

Gideon Biger

Tel Aviv University (Israel)

ORCID: 0000-0001-6038-7129

e-mail: bigergideon@gmail.com

The Boundaries of Jerusalem

Abstract: Earlier this year, President Donald Trump presented his Peace Plan for Israel and the Palestinians. The plan also dealt with the future boundaries of Jerusalem. Jerusalem is the only city ruled by a sovereign regime, the State of Israel, which declared Jerusalem as its Capital city and draw its boundary lines. Except for the US, the status and boundaries of Jerusalem are not accepted by any other international or national entity. Only the United States, which accepts Jerusalem as the capital city of Israel, agreed to accept its Israeli declared boundaries. Jerusalem's status and boundaries stand at the core of the dispute between Israel and the Palestinian Authority, which wishes to restore the pre-1967 line. The city of Jerusalem was divided 1948–1967 between Israel and Jordan. The Palestinian Authority thus calls for a separation of Jerusalem between two independent states. Today, Jerusalem has an urban boundary that serves partly as a separating line between Israel and the Palestinian Autonomy, but most countries do not accept the present boundaries, and its future permanent line and status are far from establishing. Jerusalem is a unique city. This article presents a brief history that should help understanding its uniqueness.

Keywords: *Jerusalem, Holy City, urban boundary, international boundary, annexation, Peace and Prosperity*

Introduction

Jerusalem is one of the oldest in the world, which still functions as a city. Its roots go back to around the 18th century B.C. (Bahat, 1996). With only two pauses, each one for about 60 years, the city lived, sometimes flourishing. It currently has a population of 900,000 people and more. Its boundaries were mainly marked by its walls. The city sometimes became a small town of fewer than 10,000 people, sometimes was the capital of a strong kingdom or independent state, sometimes only a local center, but Jerusalem always functioned as a town. It is partly because Jerusalem has a unique character. It is the only city considered

a Holy city for Jews, Christians, and Muslims. This unique feature of Jerusalem brought bitter disputes between these three religions, which prevailed during the last 1700 years, and it is far from resolve.

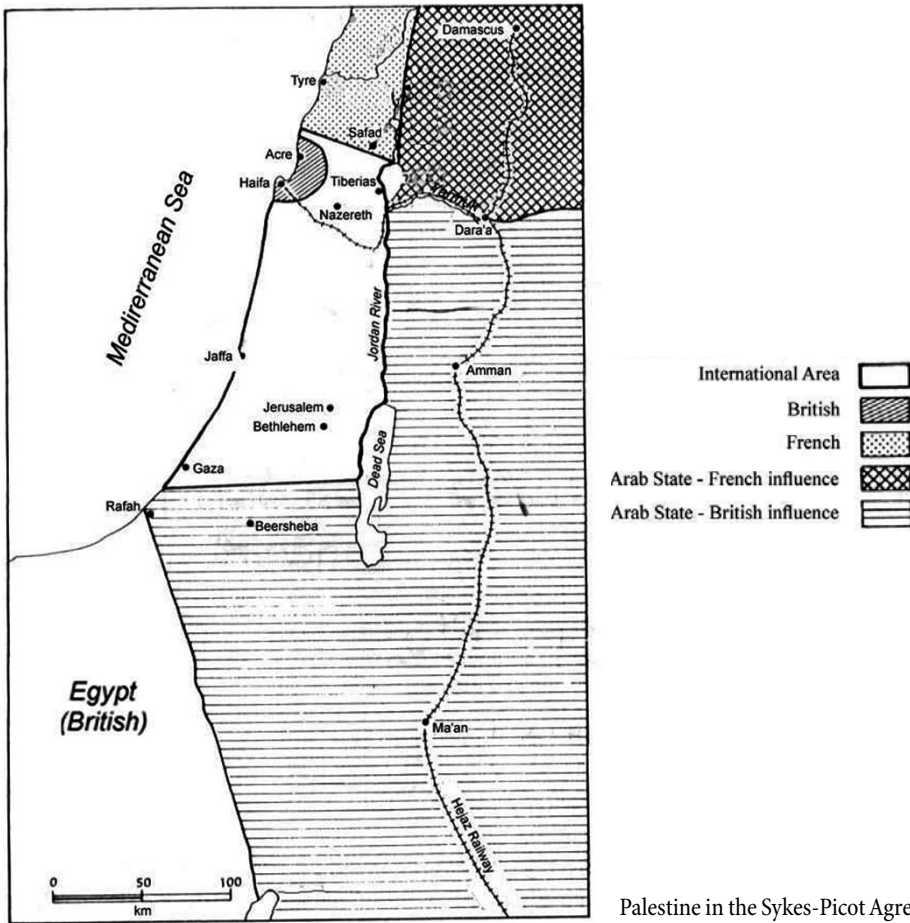
The city of Jerusalem was always in the center of the regime governing the area. Only during few years in biblical time was it located near a political boundary. Up to the modern time, only once in its long history, in 1229–1241, Jerusalem was divided for 12 years between the crusader's kingdom and the Muslim empire (Prawer, 1976). From 1241 until 1917, Jerusalem was part of great Muslim empires, those of Saladin, the Mameluk Empire, and from 1517 until 1917, under the Ottoman Empire. Arabs, Moslems and Christians, and Christians from all over the world, Jews and others, all came to live in the Holy City of Jerusalem. The city was surrounded by a wall built by the Ottoman sultan Suleiman the Magnificent in the mid – 16th century. This wall marked the city boundary for centuries. During the second half of the 19th century, new arrivals to Jerusalem built their suburbs beyond the city's wall, and Jerusalem became the largest city in Palestine, inhabited mostly by Jews, which from 1870 onward were more than half of Jerusalem's population. In 1914, were about 85,000 (Ben Arie, 1984).

