

IS JERUSALEM NEGOTIABLE?

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Note:

This report draws policy implications

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Nader and Jerome Segal. Both studies are available from the Center for International and Security Studies, University of Maryland. The views contained herein are those of the author.

Is Jerusalem Negotiable?

I. Introduction

Successful negotiation of the Jerusalem question can be thought of as requiring the satisfaction of three necessary conditions, none of which is sufficient in itself:

- That both the Israeli and Palestinian governing leadership seek to achieve a compromise settlement.
- That within each national community, there is general public support for those compromises that are acceptable to the leadership.
- That there be at least one set of compromises that is acceptable to both sides and that will not thoroughly violate the most deeply held values of a substantial minority within either community.*

Although this study** and the parallel study of the attitudes of the Israeli Jewish public focus on the second and third of these conditions, it is important to briefly address the issue of political leadership. It seems clear from both studies that any Israeli or Palestinian leadership that does not seek a compromise solution on the Jerusalem issue, will not be pushed into such compromises by their respective public. Israelis in general are skeptical about the wisdom of compromising on Jerusalem, and Palestinians are broadly reluctant to make substantial concessions. Issues such as Jerusalem as the Palestinian capital or the status of the Temple Mount, engage such strong commitments on both sides, that it would not be hard for a political leadership on either side to approach these

* How large a minority has to be in order to possess an effective veto depends on many factors, including the determination of political leaders and the costs they are willing to bear.

**

issues in ways that would deadlock and doom any negotiation process. It is however important to see why both Israeli and Palestinian leaders should want a full resolution of the Jerusalem question, even if this might involve painful compromises.

The Palestinian Interests in Full Resolution

For Palestinians there are two obvious reasons. First, they have something clear cut to gain; at present Israel controls all of Jerusalem. As a result of a settlement Palestinians would likely gain some sovereign rights in Jerusalem as well as administrative control within at least some of the areas where an agreement on sovereignty is not reached.

Second, unless the Jerusalem question is in some form resolved or put to rest it is hard to see how peace between Israel and the Palestinians can be attained, or if attained, remain stable. Thus the Palestinian interests in ending the conflict and in an environment which allows them to get on with the social and economic development project of a new state, also motivate resolution of the Jerusalem question.

Third, and perhaps less obviously, there is the question of whether or not agreement on a Palestinian state can be negotiated unless the Jerusalem question is resolved. On first glance, the relationship between the Palestinians to not press the Jerusalem issue, Israel would be more willing to accept a Palestinian state. But there is another dynamic at work as well. It is highly likely that, as the quid pro quo for the establishment of a Palestinian state, Israel will require that the Palestinians agree that the final accord is indeed final, that Palestinians agree, for now and forever, that no further claims for territory or compensation will be placed upon Israel. This is likely to be demanded by a right-wing Israeli government, and might also be demanded by a government led by the

Labor Party. If Israel insists on Palestinian agreement that the conflict has been "resolved in full" then, absent an accord on Jerusalem, Israel would be requiring of the Palestinians something that no Palestinian leadership would or could agree to. Thus, unless there is full resolution of the Jerusalem issue it is quite possible that Palestinian statehood itself will not be subject to successful negotiation.

Israeli Options and the Desirability of Full Resolution

Israelis, especially if there is a Labor government, will no doubt consider another option, foregoing full resolution of the conflict as a condition for the emergence of a Palestinian state. Thus Israel might instead seek Palestinian agreement on putting off (either indefinitely or for a specified period) the question of sovereignty over Jerusalem and instead seek agreement on an administrative framework which would delegate powers and identify limitations on unilateral actions. This approach would seek to neutralize Jerusalem by reconfiguring it as an unresolved international dispute between the two states, but one with respect to which they have reached some sort of modus vivendi.

As part of this approach Israel might agree to steps that would satisfy some Palestinian needs and increase stability. Thus, Israel could formally announce that the "Mosque compound" on the Temple Mount is outside of Israeli sovereignty. (This was the position taken in the Yossi Beilin/Abu Mazen formulations of 1996.) Similarly, Israel could announce a policy of restraint with respect to land confiscations and construction in and around Jerusalem. Such an approach gives the Palestinians something on issues that are particularly explosive. In exchange for such concrete steps, the Palestinian leadership might agree to put off the issue of sovereignty and deal with Jerusalem through administrative agreement for the time being.

As tempting as this approach may be, it involves serious problems, and is

approach is that it involves negotiations that, in some respects, may be as much or even more arduous than negotiating full resolution. Indeed, it may simply not be possible to conclude an administrative agreement on Jerusalem which would be satisfactory to both Israelis and Palestinians. Such an agreement in Israeli eyes would have to avoid compromising their sovereignty, and in Palestinian eyes avoid compromising their claim to sovereignty. Issues such as construction, applicability of law, rights of entrance and exit, and so forth would have to be resolved administratively.

Assuming that such an agreement could be concluded, it would allow for a Palestinian state to come into existence without Jerusalem being resolved, and without any disclaimer on further claims. This would buy some time and allow events to move forward. However, the breathing space it will allow is likely to be short-lived.

It is inevitable that such an agreement, is likely to lend itself to multiple interpretations and possess areas of indeterminacy. While Israel and Palestine may agree on specific actions they will refrain from, they are likely to be constantly drawn into, at least, symbolic struggle over who has sovereignty, and there will remain a high likelihood of destabilizing incidents.

Internationally, with an existing Palestinian state, other countries will have to decide whether they recognize Jerusalem as Israel's capital, as Palestine's, or as the capital of both. And the Palestinian leadership will be under strong internal pressure to demonstrate that they have not in fact forsaken Jerusalem, that they have not acquiesced to an Israeli status quo. On the Israeli side, there will be

constant charges that the government is "de facto" acquiescing in the re-division of the city.

For Palestinians there will be a question of where their capital is, even for an interim period. The current study showed very strong Palestinian opposition to accepting, even on an interim basis, an area outside Jerusalem such as Abu Dis as the capital. Also, there is the issue of the status of the 170,000 Palestinians who live in Jerusalem. It is doubtful that any Palestinian state would agree that it could not extend citizenship to these Palestinian residents of Jerusalem. Both of these issues will not sit still for long. Over time, it is likely that any interim agreement will break down, or that any isolated and subsequent negotiations on Jerusalem between the two states, will deadlock.

The danger for both Israelis and Palestinians is that there will be a subsequent revitalization of the conflict, this renewed conflict having Jerusalem rather than the West Bank/Gaza as the essence of the struggle. In crystallizing the Jerusalem issue in this way the situation can get even worse. Thus, when Jerusalem and only Jerusalem is the issue, it is quite possible that this will move Islamic states into a more confrontational mode, and serve to encourage the challenge of fundamentalists.

Within Israel, the isolation of the Jerusalem issue will offer new likelihood that Israel may move further to the right. Since any Israeli government will be in danger of being discredited if it seems willing to divide Jerusalem the government will be under pressure to take positions, as well as unilateral steps, that make successful resolution of the issue impossible. Thus, an indefinite string of Har Homa's might result.

Thirdly, seeking an administrative solution not only runs the risks of both deadlock and worsened conflict down the line, it does so without providing Israel

with the benefits of a full solution. The advantages to Israel of full resolution of the Jerusalem issue are very substantial. Full resolution will allow international recognition of Israeli sovereignty in Jerusalem and of Jerusalem as Israel's capital. It will open the door to a full resolution of the conflict, to a peace agreement in which "for now and forever" all further claims are relinquished. It will maximize the extent to which normalization with the Arab and Islamic world is possible, and may make possible at least a partial Islamic acceptance of "some legitimate Jewish rights in regard to Jerusalem." Finally, by making it possible for Palestinians to genuinely think of the conflict as having been fully resolved, it will allow them to move on, thus stabilizing and deepening the peace.

Such outcomes are of vast historic import and the opportunity to achieve them may not always be present. The key question then should not be the desirability of a comprehensive and permanent Jerusalem accord to either Israelis or Palestinians, but rather the possibility of attaining it. Ultimately, Israel and the Palestinians may have to settle for a second best approach. However, this should not be lightly conceded. Second best, in this case, is significantly worse than a full settlement. Thus, the overriding importance of the issue under consideration in this section of the study, "To what extent, if any, do the values, beliefs and attitudes of Israelis and Palestinians make it impossible to fully negotiate resolution of the Jerusalem issue?"

II. Three Contexts for Negotiability

To gauge the extent to which, from the point of view of the two publics, the Jerusalem question is potentially negotiable, it is necessary to bring together an understanding of Palestinian perspectives with a similar understanding of Israeli

perspectives. This can be done by looking briefly at the results of a parallel study,¹ "The Status of Jerusalem in the Eyes of Israeli Jews". In that study it was found that:

- Israelis Jews generally are opposed to negotiations over Jerusalem (79%);
- Israeli Jews make major distinctions between those parts of the city that are "important to them as Jerusalem" and those parts of the city that are not.
- With respect to the parts of the city that are of lesser "importance as Jerusalem" there is a significant willingness to seriously consider transferring those areas to Palestinian sovereignty.
- Most Israeli Jews (66%) do not believe that a peace treaty with the Palestinians will lead to true and lasting peace.
- For those Israeli Jews who do believe that a peace treaty will lead to lasting peace, there is a substantially greater willingness to compromise over Jerusalem.
- Among those that do not believe that there can be true peace between Israel and the Arab world in the foreseeable future, a significant percentage are open to being convinced by events that true peace is possible.

