

Adnan Abu Odeh

TWO CAPITALS IN AN UNDIVIDED JERUSALEM

The long-awaited Middle East peace process has begun, and the parties, through direct negotiations, have started their pursuit of a settlement to the Arab-Israeli conflict and the Palestinian question. In their letter of invitation the cosponsors, the United States and the Soviet Union, stated that they "are prepared to assist the parties to achieve a just, lasting and comprehensive peace settlement, through direct negotiations . . . based on U.N. Security Council resolutions 242 and 338." The internationally accepted formula for the application of these two long-standing resolutions is "land for peace."

Between 1948, the year of Israel's establishment, and the war of 1967, when the Israeli army occupied all of mandate Palestine and other Arab territories belonging to Egypt and Syria, the Arab-Israeli conflict was viewed as being composed of three major issues: mutual recognition of the parties involved; the status of Jerusalem; and the right of repatriation or compensation for Palestinian refugees. Bipolarization was at its peak, and unfortunately there were no serious international efforts at solving the conflict. It was hoped that after the legitimate rights of the Palestinian people, including the refugees, were addressed, the Arabs would recognize the Jewish state, and peace treaties would ultimately be signed. After the 1967 war the U.N. Security Council passed resolution 242 as the basis for solving the conflict: Israel would return land it occupied in 1967 in return for peace and recognition. However, with its own interpretation of resolution 242, which I regard as self-serving, Israel's occupation was prolonged, its attitudes hardened and it introduced other factors that further complicated the conflict. Chief among these was the incessant practice of building Jewish settlements in the occupied territories, thus disrupting the cardinal formula of "land for peace" and intensifying the Palestinian

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national identity, which made the Palestinian people look for a solution beyond resolution 242.

What is now required is a genuine effort to avoid entanglement in details and discussion of peripheral issues. I propose that we proceed to the heart of the matter.

II

The future status of Jerusalem has long been regarded as the most intractable of issues in the Arab-Israeli conflict: it is controversial, emotional and intricate. The parties to the conflict have long agreed, at least tacitly, to defer settlement of Jerusalem to a later phase in the peace process. The Arabs hold that they have a right to reclaim their lands seized in the 1967 war, East Jerusalem as well as the surrounding West Bank. The government of Israel asserts its right to Greater Jerusalem undivided, including those new areas built out beyond the city center into the West Bank after the 1967 war. The world community never acquiesced in the division of the city in 1948 or its annexation by one side in 1967.

I would like to propose for consideration that the problem of Jerusalem be addressed now, and not deferred until later. I argue, contrary to the prevailing attitudes, that with the ongoing peace negotiations this is the most propitious time to introduce constructive concepts. The approach described here builds upon a concept of Jerusalem that flows from analysis and diagnosis of the competing claims over a city that all consider holy and that addresses all the parties' declared positions.