Modern Historical Background

Even though its roots are in ancient historical events, the dispute about Jerusalem was, for many years, in a low key, partly because Jerusalem was ruled by the mighty Ottoman empire of the 15-17th centuries. As the Ottoman Empire became weaker during the 19th century, each of the major European regimes presented different sects of Christian believers (Britain for the Protestants, French for the Catholics, and Russia for the Eastern Orthodox Church), tried to have a hold in Jerusalem. None of them would allow others to occupy the Holy Land. Thus, until 1914, there was no Christian or Jewish rule over Jerusalem.

World War I brought significant changes to the Middle East. As the Ottoman Empire choose the side of the Central powers (Imperial Germany and the Austro-Hungary Empire), France and Britain, who wanted to have a hold in the Middle East after the war, concluded an agreement, signed in 1916, The Sykes-Picot Agreement, dealt with the territorial division of the Middle East, in case the Ottoman Empire would collapse. In this agreement, the Area of Central Palestine, including Jerusalem, had to be ruled by an international regime, in which Britain, France, Russia, Italy, and a representative of the Arabs would participate. It was agreed that the powerful nations would protect the Holy Places of the three Christian sects (Catholic, Protestants, and Orthodox), and the rights of the Muslim would also be looked after (Barr, 2011).

The Sykes-Picot agreement did not take cognizance of the Jewish connection to Jerusalem. A year later on, on November 2, 1917, the British Government issued a declaration – namely the “Balfour Declaration” – which promised to help the Jews to establish a “Jewish National Homeland” in Palestine.



