Review of International Studies (1997), 23, 117–142

Securing the peace of Jerusalem: on the politics of unifying and dividing*

CECILIA ALBIN

For a long time the intractable nature of the Jerusalem problem ensured that it was persistently swept under the rug in Middle East peace negotiations. Indeed, the widespread belief has been that the dispute over the city's future political status cannot be settled until most other issues in the Israeli–Arab conflict have been resolved. Under the terms of the Oslo Declaration of Principles signed in September 1993, Israel and the Palestine Liberation Organization (PLO) agreed to settle the thorny issue of Jerusalem in the final stage of permanent status negotiations.[1]

The final status talks commenced officially as scheduled in early May 1996, two years after the start of Palestinian self-rule in Jericho and the Gaza Strip. Launched when Israel was still governed by Shimon Peres of the Labour Party, they have already been much interrupted and delayed. More particularly, the suicide bombings in Israel in February and March 1996 brought the peace process to an immediate halt. They also undermined the chances of Prime Minister Peres, a key architect of the Oslo Accords, of surviving in the national elections that followed. The subsequent installation of a right-wing Israeli government under Benjamin Netanyahu, a critic of the Accords, worsened the political climate for negotiation and reconciliation even further. His government's decision in September 1996 to open a second entrance to an underground tunnel running alongside the Temple Mount, or Haram al-Sharif area, sacred to both Muslims and Jews, then sparked off the worst Israeli–Palestinian confrontations since the 1967 Israeli–Arab War.

The violence triggered by the tunnel incident finally brought the entire peace process to the brink of collapse. At present it is far from certain whether serious

* References to individuals in the notes indicate the positions and affiliations they had at the time of giving the interview or making the statement in question.

[1] The Oslo Declaration of Principles, based on the secret Israel–PLO talks in Norway, established a staged approach and a timetable for reaching a permanent settlement. First, the interim negotiations would result in Israeli military withdrawal from Jericho and the Gaza Strip, the transfer of power to a nominated Palestinian National Authority, and the beginning of a five-year transitional period of Palestinian self-government under this Authority. Secondly, the Palestinians would elect a Council and achieve early 'empowerment' (self-government) in five spheres in the rest of the West Bank. Thirdly, the permanent status negotiations—to cover Jerusalem, Jewish settlements, refugees, security arrangements and borders, among other issues—would commence by the start of the third year of the interim period, and the resulting final settlement would take effect at the end of the interim phase. The negotiations leading to the signing of the Gaza–Jericho Agreement in May 1994 achieved the first objective. The signing of the Israel–Palestinian Interim Agreement (also termed Oslo II and the Taba Agreement) in September 1995 set the stage for a partial implementation of the second goal: Palestinians gained full control over six main West Bank towns and administrative responsibility for almost the entire Palestinian West Bank population. A Palestinian Council was elected in January 1996.

negotiations over the final status issues will indeed take place, let alone succeed. Nevertheless, the future of Jerusalem still remains scheduled to be determined at the negotiating table. The long history of failed efforts to settle its status, by negotiation as well as force, suggests that the resolution of this question poses the greatest challenge. The multiple significance of the city to two peoples and three world religions places it at the heart of the conflict between Israel, the Palestinians and the Arab world. It is central to any durable, comprehensive peace in the Middle East. Indeed, continued avoidance of substantial discussions on Jerusalem or failure to reach an agreement is likely to endanger both what has been achieved and what remains to be achieved in the peace process.

A serious role for negotiation?

Will the 'peace' of Jerusalem be enforced by the politics of domination, or will it rather be agreed through a process of negotiation and reconciliation? The extent to which the Oslo Accords will lead to meaningful deliberations over Jerusalem remains questionable. Many factors will bear on how the issue is settled, and it is difficult to predict which will eventually prove decisive. Since the conclusion of the Oslo Accords, the Israeli Government has (under Prime Ministers Rabin, Peres and most recently Netanyahu) continued or stepped up the policy of establishing a strategic presence on the ground through land confiscations and Jewish settlement. It has thus sought to undermine the Palestinian claim to a capital in the Arab sector, and to pre-empt future negotiations on divided rule over the city. It has made clear that Israel plans to stand by its traditional position that the city is the exclusive capital of the Jewish state: What will be discussed are solely 'matters pertaining to united Jerusalem under Israeli sovereignty'.[2] As reflected in the 1994 Israel–Jordan peace treaty, the Israeli Government has aimed to reduce the problem to a religious one involving Christian–Jewish–Muslim relations and the management of the holy sites. According to this view the permanent status negotiations will consider a religious solution for Jerusalem, with the participation of both the Palestinians and representatives of 'all the other religions'.[3] It is noteworthy that before signing the Oslo Accords in Washington, Shimon Peres, then Foreign Minister, stressed Israel's recognition of Jerusalem's *religious* significance to other groups and its continued commitment to secure freedom of access to and worship at the holy sites for all faiths.[4] In addition, Israel has increasingly come to equate the concept of the non-negotiable city with a 'Greater Jerusalem'. While defined vaguely or differently on separate occasions, this certainly extends far beyond the current municipal boundaries to include additional land in the West Bank.

[2] Interview with Israeli Prime Minister Yitzhak Rabin, Israel Radio, 9 June 1994. Rabin made similar remarks on Israeli TV (Channel 2) on 1 August 1994. A resolution of the Israeli Cabinet Secretariat of 28 May 1995 affirmed its intention to 'act to strengthen the status of united Jerusalem as the exclusive capital of Israel' and to 'fight any attempt to impair this status'.

[3] Press briefing by Israeli Deputy Foreign Minister Yossi Beilin, on the establishment of diplomatic relations between Israel and the Holy See, Jerusalem, 15 June 1994. See also 'Israelis Push Holy Formula for Jerusalem', *The Times*, 15 July 1994; and 'Treaty of Peace between The State of Israel and The Hashemite Kingdom of Jordan, 26 October 1994' (Israeli Ministry of Foreign Affairs, Jerusalem, 1994).

[4] Remarks by Foreign Minister Shimon Peres before the Knesset, 9 Sept. 1993.

Several events have drawn worldwide attention to the contrast between the prerequisites of the peace process and Israeli attempts to change the status of the city beyond recall. In April 1995, for example, the Israeli Government decided to confiscate about 130 acres of Arab land in East Jerusalem. The decision was suspended at the last minute. Yet the US veto of a UN Security Council Resolution designed to condemn it underlined the declining readiness of a key player—the only one capable of offsetting the asymmetrical bargaining situation and inducing Israel into serious negotiations—to act as a balanced peace broker in the Middle East. In September 1996, the opening of the new tunnel entrance on the Via Dolorosa in the Muslim quarter of the Old City assumed great symbolic significance as yet another unilateral move by Israel to assert its sovereign control even in the politically and religiously most sensitive part of Jerusalem. The resulting outbreak of violence in the West Bank, Gaza and Jerusalem ventilated deep-seated Palestinian frustrations with the lack of progress in the Oslo peace process on this and other issues, especially since Likud leader Netanyahu took office in June 1996.

Other factors suggest that Jerusalem's political status must be settled by negotiation, although Israel's views and changes on the ground will be influential. A considerable gap remains between its official claims to the city and the reality in a number of respects. Israel's repeated declarations and assertions to the contrary have not bridged this gap. Nor have they softened the views of most Palestinians about a minimally acceptable solution, which precludes exclusive Jewish rule. Any observant visitor to the city will have noticed how deeply divided it is and that Israel's *de facto* sovereignty over East Jerusalem is incomplete. Under international law Israel's annexation of that sector, and the measures undertaken to change its physical and demographic character, are illegitimate. Most countries still reject 'united Jerusalem' as the Israeli capital, and the continued land confiscations and settlements in the Eastern part as a violation of the spirit and objectives of the Oslo Accords. The speculation that the US Embassy in Tel Aviv may relocate to Jerusalem on the recommendation of a bill introduced in the US Congress in late spring 1995 has not (yet) materialized. In fact, such an act of implicit recognition of united Jerusalem as Israel's capital, capable of breaking the international consensus on the issue, would reverse three decades of official US policy.

At present there is indeed every indication that Jerusalem's political status remains open to negotiation. Ironically, this is to a large degree the outcome of thirty years of Israeli policies and declarations which have aimed to cement the unity of the entire city under exclusive Jewish rule, and to win at least tacit international recognition of Jerusalem as Israel's capital. Since 1967 these goals have been identified as among Israel's core 'national interests', and every government, both Likud-led and Labour-led, has pursued essentially the same policies to achieve them. There is no doubt that the cumulative effect of these policies gives Israel leverage on the Jerusalem issue in the Middle East peace process. However, the research literature and current debates do not fully recognize the ways in which these policies have also failed to reach some of their most crucial objectives.[5]

[5] The limited literature on Israeli policies in Jerusalem includes U. Benziman, *Jerusalem: A City without Walls* (Jerusalem and Tel Aviv, 1974), and 'Israeli Policy in Jerusalem after Reunification', in J. Kramer (ed.), *Jerusalem: Problems and Prospects* (New York, 1980); M. Benvenisti, *Jerusalem: The Torn City* (Minneapolis, 1976); I. Kimhi and B. Hyman, 'Demographic and Economic Developments in Jerusalem since 1967', in Kramer (ed.), *Jerusalem: Problems*; and M. Amirav, 'Administrative

The reasons for the failure of Israeli policies in several areas are complex. Among them are the attempt to impose Israel's national geostrategic interests, resulting from the larger conflict with the Palestinians and the Arab world and reinforced by powerful symbolism and ideology, on urban policy planning in Jerusalem; conflicts between the perceived needs and goals of the government and those of the city municipality; inherent contradictions and shortcomings in the reasoning behind and the implementation of some of the policies (partly as a result of the first factor); and flawed assumptions and misjudgments, notably about the strength of Palestinian attachments to Jerusalem.

An accurate assessment of the current situation requires an appreciation of the nature of Israeli policies in the city since 1967. It is essential to reconsider and reformulate these policies in view of their contradictory and mixed results to date, not only for the success of the Middle East peace process but also for Israel's own interests.

Historical overview: failing to resolve the question, 'Whose Jerusalem?'

Poems and sacred scripts associate Jerusalem (*Yerushalayim* in Hebrew, *Al-Quds* in Arabic) and rule over the city with peace, justice and 'wholeness'. Jews, Christians, and Muslims alike refer to Jerusalem as the City of Peace, and the Bible speaks of its future ruler as one who will govern in the name of peace and justice. Yet historically, the fate of Jerusalem has always been determined by force. What has determined its political history is not negotiation, compromise or agreement but competition and the predominance of power—military, political, and demographic.