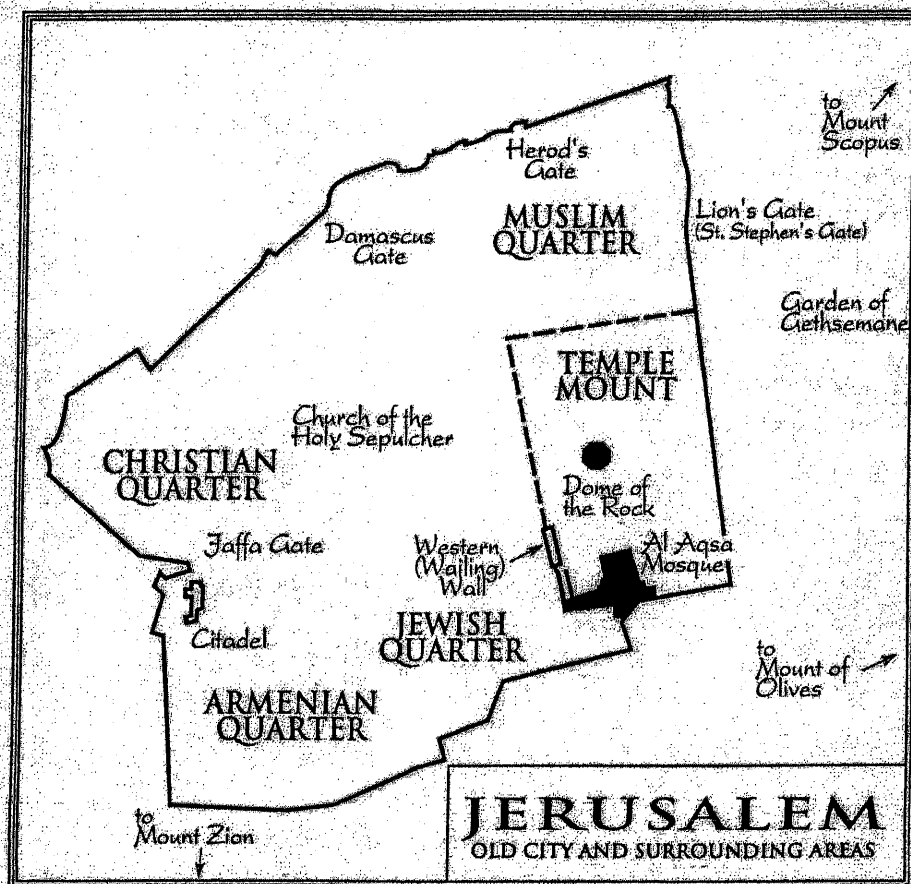
We start from the simple fact that Jerusalem has both Arab and Jewish inhabitants. Arabs (Muslims and Christians) and Jews are equally bound to Jerusalem with the same intensity for the same reasons: religious attachment, historical attachment and political attachment.

In 1967, within weeks of the conquest of the West Bank, Israel expressed its devotion to Jerusalem by annexing the Arab part of the city that forms an integral part of the West Bank. Ever since, Israel has proclaimed that Jerusalem will remain the undivided capital of Israel and that it will never compromise on the eastern, Arab, part of the city. For their part, the Arabs and virtually all of the outside world affirm that resolution 242 applies to East Jerusalem no less than it does to the West Bank and the rest of the occupied territories. The position of the United States is that the final status of East

Jerusalem, though the Security Council resolution applies, should be decided through negotiations and that Jerusalem should remain undivided.

What precisely is this Jerusalem that Israelis, Arabs and the world community are talking about? Is it the Jerusalem of 1850, of 1910, 1948, 1967 or of 1992? Like other important cities Jerusalem is a living entity that has grown over time, both through natural progress and prosperity and as a result of an increase in its population. What Israelis consider Greater Jerusalem now comprises an area about one-fifth of the occupied West Bank.

My first point, therefore, is to draw a distinction between the ancient walled city and the areas outside the walls. Is every hectare now called Jerusalem to be considered holy? Does



every hectare annexed to the city, due to natural growth, thus become holy?

In its essence the holiness of Jerusalem is an attribute of the holy places themselves. As a conceptual matter it is reassuring to note that the main holy places of three religions are clearly marked, distinct and known: the Church of the Holy Sepulcher for Christians, the Wailing Wall for Jews, and the Dome of the Rock and Al Aqsa Mosque for Muslims. All three shrines are located within the ancient walled city. Around these shrines have grown up over the years quarters inhabited by the followers of each religion, all believers in one God. Thus within the walled city we have the Christian (and Armenian) Quarter, the Jewish Quarter and the Muslim Quarter. Each quarter contains buildings inhabited and used by the followers of each religion, and each quarter has cultural characteristics separate and distinct from the others.

Over time a shade and degree of holiness has been extended to these quarters of the walled city surrounding the shrines themselves. Beyond that, however, it is stretching the point to call "holy" every building, every neighborhood and every street corner that has been built up around the walled city, extending out many kilometers in some directions. When Jerusalem is called a holy city, this can only mean the walled city where the holy places are located and their immediate surroundings inhabited for centuries by believers.