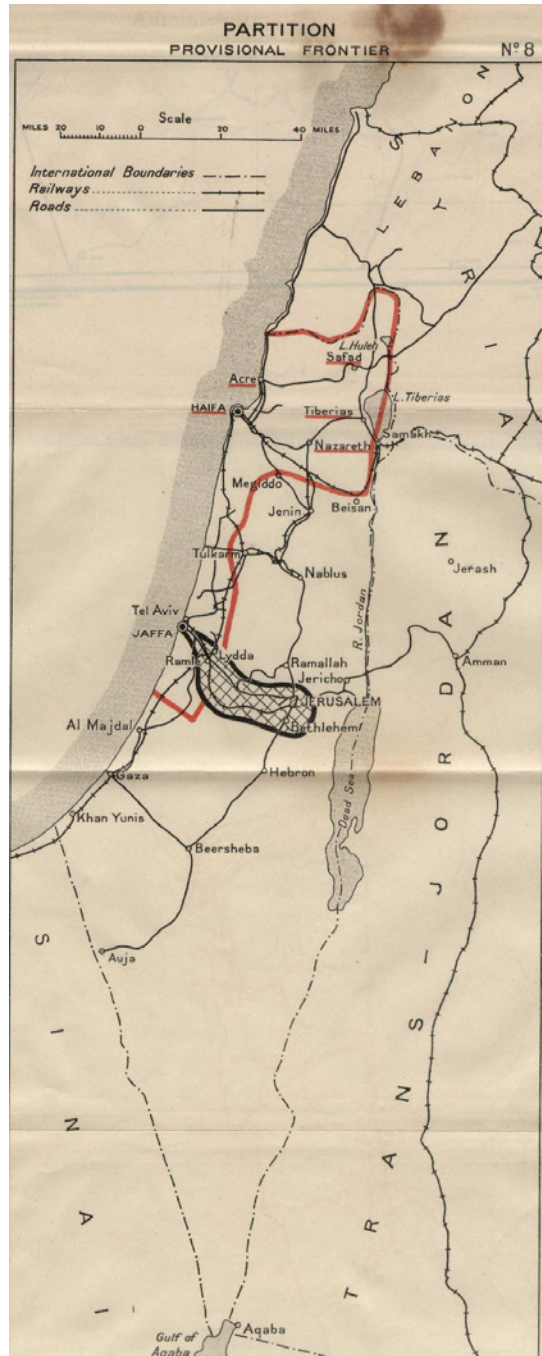
Palestine in the Sykes-Picot Agreement

As it happens, some days later, the British Empire army, under General Allenby, entered Jerusalem on December 9, 1917, placed it under the British military regime.

World War I ended on November 11, 1918, with the victory of Britain, France, and the United States over Germany and its allies. A Peace Convention was gathered to establish a new order for the world in Paris in 1919–1920. One of its decisions was to establish a mandate regime for areas and people under the defeated countries (mainly Germany and the Ottoman Empire) to lead them to independence. Thus, Britain got the Mandate for Palestine, mainly to fulfill the Balfour Declaration, which declared that “His Majesty’s government view with favor the establishment in Palestine of a national home for the Jewish people, and will use their best endeavors to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country” (Stein, 1961).

A civil administration was established in Palestine, and Jerusalem served as the seat of the High Commissioner and his departments (Biger, 2004). The Mandate regime had established for the first time a line that marked the municipal boundary of Jerusalem. During the British mandate, Jerusalem grew to be a city with about 160,000 people with about 100,000 Jews, about 45,000 Arab Moslems, and about 15,000 Christians. As the struggle between Jews and the Arabs intensified during the years of British rule and came to an overall “Arab Revolt” in 1936-39, a British Royal Commission was formed in late 1936 “To ascertain the underlying causes of the disturbances which broke out in Palestine in the middle of April; to enquire into the manner in which the Mandate for Palestine is being implemented concerning the obligations of the Mandatory towards the Arabs and the Jews respectively; and to ascertain whether, upon a proper construction of the terms of the Mandate, either the Arabs or the Jews have any legitimate grievances on account of the way in which the Mandate has been or is being implemented; and if the Commission is satisfied that any such grievances are well-founded, to make a recommendation; for their removal and for the prevention of their recurrence”.

The recommendations of the Royal Commission were to end the British Mandate of Palestine, to