Indeed, Jerusalem has known more wars and been subject to more conquests than any other city in the world. Canaanites, Jebusites, Jews, Babylonians, Assyrians, Persians, Romans, Byzantines, Arabs, Crusaders and Mamelukes all captured and sought to retain rule over Jerusalem. During the twentieth century alone the city has been ruled by the Ottomans, the Jordanians and the Israelis, and administered by the British. None of these parties became entitled to any part of it under international law, according to which the acquisition of territory by the use of force (defensive or offensive) is illegitimate.[6] None of them won international recognition of their claims to sovereignty over Jerusalem, with the exception of the Israeli claim to the Western sector. The question of sovereignty has thus persisted, and it remains the single most difficult and contentious element of the Jerusalem problem. It is complicated by conflicting historical accounts and memories, and by conflicting historical, religious and legal claims. Judgments of or rulings on these alone are unlikely to settle the question, 'Whose Jerusalem?'. Yet they are crucial to under-

Aspects of the Reunification of Jerusalem' (MA thesis, New York University, 1973). One authoritative work concludes that 'Jerusalem has no cage that can keep it secure as Israel's united capital . . . As Israelis and Palestinians move toward peace, Jerusalem is being prepared as a battlefield for war'. R. Friedland and R. Hecht, *To Rule Jerusalem* (Cambridge, 1996), pp. 467, 489.

[6] J. Quigley, 'Jerusalem in International Law' (paper presented at a conference on 'The Current Status of Jerusalem and the Future of the Peace Process', organized by the International Campaign for Jerusalem, London, 15–16 June 1995), provides a succinct analysis of the legal validity of various claims to sovereignty in Jerusalem. Among the works on an international legal solution to the Jerusalem issue is Henry Cattan, *Jerusalem* (New York, 1981).

standing the current grievances and positions involved. Four major periods in Jerusalem's history from 1920 to the present illuminate the background to the present situation.[7]

A peripheral city in the Ottoman period (1516–1917), Jerusalem served as the capital of the British Mandate regime in Palestine from 1920 to 1947. Several developments in this period conspired to render the city a focal point of the emerging Jewish–Arab conflict, and a pressing international problem. Jewish immigration to Palestine and particularly to Jerusalem had grown rapidly at the end of the nineteenth century, and continued to increase in response to first Russian and then Nazi persecutions. In 1922 about 11 per cent of Palestine's population and 54 per cent of Jerusalem's population were Jewish; by 1946 these figures had jumped to about 31 per cent and 60 per cent respectively.[8] Jewish nationalism led to the development of organized political action (Zionism), and at the same time a distinct leadership emerged within Arab nationalism. The contradictory British promises made to Jews, Arabs and the French during World War I, and the subsequent treatment of Jewish and Arab national aspirations at the Paris Peace Conference, ensured that the two national movements came into conflict over the same specific territory. The earliest proposals for resolving the dispute over Jerusalem, put forward by the British, originate in this period. In November 1947 the United Nations, having assumed responsibility for the problem, ruled that Palestine be partitioned and Jerusalem internationalized. Arab rejection of these plans, and the first Arab–Israeli war of 1948–9 which followed the proclamation of the new state of Israel, ensured that they remained a dead letter. Instead the Holy City became the grand prize in a continuous demographic and political 'war' fought by both sides, and the focus of another Arab–Israeli war in 1967.

Despite its history of violent changes in government, Jerusalem remained undivided until the first Arab–Israeli war. The period 1948–67 is thus unprecedented in terms of the city's division between Israeli and Jordanian rule, and its physical partition by concrete walls, barbed wire and minefields. During this time Jerusalem developed into two cities with almost no contact, into two distinct worlds linked to different political systems, cultures, economies and municipal administrations. Before 1948, West Jerusalem housed both Arab and Jewish quarters, but when it fell under Israeli control the Palestinian residents either were evicted or fled to the Eastern part.[9] Similarly, after the Hashemites gained control over East Jerusalem it became virtually all Arab, apart from the Jewish Mount Scopus enclave. In 1950 the Israeli Knesset declared (Jewish West) Jerusalem 'once again' the capital of Israel, and King Abdullah annexed East Jerusalem and the West Bank. These acts formalized the divided rule over the city.

Although the ownership issue remained unresolved from an international legal viewpoint, it was little debated in this period, because both Israel and Jordan were relatively satisfied with the *de facto* division of sovereignty. The disputed matter was instead access to the holy sites in East Jerusalem. The 1949 Israeli–Jordanian

[7] Detailed accounts of the history of Jerusalem can be found in K. J. Asali (ed.), *Jerusalem in History* (London, 1989); F. E. Peters, *Jerusalem* (Princeton, 1985); K. Armstrong, *A History of Jerusalem: One City, Three Faiths* (London, 1996); and M. Gilbert, *Jerusalem in the 20th Century* (London, 1996).

[8] U. O. Schmelz, *Modern Jerusalem's Demographic Evolution* (Jerusalem, 1987).

[9] See further Quigley, 'Jerusalem in International Law'.

Armistice Agreement had called for free access for Jews to their holy sites and to the Mount Scopus enclave in the Eastern part, but this provision was ignored with few exceptions (which included clergymen, diplomats and non-Jewish tourists). The Jordanians neglected the development of Arab Jerusalem in favour of Amman, and desecrated or destroyed many holy sites, Jewish in particular.[10] Sniper attacks and shootings killed and wounded inhabitants of West and East Jerusalem alike.

This situation, which prevailed until the 1967 Israeli occupation of East Jerusalem, had a significant impact upon subsequent thinking about the city's future. In due course the international community came to recognize West Jerusalem, captured during the Arab–Israeli war of 1948-49, as sovereign Israeli territory. The question, 'Whose Jerusalem?' thus became limited to the part east of the 1967 Green Line. The need to avoid a physical redivision of the city also gained wide regional and international support. Israel's argument that sovereignty over all of Jerusalem must remain exclusively in its own hands, in order to avoid a return to the experiences of the 1948–67 period, became more persuasive.

The period 1967–92 witnessed the development and implementation of Israel's 'unification' policies in Jerusalem. The city underwent dramatic transformations which at once consolidated its physical-formal unification under Israeli rule, and divided (or kept divided) the Arab and Jewish sectors of the newly binational city. Israel's policies were thus only partly successful in extending effective Jewish rule over the Eastern part and in preventing a renewed partition. New Jewish neighbourhoods, built to isolate Arab neighbourhoods in Jerusalem from the West Bank and to erase the East–West demographic division of the city, rendered East Jerusalem ethnically mixed and a future physical partition very difficult. But while Israel sought to strengthen its rule by increasing the city's Jewish population, both the Arab and Jewish populations simultaneously grew at an unprecedented rate.[11] Jerusalem's economy and the standard of living for all residents improved, but the city as a whole remains poor and the socio-economic inequalities between Jewish and Arab residents are considerable. The autonomy extended to East Jerusalem Palestinians, with the intention that it would buy their acceptance of minority status under Israeli rule, encouraged them to view themselves as part of the West Bank and the larger Palestinian and Arab worlds. East Jerusalem became the political centre of the intifada, the Palestinian uprising in the Israeli-occupied territories which erupted in December 1987.

Since 1993 the contrast between the requirements and overall direction of the Middle East peace process and Israeli policies in Jerusalem has progressively sharpened. On the one hand, the Oslo Accords placed the future of Jerusalem on the international negotiation agenda and were followed by the Israel–Jordan peace treaty. In the interim talks leading to the 1995 Taba Agreement, Palestinian Jerusalemites gained the right not only to vote but also (if they had a second address in the West Bank or Gaza) to stand as candidates in the elections for a Palestinian Council.[12] Despite Israel's earlier objections, the Agreement accorded Palestinian villages in the Jerusalem area the same status as other West Bank villages by placing

[10] Benvenisti, *Jerusalem: Torn City*.
[11] I. Kimhi, S. Reichman and J. Schweid, *Arab Settlement in the Metropolitan Area of Jerusalem* (Jerusalem, 1986).
[12] 'Israeli–Palestinian Interim Agreement on the West Bank and Gaza Strip—September 28, 1995' (Israeli Ministry of Foreign Affairs, Jerusalem, Nov. 1995).

them under Palestinian civil rule, and thus may have tarnished Israeli plans for a 'Greater Jerusalem'.

On the other hand, Ehud Olmert of the Likud Party was elected Mayor of Jerusalem in November 1993 on a right-wing agenda and ended three decades of relatively liberal rule under Teddy Kollek. Olmert's policy approach on Jerusalem, different in style and tactics rather than substance or ultimate objectives, soon became clear: The new mayor stepped up the attempts to perpetuate Israeli rule over the entire city through land confiscations and Jewish settlement in East Jerusalem and the West Bank. These efforts gained greater support at the national level with the election of Benjamin Netanyahu as Prime Minister. Olmert was the main driving force behind the opening of the tunnel entrance in the Muslim quarter of the Old City in September 1996, which Netanyahu authorized.

The sole point of agreement: an undivided city

If and when the Jerusalem issue is seriously tackled at the negotiating table, many paradoxes must be confronted. One of them is this: The city today remains intensively divided in most respects, including in political affairs, employment, professional and social contacts, education, housing, transportation and commerce. Indeed, according to commonly accepted indicators it is more divided than any other conflict-ridden binational city in the world.[13] Israel's 'unification' policies and Palestinian responses to them are a major cause of this situation. At the same time Israelis, mainstream Palestinians, Jordanians and other direct and indirect parties (including Egypt, the Vatican and the United States) share the view that the city must be united physically in a negotiated solution. Palestinians speak of an 'undivided' Jerusalem with split or shared sovereignty, and Israelis speak of a 'united' Jerusalem under their sole sovereignty.

There are many reasons for this emphasis on Jerusalem's indivisibility. Although the 1993 Oslo Accords call for the future of Jerusalem to be resolved in negotiations between Israel and the PLO, the city's importance obviously extends far beyond these two parties to encompass the followers of three world religions. The value thus attached to freedom of access and worship for all faiths at Jerusalem's sacred sites is one among many which only an open city can safeguard.

For Jews worldwide *Yerushalayim* has been the focus of their yearning and prayers for a return to the Promised Land, Zion, captured in the phrases 'If I forget thee, O Jerusalem' and 'Next Year in Jerusalem'. For Israeli Jews, Jerusalem is historically and politically the sole capital of their existence as a nation. It is the symbol of their 2,000 years of striving for freedom and self-rule in their own homeland: '[S]ince the time of King David, Jerusalem has been the cynosure of all eyes, the capital of every political entity the Jews have governed as well as our spiritual anchor'.[14] Its unity represents both spiritual and secular redemption; any kind of division, physical in particular, recalls the Jewish experience of persecution and dispersion. The city as a

[13] M. Romann and A. Weingrod, *Living Together Separately: Arabs and Jews in Contemporary Jerusalem* (Princeton, 1991).