Thus, the study of the Israeli-Jewish public revealed an internal logic that is operative in determining the degree to which Israeli Jews are prepared to negotiate different aspects of the Jerusalem question. Most Israeli Jews do not believe that Palestinians have legitimate rights to Jerusalem. Thus, if they are to be motivated to compromise on Jerusalem, they will need to anticipate some substantial benefit

¹ Eihu Katz, Shlomit Levy, Jerome Segal, "The Status of Jerusalem in the Eyes of Israeli Jews," Center for International and

from doing so. Achieving lasting peace with the Arab world would certainly qualify, but most Israelis don't believe that this is likely. Moreover, they fear that making any concessions on Jerusalem will only result in demands for further concessions. Thus, there is substantial resistance to compromise, except for those that do believe that peace with the Arab world is possible. And even for this group, there are some aspects of Jerusalem that are simply not up for negotiation.

The potential negotiability of the Jerusalem issue can be considered within several contexts which are successively more supportive of negotiated outcome. The first we might label "the standard context" by which is meant that the underlying factors which determine Israeli and Palestinian willingness to compromise are roughly as they were at the time of the two studies. On the Israeli side this means a situation in which only a minority (39%) believe that Palestinians

majority of Israeli Jews doubt that a peace treaty with the Palestinians will mean genuine and lasting peace. For Palestinians this means only a small segment (20%)

70%) support genuine and lasting peace with Israel in exchange for a Palestinian state with East Jerusalem as its capital and resolution of the refugee issue.

A second, more promising context is one of "enhanced Israeli confidence." This might be defined roughly as a situation in which the one third of Israeli Jews who believe in the efficacy of a peace treaty to yield true peace has grown to two-thirds. And a third context, one in which both sides are most open to compromise, is one in which enhanced Israeli confidence is combined with enhanced Palestinian acceptance of some Jewish rights in regard to Jerusalem, say doubling from 20% of

the population to 40% of the population, and Israel Jewish acceptance of some Palestinian rights in regard to Jerusalem has expanded 50% from 39% to 60%..

In a later section, consideration will be given to whether these second and third contexts are realistic and how they might be attained. For now, let us consider how the degree of negotiability of the Jerusalem question changes as the context shifts. Throughout it should be remembered that there is no magic in the numbers. The issue is not whether or not a numerical majority in this or that study supports a given proposal. This is so for several reasons. First, public support for specific proposals within a research inquiry is likely to be less than it would be if the proposal receives the support of the governing leadership. Second, proposals are likely to receive more support if they are part of a package that represents the outcome of a negotiations process.

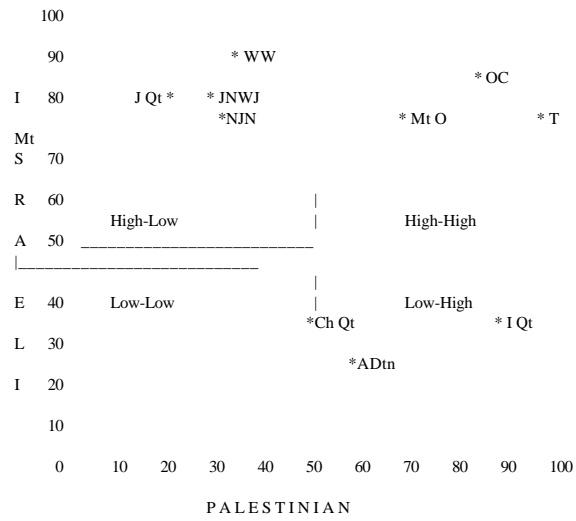
More fundamentally, even majority public support in both communities may not be sufficient to insure the negotiability of the proposal in question. If the opposition of a significant minority promises to be intense and enduring, this may deter policy makers from giving it serious consideration. Indeed, in a situation in which a shift of a small percentage of the electorate may change the outcome of an election, or the shift of a few members in Parliament may force new elections, intensely held minority positions get taken very seriously.

Resolving the Jerusalem question will, in the end, require strong, effective and motivated leadership on both sides. Perhaps it is best to view public opinion as a constraint that limits even what such leaders can bring about. This inquiry into negotiability is then an inquiry into the extent, nature, and dynamics of that constraint.

A. The Standard Context: Most Israeli Jews Doubt that a Peace Treaty Will Yield Genuine Peace

Both this study and the study of Israeli attitudes found that for both peoples certain parts of the city are of enormous importance "as part of Jerusalem" and other parts less so. The difficulty of negotiating the final status of any particular area bears a strong relationship to the extent to which that area is of great importance "as Jerusalem" for both sides. A good deal of the underlying potential for resolving the Jerusalem issue emerges from the fact that not all areas are of equal importance to both sides. These differences are captured in Diagram 1:

Diagram 1: Relative Importance to Both Israelis and Palestinians of Different Parts of Jerusalem (Percentage Answering "very important" as Jerusalem)



Code: Western Wall (WW); Old City (OC); Mount of Olives (Mt O); Jewish Neighborhoods in West Jerusalem (JNWJ); New Jewish Neighborhoods in East Jerusalem (NJN); Jewish Quarter in the Old City (J Qt); Islamic Quarter in the Old City (I Qt); Christian Quarter of the Old City (C Qt); Arab Downtown Neighborhoods in East Jerusalem (ADtn).

The diagram allows us to see the relative importance of the different areas "as Jerusalem" to the two peoples. It shows that what is important to the Palestinians "as Jerusalem" is not always the same as what is important to Israeli Jews "as Jerusalem." The struggle over Jerusalem is most essentially a struggle over the areas in the quadrant labeled "High-High" namely, the Old City as a whole, The Temple Mount, and the Mt. of Olives. Jewish neighborhoods in West Jerusalem, in East Jerusalem or the Old City are far less hotly contested. Nor is this most centrally a struggle over Palestinian areas, whether it be Arab downtown neighborhoods or the Christian or Islamic Quarters of the Old City. Nor is it most essentially about the outlying Arab village areas within the boundaries. (These are not shown in Diagram 1, but were of the least importance "as Jerusalem" to Israeli Jews.)

It should not be thought that this implies that achieving successful negotiations over these areas of lesser contention will be easy, or even possible. Rather, what is suggested is that the relative degree of conflict in these areas is considerably less than over the central areas of contention.

Table 1 ranks the parts of the city with respect to the extent to which they are contested using as a measure of "the degree of contestation" the lower of either the percentage of Israelis or the percentage of Palestinians identifying that area as "very important as part of Jerusalem."

Table 1.

Ranking of the Extent to Which Specific Parts of the
City are Contested

	Percentage saying "very important as part of Jerusalem"	
	Israelis	Palestinians
Outlying areas of Palestinian residence (e.g. Um Tuba)	22	*
Arab downtown areas (e.g. Wadi Jos, Sheikh Jarah)	24	59
Jewish Quarter of Old City	79	24
Jewish Neighborhoods of West Jerusalem	81	26
New Jewish Neighborhoods of West Jerusalem	76	29
Christian Quarter of Old City	33	47
Islamic Quarter of Old City	33	85
Al Aqsa Mosque and Dome of the Rock	**	95
Western Wall	91	34
Mt. of Olives	77	66
Temple Mount (Haram al Sharif)	76	94
Old City (taken as a whole)	85	86

* Inadvertently, the study did not directly ask Palestinians how important to them "as Jerusalem" were these areas.

**The study of Israeli Jewish attitudes did not ask about the importance of the Mosques (as opposed to the Temple Mount/Haram al Sharif). The Mosques themselves hold no religious significance for Jews and are widely referred to in the uncontested idiom of "Islamic holy places." The Mosques are ranked here because of how Israeli Jews ranked the Islamic quarter as a whole. It is also worth noting in this context that the Yossi Beilin/Abu Mazen framework stated that the "Mosque compound" would not be under Israeli sovereignty. That

Beilin would agree to this supports the appropriateness of this ranking, but this should be confirmed in further research.

Scanning Table 1, it can be seen that for the first nine areas considered (the outlying Palestinian village areas through The Western Wall) there is continuity. For each of these areas, for at least one of the peoples, a majority does not see the area in question as "very important as part of Jerusalem." However, with the Mount of Olives and the Temple Mount there is a quantum leap upwards. Here, for both peoples, the area is perceived as the essence of Jerusalem. And of course, with respect to The Old City as a whole, this is also true. For each side, The Old City contains much of what is essential though, to a very important degree, they differ on what this essence is.

As was suggested above, it would be a mistake to assume that just because an area is not among the most intensely disputed parts of Jerusalem that a compromise solution acceptable to both sides can be found. In some instances this may be so; in other instances not. In this section I will offer an assessment, within the standard context, of what kind of solutions appear to be consistent with what we have learned about how the two peoples view Jerusalem.

1. East Jerusalem with the exception of the Old City, the Mount of Olives, Mt. Scopus, and the Jewish Neighborhoods

The study of Israeli Jews revealed that:

- No more than a fourth of Israeli Jews view the Arab neighborhoods as "very important as Jerusalem;" though 40-45% view them as "important" or "very important as part of Jerusalem."

- 45% of Israeli Jews would seriously consider transferring the outlying village areas (e.g. Um Tuba, Sur Baher) to Palestinian sovereignty.