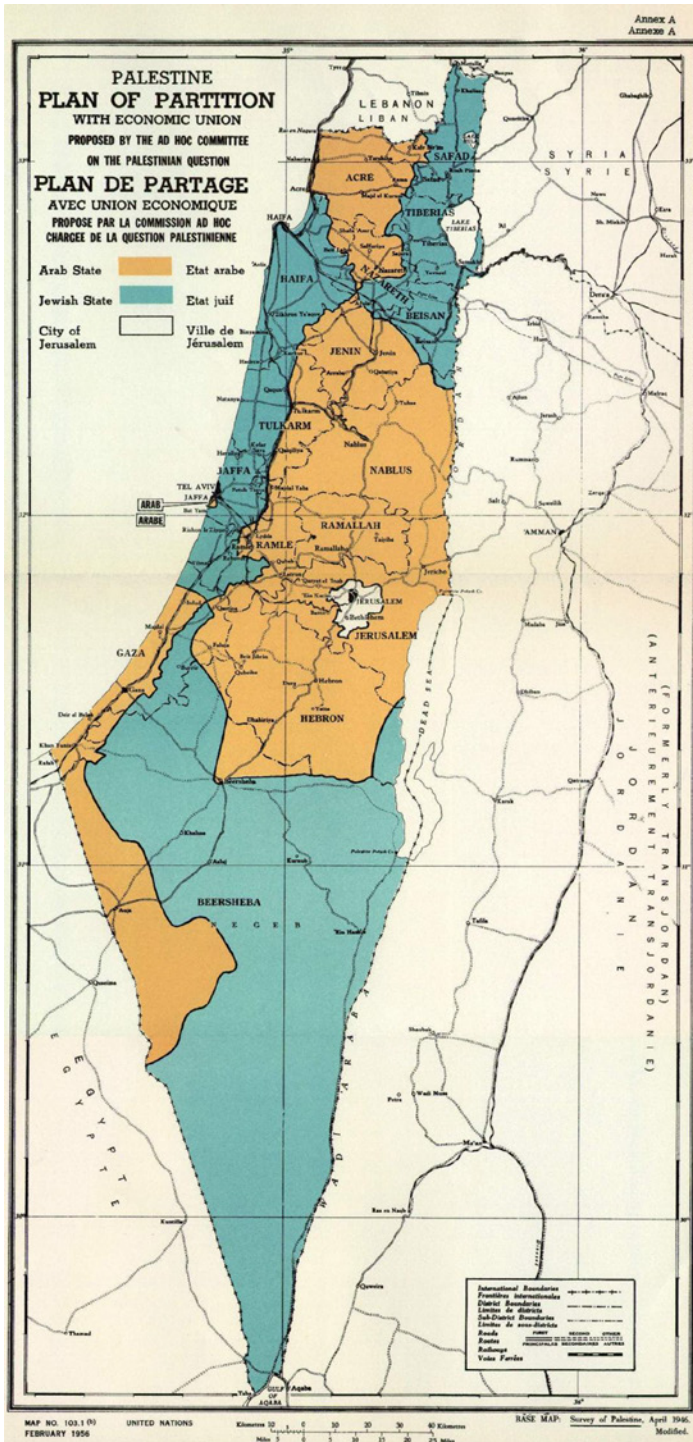
The British Royal Commission plan 1937

divide it between the Jews and the Arabs, establish an independent Jewish state in part left for the Jews, annexing the whole area devoted to the Arabs to Trans Jordan, and, leave Jerusalem, and a corridor between the Mediterranean port of Jaffa and Jerusalem, in the hand of Britain. Thus, Jerusalem was to be “separated” from Future Palestine, to be in British Christian hands (Katz, 1993).

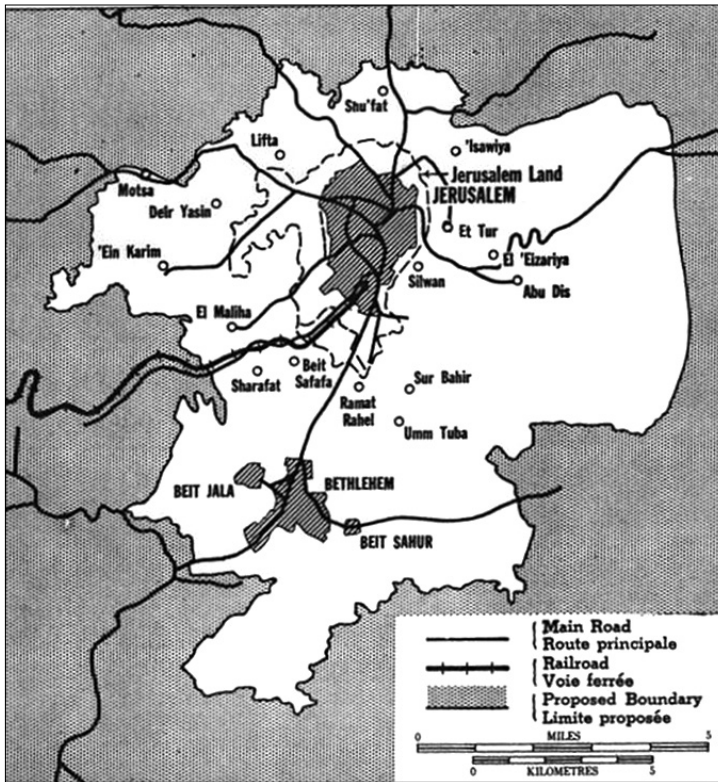
The Jews accepted the idea of dividing Palestine but insisted on different boundaries, including having Jewish Jerusalem in the future Jewish State. The Arabs rejected the whole idea. The British Government, which did not want to retreat from Palestine, appointed another commission, which showed that the division of Palestine was impossible to implement, and the whole idea was faded up. At any rate, the idea about the unique future of Jerusalem remained in mind and came back ten years later, in 1947, when Britain decided to return the mandate of Palestine to the United Nations.