[14] T. Kollek, 'Jews Cannot Be Exclusive Masters', interview with Jerusalem Mayor Teddy Kollek, *The Jerusalem Report*, 25 Oct. 1990.

whole serves as a symbol of these multiple meanings of Jerusalem to Jews. The same is true of sacred sites within Jerusalem, notably the Wailing (Western) Wall, the only remnant of Solomon's (the Second) Temple, and the Temple Mount area, and the Cemetery on the Mount of Olives. At the End of Days, according to Jewish belief, the Messiah will arrive in Jerusalem through the Golden Gate of the Old City and the Temple will be rebuilt.

For Christians, Jerusalem is the historical setting of the preachings and death of Jesus. It is the symbol of the separation of the spirit from the body, and of redemption. In the New Jerusalem, 'death shall be no more, neither shall there be mourning nor crying nor pain anymore, for the former things have passed away' (Revelation 21:4). Within the Walled City the Via Dolorosa marks Jesus' route to Golgotha, and the Church of the Holy Sepulchre houses the site of the crucifixion, burial and resurrection of Jesus. On Mount Zion is the site of the Room of the Last Supper, and on the Mount of Olives the site of Jesus' ascension and the Tomb of St Mary. The Garden of Gethsemane houses several important churches as well as the Tomb of the Virgin. Many Palestinian Christians view themselves as direct descendants of the early Christians in the land, charged with serving as custodians and protectors of Christianity's holy sites in Jerusalem, Bethlehem and Nazareth. Yet the Christian communities in Jerusalem and Bethlehem, once lively centres of Christian life, are today in danger of extinction, a measure of the practical difficulties of survival facing them in these cities.

For the Islamic world, *Al-Quds* is of extraordinary importance as the third holy city after Mecca and Medina. Although not mentioned in the Koran, the city is sacred for its association with the Prophet Muhammad.[15] The Al-Aksa Mosque, marking the furthest point on the Prophet Muhammad's night journey from Mecca on his horse, and the Dome of the Rock are situated on the Haram al-Sharif (Temple Mount) grounds. The latter shrine houses the rock from which, according to tradition, the Prophet ascended to Paradise (and where Abraham prepared his son Isaac for sacrifice). The Saudi and Jordanian regimes in particular claim to have a special role as custodians and protectors of the holy places and the Islamic heritage of Jerusalem.

During the national renaissance of the Palestinian people in the twentieth century, Jerusalem grew in significance to become for them a political as well as religious centre. For Palestinians today, both Muslim and Christian, it is the natural capital and symbol of their striving for full recognition and independence. Without Jerusalem there would be no Arab Palestine or West Bank, for it is 'the site of the holiest Muslim [and Christian] shrines on Palestinian soil. It evokes the proudest Palestinian and Arab historical memories. It contains the . . . most prestigious secular institutions—the cumulative and priceless patrimony of a millennium and a quarter of residence'.[16] It is the urban centre of the West Bank and at the heart of Palestinian intellectual, political, cultural and economic life. The Algiers Declaration

[15] A. L. Tibawi, *Jerusalem: Its Place in Islam and Arab History* (Beirut, 1969); Sheik Jamal (high-ranking Muslim leader), interview by author, Haram al-Sharif, Jerusalem, 10 Nov. 1990; A. H. Es-Saaih, 'Significance of Jerusalem in Islam' (paper presented at International Islamic Symposium, Amman, June 1979); Sheik Abdel Hamid Es-Saaih (spokesman for Palestine National Council, Amman), interview by author, Amman, 2 Jan. 1991.

[16] W. Khalidi, 'Thinking the Unthinkable: A Sovereign Palestinian State', *Foreign Affairs*, 56 (1978).

of Palestinian Independence, which designated East Jerusalem the Palestinian capital, followed King Hussein's 1988 renunciation of any future political control over the West Bank. The declaration implied the first official PLO recognition of West Jerusalem as Israel's capital.[17] The Oslo Accords confirmed the Palestinians and the PLO as the party entitled to enter negotiations with Israel over Jerusalem's future. The Israel–Jordan peace treaty subsequently recognized a 'special role' for Jordan regarding the city's Muslim holy sites. However, the Palestinian role is likely to be altered in favour of Jordan only if negotiations over Jerusalem are limited to religious matters in the context of exclusive Israeli sovereignty.[18]

Both Israelis and Arabs thus view Jerusalem as an integral part and symbol of their history, ethnic-religious identity and nationhood. Both peoples link the city to the preservation or achievement of full recognition, control over their destiny, and justice.[19] The absolute value attached to sovereignty in Jerusalem as a means to fulfil these needs is reflected in each party's willingness to make concessions on most other matters, such as access to the holy sites and cultural-religious autonomy. Palestinians specifically have come to regard sovereignty as the only means to retain land in the city, and preserve its Arabic and Christian–Islamic heritage and character. At the micro-level, the indivisible and highly symbolic features of the problem are notably reflected in the conflicting Jewish and Muslim claims to the Temple Mount or Haram al-Sharif area.

The majority of Israeli Jews, and some Islamic and Palestinian factions advocating forceful acquisition of Jerusalem as an integral part of Palestine, equate the city's physical indivisibility with political indivisibility.[20] They regard concessions on exclusive sovereignty as inconceivable. Israelis commonly think that a redivision of rule over Jerusalem, with two sets of laws and police forces, would entail 'an invitation to a boundary, and . . . to a wall'.[21] It would threaten freedom of access to the holy sites, the security of Jewish communities in East Jerusalem, and freedom of residence and movement in the entire city. A single (Israeli) sovereignty, rather than experiments with dual capitals or internationalization, is believed to be the best guarantee that Jerusalem remains undivided.[22] The experience of the 1948–67 period, when divided rule did entail physical division, certainly lives on vividly in the

[17] The Algiers Declaration of Palestinian Independence, clarified in a joint PLO–US statement in Stockholm, is reprinted in *Journal of Palestine Studies*, 18:2 (1989).

[18] A high priority for King Hussein is certainly to keep the peace treaty with Israel intact. However, the fragile support in Jordan for the normalization of relations with Israel, even among otherwise strong supporters of the Hashemite regime, means that the King must seek to do so without legitimizing Israeli control over East Jerusalem. See L. Andoni, 'Hussein's Toughest Dilemma', *Middle East International*, 26 May 1995, pp. 7–8.

[19] M. Benvenisti, *Jerusalem: Problems and Options* (Jerusalem, 1985); Dr A. S. Khalidi (senior adviser on security issues to the Israel–PLO interim negotiations in Cairo and Taba), interview by author, London, 8 Feb. 1996; Ziyad Abu Zayad (editor, *Gersher Palestinian*), interview by author, Jerusalem, 7 Nov. 1990.

[20] What Israelis consider indivisible and non-negotiable are sovereign functions affecting Jerusalem's political status, the security of Israeli residents, and their freedom of movement and access in the city. As reflected in former mayor Teddy Kollek's vision for Jerusalem, discussed below, many Israelis support autonomy for East Jerusalemites in some areas which even Palestinians regard as practical or functional elements of sovereignty.

[21] Kollek, 'Jews Cannot Be Exclusive Masters'.

[22] Amir Chessin (adviser on Arab affairs to Mayor Kollek), interview by author, Jerusalem, 30 October 1990; Dr Gabriel Padon (foreign affairs liaison for the Israeli Government to the Jerusalem Municipality), interview by author, Jerusalem, 31 Oct. 1990.

Israeli memory. But Israel has also well exploited the notion that divided sovereignty equals a divided city, to justify its forced retention and Judaization of East Jerusalem.

The primary concern of Palestinians today is certainly to gain statehood and sovereignty, including in East Jerusalem. The opposition to a physical redivision of the city is not as vehement or as apparent as on the Israeli side. Statements of Arab leaders and organizations, including the PLO leadership, refer to East Jerusalem in relation to the other territories occupied by Israel in 1967. They seldom address specific issues such as borders, access to the holy sites, and future relations with Israel. With the exception of Egypt, an open-city solution in Jerusalem has not been an official Arab position. However, Jordanian and PLO officials and prominent figures in the Palestinian diaspora have expressed support for an undivided Jerusalem in the context of restored Arab sovereignty over the Eastern part.[23]

Unofficial proposals by leading Palestinian activists in the territories, particularly East Jerusalem, place a high value on keeping the city fully open and accessible.[24] They believe, however, that the 1948–67 situation of divided rule should serve as the starting-point for negotiations. A durable local and regional peace requires consolidation which a divided city, often a breeding-ground for instability and conflict, would undermine. Faisal Husseini, a mainstream PLO leader in the territories and the minister responsible for Jerusalem in the Palestinian National Authority, recently envisaged a physically united Jerusalem which would house both the Israeli and Palestinian capitals. This would promote greater cooperation and integration in the Middle East generally, based on open borders, with the city serving as the ultimate model and symbol of peaceful Arab–Israeli coexistence.[25]

Implicit in these informal Palestinian proposals is a recognition of the need for a practical solution which takes account of the extensive post-1967 changes on the ground. Irrespective of how sovereignty in Jerusalem is to be allocated, a physical redivision along a continuous line, including the 1967 Green Line, would today be extremely difficult.[26] This is the result of the demographic developments and urban-economic expansion of the city under Israeli rule since 1967. The settling of large Jewish communities in and around East Jerusalem has rendered that part of the city ethnically mixed, and it has become an integral part of a larger metropolitan area and infrastructure which include new Jewish 'satellite cities'. Although illegitimate

[23] Dr Nabil Shaath (Chairman of Political Committee of the Palestine National Council and adviser on international relations to PLO Chairman Yasser Arafat), interview by author, Ben Lomond, CA, 18 July 1991; A. Abu Odeh, 'Two Capitals in an Undivided Jerusalem', *Foreign Affairs*, 71:2 (1992), pp. 183–8; Adnan Abu Odeh (Political Affairs Adviser to HM King Hussein of Jordan), interview by author, Amman, 24 Dec. 1990; E. Said, 'The Current Status of Jerusalem and the Future of the Peace Process. Keynote Address' (paper presented at a conference on 'The Current Status of Jerusalem and the Future of the Peace Process', organized by the International Campaign for Jerusalem, London, 15–16 June 1995).