- 34% would seriously consider transferring to Palestinian sovereignty the Arab neighborhoods of East Jerusalem outside the Old City.

- 42% said that they "would cede the Arab neighborhoods of East Jerusalem to the Palestinians" if the Old City, the Mount of Olives, all of the Jewish neighborhoods of East Jerusalem and Mount Scopus "remain in Jerusalem."

The general picture that emerges on the Israelis side is that, within the standard context, Israel could agree to transfer the outlying village areas to Palestinian sovereignty. Arab downtown and peripheral areas are more problematic. Only one third of Israeli Jews would take seriously a proposal for Palestinian sovereignty over these areas, and the 42% that said they would cede these areas, did so within the context of a proposal in which virtually all of what was most important to Israel, including the Old City, would remain in Israeli hands. It is unrealistic to think that Palestinians would agree to this.

Viewed from the Palestinian side these more central areas of the city are 59% viewed Arab downtown and peripheral areas as "very important as part of Jerusalem" and another 33% viewed them as "important as part of Jerusalem." Further, when asked about a general proposal that would deny Palestinians any sovereignty in East Jerusalem, but would accord them "a special self-rule status" only 20% were prepared to take the proposal seriously.

Thus, it appears clear that from a Palestinian point of view there can be no resolution of the Jerusalem question without Palestinian sovereignty over these areas of Palestinian residence and commerce outside the Old City. Within the standard context this appears to be most possible for the outlying areas. It should be noted though that, even with respect to these parts of the city, over 20% of Israeli Jews would be yielding areas they view as "very important as part of Jerusalem." As for the more central areas (outside the Old City) it is unlikely that Israel would agree to Palestinian sovereignty within the standard context.

2. Jewish Neighborhoods in East Jerusalem, Outside the Old City

Israeli Jews view these areas as essential parts of Jerusalem:

- 76% of Israeli Jews view them as "very important as Jerusalem" and another 19% view them as "important."

- When asked "In your opinion are the new Jewish neighborhoods that were established since 1967 as much a part of Jerusalem as the older neighborhoods?" 94% of Israelis Jews said "yes" (35%) or "definitely yes" (59%).

- And only 19% of Israeli Jews would take seriously a proposal to "Give East Jerusalem to Palestinian sovereignty with the Jewish neighborhoods in East Jerusalem having a "special status" under Israeli control."

Thus what emerges is a clear picture that for Israeli Jews anything other than Israeli sovereignty over this part of East Jerusalem is a non-starter.

On the Palestinian side the matter is less clear-cut. On the one hand, only 29% of Palestinians view these areas as "very important" as Jerusalem. This would suggest that Palestinians would at least take seriously a proposal that (leaving the Old City aside) would give them sovereignty over all of East Jerusalem except these Jewish neighborhoods in exchange for the Jewish neighborhoods falling under Israeli sovereignty. Yet this was not what we found.

Two questions were posed:

	seriously	reject/not
	consider	seriously
		consider
61. West Jerusalem would be under Israeli sovereignty and East Jerusalem would be under Palestinian sovereignty, with a special arrangement for Israeli control of the Jewish neighborhoods in East Jerusalem. The Old City would be dealt with separately.	52	32
66. West Jerusalem and the Jewish neighborhoods in Eastern Jerusalem would be under Israeli sovereignty and the rest of East Jerusalem under Palestinian sovereignty, with the Old City dealt with separately.	28	57

The two proposals are identical except for the treatment of the Jewish neighborhoods. In the first they fall under Palestinian sovereignty but Israeli control. In the second they fall under Israeli sovereignty. The difference appears to make a difference. Those willing to seriously consider the proposal fell from a majority of Palestinians to a clear minority, with those dismissing the proposal twice as numerous as those willing to take it seriously.

While Israeli sovereignty over these neighborhoods in East Jerusalem does not appear to cross a Palestinian redline, within the standard context, an agreement that provided for Israeli sovereignty over these neighborhoods would (all other things being equal) be opposed by most Palestinians. Nonetheless, in a real world context, as part of an overall agreement that is supported by the Palestinian leadership and which counterbalances Palestinian concessions here with Israeli

concessions elsewhere, it might be that general Palestinian acceptance could be attained.

3. The Old City: Jewish and Palestinian Neighborhoods

Taken as a whole, the Old City is at the core of what both Israeli Jews and Palestinians experience "as Jerusalem." 85% of Israeli Jews find the Old City "very important as part of Jerusalem" and another 12% find it "important as part of Jerusalem" -- leaving only 3% who do not. For Palestinians the numbers are virtually identical. 86% find the Old City "very important as part of Jerusalem" and an additional 12% find it "important as part of Jerusalem."

Given that the Old City encompasses the four residential quarters as well as the Western Wall, the Temple Mount, the Dome of the Rock and the Al Aqsa Mosque it is not surprising that it should be central to both Jewish and Palestinian experience of Jerusalem.

What is striking however, is the extent to which the degree of centrality "as Jerusalem" differs when the Old City is disaggregated into its component parts.

For Israeli Jews the Jewish Quarter is viewed as "very important as part of Jerusalem" by 79% of the population, with an additional 15% who viewed it as "important as part of Jerusalem." On the other hand the non-Jewish quarters were viewed as "very important as part of Jerusalem" by only 33% of Israeli Jews, with another 26% saying they were "important as part of Jerusalem."

For Palestinians there is an analogous pattern. The Islamic quarter is viewed as "very important as part of Jerusalem" by 85% of the population, with an additional 13% viewing it as "important as part of Jerusalem." The Christian quarter is seen as "very important as part of Jerusalem" by 47% and "important as part of Jerusalem" by an additional 33%. But the Jewish quarter is seen as very important

as Jerusalem by only 24% of the Palestinian population, with an additional 17% seeing it as important.

Among Israeli Jews some 40% view the non-Jewish quarters as "not so similar to the Jewish quarter. 59% of Palestinians responded similarly to the Jewish quarter.

When Israeli Jews were asked about giving the Palestinians sovereignty over the Palestinian neighborhoods in the Old City only 23% were prepared to seriously consider the idea, and 55% rejected it outright. On the Palestinian side a proposal for the Old City in which Israel would have sovereignty over the Jewish neighborhoods, and Palestine would have sovereignty over Palestinian neighborhoods would be seriously considered by 40% of the population, and dismissed by 47%. (20% saying they would not take the proposal seriously, and 27% saying they would reject it totally.)

Thus we find some, but limited, support for dividing the sovereignty over the residential areas with the Old City. The opposition among Israelis and Palestinians is strong, but it is much stronger among Israelis. Within the standard context, the opposition to dividing sovereignty or to joint sovereignty appears sufficient to make these proposals unrealistic.

4. The Old City: The Western Wall, The Temple Mount, The Dome of the Rock/AI Aqsa Mosque

The relative centrality of these sites for Palestinians and Israeli Jews can be seen in Table 2.

Table 2.**Importance "As Part of Jerusalem" to Palestinians and Israeli Jews of Religious Sites in the Old City**

		Importance "As Part of Jerusalem"			
		Very Import.	Important	Not so Import.	Not at all Important
The Temple Mount (Haram al-Sharif)	Israeli Jews Palestinians	75 94	18 5	5 1	2 0
The Western Wall	Israeli Jews Palestinians	91 34	8 20	1 18	1 28
Al Aqsa Mosque and The Dome of the Rock	Israeli Jews Palestinians	-- 95	-- 5	-- 0	-- 0

Table 2 makes clear that for both Palestinians and Israeli Jews the religious sites within the Old City are absolutely central to their understanding of Jerusalem. For 91% of Israeli Jews, the Western Wall is "very important as part of Jerusalem," (and it is "important as part of Jerusalem" for an additional 8%.) For Palestinians, the Haram al-Sharif (the Temple Mount) and the two mosques are respectively viewed as "very important as part of Jerusalem" by 94% and 95% of the population.

For Israelis it is The Western Wall which is of premier importance. Here only 2% of the population says it is either "not so important as part of Jerusalem" or "not important at all as part of Jerusalem." Yet when it comes to the Palestinians, the Western Wall is of distinctly lesser importance. 34% of Palestinians say it is "very important as part of Jerusalem," and another 20% say it is "important as part

of Jerusalem"; 40% say it is either "not so important as part of Jerusalem" or "not important at all as part of Jerusalem."

The earlier study did not ask Israeli Jews about the importance to them of the Islamic Mosques on The Temple Mount. However, there are several reasons for assuming that the mosques themselves are not of importance, (though the place where they stand is of great importance.) The mosques are viewed as both historical and religious Islamic holy sites. Unlike certain other sites, such as the Tomb of the Patriarchs outside of Hebron, these structures are viewed as exclusively Islamic in character and significance.

It is the Temple Mount/Haram al Sharif which is the most contested area. Here only 1% of Palestinians say it is "not so important as part of Jerusalem" and only 7% of Israeli Jews view it as either "not so important as part of Jerusalem" or "not important at all as part of Jerusalem."

This fact, that the Temple Mount/Haram al Sharif, but not the Western Wall, is of vital importance to both peoples is reflected in the different responses that Palestinians and Israeli Jews gave to the following proposal:

"Palestinian sovereignty over the Temple Mount/Haram al Sharif in exchange for Palestinian recognition of Israeli sovereignty over the Western Wall"

<u>Palestinian Response</u>		<u>Israeli Response</u>	
Seriously*	Dismiss**	Seriously	Reject

* "Seriously consider" includes "very seriously consider" as well.

