

Policy Brief

Trump's Recognition of Jerusalem as Israel's Capital: Background and Ramifications

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Protests against the position of US President Donald Trump from Jerusalem [Getty Images]

On Wednesday, 6 December, President Trump declared Jerusalem as the capital of Israel and announced plans to move the U.S. Embassy from Tel Aviv to Jerusalem. Not only did this move break with the U.S. foreign policy tradition, which has for many decades avoided declaring Jerusalem as the capital of Israel in the absence of an Israeli–Palestinian peace agreement. It also ended the Palestinian Authority’s hopes for the United States to play a role in pursuing the objective of having East Jerusalem as the capital of an independent Palestinian state in the future.

It is too early to assess the consequences of Trump’s decision, , but it seems that precursors differ from what follows next, especially if the Palestinian people decide to build up their efforts to nullify the decision by activating popular resistance.

Trump’s plans to change the status quo in Jerusalem will, most likely, be counterproductive. Any future role of the United States as a neutral mediator in a peace process is likely to be weakened, and the current administration’s strategy in the Middle East will be hindered. These goals include reaching a settlement of the Arab–Israeli conflict, fighting armed Islamist groups, and countering Iranian influence.

Introduction

On Wednesday, 6 December, President Trump declared Jerusalem as the capital of Israel and announced plans to move the US Embassy from Tel Aviv to Jerusalem. Not only did this move break away with the U.S. foreign policy tradition, which has for many decades avoided declaring Jerusalem as the capital of Israel in the absence of an Israeli–Palestinian peace agreement. Trump’s decision will break the international consensus on Jerusalem and contribute to prejudging an issue that was supposed to be addressed in the final negotiations between the two sides, with the potential of fueling more tension in the region.

The Dispute over Jerusalem

After the 1948 war, Israel controlled the western part of Jerusalem, while the eastern part was under the Jordanian control, including the Old City, Al-Aqsa Mosque and Dome of the Rock. After its victory in the Six-Day War in 1967, Israel annexed East Jerusalem and declared both parts, east and west, as its 'united and eternal capital'. When Israel adopted the Jerusalem Law in 1980, which declared Jerusalem 'complete and united' as the capital of Israel. However, the UN Security Council rejected this law and adopted Resolution 478, which categorized the Israeli move as a violation of international law and called on member states to withdraw their diplomatic missions from the city. In 2006, Costa Rica and El Salvador were the last two countries to move their embassy from Jerusalem to Tel Aviv. Before the U.S. decision, no other country had an embassy in Jerusalem.

After signing the Oslo Accords in 1993, the Palestinians hoped that the eastern part of the city would be their future capital. However, in 1995, the U.S. Congress passed a law to move the American Embassy from Tel Aviv to Jerusalem and recognised 'Jerusalem as the capital of the State of Israel'. Since then, U.S. presidents (Bill Clinton, George W Bush, and Barack Obama) have refused to implement the resolution, signing presidential decisions to postpone its implementation every six months. Past U.S. administrations have argued that this delay was to 'protect the national security interests of the United States' on the one hand; and on the other to pursue some balance as a tactic in dealing with the strained and fragile relations between the Palestinians and the Israelis.

Context of the Jerusalem Decision

Trump's move has been expected since his presidential victory at the end of 2016.. His electoral platform included a key promise to move the U.S. Embassy from Tel Aviv to Jerusalem. After his winning the election , he did not conceal his resolve to keep his promise. He declared more than once that it was just a matter of time. In June 2017, Trump, like his predecessors, postponed the transfer of the embassy for six months, but last week the six-month deadline expired, and instead of renewing it, Trump decided to fulfil his promise and move the embassy.