[24] M. Klein, *Arab Positions on Jerusalem* (Jerusalem, 1990); Hanna Siniora (editor-in-chief, *Al-Fajr*), personal communication, Palo Alto, CA, 28–9 April 1992; C. Albin, *The Conflict Over Jerusalem: Some Palestinian Responses to Concepts of Dispute Resolution* (Jerusalem, 1990).

[25] F. Husseini, 'The Implications for the Future of the Peace Process: A View from Jerusalem' (speech at a conference on 'The Current Status of Jerusalem and the Future of the Peace Process', organized by the International Campaign for Jerusalem, London, 15–16 June 1995).

[26] Dr Lotte Salzberger (Chairman of Board of Directors, Jerusalem Association for Neighbourhood Self-Management, and former Deputy Mayor for Education and Public Health), interview by author, Jerusalem, 5 November 1990; S. Nusseibeh, 'Whose Jerusalem?', interview with Dr Sari Nusseibeh, *New Outlook*, Jan./Feb. 1990, pp. 19–21.

under international law and the subject of Palestinian requests for compensation, these settlements established beyond the Green Line will have a considerable impact on any negotiations over the city's future.

Some of the Palestinian populace and radical Palestinian factions wish to achieve maximum separation from Israel, either permanently or for a transitionary period.[27] This results in part from their collective experience of the Israeli occupation, and from acute fears and suspicions regarding Israeli intentions in the city. Violent confrontations at the height of the intifada, such as the 1990 clashes on the Temple Mount in which Israeli police shot dead seventeen Palestinians and, more recently, Israeli violations of the spirit of the Oslo Accords, have intensified these fears. The continuous expansion of Jewish settlements in the city is interpreted as a clear intention to absorb and Judaize Arab East Jerusalem. Some Palestinians therefore consider physical separation a better way to achieve their rights and preserve Arab life in the city. Compared to these fundamental concerns, their interest in having access to West Jerusalem is negligible indeed.[28] The vision of an undivided Jerusalem which mainstream Palestinian leaders harbour, by contrast, will win more credence among the population at large if and when they can point to substantial benefits from the peace process with Israel. What is sorely needed from a Palestinian viewpoint is a commitment of the Israeli Government to a negotiated agreement on the city's future, which addresses the national aspirations of both peoples.

The concern to keep Jerusalem physically united is thus motivated by symbolic and spiritual values; by human, political and economic aspects; and by demographic and urban considerations. The negative experiences of Jerusalem's *de facto* division, especially in the period 1948–67 and during the intifada, have intensified this concern. It is difficult indeed to visualize a stable settlement between Israel, the Palestinians and Arab states without an open-city solution in Jerusalem.

The outcome of Israeli policies since 1967 indicates, however, that all depends on a unification of the city which is based on mutual agreement and genuine reconciliation. The next three sections discuss how the policies pursued by Israel have contributed to the profound division of the city in several areas. The final section outlines future implications of these policies, and how they may be reconsidered to achieve a more desirable outcome for both Israel and other concerned parties.

The formal reunification of Jerusalem

Within two days of the outbreak of the Six-Day War on 5 June 1967, Israeli forces had occupied the Old City and Arab Jerusalem. Barely had the gunfire ceased before

[27] Ibrahim Dakkak (Director of the Arab Thought Forum, East Jerusalem), interview by author, Jerusalem, 31 October 1990.

[28] In a poll of the Palestinian community in Jerusalem in 1987–9, about 50 per cent of the Palestinian educated or professional 'élite' and 25 per cent of the 'public at large' expressed preference for an open-city solution. About 11 per cent of the Palestinian élite and 50 per cent of the public supported a 'redivision' of the city into East and West Jerusalem, without specifying whether this political redivision would include physical division. A. Ashkenasi, 'Palestinian Views about Jerusalem', (Leonard Davis Institute for International Relations, Hebrew University of Jerusalem, Policy Studies, No. 30, 1989), and 'Opinion trends among Jerusalem Palestinians' (Leonard Davis Institute for International Relations, Hebrew University of Jerusalem, Policy Studies, No. 36, 1990).

they erased the concrete walls, barbed wire and other barriers which divided the two parts of Jerusalem. Neighbourhoods such as Abu Tor and Beit Safafa which had been cut in two were physically reunified. For the first time in modern history the entire city was under Jewish rule, and for the first time in nineteen years Israeli Jews could again pray at the Wailing Wall. Already on 8 June Israeli bulldozers began to demolish buildings and homes, including a mosque, in the Old City's Mughrabi Quarter. This densely populated Muslim neighbourhood was eliminated to leave room for a new large plaza by the Western Wall, which could accommodate the large number of Jews who from now on would come regularly to their most sacred site. The Jewish Quarter in the Old City, inhabited since the 1948 war by about 5,500 Arab refugees, was restored and settled by Jews.

Amidst the general state of euphoria the Israeli Government undertook a series of swift measures designed to consolidate and formalize the unification of Jerusalem, and separate the Eastern section from the rest of the West Bank.[29] While not yet contemplating permanent retention of the other occupied lands, the Israeli Government thus signalled that it excluded East Jerusalem from the territories that might one day be relinquished in exchange for peace agreements.

Strongly supported by the coalition government and the Israeli public at large, Prime Minister Eshkol on 14 June 1967 annexed East Jerusalem and surrounding areas (though he avoided an explicit declaration to this effect). Shortly thereafter the Knesset passed three administrative laws which expanded the city's municipal borders to include East Jerusalem and additional land in the West Bank, and extended Israeli law, jurisdiction and administration over this territory.[30] Thus the city came to encompass 108 square kilometres, and a Palestinian population of 70,000. The East Jerusalem Municipality was dismissed and its Mayor, Rawhi Al-Khatib, was deported to Jordan. Much later, in July 1980, the Knesset passed into law Jerusalem's status as the eternal capital of Israel, united under its sole sovereignty, and many government offices were moved to the Eastern section. This legislation represented the first official Israeli claim to sovereign, rather than merely administrative and municipal, control over East Jerusalem.[31] It did not entail any changes in Israel's *de facto* control over the city, but provoked international condemnations and caused numerous foreign embassies to relocate to Tel Aviv.

Concurrently with these steps designed to consolidate the capture of East Jerusalem, Israel sought to pre-empt and counter condemnations of its *de facto* annexation. First, the Israeli Government and municipality endeavoured to bring the large Palestinian minority which had suddenly been incorporated into the state to accept Israeli rule, and promote coexistence. To this end, measures were taken to ensure a degree of religious-cultural autonomy for the Palestinian population. The Protection of the Holy Places Law passed by the Knesset on 27 June 1967 guaranteed all faiths freedom of access to and worship at the holy sites, and their protection from desecration and other acts likely to violate any 'feelings with regard to those places'.[32] On 17 July 1967 the Muslim trust, the Waqf, was informed that it could continue to run the affairs of the Haram al-Sharif essentially as before, under

[29] M. Brecher, 'Jerusalem: Israel's Political Decisions, 1947–1977', *Middle East Journal*, 32 (1978), pp. 13–34.
[30] O. Ahimeir (ed.), *Jerusalem—Aspects of Law*, 2nd rev. edn (Jerusalem, 1983).
[31] Quigley, 'Jerusalem in International Law'.
[32] Ahimeir (ed.), *Jerusalem—Aspects of Law*, p. 50.

the administrative authority of the Supreme Muslim Council.[33] The Waqf was obliged to refrain from exploiting this right for political purposes, and to permit Jews to visit (but not worship on) the Temple Mount.

For both its own people and the outside world, the Israeli Government created new legitimizing concepts, images and icons.[34] For example, the occupation of the Eastern part and the expansion of the municipal border to include Arab land in the West Bank were (and are still today) constantly referred to as the 'reunification' of Jerusalem, implying incorrectly that this large area was within the city boundaries and belonged to Israel at some point in the past. Israel used the international media and international contacts skilfully to advertise the great care now taken to restore ancient buildings and quarters, beautify the city as a whole, and ensure free access to and worship at the holy sites for all faiths.

From the outset, however, Palestinians remained deeply opposed to the annexation of East Jerusalem and to Israeli moves designed to change its physical character. The international community condemned these acts in numerous United Nations resolutions as violations of international law. Under the UN Charter, territory gained by the use of force cannot be annexed or legally retained. The Fourth Geneva Convention prohibits an occupying power from changing the character of such territory; for instance, by replacing the law in force by its own and settling its civilian population in it. Israel argued to the contrary, chiefly on the grounds that it captured East Jerusalem while defending itself against an Arab attack.

Four aspects of Israel's policies of 'unification'

The occupation of East Jerusalem marked the beginning of a process which exacerbated and escalated the conflict over the city. The goals of Israel's policies in Jerusalem from 1967 onwards were clearly defined and prioritized as national interests. They were to extend its rule over Arab East Jerusalem, unite that sector with the Western part and thereby secure the city's status as solely Israel's capital, and prevent a future physical or political redivision of it. The substance of these policies has focused on four interrelated areas: geography, demography, economy, and relations with East Jerusalem Palestinians.[35]

The priority accorded to each has shifted over time. Once elected Prime Minister in 1992, Yitzhak Rabin stepped up the efforts in the two first-mentioned areas, as did the subsequent governments of Shimon Peres and Benjamin Netanyahu. Despite the clear policy goals, however, fundamental contradictions have emerged in all areas. The city has in effect been redivided. Indeed, in some respects it was never unified under Israeli rule at all, and its status as solely Israel's capital has not been secured.