** The category "dismiss" for Palestinians is the sum of those saying they would not seriously consider the proposal plus those saying they reject the proposal totally. The category "reject outright" for the Israelis was the sum of those saying they would not consider the proposal at all plus those who,

Consider		Consider	Outright
50%	35%	20%	58%

For the Palestinians the claim to sovereignty over the Western Wall is something that is subject to negotiation and can be relinquished in exchange for sovereignty over the Temple Mount. For Israelis, this exchange is largely out of the question.²

These considerations serve to underline the difficulties that lie ahead in efforts to reach a final status accord with respect to the Old City and the Temple Mount in particular.

The Mount of Olives must also be added to the list of areas of extreme difficulty. Among Israeli Jews only 5% said it was either "not so important to them as part of Jerusalem" or "not important at all as part of Jerusalem." Among Palestinians the identical percentage (5%) also said it was "not so important to them as part of Jerusalem" or "not at all important as part of Jerusalem." In both cases the percentage saying it was "very important as part of Jerusalem" was high, (66% of Palestinians, and 77% of Israeli Jews), but this is less than was found in respect to the Temple Mount/Haram al Sharif.

Taking this standard context as the background, the studies of Israeli and Palestinian attitudes suggest that there are limited but still important areas in which agreement may be possible. Perhaps the outlying areas of the city might be

given their objection to any compromise, refused to consider any of the options.

transferred to Palestinian sovereignty, and possibly it could be agreed that Israel would have sovereignty over the Western Wall in exchange for Palestinian sovereignty over the Mosque compound on the Temple Mount. But there is inadequate willingness among Israelis to support most of what Palestinians seek:

- Sovereignty over Arab downtown and peripheral areas
- Sovereignty over the Arab quarters of the Old City
- Sovereignty over the Temple Mount/Haram al Sharif and the Mt. of Olives
- Joint sovereignty over the city as a whole, or perhaps the Old City.

At the same time, viewing the Palestinian responses to the current study it is clear that a majority (typically an overwhelming majority) of the Palestinian public would oppose compromises which accept the Israeli demands for:

- Sovereignty over Jewish neighborhoods in East Jerusalem
- Sovereignty over Arab downtown
- Sovereignty over the Old City
- Sovereignty over the Temple Mount and the Mt. of Olives

Thus, the standard context is one in which most of the Jerusalem question lies outside the range of what can be mutually agreed upon. Moreover, even the proposal that each side maintain its claim to sovereignty while agreeing on a joint administration of the Old City draws only limited support from either Israeli Jews or Palestinians.

² In no way should this be seen as giving credence to the view that Israelis

B. Context Two: Enhanced Israeli Confidence in the Efficacy of a Peace Treaty

The shift to a hypothetical context of enhanced confidence (in which two-thirds, rather than one-third, of Israeli Jews believe in the efficacy of a peace treaty to yield long term peace) would produce changes in Israeli support for compromise proposals. How great might this increased willingness to compromise be? No doubt it overstates the magnitude of this change to assume that the willingness to compromise of the newly added third would be the same as that of the third that already believe in the efficacy of a peace treaty. Nonetheless it is instructive to note how radically the willingness to compromise differs between those that believe in the efficacy of a peace treaty and those that do not. This can be seen in Table 3.

seek to rebuild the Jewish Temple. Only a minute fringe element of Israeli society maintains this objective.

Table 3.

ISRAELI JEWS. In Relation to Beliefs About Whether A Peace Agreement With the Palestinians Will Lead to True Long-term Peace, the Percentage Who Seriously Consider (line one) and who Flatly Reject (line two) Each Proposal

	Will A Peace Agreement Lead to Peace?			National Average
		Believe It Will	Don't Believe It Will	
Group I:				
Palestinian sovereignty over Arab village in E. Jer. (e.g. Shuafat, Um Tuba, Sur Baher)	Serious Consid	67	35	45
	Flatly Reject	16	46	36
Group II:				
Autonomy for Arab areas in East Jerusalem	Serious Consid	50	28	35
	Flatly Reject	28	51	44
Arab areas in E. Jeru outside Old City to Palestinian sovereignty.	Serious Consid	53	24	34
	Flatly Reject	24	54	44
Joint administration of Old City without yielding on sovereignty.	Serious Consid	50	26	34
	Flatly Reject	26	49	41
Temple Mount under Wakf as now	Serious Consid	48	23	31
	Flatly Reject	30	56	48
Group III:				
Palestinian sovereignty over Arab neighborhoods in Old City	Serious Consid	41	13	23
	Flatly Reject	35	65	55
Palestinian sovereignty over Temple Mt., Israeli over Western Wall	Serious Consid	37	13	20
	Flatly Reject	42	67	58
East Jerusalem under Pal. sovereignty with Jewish neighborhoods of E. Jerusalem given a special status under Israeli control	Serious Consid	33	12	19
	Flatly Reject	43	71	62
Old City internationalized under UN	Serious Consid	30	12	18
	Flatly Reject	47	72	64

Table 3 indicates that among those that believe in the efficacy of a peace treaty, a majority would seriously consider Palestinian sovereignty over Arab areas outside the Old City, as well as joint administration of the Old City (without Israel giving up its claim to sovereignty.) In addition, there is a plurality that would seriously consider Palestinian sovereignty over the Arab areas of the Old City. However, even for this most dovish third of Israeli Jews, only a minority would seriously consider Palestinian sovereignty over the Temple Mount or Palestinian sovereignty (with Israeli control) over the Jewish neighborhoods of East Jerusalem outside the Old City.

What this suggests is that if it were possible to move from the standard context to one of enhanced Israeli confidence in genuine peace then, potentially, compromises could be found that would include Palestinian sovereignty over Arab downtown areas. With respect to the Old City (excluding the Temple Mount question) some formula for either joint administration or divided or joint sovereignty might also be found, with the Israelis more likely to support joint administration and the Palestinians more likely to support shared sovereignty or each side having sovereignty over the neighborhoods it populates.

As for the Jewish neighborhoods of East Jerusalem, it seems clear that even in a context most supportive of compromise, Israelis will not agree to anything less than sovereign control. And similarly, even with enhanced Israeli trust, there is no serious disposition to yield the Temple Mount to Palestinian sovereignty.

C. Third Context: Enhanced Israeli Confidence and Enhanced Palestinian Rights in Regard to Jerusalem

Consider then a third context in which there is not only enhanced Israeli trust of the second context but enhanced mutual recognition of the rights of the other. Consider first the Palestinians.

It was seen earlier that there are major differences between Palestinians who are prepared to live in genuine peace with Israel and those that are not, and similarly major differences between those Palestinians who believe that Jews have "some sort of legitimate rights in regard to Jerusalem" and those that do not.

Table 4 focuses on the three groups of Palestinians that make up 95% of the population:

- The 16% that both support genuine peace and acknowledge some Jewish rights in regard to Jerusalem.
- The 54% that support genuine peace but do not acknowledge any Jewish rights in regard to Jerusalem.
- The 25% that neither supports genuine peace nor acknowledges Jewish rights in regard to Jerusalem.

Table 4.

Alternative Palestinian Positions on Peace and Jewish Rights--Percentage Willing to Consider Specific Proposals "Seriously" or "Very Seriously" ("SC") and (second line) Percentage that Would "Not Seriously Consider" or "Reject Totally" (R)

		Three Types of Response:			Total Pop:
		Yes	Yes	No	
Support Genuine Peace With Israel					
Do Jews Have Some Legitimate Rights in Regard to Jerusalem?		Yes	No	No	
Compromise Proposal					
61	West Jerusalem under Israeli sovereignty and East Jerusalem under Palestinian sovereignty, with special arrangement for Israeli control of the Jewish neighborhoods in East Jerusalem. Old City dealt with separately.	SC 78 R 14	56 27	32 50	52 32
64	The Palestinians would get sovereignty over the Haram al-Sharif in exchange for Palestinian recognition of Israeli sovereignty over the Western Wall.	SC 65 R 17	50 34	39 49	50 35
60	Israel and Palestine together exercise joint sovereignty over an undivided city.	SC 60 R 25	39 44	27 63	40 45
62	In the Old City, Israel sovereignty over the Jewish neighborhoods, and Palestine sovereignty over the Palestinian neighborhoods.	SC 50 R 31	42 47	29 59	40 47
66	West Jerusalem and the Jewish neighborhoods in East Jerusalem under Israeli sovereignty, and the rest of East Jeru. under Palestinian sovereignty; Old City dealt with separately.	SC 35 R 47	31 54	19 71	28 57
65	Israel would exercise sovereignty over East Jerusalem, but Palestinian neighborhoods would be given a special self-rule status.	SC 24 R 65	21 70	15 78	20 71
63	Jews would be allowed to pray on the Haram al-Sharif which would be under operational authority of the Wakf.	SC 23 R 68	16 77	17 79	17 76
Percentage of the total population		16	54	25	

(Those saying no to peace but yes to rights were too small a group to be included in this breakdown)

From Table 4 we can develop a measure of the relative willingness to compromise that we find among Palestinians in the general public and among the three sub-groups. This is presented in Table 5.

