abbas reminded the UN general assembly that “the question of Palestine is intricately linked with the United Nations,” going on to cite numerous relevant resolutions.⁴⁷ He sought UN recognition of Palestinian statehood explicitly on the grounds of Resolution 181, pointing out that the promised Palestinian state has yet to be either realized or recognized.

As Abbas observed, the UN has been part of Palestine’s fate since its creation in 1945. If the earlier role of the League of Nations via the British Mandate is also considered, it could be argued that international institutions have played a role in determining events in Palestine for almost a century, often as a cover for colonial and neo-colonial plans.⁴⁸ In such a context, UNGA Resolution 181 holds an important place, despite its failure to come to fruition in practice. As has been shown here, its importance transcends the

partition plan. Its attached proposal to internationalize Jerusalem was symptomatic of longer-term outside intervention in Palestine, and indicative of the extent to which such policies can be bracketed with other imperial schemes around the world. By suggesting that an international system would “protect and preserve” the holy city, Resolution 181 undermined Palestinian national claims to Jerusalem and, accordingly, contributed to the erosion of the people’s political rights. The significance of Part III must thus be considered when assessing Resolution 181, which is most accurately understood as a move not only to divide Palestine in two but also to detach and transmute its most sacred and central city.

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**WINNER OF THE 2017 IBRAHIM DAKKAK AWARD
FOR OUTSTANDING ESSAY ON JERUSALEM**

Protection from Below:

On Waqf between Theft and Morality

Noura Alkhalili

I first learned about the “popular appropriation” of the *waqf* land of Shaykh Lulu in 2013, over coffee with Umm Muhammad in her pleasant family house that overlooks the separation wall and Pisgat Ze’ev settlement. In the valley below the settlement, behind the shadows of the wall, between Shu‘fat refugee camp and ‘Anata village, lies the neighborhood of *waqf* al-Shaykh Lulu. Umm Muhammad told me:

During the first intifada, my husband gave land to the Arabs to prevent Jewish settlers from confiscating it and to maintain a Palestinian presence on it. The land had pine trees; he and others brought bulldozers and uprooted them. We are more entitled to the land than the settlers! We protected this *waqf* land and encouraged each other to do so – after all, we did something, we used the land after it was abandoned – *matruka*.¹

This neighborhood – constructed on a *waqf* property – was the first expansion of the Shu‘fat camp beyond the official UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East) boundaries. This expansion started toward the end of the first intifada in the early 1990s and is now home to almost 100 households, the majority refugees who moved from Shu‘fat refugee camp.

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