In geographical terms, Israel's policies have aimed to develop three 'rings' of Jewish settlement. The middle ring emerged from the construction activities begun after the 1967 war, which created seven new and densely populated Jewish

[33] Benziman, 'Israeli Policy in East Jerusalem'.
[34] I. Lustick, 'Reinventing Jerusalem', *Foreign Policy*, Winter 1994.
[35] I am grateful to Moshe Amirav for sharing ideas in these areas.

neighbourhoods within the expanded borders of East Jerusalem (French Hill, Pisgat Ze'ev, Ramat Eshkol, Neve Yaacov, Ramot, Atarot and East Talpiot). These were built on the enlarged northern, eastern and southern borders, and predominantly on expropriated Arab land. The underlying objectives were to surround and prevent the expansion of Palestinian neighbourhoods, separate these from Arab villages in the West Bank, prevent a suburban expansion of Arab Jerusalem more generally, and establish a Jewish majority population in the Eastern part. Severe restrictions were imposed simultaneously on the construction of Arab housing, to undermine the growth of Jerusalem's Palestinian population. Supported by Likud- and Labour-led governments alike, this circle is today almost completed. The Israeli Government approved in April 1995 a plan for the construction of a large new Jewish neighbourhood (settlement) called Har Homa with 6,500 housing units in the first instance, on the city's southern border near the Arab village of Beit Sahour.[36] In order to close the few remaining gaps in this circle, the Israeli Housing Ministry and the Jerusalem Municipality reportedly plan to confiscate and build new settlements in the Sha'ar Mizrah area between French Hill and Pisgat Ze'ev in the north as well as in Abu Ghunaym in the south-east.[37]

The inner ring has been formed by the settlement of predominantly religious and ultra-nationalist Jews in densely populated Palestinian neighbourhoods and quarters of Jerusalem. The intention has been to strengthen the Jewish presence and character of the city by 'infiltrating' and, as far as possible, breaking up Palestinian population concentrations. This settlement pattern commenced in the early 1980s, but gained most moral and financial support from members of Likud-led governments from 1987 onwards.[38] In that year, then Housing Minister Ariel Sharon followed by several other Jews took up residence in the Muslim Quarter of the Old City. In 1991 Jewish settlers acquired property in the Arab village of Silwan. With the installation of Netanyahu as Prime Minister, right-wing Israelis wanting to settle in the Muslim Quarter of the Old City found new support at the national level. Labour Party adherents, including former Jerusalem Mayor Teddy Kollek, have tended to support an opposite strategy of seeking maximum separation between the city's ethnic groups and neighbourhoods.[39]

The outer ring incorporates Jewish satellite cities in the West Bank, designed to provide the basis for an Israeli-dominated Greater Jerusalem. Much settlement activity has focused on this ring since the early 1980s, supported by a new master plan for the development of Jewish Jerusalem. It has been a government priority in recent years to strengthen it. At present this metropolitan area is bound roughly by the Jewish settlements of Givat Ze'ev in the north, Ma'ale Adumim in the east, and Gush Etzion (the twenty settlements of the Etzion bloc) in the south. Some analysts argue that Israel's long-term intention is to extend it even further, to include up to

[36] *The Economist*, 6 May 1995, p. 71; *Challenge* (Israel), 27 (Sept–Oct. 1994), pp. 26–7. The Jewish settlement plan in Har Homa was the first new and large one to be approved since the signing of the Oslo Accords in 1993.

[37] S. Yerushalmi, 'The Battle for Jerusalem', *Ma'ariv* (Israel), 19 May 1995, tr. in *Middle East International*, 502 (9 June 1995), p. 21; *Middle East International*, 6 Sept. 1996, p. 17.

[38] M. Dumper, 'Israeli Settlement in the Old City of Jerusalem', *Journal of Palestine Studies*, 21:4 (1992), pp. 32–53, analyzes this form of settlement within the Old City.

[39] Kollek, 'Jews Cannot Be Exclusive Masters'.

three-quarters of the land of the West Bank.[40] Whatever its precise scope in the future, this ring is clearly designed to incorporate into Jerusalem a substantial area of the West Bank, which Israel might later claim to be part of its 'indivisible' and non-negotiable capital. More broadly, this pattern of settlement has sought to undermine certain options for a political solution in the territories, such as the Allon Plan, and to encircle and contain Arab population centres such as Ramallah and Bethlehem. In 1992 Prime Minister Rabin ended government grants for Jewish settlement in Palestinian population centres, which he termed 'political'. By contrast, he accelerated new construction and settlement in the outer and middle rings, which he called 'strategic'.[41]

In demographic terms, Israeli policies since 1967 have sought to increase the Jewish population, and to secure an overwhelming and permanent Jewish majority in Jerusalem. This would strengthen the Jewish character and control of the city, and Israel's claim to exclusive sovereignty. The annexation of the Eastern section and the extension of the municipal border in June 1967 made these goals at once more important and more difficult to achieve. The city boundaries were redrawn in such a way as to avoid densely populated Arab areas, and maximize the availability of new land for Jewish settlement and industrial development. Nevertheless, the new boundaries in effect turned Jerusalem into a binational city and decreased the Jewish majority from about 98 per cent to about 74 per cent of the total population.[42] The aim now became to increase the Jewish majority within the expanded boundaries as far as possible, to 80 per cent or even 90 per cent.[43] In 1973 the Ministers' Committee on Jerusalem Concerns declared the maintenance of the 1967 proportion of Jews within the expanded city boundaries (74 per cent) an Israeli 'national goal'. This target is still today the guideline.

The Israeli Government and municipal authorities undertook a series of measures to this end. A large number of new settlements and housing units were built for Jews, both within and beyond the expanded boundaries of Jerusalem. Israelis and new immigrants, including the large number of Soviet Jews arriving around 1990, were provided with incentives to settle in East Jerusalem. At the same time, a number of constraints and pressures were imposed on the Palestinian population.

[40] Jan de Jong suggests that this area would extend to Jericho in the east, to Hebron in the south, almost halfway to Tel Aviv in the west and beyond Ramallah in the north. Jan de Jong, 'The Secret Map of Jerusalem' (paper delivered at a conference on 'The Current Status of Jerusalem and the Future of the Peace Process', organized by the International Campaign for Jerusalem, London, 15–16 June 1995).

[41] This distinction became prominent in the US–Israel dispute in the early 1990s over the settlement of Soviet Jewish immigrants in East Jerusalem. US Secretary of State James Baker in the spring of 1992 linked an offer of $10 billion in American loan guarantees (in addition to the $3 billion in annual US aid to Israel) to a complete freeze on all new settlement activity by the Israeli Government in the occupied territories, including East Jerusalem. Any money spent on completing settlements already under construction would lead to a reduction in the loan guarantees by the same amount. Despite Israel's dependence on this aid to absorb Soviet immigration, Prime Minister Shamir refused to yield to the conditions. In June 1992, however, the new Rabin government hurried to announce a freeze on new 'political' settlements. President Bush then agreed to grant the loan guarantees, although Rabin pledged to continue Jewish 'security' settlements in and around Jerusalem, in the Golan Heights, and in the Jordan Valley (*International Herald Tribune*, 14 and 20–23 July 1992).

[42] Schmelz, *Modern Jerusalem's Demographic Evolution*.

[43] Moshe Amirav (at the time CRM–Shinui representative on the Jerusalem Municipal Council and Secretary-General of the Shinui Party), personal communication, Palo Alto, CA, 27–28 April 1992.

Much of the new Jewish settlement occurred on expropriated Arab land. Furthermore, it encircled existing Palestinian neighbourhoods to undermine their growth potential. The construction of housing for Palestinians was restricted. They were granted few planning permissions and building licences, under the pretext that there was no master plan for the development of Arab East Jerusalem. Despite the high birth-rates among Palestinian residents, less than 10 per cent of the 5 million square metres built in the city between 1982 and 1992 were built for them. By 1992 the estimate was that they needed 30,000 new housing units, but only 7,500 units were approved.[44] The failure to permit the construction of an adequate number of new housing units in East Jerusalem continues to force many Palestinians to either build illegal houses (with the risk that they may be demolished) or leave the city.

What are the main achievements and failures of Israel's geographic and demographic policies to date? In three decades they have changed the fundamental character of Jerusalem, in ways which even a negotiated solution is unlikely to reverse significantly. The city has developed into a large metropolitan area. East Jerusalem is no longer characteristically Arab, but ethnically mixed. Exact population figures vary, but in 1995 the Jewish population of East Jerusalem was estimated at 160,000 and the Palestinian population at about 155,000. Approximately 70 per cent of all Jewish settlers live in East Jerusalem and its adjoining West Bank satellite cities. As the largest settlement community in the Israeli-captured territories, they have managed to outnumber East Jerusalem Palestinians slightly.[45] The construction and settlement activities around Jerusalem, beyond the 1967 Green Line, continue today at an accelerated rate. Indeed, the prospect of negotiations over the city under the Oslo Accords appears to have stimulated rather than halted these activities.

However, these achievements have not resulted in a more secure Jewish majority in Jerusalem as a whole. Despite the massive Israeli efforts, both the Arab (Muslim) and Jewish populations in Jerusalem grew in the post-1967 period at an unprecedented rate, and the former somewhat more than the latter.[46] While Jerusalem in 1967 had approximately 197,700 (74.2 per cent) Jewish residents and 68,600 (25.8 per cent) 'non-Jewish' (predominantly Arab) residents, these figures had jumped by 1990 to 378,200 (72.1 per cent) and 146,300 (27.9 per cent) respectively.[47] By 1994 the Jewish proportion of the population in Jerusalem was somewhat smaller than it had been in 1967: about 71.6 per cent, compared to 28.3 per cent 'non-Jews' (predominantly Arab Muslims and Christians).[48] Important reasons for these demographic developments are the higher Arab birth-rates, and the influx into the Jerusalem area of Arab workers eager to take advantage of its employment oppor-

[44] M. Amirav, 'This Policy is a Bear Hug which could Kill', *Jerusalem Post*, 21 Jan. 1992.

[45] In the early 1990s the number of Jewish settlers in the West Bank, excluding East Jerusalem, was estimated to be 85,000; in the Golan Heights, 12,000; and in the Gaza Strip, 5,000. Foundation for Middle East Peace, *Report on Israeli Settlement in the Occupied Territories* (Washington, DC, 1991/2), p. 1.

[46] Having shrunk steadily in the post-1946 period to the point of near-extinction by 1967, the city's Christian community increased only slightly to constitute 2.6 per cent of the total population in 1994.

[47] M. Choshen and S. Greenbaum (eds.), *Statistical Yearbook of Jerusalem, No. 9, 1990* (Jerusalem, 1992).

[48] Statistics from Israel Information Centre and Central Bureau of Statistics, *Israel Today* (Jerusalem, 1995). See also Choshen and Greenbaum (eds.), *Statistical Yearbook 1990*. The overall population of Jerusalem more than doubled in the period 1967–94, to about 567,200 inhabitants in 1994.

tunities, including those arising from the construction of the new Jewish neighbourhoods.[49] Other factors include the government's financial incentives for Jews to move to settlements in the occupied territories, and the exodus of secular Israeli Jerusalemites to better employment and living conditions in Tel Aviv and other cities.[50]

In order to gain space for the construction of more Jewish housing and associated facilities, Israel will be increasingly compelled to further extend the city boundaries. However, in the large metropolitan area into which Jerusalem is effectively developing (including Ramallah in the north, Bethlehem in the south, Ma'aleh Adumim in the east and Mevasseret Zion in the west) there is virtual parity between the Jewish and Arab populations. This reality will undermine the objective of consolidating the Jewish population. Unless a new wave of Jewish immigration to Israel occurs or large-scale expulsions of Palestinians take place, both of which are improbable, even an accelerated rate of Jewish construction and settlement in this area is unlikely to offset the higher Arab birth-rate.