Table 5

Relative willingness of Palestinians to Accept Compromise Proposals.

Compromise Proposal:		Ratio (expressed as a decimal) of those that would seriously consider each proposal to those that dismiss the proposal, according to support for genuine peace and acknowledgment of some Jewish rights in regard to Jerusalem:			
		Peace and Jewish Rights	Peace and No Rights	No Peace No Rights	General Public
61	West Jerusalem under Israeli sovereignty and East Jerusalem under Palestinian sovereignty, with special arrangement for Israeli control of the Jewish neighborhoods in East Jerusalem. Old City dealt with separately.	5.571	2.074	.640	1.625
64	The Palestinians would get sovereignty over the Haram al-Sharif in exchange for Palestinian recognition of Israeli sovereignty over the Western Wall.	3.823	1.470	.795	1.428
60	Israel and Palestine together exercise joint sovereignty over an undivided city.	2.400	.886	.425	.888
62	In the Old City, Israel sovereignty over the Jewish neighborhoods, and Palestine sovereignty over Palestinian neighborhoods.	1.612	.893	.491	.851
66	West Jerusalem and the Jewish neighborhoods in East Jerusalem under Israeli sovereignty, and the rest of East Jeru. under Palestinian sovereignty; Old City dealt with separately.	.744	.574	.267	.491
65	Israel would exercise sovereignty over East Jerusalem, but Palestinian neighborhoods would be given a special self-rule status.	.369	.300	.192	.281

63	Jews would be allowed to pray on the Haram al-Sharif which would be under operational authority of the Wakf.	.338	.207	.215	.223
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Diagram 2 shows how the acceptability of these compromise proposals to these two groups varies with the acceptability of the proposal to the general public:

- A. Jews would be allowed to pray on the Haram al Sharif which would be under operational authority of the Wakf.
- B. Israel would exercise sovereignty over E. Jerusalem, but Palestinian neighborhoods would be given a special self-rule status.
- C. W. Jerusalem and the Jewish neighborhoods in E. Jerusalem under Israeli sovereignty, and the rest of E. Jerusalem under Palestinian sovereignty; Old City dealt with separately.
- D. In the Old City, Israel sovereignty over the Jewish neighborhoods, and Palestine sovereignty over Palestinian neighborhoods.
- E. Israel and Palestine together exercise joint sovereignty over an undivided city.
- F. The Palestinians would get sovereignty over the Haram al Sharif in exchange for Palestinian recognition of Israeli sovereignty over the Western Wall.
- G. West Jerusalem under Israeli sovereignty and E. Jerusalem under Palestinian sovereignty, with special arrangement for Israeli control of the Jewish neighborhoods in E. Jerusalem. Old City dealt with separately.

In Diagram 2 we immediately see the greater willingness to compromise of those who both support genuine peace with Israel and recognize some Jewish rights in relation to Jerusalem. The diagram also illustrates among those that do not acknowledge Jewish rights, how great the difference remains between those who support genuine peace and those who do not.

Among those who support genuine peace but do not acknowledge any Jewish rights in regard to Jerusalem, the difference with the general public is very small. One reason for this is simply that since 70% of the general population supports genuine peace with Israel the effect of this factor is already largely reflected in the attitudes of the general public. The implication of this is that there is not much upward potential for increased general willingness to compromise to be obtained by seeking increases in the percentage of Palestinians willing to live in genuine peace with Israel. On the other hand one could hypothetically entertain the idea of a doubling of the percentage of Palestinians who believe Jews have some rights in regard to Jerusalem, (from the present 20% to 40%), and this is how the third context has been defined with respect to the change on the Palestinian side.

How much of a difference would this make? The diagram illustrates the high degree of acceptability of certain proposals among those that both support peace

Doubling the percentage of Palestinians in this group would enhance the likelihood of Palestinian agreement to Israeli sovereignty over the Western Wall, Israeli sovereignty over Jewish neighborhoods inside the Old City, and joint sovereignty over the entire city including the Old City. On the other hand, as Diagram 2 shows, those Palestinians who recognize Jewish rights do not have a generally enhanced willingness to compromise which uniformly affects every proposal. With respect to proposals that are generally unacceptable to the Palestinian public, the degree of

acceptability to this 16% that recognizes Jewish rights comes closer to that of the public as a whole. Moreover, in absolute terms, the widely unacceptable proposals are also unacceptable to this group. For instance while there is some greater willingness (of those who support genuine peace and acknowledge Jewish rights) to accept Israeli sovereignty over Jewish neighborhoods of East Jerusalem outside the Old City (Q. 66), even within this group this is a minority position. And given the centrality of the Temple Mount/Haram al Sharif there is no reason to believe that there would be any appreciable reduction in opposition to Israeli sovereignty over the Mount. Further, those who recognize Jewish rights and support genuine peace are not appreciably different from the general population when it comes to the high importance given to East Jerusalem as the capital of the Palestinian state.

Let us now consider the implication of a shift in the percentage of Israelis that recognize some legitimate Palestinian rights in regard to Jerusalem. This can be gathered from Table 6.

Table 6.

ISRAELI JEWS. In Relation to Beliefs About Whether A Peace Agreement With the Palestinians Will Lead to True Long-term Peace, and whether the Palestinians Have any Legitimate Rights in Regard to Jerusalem, the Percentage Who Seriously Consider (line one) and who Flatly Reject (line two) Each Proposal

Will a Peace Agreement Lead to Peace?	Four Types of Response					National Average
		Yes	Yes	No	No	
Do Palestinians have any sort of legitimate rights in regard to Jerusalem?		Yes	No	Yes	No	
Group I:						
Palestinian sovereignty over Arab village in E. Jer. (e.g. Shuafat, Um Tuba, Sur Baher)	Serious Consider	79	47	52	27	45
	Flatly Reject	10	27	30	52	36
Group II:						
Autonomy for Arab areas in East Jerusalem	Serious Consider	55	41	41	23	35
	Flatly Reject	22	38	36	56	44
Arab areas in E. Jeru outside Old City to Palestinian sovereignty.	Serious Consider	53	37	39	19	34
	Flatly Reject	16	38	38	59	44
Joint administration of Old City without yielding on sovereignty.	Serious Consider	54	41	40	20	34
	Flatly Reject	22	33	36	55	41
Temple Mount under Wakf as now	Serious Consider	56	34	34	18	31
	Flatly Reject	23	44	40	62	48
Group III:						
Palestinian sovereignty over Arab neighborhoods in Old City	Serious Consider	51	24	22	10	23
	Flatly Reject	24	52	45	70	55
Palestinian sovereignty over Temple Mt., Israeli over Western Wall	Serious Consider	46	21	25	7	20
	Flatly Reject	33	56	55	71	58
East Jerusalem under Pal. sovereignty with Jewish neighborhoods of E. Jerusalem given a special status under Israeli control	Serious Consider	38	23	20	9	19
	Flatly Reject	35	59	65	73	62
Old City internationalized under UN	Serious Consider	34	26	18	10	18
	Flatly Reject	41	58	68	74	64

Percentage of the Total Population		21	12	18	49	
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Table 6 divides the Israeli Jewish public into four groups based on their responses to two key questions having to do with the efficacy of a peace treaty and with Palestinian rights.

Roughly half of Israeli Jews neither believe that a peace treaty will lead to real peace, nor that Palestinians have some legitimate rights in relation to Jerusalem. Thus, for this group, there is little reason to compromise on Jerusalem. And thus Table 6 shows, as might be predicted, that this half of the Jewish population, thoroughly rejects every approach to compromise on Jerusalem that was considered.

The three remaining groups, making up 51% of the Israeli Jewish population, either believe in the efficacy of a peace treaty or believe that Palestinians have some rights in regard to Jerusalem or believe both. Among the 21% that believe both, there is dominant openness to every proposal under consideration, with the exception of internationalizing the Old City under the United Nations.

Interestingly, for the two remaining groups (together constituting 30%) of the population, their responses are strikingly similar. For Israeli Jews who believe either that Palestinians have some legitimate rights in regard to Jerusalem or that a peace treaty will bring real peace (but not both) there is considerable openness to proposals that would move the two sides closer to negotiated resolution of the Jerusalem question.

In reading Table 6, the first two columns may be viewed as the optimists with respect to the implications of a peace treaty. The difference between the first and the second columns shows the difference between optimists who believe that Palestinians have some legitimate rights in regard to Jerusalem, and optimists that

do not. The difference is very powerful, representing in some instances a doubling of the percentage willing to consider seriously the proposal in question.

Similarly, one can view the last two columns as the pessimists with respect to the efficacy of a peace treaty, and here too, the difference among the pessimists depending on whether they recognize some Palestinian rights in regard to Jerusalem, is also dramatic. Indeed, it is even more powerful among the pessimists than among the optimists.

The conclusion is inescapable. Regardless of ones views on the efficacy of a peace treaty, believing that Palestinians have some legitimate rights to Jerusalem is a very powerful factor in affecting willingness to compromise. In this regard, it should be pointed out that of those "broad minded pessimists" who don't believe in the likelihood of peace yet recognize some Palestinians rights, fully half identify with the Likud Party.

Looking at specific proposals, and considering a situation (the third context) in which the size of the No-No group declines in favor of the other three, it becomes reasonable to believe that proposals such as joint administration of the Old City and Palestinian sovereignty over Arab areas outside the Old City become viable.