The end of British rule of Palestine came along with the decision of an international organization – the United Nations, which offered a way to solve the dispute between the Arabs and the Jews in Palestine. Resolution 181 of the UN General Assembly, adopted on November 29, 1947, declared the partition of Palestine between a Jewish state and an Arab State. According to that resolution, Jerusalem and the area surrounding it, including the city of Bethlehem, the towns of Beit Sahour and Beit Jalla, and the area inside a line running from the villages of Sur Bahir, Abu Dis, and El Azariya in the east, to Isawiyya and Shu’afat in the north, then to Lifta, Deir Yassin and the independent Jewish neighborhoods of Beit Vagan, Kiryat Moshe and Beit Hakerem, and the Arab villages Malha in the west to Beit Tzafafa in the south, will be arranged as *Corpus Separatum* (Separated body). The area was to become an international area, ruled by a high commissioner appointed by the UN, due to the presence of the holy sites of Christianity (this explains the inclusion of Bethlehem in this area), Judaism and Islam in this area as none of the countries that were supposed to be established in Palestine could govern it. The whole area, which was about 125 sq. km., nearly 0.5 % of the area of British Palestine, contained about 200,000 people (about 20 % of the residents of Palestine at that time), half Jewish and half Arab. The area was to be demilitarized and neutral. Police, consisting of persons recruited in former Palestine, was to be established to maintain order in the city. The residents of this area were to receive citizenship of Jerusalem, except those who choose to accept the citizenship of the Jewish or the Arab states, which will be established in Palestine.

This decision is the only United Nations’ decision concerning the future regime of Jerusalem, and many see this decision as a basis to what should exist in Jerusalem. One of the direct consequences of this decision is the unique situation of Jerusalem, which serves as the capital of Israel, but no foreign embassy, except that of the US, is located in Jerusalem. That, in part, is due to the unclear international status of the city and its surroundings.



The UN Partition plan – November 29, 1947



Jerusalem in the UN
Partition Resolution –
November 29, 1947

The UN resolution remains essentially a document written on paper and not in the field. Arab countries and the Arab population of Palestine rejected the decision and launched a war against the Jewish community in Palestine. This war, called by the Israelis “War of Independence” and by the Arabs – “The Naq’ba” (the disaster), led to many changes in the status and condition of Jerusalem.

During the war, the Israeli military force occupied and held many parts of western Jerusalem but not the Old City of Jerusalem and the eastern part of the city, which the Jordanian Arab Legion occupied. Israeli troops managed to break through a corridor from the coastal plain to Jerusalem, connecting the city to the rest of the area held by Israel after the war ended.

In November 1948, a ceasefire line was established in Jerusalem, according to the position of the Israeli and Jordanian armies at that time. As the exact position of the army units was not clear, some small “no man’s land” areas were established, and these were supposed to be under the sovereignty of no party. Further, the British High Commissioner resident, used during the war by the Red Cross, became the residence of United Nations headquarter in the area and declared a “demilitarized zone”. It was divided into the Israeli demilitarized



The Armistice Agreement signed between Israel and the Kingdom of Transjordan in April 1949 adopted those lines and further provides that the railroad between the coastal plain and Jerusalem will remain entirely under Israeli sovereignty. Consequently, some of the buildings of the Arab village of Bait Tzafafh were annexed to Israeli Jerusalem, and its inhabitants became citizens of Israel (Israeli, 2002).

