

# Trump Insists on Increasing Tension About Jerusalem

On May 2, 2018, the new Secretary of State of the U.S. Mike Pompeo gave his first speech in his swearing-in ceremony at the State Department. Having replaced Rex Tillerson, the previous Secretary fired by Trump on March 13, Pompeo signaled that he will follow a forceful diplomacy in consistency with Trump's insanity in his following statements: "We will employ tough diplomacy, when necessary, to put the interests of the American people first... And we will soon move our embassy in Israel to Jerusalem years ahead of schedule... We are in the beginning stages of the work, and the outcome is certainly yet unknown. But one thing is certain: this administration will not repeat the mistakes of the past. Our eyes are wide open." The recent replacement of Secretary is potentially to transform the foreign policy of the U.S. to a much harder line. Quite resembling Trump, Pompeo's anti-Muslim rhetoric and ties are also well documented. Despite this fact, Pompeo's first visit was to the Middle East last week —respectively to Saudi Arabia, Israel, and Jordan. This may seem as an irony at first sight, however, it indicates that the foreign policy of the U.S. will follow a policy without being concerned about what the other side —Muslims and the local people— would think. This is to take place especially regarding the Israel/Palestine issue. Notwithstanding the pro-Israeli rhetoric that Trump and Pompeo have, they still insist on the idea that the Palestinian peace still a U.S. priority. However, this peace is the one in Israel's terms. What they call a peace is a Palestine without East Jerusalem and some parts of West Bank, and a bigger Israel with Jerusalem its capital. This is about what has recently been called as "Deal of the century" between Trump, Netanyahu, and the Saudi Crown Prince bin Salman. The first step of the project is to relocate U.S. embassy, in order to officially recognize Jerusalem as the capital of Israeli occupation regime. By recognizing Jerusalem as the capital of Israel, Trump drove the last nail that sealed the coffin of the Middle East peace process and dispelled the illusion of a peaceful settlement for good. <sup>[1]</sup>

## Background

Donald Trump, the 45th President of the United States, made a statement on December 6, 2017, regarding the status of Jerusalem, which signals a veer from almost seventy years of U.S. policy and international consensus. In this statement, he declared that they recognize Jerusalem as Israel's capital, which implies the relocation of the U.S. embassy from its current place in Tel Aviv (Tal al-Rabi') to Jerusalem (al-Quds). <sup>[2]</sup>

He started his speech saying that "my announcement today marks the beginning of a new approach to the conflict between Israel and the Palestinians". He then mentioned the Jerusalem Embassy act adopted by Congress in 1995 and stated that for over twenty years, every previous American president had exercised the law's waiver, refusing to move the U.S. embassy to Jerusalem or to recognize Jerusalem as Israel's capital city on the grounds that delaying the recognition of Jerusalem would advance the cause of peace.

His statements actually didn't come as a surprise. Trump had promised to recognize Jerusalem as Israel's capital during his election campaign. This was said to be for winning the evangelical voter base —more than fifty million evangelicals in America—, who believe in the prophecy of the 'End of Days' foretelling Jewish control of all Jerusalem and a war between civilizations which will end up with Jews' embracing Christianity. Trump's decision was not a new invention either for the U.S. history, though a veer from the previous attitude towards the status of Jerusalem in particular, and the Palestine/Israel issue in general. Recognizing Jerusalem as Israel's capital and relocation of the embassy was on the agenda of the U.S. Congress since 1995 within the context of Jerusalem Embassy Act.

As Trump mentioned in his speech, his decision is about a public law in the U.S. which was passed by the Congress in 1995 called "Jerusalem Embassy Act of 1995". This act lists the findings of the Congress: <sup>[3]</sup>

- (1) Each sovereign nation, under international law and custom, may designate its own capital.
- (2) Since 1950, the city of Jerusalem has been the capital of the State of Israel.