But when we look at proposals such as:

- Palestinian sovereignty over Arab neighborhoods in the Old City;
- Palestinian sovereignty over the Temple Mount/Haram al Sharif; or
- Palestinians sovereignty over Jewish neighborhoods of East Jerusalem (with Israel control);

these continue to look unrealistic. Even among the middle two groups, no more than 25% of the population is willing to seriously consider such proposals.

Table 6 thus suggests that new possibilities for the negotiability of Jerusalem can be opened up either by a substantial increase in the percentage of Israeli Jews believing in the efficacy of a peace treaty or by a substantial increase in the percentage of Israeli Jews believing that Palestinians have some legitimate rights to Jerusalem. Both factors appear powerful, and seem of similar magnitude in affecting willingness to compromise.

Table 7 shows for various elements in a potential Jerusalem negotiation, how the viability (in relation to public opinion) shifts between the three contexts considered.

Table 7:

Viability of Elements of Jerusalem Proposal Within Three Alternative Contexts

Proposal Elements		Alternative Contexts		
		Standard	Second	Third
1. Palestinian sovereignty over the outlying Arab neighborhoods of East Jerusalem (e.g. Um Tuma, Sur Baher).	IS	HP	Yes	Yes
	PAL	Yes	Yes	Yes
2. Palestinian sovereignty over the downtown Arab neighborhoods of East Jerusalem outside the Old City.	IS	SP	HP	HP
	PAL	Yes	Yes	Yes
3. Israeli sovereignty over Jewish neighborhoods of East Jerusalem (outside Old City).	IS	Yes	Yes	Yes
	PAL	No	No	SP
4. Palestinian sovereignty over the Mosque compound on the Temple Mount/Haram al Sharif and Israeli sovereignty over the Western Wall. *	IS	Yes	Yes	Yes
	PAL	Yes	Yes	Yes

5. With respect to the Temple Mount/Haram al Sharif (plateau) and the Mt. of Olives it is agreed that the ultimate sovereignty belongs to God.	IS	SP	SP	SP
	PAL	Yes	Yes	Yes
6. Both States retain their claim to sovereignty over the Old City and agree on an Administrative framework.	IS	SP	Yes	Yes
	PAL	No	No	SP
7. Palestinian sovereignty over Arab neighborhoods in the Old City and Israeli sovereignty over Jewish neighborhoods in the Old City	IS	No	No	SP
	PAL	SP	SP	HP

HP = Highly Possible

SP = Some Possibility

* Requires further research.

III. Approaches That Might be Promising in Negotiations

Other than shifts towards more supportive contexts for negotiations, there are specific approaches to some of the more difficult issues that may prove fruitful in the negotiations.

1. The Boundaries of Jerusalem

Among the possible approaches to finding a compromise on Jerusalem that is acceptable to both sides is the idea of redefining the borders of Jerusalem, either making the city larger, or smaller, or changing its definition in some way.

The study posed several questions that bear on the question of city boundaries and on proposals for changing those boundaries. Three questions had to do with those areas of the West Bank that were for the first time included within Jerusalem when Israel redefined the municipal boundaries of the city a few days after the close of the 1967 war. These areas constitute 90% of what is generally referred to as East Jerusalem. The remaining 10% includes the Old City and Arab downtown areas. Within the 90% are the Jewish housing projects constructed since 1967 as well as Arab village areas that were included within the city.

Q. 20: After the six-day war in 1967, Israel expanded the city limits of Jerusalem to include large areas that had been under Jordanian control, but had never been within the city limits. Do you consider such areas to be part of Jerusalem?

1. Definitely yes	39%
2. Yes	19%
3. No	27%
4. Definitely no	15%

Q. 21: Do you consider the Jewish areas settled after 1967 (Gilo, Ramot, Ramot Eshkol, Piskat Zeev) as part of Jerusalem?

1. Definitely yes	47%
2. Yes	22%
3. No	19%
4. Definitely no	13%

Q. 22: Do you consider Palestinian village areas such as Um Tuba and Sur Baher, to be part of Jerusalem?

1. Definitely yes	53%
2. Yes	31%
3. No	12%
4. Definitely no	4%

It is interesting to note that when the question is phrased in general terms (as in Q. 20) with respect to areas unilaterally placed within the city boundaries by the Israelis, 42% of Palestinians say that they don't consider these areas part of Jerusalem ("Al Quds"). However, when the question is put in terms of specific areas of Jewish residence the number viewing these areas as outside Jerusalem falls to 32%, and when asked about Palestinian areas it falls to 16%. This suggests two things, first that when emphasis is placed on "who gets to define Jerusalem" Palestinians would be most open to a redefinition different from how Israelis defined Jerusalem. Secondly, it suggests that were there a proposal to exclude certain areas, Palestinians would be considerably more likely to support excluding areas of Jewish residence.

Question 41 specifically addressed the issue of redefinition of boundaries.

Q.41: In order to attain a Palestinian majority in Jerusalem, do you support or oppose considering the Jewish settlements built after 1967 as areas outside of the city boundaries?

1. Definitely support	14%
2. Support	24%
3. Object	41%

4. Definitely object 21%

Here redefinition was linked to the objective of attaining a Palestinian majority within the city. With that as the identified purpose 38% of Palestinians favor excluding the post '67 Jewish neighborhoods of East Jerusalem from the city. One idea which has surfaced is that there might be a second city called "Al Quds" which was not congruent with "Yerushalayim."

The response to the question suggests that it might be possible for Al-Quds to be defined in such a way as to exclude these Jewish neighborhoods. In this respect it is to be noted that only 21% of the population strongly objected to the re-definition idea.

This response is also noteworthy when it is remembered that only 28% of Palestinians were prepared to seriously consider the proposal in question 66 in which Israelis would have had sovereignty over not just West Jerusalem but the Jewish neighborhoods of East Jerusalem (outside the Old City) as well. Further, 57% of Palestinians dismissed that proposal. Thus, the responses suggest that to some extent a redefinition of what is Jerusalem may play a useful purpose in moving towards compromises acceptable to both sides.

Question 42 posed the issue of a re-definition of the city boundaries again in order to attain a Palestinian majority.

Q. 42. In order to attain a Palestinian majority with the city would you support redefining the city limits so that Palestinian areas adjacent to the city such as Abu Dis and el Eizariya are included within the city?

1. Definitely support 42%

1993/94, pp. 41-59

Foreign Policy Number 93 Winter
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Foreign Affairs, 1992.

2. Support	43%
3. Object	9%
4. Definitely object	6%

Here the response was overwhelmingly positive with 85% of Palestinians in favor of re-definition, and only 6% definitely opposed to it. What this makes clear is that for certain purposes, Palestinians will overwhelmingly view changing the boundaries of the city, in certain ways, as a desirable policy option. In principle then, the boundaries themselves are not sacred lines.

Among Israeli Jews it was found that there is a similar attitude towards the municipal boundaries. These were expanded in 1967 and again in 1993, and there are proposals in the Knesset to expand them further. In the parallel study Israeli Jews were asked to consider changes that would result in a smaller Jerusalem:

"In order to ensure a Jewish majority, do you support or object redefining the city limits so that Arab settlements and villages which are now within the borders of Jerusalem (such as Shuafat, Um Tuba, Sur Baher) will be outside the city?"

Israeli Jews responded:

1. Definitely support	17%
2. Support	42%
3. Object	34%
4. Definitely object	7%

Thus 59% supported the idea. Of the 41% that opposed it, only 7% of Israeli Jews were strongly opposed, and of these a significant number were on the left. Virtually no one views the municipal boundaries as sacred lines.

2. Sidestepping the Sovereignty Issue

If a peace agreement has to identify who is sovereign over each part of Jerusalem it will be more difficult to come to an agreement than if there are ways of sidestepping the sovereignty issue.

One approach to avoiding a specification of one party or the other as sovereign is to say that both are sovereign, that is, that sovereignty is held jointly. This concept, known as condominium in international law, is rare, but has existed.

In the study there were two points in which Palestinians were asked about joint sovereignty.

Q. 60: How seriously would you take the following proposal as permanent arrangements: Israel and Palestine together would exercise joint sovereignty over an undivided city?

1. Very seriously	22%
2. Seriously	18%
3. Give some consideration	16%
4. Not seriously	22%
5. Reject totally	23%

Q. 68: Palestinians would have sovereignty over the Al-Aqsa Mosque and the Dome of the Rock but, with respect to the plateau itself, sovereignty would be shared with the Israelis, although day to day administration of the plateau would be in Palestinian hands.

1. Very seriously	23%
2. Seriously	18%
3. Give some consideration	12%
4. Not seriously	15%
5. Reject totally	32%

Both questions demonstrate that among Palestinians there is an appreciable openness to the idea of joint sovereignty. The latter question is important in an additional way. It shows that, although it is rarely articulated, Palestinians do make a distinction between the mosques on the Temple Mount and the plateau itself. This distinction opens a significant space within which compromise might be found even for this most difficult issue.

A second approach to sidestepping the sovereignty issue is to allow each side to maintain its claim to sovereignty, leave the issue unresolved, and instead arrive at an administrative agreement. Question 72 posed just this idea with respect to the Old City.

Q. 72: Suppose that negotiations fail to resolve the question of sovereignty over the Old City, would you support an agreement whereby the two states would jointly administer the Old City indefinitely.