A combination of complex factors played an important role in shaping Trump's decision. Domestically, the investigations into the alleged Russian intervention in the U.S. elections were slowly approaching Trump's team and some members of his administration. Recently, former national security adviser, Michael Flynn, was indicted for making a false statement to the FBI about Russia's intervention in the 2016 presidential election. Investigations could also extend to Trump's son-in-law , Jared Kushner, who is close to Israel as well as some of his cabinet members. This means that Trump is in an increasingly precarious situation and may try to push suspicions away from him or delay the debate over the issue. Under these circumstances, Trump is likely

to seek the support of some influential Zionist lobbies in Washington. Another important factor is Trump's desire of gratifying the wish of the Republican Party, especially the conservatives, and the evangelicals who support the embassy's transfer.. In addition, various individuals supported him, financially, politically and in the media as well, to win the presidency. For instance, billionaire Sheldon Adelson, donated \$20 million to a pro-Trump political action committee with the objective of influencing the United States's recognition of Jerusalem as the capital of Israel. Moving the embassy from Tel Aviv to Jerusalem is likely to boost Trump's popularity among these circles.

The internal situation in the United States was not the only factor that shaped Trump's decision on Jerusalem. The current Arab and regional situation, which has undergone fragmentation, civil wars and collapse of the national state system. The Gulf Cooperation Council (GCC), which has maintained a relatively stable political and economic position for a long time, especially after the siege of Qatar, has long been divided. Under these conditions, Trump and his administration were counting on absorbing the anger of his major Arab allies, especially Egypt and Saudi Arabia, which need U.S. support amidst their respective internal tensions. While Saudi Crown Prince Mohammed bin Salman needs U.S. support to contain his internal opponents and inaugurate his leadership in the kingdom, Egyptian President Abdel Fattah el-Sisi seeks to renew his legitimacy and leadership next year by winning a second term. However, challenging Trump's decision does not seem to be among the cards that these regimes can use.

Unrest and division are not limited to the Arab context, but extend also to regional powers, namely Turkey and Iran, thus reducing their options in confronting Trump's decision. Iran is fighting alongside Bashar Assad's forces in the Syrian civil war. It is also in a fragile negotiating position opposite the U.S. administration in maneuvering its nuclear program. Trump has threatened to cancel the nuclear deal – a move supported by Saudi Arabia and UAE. Turkey is not in a better position while facing several internal challenges, the most important of which is the Kurds' aspirations to create an independent state on their southern border (Kurdistan) that could strengthen the Kurdish separatist forces in south-eastern Turkey.

Israel's Gain

Israel welcomed Trump's decision and called on other countries to follow the United States in moving their embassies to Jerusalem. The Israeli government also announced plans to build thousands of new housing units in settlements. Most likely, Israel will seek to legalise about 200 000 settlers living in East Jerusalem settlements, although their presence is illegal under international law. Consequently, Israel aims to strengthen its actions by imposing new facts that prove its sovereignty over the city, and make it difficult to overcome the reality on the ground in any future attempt to reach a settlement.

Of course, Israel's policies will escalate to judaize the city and expel its Arab population, a pattern that has been ongoing since its occupation in 1967. Israel was able to isolate the city from its Palestinian natural environment and impose racist judaizing Jewish policies on its own Arab population in order to force them to leave. Arab Jerusalemites live in overcrowded neighbourhoods, face difficulties in obtaining building permits, and suffer from systemic discrimination; three-quarters of them live below the poverty line. In 2015, Palestinians constituted 37 per cent of 850 000 people in Jerusalem, most of whom live in neighbourhoods in East Jerusalem. Israel seeks to reduce this number to a minimum by removing overcrowded neighbourhoods from the borders of Jerusalem and annexing them to other urban communities.

As Israel seeks to transform the city into a purely Jewish status, the city and its Arab residents suffer from the Palestinian Authority's extreme neglect. Numerous Palestinian groups are responsible for maintaining the City ; however, they have frequent disputes. The significance of Jerusalem has become a fading priority of the Palestinian Authority.

America's Isolation Trump's decision prevents the U.S. from playing an active role in the Palestinian-Israeli conflict, whereas , it has united almost the entire world, including some of its closest allies in the region, against the U.S. president.