It can be argued that the holiness of the walled city is God-given, for the existence of the houses of God associated with the three monotheistic religions. We must distinguish between the God-given holy areas and those added to the city in response to population growth and the decisions of successive government acts.

For example, in 1933 the British High Commissioner expanded the city limits; this did not expand the areas of God-given holiness. The same holds true for other extensions of the city limits by the municipality of Arab Jerusalem in 1955 and by Israel in 1980. It is hard to find either religious or historical justification for a refusal to compromise on the areas of Arab Jerusalem that lie outside the walled old city but still within present municipal boundaries.

Direct negotiations between Israel and the Arab side began on the basis of U.N. Security Council resolution 242, which declares inadmissible the acquisition of territory by war. I propose to maintain a distinction between the areas that were

made holy by God and those incorporated into Jerusalem by man. The essential dispute about Jerusalem concerns not the modern secular city—restaurants, nightclubs and apartment blocks, the King David and Intercontinental hotels—but rather the ancient walled city.

It is fortunate for the solution of the problem of Jerusalem, at least conceptually, that the city has three names: Al Quds in Arabic, Yerushalaim in Hebrew, and Jerusalem as it is known to the rest of the world. Here is the first component of my conceptual framework.

The walled city, the true and holy Jerusalem, would belong to no single nation or religion. Rather, it would belong to the whole world and to the three religions: Muslim, Christian and Jewish. Thus no state would have political sovereignty over it, so that Jerusalem would remain a spiritual basin, as it was originally founded and universally conceived.

My second component concerns the urban areas that stretch beyond the ancient walls to the east, northeast and southeast, the Arab part of the city. These would be called Al Quds, the name used by Arabs and Muslims.

The third component concerns the urban areas that stretch beyond the walls to the west, northwest and southwest. These would be called Yerushalaim, the name used by Jews.

The Palestinian flag would be raised in Al Quds and the Israeli flag would fly over Yerushalaim. Over the walled city of Jerusalem, however, no flags would fly, for the sacred shrines would be the symbol of the city's God-given holiness and spiritual significance to all believers in one God, belonging not to this state or that.

The holy walled city of Jerusalem would be open to all; Muslims, Christians and Jews must not be separated from their holy shrines, from which they all derive their cultural and religious identities. It would be governed by a council representing the highest Muslim, Christian and Jewish religious authorities. Each authority would be responsible for running and maintaining the holy sites of its faith and participating on equal footing in the administration of "Jerusalem."

As far as political identity is concerned, the Arabs would be Palestinian nationals and vote for their national institutions. The Jews would be Israelis and vote, as now, in their national elections. Administrative details of the spiritual city of Jerusalem would be left to creative minds in negotiations. As for the Jewish settlements in Al Quds, they would be subject to the

same solution reached for the other settlements in the occupied territories.

In the Arab mind (Muslims and Christians alike), Al Quds would extend as far as their own holy sites in the walled city. Yerushalaim, to the Jews, would stretch as far as their holy sites inside the old city. In other words the Dome of the Rock, Al Aqsa Mosque and the Holy Sepulcher, both the Muslim and Christian surrounding quarters within the walled city and the Arab community at large outside the walls would form one uninterrupted entity, linked geographically and demographically. On the other hand the Wailing Wall, the Jewish Quarter surrounding it and the Israeli community at large outside the walls, linked geographically and demographically, would likewise form one uninterrupted entity. Thus Jews and Arabs (Muslims and Christians) alike would not lose the city so holy to them; the Arabs would not lose Al Quds, the Jews would keep Yerushalaim as the undivided capital of Israel and the world would be assured that Jerusalem was not being assimilated into either.

I offer this proposal to refute the view that the problem of Jerusalem is too complex to be addressed. In this framework the issue of Jerusalem would be resolved not only as a symbol of peace but also as an embodiment of its essence—assuming, of course, that the parties negotiate in good faith in a quest for a balanced, just and desirable peace based on U.N. Security Council resolution 242.