- | | |
|-------------------|-----|
| 1. Definitely yes | 6% |
| 2. Yes | 21% |
| 3. No | 39% |
| 4. Definitely no | 34% |

While this proposal, in practical terms may seem quite similar to that for joint sovereignty, it meets with a far more negative reaction among Palestinians. It is not clear why this is so. Perhaps there is skepticism about what joint administration would actually mean, absent an agreement on joint sovereignty.

As we saw earlier, among Israeli Jews a proposal for joint administration of the Old City, without Israel having to give up its claim to sovereignty would be taken seriously by a third of the population. However among those that believe in

the efficacy of a peace treaty (context two) it is taken seriously by 50% and rejected only by 26%.

A third approach which allows sidestepping the sovereignty issue is to simply say that "sovereignty belongs to God." This of course does not address how the area in question is to be handled, but presumably with the sovereignty issue put to one side, an agreement on administration is required.

A proposal of this sort was part of the current study. It is examined in Table 8.

Table 8.

Palestinian Responses to Q. 70: There is a proposal that each side should stop arguing about sovereignty over holy sites in Jerusalem and agree that ultimate sovereignty belongs to God. Is this proposal acceptable to you?

	Definitely Yes	Yes	No	Definitely No
National	44	20	21	15
Gaza	65	14	16	5
Islamist	60	17	15	8
Leftist	25	10	31	31
Fatah	49	21	20	10
Independent	36	23	24	17
Very Religious	70	18	10	2
Religious	49	22	19	10
Not Religious	35	19	27	19
Not at all religious	21	17	26	36
Support genuine peace	43	22	22	12
Do not support genuine peace	56	14	16	14

Palestinian support for this approach is strikingly widespread. Not only is it supported by 64% of the population, but each of the varied groupings considered above, with the exception of those who are not at all religious, give this approach majority support. Further it is supported by 77% of the Islamists, and by 70% of those who do not support genuine peace with Israel (on condition of a Palestinian state with its capital in East Jerusalem etc.)

From the above, it is clear that for Palestinians, there are acceptable approaches that allow the sovereignty issue to be sidestepped either by joint sovereignty or putting the sovereignty issue aside by saying that God is the ultimate sovereign.

It is not clear that there is equal potential for sidestepping the sovereignty issue on the Israeli side. The parallel study similarly explored this "sovereignty belongs to God" approach among Israeli Jews, asking:

"There is a proposal that each side should stop arguing about sovereignty over the Temple Mount and agree that sovereignty belongs to God. Is this approach acceptable to you?"

Israeli Jews responded:

1. Definitely yes	9%
2. Yes	26%
3. No	32%
4. Definitely no	33%

Even with this 65% to 35% opposition there may be some potential here. First the 35% open to this approach should be compared to the mere 20% willing to seriously consider Palestinian sovereignty over the Temple Mount in exchange for recognition of Israeli sovereignty over the Western Wall. Secondly, it is striking that rejection of this approach was highest among the totally non-observant, and acceptance was highest among the strictly observant.

Israeli Jews: Religiosity

Strictly Observant	To a great extent	Observe somewhat	Totally non- observant
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There is a proposal that each side should stop arguing about sovereignty over the Temple Mount and agree that sovereignty belongs to God. Is this approach acceptable to you?

1. Definitely yes	20	8	8	8
2. Yes	22	28	27	23
3. No	30	37	33	28
4. Definitely no	28	28	32	41

In this regard it is also worth noting that as religious observance decreased so did the personal importance attributed to the Temple Mount. Thus, the more important the Temple Mount was to a respondent the more likely they were to find some merit in the "sovereignty belongs to God" approach. The approach does not meet with majority support from any grouping yet, given the strong responsiveness among Palestinians, it is worthy of further exploration.

IV. A Model of a Compromise on Jerusalem

The above considerations can be brought together in a model of a comprehensive compromise on Jerusalem. What is set out below is intended to be consistent with the data from the two studies. It should not be taken as the only compromise that is compatible, but it is instructive to see that there is at least one such potential compromise, and what it looks like.

In setting this out, the following assumptions are made:

- The background situation is the third context (2/3's of Israeli Jews believe in the efficacy of a peace treaty, and 40% of Palestinians and 60 recognize that the other has some sort of legitimate rights in regard to Jerusalem).

- This proposal is reached through negotiations between Israel and the Palestinian authorities, and thus it has the support of both.

Features of the compromise:

1. From an Israeli point of view the boundaries of "Yerushalayim" are redefined so as to exclude from the city the Arab populated areas of East Jerusalem outside the Old City. Thus, the new boundaries of Yerushalayim include the Old City, Mt. Scopus, the Mt. of Olives, West Jerusalem, and the Jewish neighborhoods of East Jerusalem.

2. From a Palestinian point of view the boundaries of "Al-Quds" are redefined. Al-Quds will include the Old City, the Mt. of Olives, the Arab populated areas of East Jerusalem, and Abu Dis.

3. Sovereignty will also extend to corridors and roads necessary to avoid enclaves.

4. Thus, rather than Yerushalayim and Al-Quds being two names for a single area, they will refer to two areas that overlap. What they will have in common is the Mt. of Olives and the Old City.

5. With some exceptions (detailed below), both states would retain their claim to sovereignty over the Old City. Until such indefinite time as the two states might resolve this disagreement, the areas would be governed by an administrative agreement giving Israel political authority over the Jewish quarter and Palestine political authority over the Arab quarters.

6. Palestine would have sovereignty over the Mosque compound on the Temple Mount and Israel would have sovereignty over the Western Wall.

7. With respect to the Temple Mount and the Mt. of Olives, it would be agreed that ultimate sovereignty belongs to God, and that Palestine would exercise primary administrative authority over the Temple Mount and Israel would exercise primary administrative authority over the Mt. of Olives.

Variants on this framework are of course possible. For instance the sovereignty belongs to God approach might be applied to the entire Old City, or perhaps there might be an agreement that the Old City is under the joint sovereignty of the two states. Both of these may prove acceptable to Palestinians, but are less likely than the above proposal to win Israeli support. In any of these cases there would still be need for an administrative agreement allocating spheres of authority.

It should be noted that the above proposal does not address the issue of Jerusalem as the capital of Palestine. This is deliberate, for several reasons. First, it will be extremely difficult to gain Israeli agreement to making Jerusalem the capital of Palestine. Tying this to the other aspects of the Jerusalem question might result in a package that was beyond what can be sustained. Secondly, once Israeli and Palestinian sovereignty over the non-overlapping parts of Yerushalayim and Al Quds are agreed upon, the designation by either country of its capital and the location of its Parliament outside the overlapping area should be treated by Israel, Palestine, and the international community as a unilateral decision within the prerogative of either state.

Finally, there is another reason for not pushing to the fore the issue of Jerusalem as the Palestinian capital. Israeli agreement to redefinition of Yerushalayim so as to exclude Arab populated areas is likely to be more forthcoming as it becomes more clear that the 140,000 Palestinians living in these

areas of East Jerusalem outside the Old City will be citizens of the state of Palestine. In the study of Israeli Jewish attitudes the question was posed:

"Let's assume that a Palestinian state is established and Jerusalem remains united under Israeli sovereignty. In such circumstances there is a reasonable chance that the Arab residents of East Jerusalem will become citizens of a Palestinian state. To what extent do you consider this a problem?"

The response was:

1. A very big problem	41%
2. Some problem	34%
3. A small problem	10%
4. No problem at all	13%
5. On the contrary, it is very desirable	3%

Most Israelis believe that there will be a Palestinian state, and it is clear to most observers that unless this does occur there can be no resolution of the conflict. In the elections to the Palestinian authority the Palestinian residents of Jerusalem (who are not Israeli citizens) were permitted to vote. This recognition of their political rights foreshadowed their ultimately becoming citizens of Palestine. The strong Israeli discomfort with having this large population of "foreign nationals" within Israel's capital should serve to reinforce the desire to "make Jerusalem more Jewish," which is also the motivation that lies behind the strong support noted earlier for the proposal to exclude outlying Arab areas from Jerusalem.

Even avoiding the issue of Jerusalem as the Palestinian capital, it must be borne in mind that this proposal is in no way attainable in the standard context. On almost every point it would be forcefully opposed by substantial numbers of Israelis or Palestinians or both. Moreover, in the standard context this is true of

any likely variant proposal that seeks to be comprehensive. The central issue with respect to negotiability is not then a matter of this detail or that, but whether it is possible to move from the standard context to one in which proposals of this sort might be acceptable to both sides.

V. The Potential for Moving From the Standard Context to One More Favorable to Negotiations

As has been pointed out, the two studies suggest four factors that are central to the willingness of Israelis and Palestinians to support various compromise proposals:

1) For the Israelis: whether or not they believe that a peace treaty with the Palestinians will lead to true peace.

2) For the Israelis: whether they believe that Palestinians have some legitimate rights in regard to Jerusalem.

3) For the Palestinians: whether they support genuine and lasting peace with Israel (on the proviso that there is a Palestinian state with Jerusalem as its capital and some resolution of the refugee question).

4) For the Palestinians: whether they believe that Jews have any sort of legitimate rights in regard to Jerusalem.