Arab and Islamic countries have rejected the U.S. decision to varying degrees., The Arab League cautioned that any recognition of Jerusalem would be a blatant attack on the Arab nation. The Organisation of Islamic Cooperation (OIC) met in Istanbul December 13, 2017 in a special session to coordinate an adequate response to Trump's decision.

Apart from the United States, fourteen countries out of fifteen total members of the UN Security Council have confirmed their commitment to international law and relevant Security Council resolutions. The overwhelming majority of influential countries rejected Trump's actions as detrimental to the peace process and to stability in the region. The most prominent position was highlighted by the Quartet, which consists of the United Nations, the European Union, Russia, besides the U.S. and was formed in 2002 to oversee the Middle East peace process. A few hours after the Trump speech, the UN secretary-general, Antonio Guterres, argued against any unilateral actions that would threaten the chances of reaching peace between Israelis and Palestinians. The EU also strongly rejected the U.S. decision in a statement issued by Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy.. both German and French positions are apparent. French president, Emmanuel Macron, was the first Western president to reject Trump's decision, asserting that the final status of Jerusalem ought to be settled through negotiations. German chancellor, Angela Merkel, and British Prime Minister, Theresa May, also opposed Trump's decision. Similarly,

Russia expressed concern that it would complicate the regional situation in the Middle East.

Implications

Trump's decision will have profound impact most likely on two overlapping levels.

The peace process and the internal Palestinian situation

The fate of the city of Jerusalem has been a vital and sensitive issue in the Palestinian-Israeli peace talks; its discussion has been postponed to the final-status negotiations due to its religious and political significance of the various parties to the conflict. The change in the status quo, after Trump's decision, will have a deep symbolic interpretation and will be considered a boost to Israeli sovereignty at the expense of Palestinian rights in the city.

With the exception of the United States, The international community has embraced a unified position that underscores the fate of Jerusalem to be determined by a final agreement between the Palestinians and the Israelis. However, it seems that reaching consensus, or even initiating serious negotiations, is now out of the question. Since former US Secretary of State John Kerry's efforts to revive bilateral negotiations between Palestinians and Israelis in 2014, no serious attempts have been made to reach a settlement. Palestinian president Mahmoud Abbas's position and legitimacy are at stake. To accept the negotiations under current conditions would undermine significantly the legitimacy of Fatah and the Palestine Liberation Organisation, . Such legitimacy was based on more than twenty years of successive promises to establish a Palestinian state with Jerusalem as its capital. It is now more difficult to convince the Palestinian people with the possibility of a future solution that does not guarantee Jerusalem as the capital of a Palestinian state. In the forseen future, Abbas will have to decide his options: either to continue the pursuit of the peace process or to exit. Mike Pence, U.S. vice president, is expected to visit the region and meet with the Palestinian leadership. But Palestinian officials said he would not be welcomed. In the event he is not received, the U.S. administration will react negatively and possibly punish the PA. Thus, Abbas will most likely try to avoid this scenario by seeking to strike a balance between addressing Trump's decision and maintaining communication channels with his administration.

With the contentious Palestinian street and ongoing demonstrations since the Trump announced his decision, the internal Palestinian strategic calculations remains incredibly complex in light of the shifting balance of power between the two strongest movements in the Palestinian street: Fatah and Hamas. All Palestinian factions , including Fatah and Hamas, have called on taking to the streets and protesting against the U.S. decision. Current and former politburo chief of Hamas Ismail Haniyeh and Khaled Mashal have called for a new Palestinian uprising and an end to the Oslo process by the Palestinian

Authority's withdrawal from the peace process. If Fatah agrees to lead 'controlled' popular protests against Trump's decision, it is unlikely to develop into a popular uprising that could threaten the status and survival of the Palestinian Authority. The pursuit of reconciliation between Fatah and Hamas remains an open-ended challenge.

Palestinians have suffered from severe political, security and social divisions for more than ten years. Their negative effects have impacted all aspects of life, especially in the Gaza Strip, which has been subjected to fierce siege. Despite the efforts to reunification of the West Bank and Gaza, in the aftermath of the U.S. decision, it seems unlikely that the recent developments will resolve this critical issue.

