Review of Middle East Studies, 53(1), 54–58
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DOI:10.1017/rms.2019.14

SPECIAL FOCUS

FROM TEL AVIV TO JERUSALEM: AN EMBASSY MOVE AS THE CRUCIBLE FOR CONTESTED HISTORIES

Between Jerusalem and Gaza: Why Unilateralism Will Not Work

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Abstract

The moving of the American embassy to Jerusalem coincided with the bloodiest day of the Great March of Return demonstrations. Each of these events had its own history and motivation but they tell the same story: as stable solution could be based only on reciprocal recognition of the attachment of both Israeli and Palestinians to the whole of historic Palestine/Eretz Israel

Keywords: Jerusalem, Gaza, Two States One Homeland, Israel, Palestine

On November 29, 1947, the UN General Assembly adopted resolution 181 on the Future Government of Palestine, largely known as Separation Plan. In fact, its full name was Plan of Partition with Economic Union, and contrary to what many believe, most of its chapters and clauses dealt less with the independence of the Jewish State and the Arab State that were to succeed the British Mandate over Palestine, but with their interdependence, meaning the close and intimate relations these two newly created states were supposed to have: freedom of transit between the two states, rights of Arabs residing in the Jewish state to hold citizenship of the Arab State and vice versa, freedom of access to all

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https://doi.org/10.1017/rms.2019.14 Published online by Cambridge University Press

religious sites, custom union, joint currency, shared management of railways and roads and other issues of common interest for the Arab and Jewish communities in Palestine.

Part 3 of the resolution was dedicated to the City of Jerusalem, which according to the plan approved in the General Assembly was supposed to be a "corpus separatum under a special international regime and shall be administered by the United Nations." This "corpus separatum" was rather large, ranging from Shu'afat in the north to the southern suburbs of Bethlehem in the south, from the Jewish colony of Motza in the west to Abu Dis in the east. Jerusalem was meant to be part of the economic union between the Jewish and Arab states, with freedom of access for the citizens of both states, but at the same time it would have a special regime elected by all its citizens, Arabs and Jews, under the supervision of the UN. The vision was to have one open city, shared by both communities.

As we all know, this corpus separatum never materialized. During the 1948 war, the nascent state of Israel took over its western part, the Kingdom of Jordan took its eastern one. In December 1949, following an effort by the UN to re-implement the Partition Plan in Jerusalem, Israel announced that "Jewish Jerusalem is an organic and inseparable part of the State of Israel" and announced that it will serve as its capital (interestingly enough, Jerusalem was not mentioned in Israel's Declaration of Independence in May 1948). Jordan annexed its part of the city as it annexed the whole of the West Bank. Jerusalem was divided.

Yet despite these "realities on the ground," the international community did not recognize Jerusalem as Israel's capital and refused to move its embassies to it, because it was still committed to the UN resolution from 1947 that configured Jerusalem as one city, open to all communities and religions. The Israeli occupation and unilateral annexation of East Jerusalem in June 1967 only strengthened this position. The international community could not accept that Jerusalem, with all its complexity and its importance not only for Jews and Palestinians, but for people worldwide, would be exclusively Israeli or Jewish.

The decision by U.S. President Donald Trump to recognize Jerusalem as Israel's capital and to move the American embassy to the city therefore broke with a long-term policy of the international community. True, Trump did not commit himself to Jerusalem's final borders, saying that they should be discussed between Israelis and Palestinians, but the move was generally conceived as an American recognition of the annexation of East Jerusalem. The reason was simple: Trump failed to mention the Palestinian, Arab, or Muslim attachment to the city, nor did he hint that it

https://doi.org/10.1017/rms.2019.14 Published online by Cambridge University Press

should also be the capital of the future Palestinian state. His statement referred to Jerusalem as Jewish, ignoring its Arab and Muslim past or present.

The opening of the American embassy in Jerusalem on May 14, 2018, coincided with the most massive day of protests of the March of Return in the Gaza Strip. It was also the bloodiest one: 64 Palestinian protesters were killed by Israeli soldiers. Apparently, the March of Return protests had very little to do with the transfer of the American embassy to Jerusalem. They were initiated a few weeks before, on March 30, by young local activists in Gaza, with no direct political affiliation either to Fatah or Hamas. They were born out of an urgent need to break the 12-year-long Israeli blockade of Gaza or at least to call the world's attention to the inhumane conditions in which nearly two million people in Gaza live. While opposition to the embassy move was primarily symbolic and political, the March of Return protests were driven by rage and despair.

Yet the embassy issue and the March of Return shared much more in common than meets the eye. While it was the abject living conditions in the Gaza Strip that motivated the protests, which drew tens of thousands of young Palestinians to march unarmed towards the fences surrounding Gaza, their slogan centered on the idea of Return. The demonstrators put their lives at risk in the name of a return to villages and towns that they had never seen, many of which have probably ceased to exist, wherefrom their grandfathers and grandmothers were exiled 70 years ago.