Of these four factors the greatest potential for movement towards negotiability appears to lie with the first, whether Israelis believe that a peace treaty with the Palestinians will lead to genuine peace. This is so for a variety of reasons:

- When Israeli Jews believe that genuine peace will result from a peace treaty they are significantly more willing to compromise.

- Only one third of Israeli Jews believe in the efficacy of a peace treaty; thus there is substantial potential for change. With respect to Palestinian support for genuine peace, this is already the position of 70% of the population, so there is little upward potential.

- Israeli Jews seem to be open to being convinced by events that real peace is indeed possible. It is probably more difficult to shift either Israeli or Palestinian views about the rights of the other people than it is to affect their views on the possibility of lasting peace.

On this last point, it is worth considering the following table from the Israeli study.

Table 9.**Israeli Jews: Would It Convince You That Real Long-term Peace Is Possible?**

	To what extent do you believe there can be true peace between Israel and the Arab world in the foreseeable future?				
	Believe strongly	Believe	Don't believe so much	Don't believe at all	Total
To what extent would it convince you that long-term peace with the Arab world is possible if Saudi Arabia opens an embassy in Jerusalem?					
Very Convincing	30%	16%	7%	4%	10%
Convincing	34%	38%	22%	16%	26%
Not so Convincing	25%	21%	42%	31%	32%
Not at all convincing	11%	25%	29%	49%	32%
Total	100%	100%	100%	100%	100%
To what extent would it convince you that long-term peace with the Arab world is possible if there were regular commercial relations with Arab States?					
Very Convincing	45%	26%	10%	8%	16%
Convincing	39%	50%	38%	23%	38%
Not so Convincing	11%	17%	34%	30%	26%

Not at all convincing	5%	7%	18%	38%	20%
Total	100%	100%	100%	100%	100%
Percentage of Total	6%	29%	36%	28%	100%

The columns of numbers in the table should be read as answering the question (regarding) that true peace will result from a peace agreement, how convincing of "long term peace" would they find "opening of a Saudi Embassy in Jerusalem" or "regular commercial relations with Arab states?"

The table shows that those who already hold strong beliefs ("believe strongly" or "don't believe at all") with respect to the possibility of peace, are either strongly supported in their beliefs or relatively unaffected in their beliefs by the hypothetical developments. Thus, of those that "believe strongly" that peace is possible, 64% would find the opening of a Saudi Embassy in Jerusalem "convincing" or "very convincing," and 84% would find regular commercial relations "convincing" or "very convincing." Similarly, of those that "don't believe at all" in the possibility of peace, 80% would find the opening of a Saudi Embassy "not so convincing" or "not at all convincing," and 68% would find regular commercial relations "not so convincing" or "not at all convincing."

Perhaps of more interest than those with very strong beliefs with respect to the possibility of true peace, are those two groups in the middle -- those that "believe" and those that "don't believe so much" that peace is possible. These groups make up roughly two-thirds of the population. Of those who presently "don't believe so much" that there can be true peace in the foreseeable future, 29% would find it "convincing" or "very convincing" if Saudi Arabia opened an embassy in Jerusalem, and 48% would find it "convincing" or "very convincing" if there were regular commercial relations with Arab states. And of those that say

they "believe" (as opposed to "believe strongly") in the possibility of peace, 54% would be strengthened in that belief by the opening of a Saudi Embassy in Jerusalem, and 76% strengthened in that belief by regular commercial relations.

It would be a mistake however to read this in a mechanical fashion, as if all that has to happen is that trade be opened between Israel and the Arab world and suddenly the Jerusalem question will be subject to resolution. Rather, the data might better be understood as indicating that even a matter as sensitive as Jerusalem is governed to a large extent by pragmatic consideration. Israelis need to be convinced that it is really in their long term interests to compromise on Jerusalem. They need to be convinced that Palestinian demands are not open-ended, that compromising on Jerusalem won't simply whet the Palestinian appetite for further compromises as 88% of Israeli Jews expressed the fear that it would.

Several points can be made:

1. If Palestinians are to be able to respond to the Israeli need for a full renunciation of all future claims, then the Jerusalem question needs to be part of a complete package that involves all the outstanding questions, including the Palestinian claims for return or compensation in relation to the refugee issue. Or alternatively, and perhaps with less likelihood, all other issues will have to be resolved prior to resolution of the Jerusalem question.
2. The framework for peace needs to be one which involves not just the Palestinians but the larger Arab and Islamic world as well. Indeed, it may be the case (this was not examined in the two studies) that Israelis are more open to being convinced of long term peace with the larger Arab world than they are of peace with the Palestinians. In any event, Israelis are open to being convinced by events

that long-term peace with the Arab world is possible, and certainly this must be brought into play in seeking a climate within which Jerusalem is negotiable.

3. There is a great danger, however, that events could move in the opposite direction, especially as the Jerusalem issue becomes a focal point for discussion. Because Jerusalem is of concern to the Arab and Islamic world, independent of the issue of the Palestinians, focus on Jerusalem may activate countries in ways that would be distinctly detrimental to resolution of the issues.

4. A renunciation by Palestinians of all further claims, now and forever, is potentially possible. This is clearly suggested by the fact that 70% of Palestinians are prepared to live in genuine and lasting peace with Israel (if there is a Palestinian state with East Jerusalem as its capital and some resolution of the refugee issue.)

5. While it is likely that Israelis are not aware of this, the reasons for Israeli skepticism about the efficacy of a peace treaty with the Palestinians go much deeper than an inadequate understanding of the breadth of Palestinian interest in peace. Moreover, Israeli doubts about the finality of any settlement are not paranoid. They correspond to and probably reflect an awareness of the intensity of the Palestinian sense of injustice. A peace agreement in which mutual self-interest is re-enforced by some recognition of the partial legitimacy of the other side is likely to be (and to be perceived as) more durable than one based solely on mutual self-interest at a particular point in time. The fear is that if conditions change, the other side will again pursue its grievances.

Given the nature of the conflict and the radically different perceptions of its history and of the issues of rights and justice, achieving deep reconciliation based on perceived full redress of all moral claims is unrealistic. The question however is whether some increased awareness and appreciation of the position of the other side is possible.

It is here that there is a linkage between two critical factors, Israeli perceptions of the likelihood of genuine peace and Palestinian perceptions of whether Israel has any legitimacy, and in particular any legitimate rights in regard to Jerusalem. As discussed above only 21% of Palestinians acknowledge any sort of legitimate Jewish rights in regard to Jerusalem. The study also found that only to a very limited extent do Palestinians recognize either the importance of Jerusalem to Israelis or the degree of Jewish historical and religious connectedness to Jerusalem:

17. The Israelis say that Jerusalem is important to them as a national center, to what extent is this true?

1. Definitely not true	63%	
2. Not true	23%	
3. To some extent true		12%
4. Definitely true	2%	

18. The Israelis say that Jerusalem is important to them from a religious point of view, to what extent is this true?

1. Definitely not true	44%	
2. Not true	20%	
3. To some extent true		33%
4. Definitely true	3%	

56. There should not be any compromise on Jerusalem because the actual historical connection of the Jewish people to the city is minor.

1. Very convincing	44%	
2. Convincing	30%	
3. Not convincing	24%	
4. Not at all convincing		2%

For whatever reason, it was found in the Israeli study that there was greater appreciation of the importance of Jerusalem to Palestinians among Israelis Jews:

In your opinion to what extent is Jerusalem important to the Palestinians as a national center?

1. Very important	19%	
2. Important	44%	
3. Not so important	20%	
4. Not at all important		17%

Possibly this greater, though still limited, awareness among Israeli Jews of the significance of Jerusalem to Palestinians helps explain why 39% of Israeli Jews say "yes" when asked if "Palestinians have any sort of legitimate rights with regard to Jerusalem," compared to the 21% of Palestinians responding analogously.

In any event, both studies show strikingly limited appreciation of the importance of the city to the other people, and both governmental and non-governmental organizations might direct their energies to increasing mutual understanding in this area. Whether or not such efforts will succeed, one cannot be sure. Certainly one cannot be sanguine about "education" in general as a factor leading to either greater awareness or appreciation of the point of view of the other. The study of Israeli attitudes showed no important relationship between years of schooling and either understanding of the importance of Jerusalem to Palestinians or acknowledgment that Palestinians have some legitimate rights to Jerusalem. On the Palestinian side there was no clear relationship between years of schooling and either the acknowledgment of rights of Jews in regard to Jerusalem or awareness of the religious and historical connectedness of Jews to Jerusalem.

While one should not then, in general, look to schooling for solutions, one might still be hopeful about deliberate attempts to educate people (whether through schooling, the media, or personal experiences) towards at least a more accurate grasp of history and a fuller awareness (if not acceptance) of the nature of f view. Here there is an important role both for government

and for non-governmental organizations. Moreover, given that we are dealing with relatively small numbers of people, 2.2 million Palestinians, 4.5 Israeli Jews, it is possible to consider intensive efforts that would not be practicable with truly large populations. At any rate, regardless of the outcome, the perception of genuine efforts by the other side to increase mutual understanding is of independent importance in ascertaining the genuineness of a commitment to peace. Such efforts will play an important role in moving towards a context in which Jerusalem is broadly susceptible to negotiation. In a situation such as that which currently exists (June 1997) there is little trust or goodwill between the governmental entities, and it becomes all the more important that the Israeli and Palestinian peoples move on their own towards peace between the two peoples.