Furthermore, Israel's policies have not secured its claim to exclusive sovereignty over the entire city. Almost one-third of Jerusalem's population and the vast majority of foreign countries still do not recognize Israel's annexation of the Eastern section, or the extension of the municipal borders into the West Bank. The current debate over Jerusalem suggests that Israel's policies have rather served to convince the Palestinians and much of the international community that the Arab part of the city needs a different regime. Politically and psychologically (as opposed to demographically or geographically), Israel has not managed to replace the 1967 Green Line between East and West Jerusalem with a new dividing line between a Jewish-controlled Greater Jerusalem and the West Bank. To the international community, the Palestinians and Arab states, the Green Line remains the starting-point for negotiations and the basis for a compromise solution.

In economic terms Israel's objectives from 1967 onwards were to develop the city's economic base and infrastructure, particularly through an expansion of the private sector (industry, commerce and financial services). This would make it possible and attractive for more Jews to settle and remain in Jerusalem. Economic development and expansion would improve the quality of life in the city, reduce frustrations with poor housing conditions and insufficient or low-paying employment opportunities, and provide other incentives for Jews to live in Jerusalem. A second goal, stated at least, was to diminish inequalities between the Eastern and Western sectors and improve the living conditions of the Palestinian population. This was considered a tool for reducing opposition to and winning their tacit approval of Israeli rule.

Jerusalem today is still a poor city. In terms of per capita income, it remains one of the poorest in Israel, even when only the Western part is measured. Most sectors of the economy have not expanded, except for the construction and tourism industries. The basic structure of the city's economy remains the same: The public sector predominates, with typically low-paying jobs. In 1989, over 40 per cent of Jerusalem's employed population worked in public and community services, compared to 20 per cent in Tel Aviv. Only 10 per cent worked in financing and business

[49] Kimhi, Reichman and Schweid, *Arab Settlement*.
[50] I. Kimhi, ' "Must I Forget Thee, O Jerusalem?" More Young, Non-Religious, and Better Educated Israelis Are Leaving the City', *Israel Studies*, Spring 1988, pp. 3–7.

services in Jerusalem, compared to almost 25 per cent in Tel Aviv.[51] By the early 1990s the national government's level of investment in Jerusalem had decreased significantly to less than 10 per cent of the municipal budget. Nor was this contribution used to create new jobs for Jewish Jerusalemites. Instead it was largely used to build more Jewish housing with Arab labour, and to support the growing Orthodox communities which by 1995 made up about one-third of the city's Jewish population. Thousands of Jews, especially younger and secular professionals, leave the city each year for better job opportunities and living conditions in Tel Aviv and elsewhere. The migration of younger Jewish families from Jerusalem to the new satellite settlements also continues. The result is that Jerusalem's Jewish population has aged and its growth rate has decreased. Municipal tax revenue has been eroded. A serious mismatch has developed between, on the one hand, the public investments made and the services available in the city centre and, on the other, the settlers' new needs for these outside the city boundaries.[52]

Under Israeli rule since 1967, the material living standard of East Jerusalem Palestinians has improved significantly in absolute terms, in areas such as public health, sanitation and education. In 1972 only about 6–8 per cent of Jerusalem's Palestinian population had a car or a telephone; by 1983 those numbers had jumped to about 22–23 per cent. Today almost all homes in East Jerusalem have running water and electricity, whereas before 1967 only 59 per cent and 40 per cent did so respectively. However, better living conditions have proved insufficient or irrelevant as a means of buying Palestinian acceptance of Israeli rule. In addition, the gap between the higher living standards of Jewish Jerusalem and those of Arab Jerusalem has increased according to many indicators. In sum, the policies since 1967 have failed to consolidate Israeli rule over Jerusalem by strengthening the city's economy and increasing the Jewish population. In political terms as well, the effect of these policies has been to deepen rather than diminish the division between West and East Jerusalem.

The overriding objectives of Israel's policies toward East Jerusalem were the same as in the other areas: to increase the Jewish population, to secure effective Israeli rule over the entire city as a united entity, and to prevent any future division of it. There were different strands of thought within the Israeli policy-making community on how best to achieve these goals. A disputed question was to what extent Israel should integrate not only the land but also the people of East Jerusalem. However, it was generally deemed essential to make the large Palestinian minority acquiesce in the Israeli annexation, and to establish a level of socio-political stability in the city through intercommunal co-existence. Throughout the period 1967–93, the political and ideological 'liberalism' represented by Jerusalem Mayor Teddy Kollek dominated in this area, even if it was often frustrated by the national government.

This liberalism consisted of granting Palestinian residents extensive autonomy in local affairs, and of accommodating their aspirations as far as possible without endangering Jerusalem's status as solely Israel's capital. They were to be given 'functional' or 'substantial', as opposed to geographic, elements of sovereignty in areas such as education, culture, administration, religion, economic affairs and

[51] M. Choshen and S. Greenbaum (eds.), *Statistical Yearbook of Jerusalem, No. 8, 1989* (Jerusalem, 1991), pp. 108–9.

[52] B. Hyman, I. Kimhi and J. Savitzky, *Jerusalem in Transition: Urban Growth and Change, 1970s–1980s* (Jerusalem, 1985).

healthcare. In essence, in exchange for acceptance of Israeli umbrella rule, including on security and settlement issues, '[w]ithin an undivided city . . . all kinds of accommodations can be considered, all kinds of autonomy can be enjoyed'.[53] Israeli politicians and scholars suggested periodically the creation of a decentralized municipality under Israel's sovereignty, consisting of boroughs along ethnic-territorial lines, to enhance Palestinian autonomy further.[54] Mayor Kollek himself contemplated such a solution in the aftermath of the annexation of East Jerusalem. A stated policy objective was also to grant East Jerusalemites equal rights and equal municipal services. They were accorded the right to vote and run for office in municipal elections, as the chief avenue to political participation and influence over the distribution of goods and services in the city.[55]

The autonomy which Jerusalem Palestinians actually acquired was not as extensive as Kollek advocated, and their rights (including before the law) were not equalized with those of Jews. Even so, they obtained considerable autonomy, in fact more than that attained by either Arabs in pre-1967 Israel or Palestinians in the other occupied territories. The belief was that such liberal measures would help to separate East Jerusalem from the other occupied territories, and from the politics concerning their future (the Palestinian question). East Jerusalemites would be integrated into the life of the city, and would come to accept their minority status under Israeli rule. This 'compensation' in the form of autonomy and improved living conditions was considered sufficient to establish a reasonably peaceful situation in Jerusalem, at least once progress had been made toward an Arab–Israeli settlement.[56]

While Israeli policies succeeded in separating annexed East Jerusalem from the West Bank demographically, with a 'buffer zone' of new Jewish settlements, the autonomy measures in fact deepened the division of the city between the Arab and Jewish sectors in political terms. They promoted the integration of East Jerusalem with the West Bank and Palestinian politics, and its status as the Palestinian capital. Thus the autonomy stipulations undermined in practice the extension of effective Israeli control over that part of the city. The Islamic council and Shari'a courts were allowed to function as an alternative to the Israeli judicial system for Palestinians in East Jerusalem, as for Palestinians in the West Bank. Treated as Israeli territory East Jerusalem was blessed with more liberties than the other Israeli-held territories, including a relatively free press, free speech and freedom of association. This furthered East Jerusalem's pre-eminence as the centre of Palestinian life under occupation, where political and intellectual institutions could operate with little censorship or other interventions. Schools in East Jerusalem retained Jordanian curricula. Most Palestinian Jerusalemites chose to remain nationals of Jordan, until

[53] T. Kollek, 'Sharing United Jerusalem', *Foreign Affairs*, Winter 1988/9, pp. 156–68; T. Kollek, 'Jerusalem—Today and Tomorrow', in Kramer (ed.), *Jerusalem: Problems and Prospects*, p. 15.

[54] Municipal powers would usually be divided between elected borough councils and the city council of a 'roof' municipality for Greater Jerusalem with proportional representation. Arabs would exercise broad autonomy in social, cultural and educational affairs in those boroughs in which they formed a majority (see, e.g., S. Cohen, *Jerusalem, Bridging the Four Walls: A Geopolitical Perspective* (New York, 1977). In 1976 the Israeli Mapam Party leader Yaakov Hazan proposed a plan whereby greater Jerusalem would be divided into boroughs and the Old City become a 'City of Peace' run by a committee representing the three faiths.

[55] A. Chessin, interview; Emanuel Sisman (Labour Party Member of Knesset and Chairman of One Jerusalem party), interview by author, Jerusalem, 9 Jan. 1991.

[56] G. Padon, interview.

1994 an enemy country, while holding Israeli identity cards as residents of the city. This was a significant liberty which permitted the maintenance of strong political and social ties between East Jerusalem and the larger Palestinian and Arab worlds. In January 1996, East Jerusalemites participated in the elections for the Presidency of the Palestine National Authority and a new 88-member Palestinian Council with both legislative and executive powers, in which they came to hold seven seats.

Israeli policies have also failed to equalize budget allocations and municipal services between the Jewish and Arab sectors. The vast majority of Palestinians, to the relief of many Israelis, refused from the outset to participate in the Israeli municipality, on the grounds that it would imply recognition of the annexation. A related reason is that Israel's geopolitical and demographic objectives, notably to maintain at least the 1967 proportion of Jewish residents in the city despite the high Arab birth-rate, have continued to shape its planning for East Jerusalem. The needs of the Palestinians have taken second place.[57] For example, only about 40 per cent of the municipal tax revenue raised from Palestinian Jerusalemites in 1990 was returned to them in the form of government and city expenditures on the development of the Eastern sector. Only 10 per cent of the total municipal budget was spent to help meet the greater needs of this one-third of the city population. In a poll at the end of the 1980s, most Jerusalem Palestinians (about 84 per cent) were dissatisfied with the supply of municipal services.[58]

Cumulatively, the separate treatment of East Jerusalemites has reinforced the feeling of both Israelis and Palestinians that they are not truly part of 'united Jerusalem'. The limitations on access to the Muslim holy sites and the closure of the entire city to West Bank and Gaza Palestinians in times of tension, and provocative Israeli activities around the Haram al-Sharif area, have deepened the conviction that only the achievement of sovereignty can protect their presence and interests in the city. Palestinians have to date rejected all compensatory arrangements under Israeli rule as an insufficient or irrelevant inducement to give up their claim to sovereignty. Kollek's own efforts ended with Ehud Olmert's election as Mayor of Jerusalem, but many Israelis still refer to his ideas as one possible way to address Palestinian interests in the city.[59] It is noteworthy that East Jerusalem Palestinians themselves refused to support Kollek against Olmert in the municipal elections of 1993, given the former's record as a principal designer and executor of Israel's policies in the city.