The success of the March of Return showed how powerful the idea of Right of Return still is in the Palestinian collective mind. Most Jewish Israelis tend to view the Right of Return as having one pervading goal: to destroy the State of Israel and drive away its Jewish residents. This explains why these unarmed protesters were viewed as a threat to Israel's very existence, and why Israeli soldiers used live ammunition against them. But the March of Return protests can be viewed differently from another prospective. The protesters did not demand the expulsion of Jews from Israel. On the contrary, one of their prominent leaders, Ahmed Abu Artema, said again and again that he wants to live side by side with the Jews, while opposing Jewish Israel's "exclusivity" over 78 percent of historic Palestine, negating its Palestinian, Arab, Muslim, and, to a certain extent, Christian past.

In this sense, the opposition to exclusive Jewish Israeli control over most of Palestine, did the two protests coincide. They both refused to accept the "facts on the ground" set by Israel over the last 70 years, including the unilateral annexation of East Jerusalem in 1967, which declared Greater Jerusalem as the eternal capital of the Jewish people, and the refusal to

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allow Palestinian refugees to return after the 1948 war. Both protests rejected the view that either Greater Jerusalem or the whole of historic Palestine, or even large parts of it, are "Jewish only" and the denial of these places' Palestinian identity, past and present.

The fear among Israeli Jews of the Right of Return is understandable, since they often view it as a zero-sum game aimed at the destruction of the State of Israel. If we, the Jews, recognize it, then they, the Palestinians, would replace us, "throw us into the sea," as it is commonly phrased in Israel. This explains the facile depiction in the mainstream Israeli media of the March of Return as an immediate threat to Israel, despite its peaceful undertones.

From this point of view, solving the Israeli-Palestinian conflict seems nearly impossible. If most Israeli Jews regard Israel – in whatever borders it may finally have – as exclusively Jewish, while most Palestinians regard the same territory as Palestine, how could a solution be found that satisfies these contradictory demands and perceptions?

This is exactly where the ideas of the movement which I am part of – Two States One Homeland/A Land for All – come in. We believe that the only way out of this deadlock is a reciprocal recognition of the deep emotional, national, and religious attachments of both peoples to the whole of historic Palestine/Eretz Israel. A reciprocal understanding that each people regard this land as their historical homeland, Jaffa not less than Jenin, Hebron not less than Ra'anana. This is not to say that Palestinians would become Zionists or that Israeli Jews would join the PLO. But it does mean that both sides ought to realize that this is not a border dispute but rather a conflict between two peoples living in all parts of this land and regarding it as their homeland.

Based on this understanding we drafted an 11-point document that insists on five principles: two fully independent states, Palestine and Israel, based on the 1967 borders; freedom of movement, work, and ultimately residence for all Israelis and Palestinians, including Palestinian refugees and Israeli settlers (who would no longer be settlers but equal residents of Palestine, without any special privileges); joint institutions run by both states that would share responsibility for human rights, security, economy, social security, transportation, etc.; Jerusalem as an open city, capital of both states, under shared sovereignty and a special regime (not far the corpus separatum of the November 1947 UN resolution); and a process for mending past injustices that would avoid creating new ones.

Trump's unilateral recognition of Jerusalem as Israel's capital was supposed to take "Jerusalem off the negotiating table," as the American president boasted. It didn't. It even strengthened the Palestinian position

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regarding the city. Prior to this move, Trump's Deal of the Century was supposed to offer the Palestinians a mini state comprising roughly 50 percent of the West Bank, without Right of Return, with Israel controlling the Jordan River and the Jerusalemite suburb of Abu Dis designated as the future Palestinian capital. On November 2017, just a few months before the American flag was raised over its embassy in Jerusalem, the Saudi crown prince Muhammed Bin Salman allegedly told Palestinian president Mahmoud Abbas to accept this deal or resign.

Trump's unilateral move offered Abbas a way out of this political siege. An Islamic summit was summoned in Turkey, Abbas received widespread support in his rejection of the American decision, and even pro-Trump Saudi Arabia had to declare that Jerusalem must be the capital of the Palestinian state. The details of Trump's deal have not been published as of March 2019, but from what we know it will offer a much better deal for the Palestinians: a contingent Palestinian state with jurisdiction over at least 90 percent of the West Bank and with East Jerusalem as its capital. The Palestinians are expected to reject this offer, but it certainly puts them in a better position.

Trump failed to change the pollical reality in Jerusalem. He did not and could not efface the huge Palestinian presence in the city nor the Palestinian, Arab, and Muslim attachment to Jerusalem or its highly sensitive place in their respective narratives. He even failed to change the international position towards Jerusalem: except Guatemala, no other state followed the United States in moving its embassy to Jerusalem, although Paraguay moved theirs and then retracted while Australia did recognize West Jerusalem as Israel's capital while declaring that East Jerusalem would be the capital of future Palestine.

This episode has once again proved that Jerusalem is not and could not be considered as belonging to one side only, namely the Jewish-Israeli side. It was, is, and will be a city in which Jews, Muslims, Christians, Israelis, and Palestinians must live together. Sharing it is better than dividing it. While this seems almost self-evident in Jerusalem, we in Two States One Homeland claim that this perspective remains true for the whole of historic Palestine/Eretz Israel. Moving the American embassy to Jerusalem was just a reminder of this reality.

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