If the Palestinian president is controlled by the sensitive local, regional and international political calculations, ordinary Palestinians have other options. Jerusalem remains the heart of the Palestinian Muslim and Christian identity. The City was the direct cause of the Tunnel Riots in 1996, after the Israeli government opened a tunnel under the Al-Aqsa Mosque, as well as the year 2000 uprising that broke out after former Israeli prime minister, Ariel Sharon, visited Al-Aqsa Mosque compound, in addition to the Jerusalem Intifada (2015–2016), known as 'Knife Intifada'. In July 2017, Israeli plans to install security cameras at Al-Aqsa Mosque led to weeks-long unrest and confrontation. Palestinian demonstrations in Jerusalem mobilized the Arab and Israeli public opinion, which ultimately pressured the Israelis authorities to remove the cameras. The popular protests that followed Trump's decision are likely to escalate in the coming days and weeks in the Palestinian villages cities, and refugee camps. Most likely, Hamas will push for a full-scale uprising, while the Palestinian Authority will try to keep it under control.

Regional and Internations Dynamics

Trump's decision has directly linked the regional and international dynamics on several levels.

The polarized Arab reality, internal conflicts, and Arab-on-Arab wars have reduced both public and official reactions. As division in the Arab region increases and Arab populations focus on their immediate tragedies, the question of Palestine and Jerusalem becomes secondary. Therefore, it is impossible for the Arab states to put any effective pressure on the United States to withdraw the Jerusalem decision. .

With the declining Arab unified politics, , Thhe door remains open for other international actors to expand their influence in the region. The EU is currently afraid of re-igniting the Palestinian internal situation or increasing the polarisation and conflict in the Middle East, which may threaten the fragile status of many Arab countries, especially those adjacent to Israel: Lebanon, Jordan, Egypt, and Syria. The political environment in these countries is characterised by fragility and instability. Thus, European countries fear that

the collapse of the status quo may trigger another influx of refugees into Europe. and may reinforce the collapse the European Union, which is witnessing sharp disagreements among member states on the issue of receiving refugees, especially Muslims. The EU is likely to absorb the shock of the U.S. decision and address its consequences, while avoiding the possibility of another factor of instability in the region.

According to most estimates, Trump's decision will gradually isolate the U.S. role in the peace process. This is a good point of entry into understanding Russia's strong position vis-a-vis Trump's new policy. Russia may seek to market itself in the region at the expense of the interests of the U.S. , its traditional rival, by taking a more sympathetic position toward the Palestinian/Arab aspirations in order to increase its influence and expansion in the region Its re-emergence on the international arena as a parallel power to the United States would be another part of the Russian strategy. The visit of Russian President Vladimir Putin to Turkey and his talks with President Recep Tayyip Erdogan has apparently addressed the US decision in this context.

Similarly, one can interpret Iran's position against Trump's decision. As articulated by the supreme leader of the Islamic Republic of Iran, Ayatollah Ali Khamenei. Tehran's position can be interpreted as a deliberate move to reconstruct its public image that has been damaged by the Iranian role in the Syrian civil war. Jerusalem presents an ideal opportunity for Iran and its allies (Hizbullah and the Syrian regime) to mobilise against the United States and improve their image in the eyes of the Sunni Muslim world . However, the escalation of Iran and its allies does not seem to go beyond the level of fiery statements because of Iran's desire to maintain the nuclear deal with the United States, .

New Prospects

It seems that the Trump's decision pre-phase and post-phase differ from each other. The pre-phase was betting on a US-sponsored settlement option. The post-phase will diverge if the the Palestinian people decide to build up their efforts to nullify the decision by activating popular resistance.

Trump's decision and plans to change the status quo of Jerusalem will most likely be counterproductive. Any future role of the United States as a neutral mediator in the peace process will weaken further. The strategic objectives set by the Trump administration in the Middle East will be compromised – namely, reaching a settlement that ends the Arab–Israeli conflict, fighting armed Islamist groups and controlling the Iranian influence.

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