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This law which was passed upon the forceful attempts of the Congress —on which Israeli lobbies (esp. AIPAC) have a substantial impact— allows the President to invoke a six-month waiver of the application of law, and also reissue it every six months if necessary for the protection of the national security interests of the U.S.. This waiver right provided by the law itself was repeatedly invoked by the previous presidents of Clinton, Bush, and Obama, despite the insistence of the Congress, the legislature, on the executive branch to take steps to apply this law. These presidents may have acted in a conservative way and issued these waivers with the belief that this move would threaten the cause of peace in the region. Now that the peace has not been there for a long time, Trump now chooses to divert from the previous presidents' attitude by asserting his belief that repeating the exact same formula wouldn't produce a different or better result.

## Whose land is Jerusalem?

The debate over the so-called embassy move is indeed about the status of occupied Jerusalem. And the status of the city, which is holy for Jews, Christians and Muslims alike, has been a matter of debate since the end of the Ottoman rule —under which the three communities peacefully coexisted, as a Haredi Jew Ben Tziyon Margilit recently expressed to an Anadolu Agency correspondent that their best days were under the Ottoman Empire— wiped away. The fact that one state has an embassy in a certain part of another state means that the former recognizes that region within the sovereignty of the latter.

The root of the problem actually lays in the twentieth century, when the British occupied Palestine by extinguishing the centuries-long Ottoman rule over the region. The British mandate over the Palestinian lands including Jerusalem continued between the years of 1918 and 1947. Zionist Jew Herbert Samuel was appointed as a British civic governor for Palestine to facilitate Jewish colonization on the one hand and the deportation of local people on the other. During the British mandate regime, the demographic structure of Palestine has been changed dramatically.

When Britain expressed its intention to terminate its occupation in the region, the United Nations General Assembly recommended a scheme for the future of the region called the UN Partition Plan. This plan offered the establishment of two separate Jewish and Arab states by taking a big portion of the Palestine land from the locals and giving it to the occupier, the Jewish colonies.

The status of Jerusalem, according to this plan, was to be a *corpus separatum* under U.N. administration, which was never carried out. The Zionists declared the state of Israel in 1948 instead, which was immediately followed by 1948 Arab-Israeli War. Jerusalem was divided into two with an armistice line in the wake of this war, with Israel controlling the west, and Jordan controlling the east of Jerusalem. Although the U.S. under Truman recognized this new state at once, it didn't accept any country's exclusive sovereignty over any part of Jerusalem. He even rejected to send a representative to the opening ceremony of the Knesset in Jerusalem to show his opposition to the proclaimed Jewish sovereignty over west Jerusalem.

In 1967, Israel occupied the regions of Syrian Golan Heights, the Sinai Peninsula and Gaza Strip and West Bank including east Jerusalem in the so-called Six-Day War after which Jerusalem was united under the occupation of Israel. That's why the seventh paragraph of the Jerusalem Embassy Act of the U.S. claims the following statement: "Since 1967, Jerusalem has been a united city administered by Israel, and persons of all religious faiths have been guaranteed full access to holy sites within the city." Accordingly, Israel passed the "Basic Law: Jerusalem the Capital of Israel (5470-1980)" declaring in its first clause that "The complete and united Jerusalem is the capital of Israel." The UN Security Council and a number of countries harshly reacted against this move. The UN Decisions, such as 181, 242, 338, have drawn the Jerusalem's border by putting east of the city in the hands of the Muslim population. Appropriately, today there is no foreign state embassy in Jerusalem. Israel's Basic Law proclamation was responded by UNSC Resolutions of 476 and 478 which expressed grave concern about the legislative steps initiated in the Israeli with the aim of changing the character and status of Jerusalem. These resolutions blamed Israel, the occupying Power in UN's own words, of violating international law and the Geneva Convention, while obstructing the peace in the Middle East, and determined that the "basic law" was null and void.

## Results of the US move

Along with the Palestinian Authority, almost all countries in the world accept that the eastern part of Jerusalem is the occupied capital of a Palestinian state. The U.S. that had advocated for an internationally administered Jerusalem for decades, now sides with Israel and accepts illegally that Jerusalem with its east and west belongs to Israel. This also undoubtedly means the destruction of the ghost of peace process and two-states solution. In addition to the suffering of a people whose lands were taken over, Netanyahu government's policy of engulfing the Palestinian state and the recent U.S. support for it have become a threat to the security and stability of the region and the world.