Comparing the situation in Jerusalem after the Six-Day War with the state of affairs after more than two decades of Israeli efforts to consolidate the unification of the city, one Israeli analyst commented: 'The main difference is the evaporation of the euphoria that prevailed immediately following the 1967 war, of the idea that it would be possible to buy at least some Arab consensus to and willingness for coexistence under Israeli rule after the annexation of East Jerusalem'.[60] The outbreak of the intifada sharpened this contrast further, and became the ultimate symbol of the failure to buy Palestinian acceptance of Israeli rule in Jerusalem with municipal rights and services.

[57] Teddy Kollek has recognized this himself. See interview with Teddy Kollek in *Ma'ariv* (Israel), 10 Oct. 1990.
[58] Ashkenasi, 'Palestinian Views', and 'Opinion Trends'.
[59] Press briefing by Israeli Deputy Foreign Minister Yossi Beilin, on the establishment of diplomatic relations between Israel and the Holy See, Jerusalem, 15 June 1994.
[60] Abraham Rabinovich (feature writer, *Jerusalem Post*), interview by author, Jerusalem, 9 Nov. 1990.

The intifada and the redivision of Jerusalem

Paradoxically, Israel's own policies thus promoted the notion of Arab East Jerusalem as the *de facto* capital of Palestinian political life. They permitted the Palestinians to create their own infrastructure on the ground, including national institutions. Two factors contributed moreover to the 'Palestinization' of East Jerusalem. First, King Hussein's claim to sovereignty over the West Bank (including East Jerusalem) weakened, and a pro-PLO local Palestinian leadership emerged there, culminating in the 1988 Jordanian disengagement. Secondly, the intifada broke out in December 1987 after twenty years of Israeli occupation. Initially a spontaneous popular outburst, it soon developed into an organized revolt.[61] The political leadership of the uprising became based in East Jerusalem, until the revitalized Middle East peace process turned that part of the city into a centre of Palestinian diplomatic activity around 1991.

East Jerusalem Palestinians, the largest Arab community in the West Bank, became as passionately engaged in the intifada as Palestinians elsewhere in the occupied territories.[62] Protest activities and violent confrontations, particularly between Israeli police and Palestinian youth, became commonplace in areas such as the East Jerusalem Central Business District, the Shuafat refugee camp and A-Tur, and on the Haram al-Sharif (Temple Mount). The dramatic increase in political turmoil and the Israeli police presence meant that the situation in many parts of East Jerusalem was soon not much different from that in the West Bank or even the Gaza Strip. The use of tear gas, the imposition of curfews, and other measures which Israel had previously used only elsewhere in the occupied territories, now became common also in Jerusalem.

The uprising's strategies of resistance and separation had a greater effect in Jerusalem than anywhere else. They demonstrated that two decades of Israeli 'unification' policies had failed to achieve some of their most essential goals. This redivision of Jerusalem was political and psychological rather than physical, but in many ways its impact became the same as the effect of the wall during the 1948–67 period. In the words of an Israeli policy-maker, 'the intifada put a border of fear in the middle of the city which we didn't have before . . . and divided the city'.[63] A Palestinian spokesman in East Jerusalem refers to this new Green Line as 'a political wall dividing ruler from ruled, occupier from occupied, victor from vanquished' and as a 'steel barrier' between the two parts of the city, which the intifada reinforced and which still exists.[64] It laid bare the reality that 'Jerusalem is held together by force, and its physical integrity is maintained by force. Take away the coercive power of Israeli rule, and the city will split along the ethnic fault-line. A third of its population cannot and will never be able to accept this enforced rule'.[65]

[61] Z. Schiff and E. Ya'ari, *Intifada: The Palestinian Uprising—Israel's Third Front* (New York, 1990).
[62] See, e.g., I. Zilberman, 'The Palestinian Uprising (Intifada) in Jerusalem' (Leonard Davis Institute for International Relations, Hebrew University of Jerusalem, Oct. 1988); Schiff and Ya'ari, *Intifada*; and G. Aronson, *Israel, Palestinians and the Intifada: Creating Facts on the West Bank* (London, 1990).
[63] M. Amirav, personal communication.
[64] Nusseibeh, 'Whose Jerusalem?'
[65] M. Benvenisti, 'A Torn City', in M. Benvenisti, *The Shepherds' War: Collected Essays (1981–1989)* (Jerusalem, 1989), p. 35.

Of course, many divisions between East Jerusalem Palestinians and Israelis existed and developed well before the outbreak of the intifada. As already mentioned, East Jerusalemites never took part in the Israeli City Council, viewing such participation as tacit recognition of Israeli rule. Residential segregation based on ethnicity has always characterized the city. In Abu Tor, the only 'mixed' Jewish–Arab neighbourhood, Jews and Arabs still live separately in their respective parts of the community, as if divided by a wall. Palestinians and Israelis go to different schools; hold jobs which on average are very different in terms of pay, long-term security and status; and even have separate blood banks. The segregated transport system, with separate Arab and Jewish buses and taxi cabs, probably has no parallel anywhere in the world. Yet, before 1987, Jewish and Arab Jerusalemites had normal and frequent day-to-day interactions, particularly in the workplace.

The intifada, with its economic boycott of Israel, reduced all such interactions to a minimum. It cut off professional and social ties between Jews and Arabs which had existed previously. Only a small number of Palestinians, who could not otherwise survive, continued to work in West Jerusalem or elsewhere in Israel. Two largely separate worlds emerged, divided by the Green Line: Jewish West Jerusalem living by Israeli law and regulations, and Arab East Jerusalem living by the dictates of the uprising. A new sense of fear and insecurity among Israeli residents ended their frequent visits to the Arab markets of East Jerusalem, and to the Jewish quarter and holy sites in the Old City. Violence arising from the political situation kept escalating. The bloody clashes on the Temple Mount in October 1990 marked a watershed and were followed by a cycle of reprisals by individual Palestinians and Israelis.

By redividing the city, the intifada reminded the outside world that Jerusalem is an integral part of the Palestinian problem and the Arab–Israeli conflict. It was influential, perhaps decisive, in placing the question of the city's future on the agenda for Middle East talks. The intifada did not advance the Jerusalem issue to the top of the negotiation agenda and has not (yet) reversed Israel's annexation of East Jerusalem. Furthermore, the dominant Israeli view of how to settle the issue did not appear to soften significantly.[66] However, to the international community the uprising confirmed that Jerusalem requires a negotiated solution like other issues in the Arab–Israeli conflict. The confrontation between Israeli Prime Minister Shamir and American President Bush in 1990 over the status of East Jerusalem, especially the construction of Jewish housing and the settlement of Soviet Jews in that part of the city, was unprecedented.

The intifada also increased and clarified the costs associated with Jerusalem's *de facto* division. Both peoples proved capable of living separately in their respective parts of the city, but the losses involved became more evident. Open confrontation, widespread segregation, mutual fear and mutual suspicion came to characterize

[66] In a poll of Israeli Jews conducted in 1991, about 87% felt that Israel must keep all of East Jerusalem and 10% that Israel could withdraw from at least part of East Jerusalem in the context of a final peace. About 19% found international recognition of the Jewish areas of Jerusalem as Israel's capital preferable to controlling all of Jerusalem without international recognition, and 72% thought the reverse. By contrast, about 54% were willing to support an Israeli withdrawal from at least part of the West Bank. The poll was conducted in August 1991 by Public Opinion Research of Israel. Results reported in United States Information Agency Research Memorandum, 27 Sept. 1991, Washington, DC.

Arab–Jewish relations in the city. The intifada put the two sides on a more equal footing in that the latent state of warfare constrained the daily lives of both communities, and it clarified the failure of each to gain control over the other's space in the city. In fact, Jewish residents disengaged more from the Arab sector than Arabs did from the Jewish sector, primarily because of threats to their personal security.[67] Today, Israeli Jews visit Arab East Jerusalem about as rarely as Palestinians cross the former Green Line to visit the Jewish section. When they have to do so, they take roundabout routes to avoid Arab neighbourhoods.

Although the PLO committed itself in the Oslo Accords to end all violent activities against Israel, Jerusalem's *de facto* division persists. It will remain until the underlying conflict over sovereignty is resolved. Even before the city and its holy sites became the trigger and focus of intense Israeli–Palestinian confrontations in September 1996, leaving 73 people dead and about 1,500 injured, Yasser Arafat stressed that Jerusalem is the most urgent issue on the negotiating agenda.[68] The failure of the Oslo peace process to address and resolve this question would undoubtedly provide fertile ground for a new (and bloodier) intifada and wider regional unrest. Terje Larsen of Norway, the important intermediary in the secret 1993 Oslo talks, recently characterized the only possible outcome of the peace process as either 'win-win' or 'lose-lose'. The same applies to the Jerusalem issue, given its centrality in the Israeli–Arab-Palestinian conflict: 'They [Netanyahu and Arafat] are travelling on a tandem bicycle. They have to be partners . . . Either there will be two winners, or there will be two losers. If Mr Netanyahu goes down, he will drag Arafat with him. If Arafat goes down, he will drag Netanyahu with him. And I think both of them, they know this'.[69]

Is unification through negotiation and reconciliation feasible?

What conclusions emerge from three decades of Israeli 'unification' policies in Jerusalem? The facts created on the ground will remain very influential whether or not Middle East negotiators seriously address the city's future. Israel's policies have maintained a Jewish majority in Jerusalem, increased its Jewish character significantly, and extended Israeli *de facto* control beyond the pre-1967 borders with strong domestic support. The fact that East Jerusalem is no longer Arab but ethnically mixed is significant for at least two reasons. First, even Palestinian proposals now suggest, or imply a will to accept, non-contiguous Palestinian and Israeli sovereign zones in the city which take into consideration the current settlement patterns.[70] Secondly, it is clear that only open-city solutions will be contemplated, partly because a physical redivision has become virtually impossible. Formally there is a single sovereignty, a single flag, a single law and a single municipal administration in a physically united Jerusalem.

[67] M. Romann, 'Space and the Dialectics of Daily Relations in Jerusalem' (paper presented at a conference on 'Society and Politics in Present-day Jerusalem', Hebrew University of Jerusalem, 14–17 June 1992).
[68] Statement made by Yasser Arafat in an interview on Israeli state television, 12 Aug. 1996.
[69] Interview with Terje Larsen on BBC TV programme *Panorama*, 21 Oct. 1996.
[70] Nusseibeh, 'Whose Jerusalem?'; M. Heller and S. Nusseibeh, *No Trumpets, No Drums: A Two-state Settlement of the Israeli–Palestinian Conflict* (New York, 1991).