The U.S. Executive's rooted policy and longstanding assessment that a change in the status of Jerusalem in Israel's favor would undermine the U.S.'s facilitative role and hurt the cause of peace in the region that is not in the interest of the U.S., is to change with President Trump. After Trump's flagrant speech, the White House said that it wanted to open a temporary embassy in Jerusalem for the 70th anniversary of the establishment of the state of Israel, on May 14, 2018. It also declared that the consular building in Arnona would have an extra-place for the interim U.S. embassy, and Ambassador David M. Friedman, until a new building for the permanent embassy established in 2019.

By being part of the problem instead of being a solution, the U.S.'s new policy concerning Palestine/Israel is worrisome. What's more, the change in the U.S. policy is not merely about this embassy move. The U.S. has recently announced that it would withhold almost half of its \$125m aid package for the UNRWA, an agency currently helping roughly five million Palestinian refugees sustain their lives in Palestine, and also in Syria, Lebanon, and Jordan. This move was followed by a tweet from Trump saying that the Palestinian Authority failed to acquiesce in a peace treaty on Israel's terms. This UN agency is seemingly an obstacle for the possible Israeli annexation of West Bank, lands to be occupied for the Greater Israel, the cornerstone policy of the occupation government. The US aid cut and the meeting which was held in Washington in March 2018 bringing together many Arab and Western states about the humanitarian crisis in Gaza make sense in this regard.

Emboldened with the support of the U.S. recently, Israel is gradually increasing its aggression about its entrenched policy of extinguishing the Arab existence especially in Jerusalem and West Bank and capturing the neighboring lands. The illegal establishments in West Bank have still been increasing rapidly. The long shadow of the oppressive policies of the supposedly democratic government of Israel towards the Palestinians in Jerusalem and the recent killings of the Palestinians including the journalists along the Gaza-Israel border who assembled on 30 March 2018 within the context of Great Return March to peacefully protest Israel's large-scale confiscation of Palestinian lands in addition to the harsh blockade on Gaza deepen the crisis in the region and quench the future hopes towards peace. A Haaretz columnist recently stated that "the shooting on the Gaza border shows once again that the killing of Palestinians is accepted in Israel more lightly than the killing of mosquitoes."

The protests in the Gaza border are to continue till the 70th anniversary of the Nakba —ethnic cleansing of Palestine and the near-total destruction of Palestinian society by Israel— on 15 May, which coincides with the 70th anniversary of the declaration of the occupation state of Israel on May 14. On the same day, the U.S. is to move its embassy to Jerusalem which also coincides with the eve of Ramadan, Muslims' holy month of fasting. The unprecedented coincidence of these important events may actually create a snowball effect concerning the fiery situation in the region.

As the situation bit by bit becomes more ominous for the Palestinians in particular and the region in general, our solidarity has never been more urgent. The supporters of Palestine all over the world including Jews, Muslims and Christians, and others have been trying to make their voice heard on the streets protesting and calling for an arms and trade embargo, and diplomatic sanctions against Israel. These reactions from the individual level to the states level should help reaching a "ripe moment" for negotiations to end the restless conflict by honestly judging the self-evident violator of international law, Geneva Convention, human rights and UN resolutions, for the sake of a just solution.

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<sup>[1]</sup> Azzam Tamimi, "Jerusalem's Deal of the Century", Insight Turkey, Vol. 20, No.1, 2018, (pp.71-78), p. 71.

<sup>[2]</sup> As Azzam Tamimi argues, Tel Aviv is no less Palestinian, Arab or Muslim than Jerusalem itself except the latter's sacredness. However, Israeli occupation in Jerusalem is internationally accepted unlike the occupation of Tel Aviv.

<sup>[3]</sup> Jerusalem Embassy Act of 1995, Public Law 104-45 — Nov. 8, 1995

<https://www.congress.gov/104/plaws/publ45/PLAW-104publ45.pdf> (27 April 2018)