Owing to flaws in the policies and the context in which they were implemented, however, Israel has failed to extend and 'eternalize' its rule over the entire city. Jerusalem has not been truly unified, nor is there any guarantee that a redivision of sovereignty can be prevented. Above all, Israel has failed to win Palestinian as well as wider Arab and international acceptance of the annexation of East Jerusalem. A sizeable and politically mobilized Palestinian population with a high birth-rate has persisted in the city. Reasonable levels of coexistence and stability have not been established. By any criteria other than the formal and institutional, Jerusalem today is once more profoundly divided. While still holding that the city is for ever united, most Israelis continue to live and move about in it as if it were not. In the judgment of one observer, what is at stake in Jerusalem is the very integrity of Israeli society: If the city is to remain the capital of the Jewish state, then a Jew must be able to move safely in every district.[71] The Jewish population within the current municipal boundaries has decreased somewhat, and has ceased to be a majority today within the boundaries of metropolitan Jerusalem. Decades of politically motivated construction and settlement in the city have exacted a high price in aesthetic, cultural, ecological and financial terms, and this price is steadily increasing.

The assertion that 'Jerusalem shall for ever remain the exclusive capital of Israel, united under its sovereignty' thus does not correspond to what Israel actually possesses. This goal remains largely as distant today as it was thirty years ago. A continuation of the present policies is unlikely to lead to more secure Israeli control over the entire city, international recognition of Jerusalem as solely a Jewish capital, or to a truly united city. Settlements, land confiscations and declarations did not make the Gaza Strip and the West Bank permanent parts of Israel. The same applies to East Jerusalem.[72] Efforts to enforce a unilateral solution based on the prevailing balance of power will produce at best an unstable settlement and, more likely, a deadlock in the permanent status negotiations and a breakdown of the peace process. In the eyes of all Palestinians, the acceptance of the principles of the Oslo Accords, which endorsed the Israeli occupation of the West Bank and Gaza as the legitimate starting-point for negotiations and the exchange of concessions, has already entailed costly compromises and indeed an abandonment of the hope for a just solution.[73] Recent events show that at least one factor can still mobilize the otherwise divided Palestinian and Arab worlds into decisive and violent opposition: the discovery that the Oslo Accords will not even fulfil the promise of serious negotiations and a minimally acceptable agreement on Jerusalem.

These political realities and constraints necessitate a reassessment of the means whereby Israel has sought to advance its interests in Jerusalem. This is essential both to the achievement of Israel's own national goals in the city, and to the success of the Middle East peace process as a whole. The strong symbolism and ideology surrounding the Jerusalem issue have made the continuation of the policies formulated in 1967, without adjustments based on rational evaluations or changing circumstances, almost as 'non-negotiable' as the goals themselves. But their shortcomings now call for a pragmatic re-examination of the whole problem. That alone may reveal less exclusive and ultimately more effective ways to secure Israeli

[71] J. Kellerman, 'Jerusalem Must Be Unified Again', *Jerusalem Post*, 15 Aug. 1990.
[72] Lustick, 'Reinventing Jerusalem'.
[73] A. S. Khalidi, interview; E. Said, *Peace and Its Discontents* (London, 1995); H. Ashrawi, *This Side of Peace: A Personal Account* (New York, 1995).

sovereignty in Jerusalem and a united city, buttressed both by local acceptance and by international recognition.[74]

One fruitful approach may be to exploit the ambiguity of the geographical concept of Jerusalem, which has changed throughout history and remains highly elastic. There is no agreement among the parties or in the international community on the city boundaries, which arbitrary political objectives have defined and redefined.[75] Even Israeli Government leaders and the Israeli public refer on different occasions to different boundaries. Collectively these references reveal that in practice Israelis do not view Arab East Jerusalem as an integral part of Israel, but as an extension of the West Bank.[76] A culturally distinct and politically hostile population inhabits this sector, which Israelis out of fear rarely visit and which they do not control in many respects. The fact that the Israeli 'national consensus' on Jerusalem does not specify boundaries could allow for some accommodation of Palestinian national aspirations, without impinging upon those areas truly viewed as integral to the concept and functioning of the Jewish capital.[77]

A related approach may question the ideological dogma which holds that any division of political rule would inevitably lead to a physical redivision of the city. An open-city solution involving dual rule could well end the *de facto* division of Jerusalem, if it were the outcome of a process of negotiation and reconciliation.[78] It may also prove useful to challenge the zero-sum concept of sovereignty as absolute and indivisible. No modern ruler ever possessed such sovereignty in Jerusalem, and the relevance of this traditional notion is in any case steadily declining in today's world. For example, transferring some functions normally exercised at the national governmental level to a 'lower' administrative body, such as a city council representing both Israelis and Palestinians, could reduce the intractability of the sovereignty issue.[79]

[74] More detailed discussions on this point can be found in C. Albin, *The Conflict Over Jerusalem: Some Palestinian Responses to Concepts of Dispute Resolution* (Jerusalem, 1990), and 'Negotiating Intractable Conflicts', *Cooperation and Conflict*, 32:1 (1997).

[75] In the time of King David, Jerusalem was limited to a single hilltop known as the City of David. During much of its history Jerusalem was the city within the Walls. During the first two decades of British rule Jewish and Arab residential neighbourhoods were founded west, south and north of the Walled City. In 1967 Jerusalem became three times bigger, as Israel included areas of the West Bank within the new borders of the city. Until then most Israelis naturally thought only of the Jewish western section as 'Jerusalem'. Monika Pollack (Dept of International Relations, Mapam Party), interview by author, Tel Aviv, 7 Jan. 1991; Rodny Sanders (Dept of Foreign Relations, Likud Party), interview by author, Tel Aviv, 6 Jan. 1991. Even recent proposals for Jerusalem define the essential space of the city very differently: it ranges from the Old City only and the pre-1967 municipal boundaries to today's municipal boundaries and a vast metropolitan area of varying scope. The lack of consensus on borders stems in part from the way in which different definitions may prejudice a political solution. For example, most of the international community is concerned that recognizing Jerusalem within any other than the pre-June 1967 boundaries may suggest acceptance of Israeli rule or Israeli-created facts on the ground in East Jerusalem.

[76] Lustick, 'Reinventing Jerusalem', provides specific examples of this.

[77] A number of imaginative proposals for Jerusalem manipulate the city boundaries to facilitate the creation of dual Israeli and Arab municipalities or sovereignties. See M. Hirsch, D. Housen-Couriel and R. Lapidoth, *Whither Jerusalem? Proposals and Positions Concerning the Future of Jerusalem* (The Hague, 1995), and Albin, 'Negotiating Intractable Conflicts'.

[78] Apart from the proposals already mentioned, variations on such a solution are articulated by Said, 'Current Status of Jerusalem'; Israel/Palestine Centre for Research and Information, transcripts of meetings and documents of the Roundtable Forum on the Future of Jerusalem, particularly of 25 Nov. 1990, 7 Apr. 1991 ('The Joint Sovereignty Model') and 12 Jan. 1992; and Heller and Nusseibeh, *No Trumpets*.

[79] Heller and Nusseibeh, *No Trumpets*; C. Albin, M. Amirav and H. Siniora, 'Jerusalem: Resolving the Unresolvable' (The Israeli–Palestinian Peace Research Project, Working Paper Series, No. 16, 1991/2, Hebrew University of Jerusalem and Arab Studies Society).

Public opinion, particularly in Israel, will have to play a leading role in encouraging such a demystification and re-examination of conventional government policies toward Jerusalem. Any aspect of the Jerusalem problem easily mobilizes the Israeli public, and the pace of recent events in the Middle East peace process has stimulated debate. More Israelis now seem prepared to at least contemplate less dogmatic and more pragmatic approaches to safeguarding their interests in the city. In polls conducted in May 1995, 28 per cent of Israeli Jews were ready to accept Palestinian sovereignty over the Arab parts of East Jerusalem, and to restrict Israeli sovereignty to West Jerusalem and the Jewish neighbourhoods in East Jerusalem. At the same time, 65 per cent of Israeli Jews supported exclusive Israeli sovereignty over all of Jerusalem, which about 91 per cent of the Palestinians interviewed rejected.[80] According to this poll the term 'national consensus' describes the basic Palestinian position on Jerusalem more appropriately than the Israeli one: sixty-five per cent scarcely reflects a consensus view. Recent American, European and Arab disquiet over Netanyahu's delay in implementing and efforts to renegotiate the Oslo Accords also suggests that the health of Israel's external relations may come to depend upon policies, including in Jerusalem, which do not endanger the Middle East peace process.

Many factors other than Israel's policies in Jerusalem will determine whether a process of negotiation ultimately resolves this problem. The ability of Netanyahu and Arafat to overcome their profound differences and internal divisions at home is obviously fundamental. These concern most immediately several contested parts of the 1995 Israel–Palestinian Interim Agreement. More fundamentally, the two leaders harbour sharply conflicting expectations and views of how all the permanent status issues should be settled. They are unlikely to make progress without considerable pressure and encouragement, including from the United States and key Arab countries. The extent to which political violence and opposition directed at Arafat's leadership, Israeli targets and ultimately the Oslo peace process can be contained will also have a central impact on whether and how Jerusalem and other final status issues are eventually negotiated.

Yet in light of the developments of the last three decades, there is much evidence to suggest that a judicious re-examination of Israel's own Jerusalem policies can provide a crucial starting-point. The policies of unification pursued since 1967 lie at the root of the current divisions, and have proven incapable of substituting a negotiated solution. Paradoxically the abandonment of the ideological icon of a 'united Jerusalem' might pave the way to securing not only lasting coexistence with the Palestinians and the larger Arab world, but also Israel's own interests in the city.

[80] 'Israeli and Palestinian Public Opinion on the Future of Jerusalem': results of two parallel public opinion polls on the future of Jerusalem conducted 22–8 May 1995 in Israel by Gallup Israel and in the West Bank, Gaza and East Jerusalem by the Data Research Centre of Bethlehem, on behalf of the Israel/Palestine Centre for Research and Information. A political adviser to former Israeli Prime Minister Shamir of the Likud Party has suggested that with substantial progress toward an Israeli–Arab settlement and an indication of 'responsible' Palestinian leadership, Palestinian sovereignty over the Palestinian areas of East Jerusalem may be feasible. Joseph Ben-Ahron (at the time Director General of the Prime Minister's Office and Senior Adviser on Political Affairs to then Prime Minister Shamir), interview by author, Jerusalem, 13 Jan. 1991.