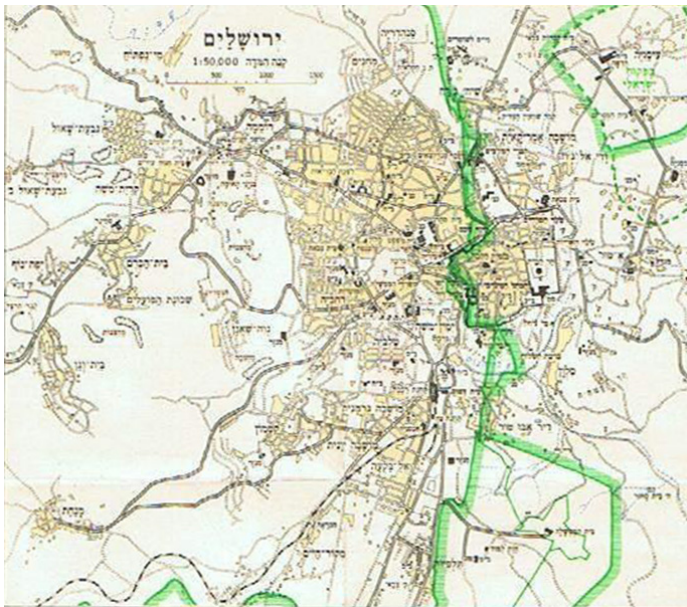
zone, Jordanian demilitarized zone, and United Nations' demilitarized zone, which included the building itself and a small yard around it. Another area, Mount Scopus, which was left in Jewish hands, but without direct connection to Jewish Jerusalem, was also declared a "demilitarized zone". Attached to it was a small parcel of "no man's land", divided between Mount Scopus and the Hospital in the German hospice on Mount Scopus, which Jordan held as a demilitarized zone.

The Armistice Agreement ended the war, but the status of Jerusalem was not clear since the United Nations resolution put all the territory of Jerusalem in the UN hands, but Israel and the Kingdom of Transjordan each occupied parts of Jerusalem. That left Jerusalem in a state of a military regime, as the Israeli Government was not quick to declare Jerusalem to be part of the country and certainly not run it as a capital city. Thus, the Israeli government campus was first located in Tel Aviv, from which it conducted the young state of Israel.

In December 1949, Israel received information that the UN will conduct a comprehensive discussion regarding the status of Jerusalem. As such, Israel was concerned that a decision

will permanently establish the sovereignty of the United Nations in all of Jerusalem. The Israeli Government and Parliament adopted a resolution stating that Jerusalem is an integral part of the State of Israel and its eternal capital. This decision remains in existence today.

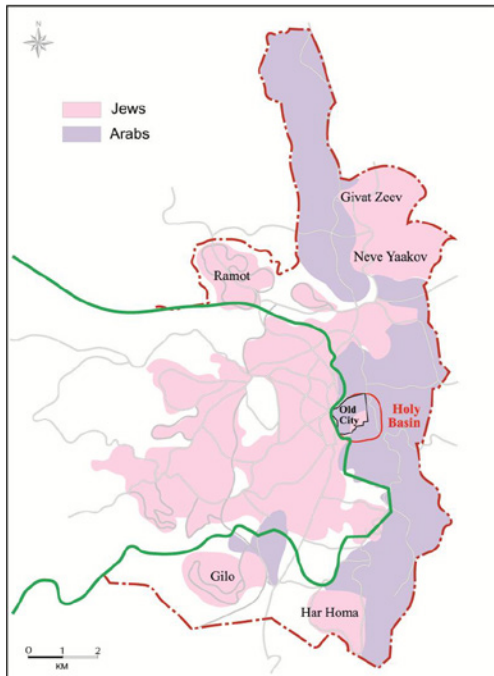
For 19 years, between 1949 and 1967, Jerusalem was divided between Israel, which declared it its Capital, and Jordan, which annexed the area of what was later known as “The West Bank” (of the Jordan River), including the Old City of Jerusalem and the entire eastern part of the city, which Jordan occupied during the 1948 war (Bovis, 1971). Both countries established new urban boundaries, each for its part of the city.



Israeli Jerusalem (1949–1967)

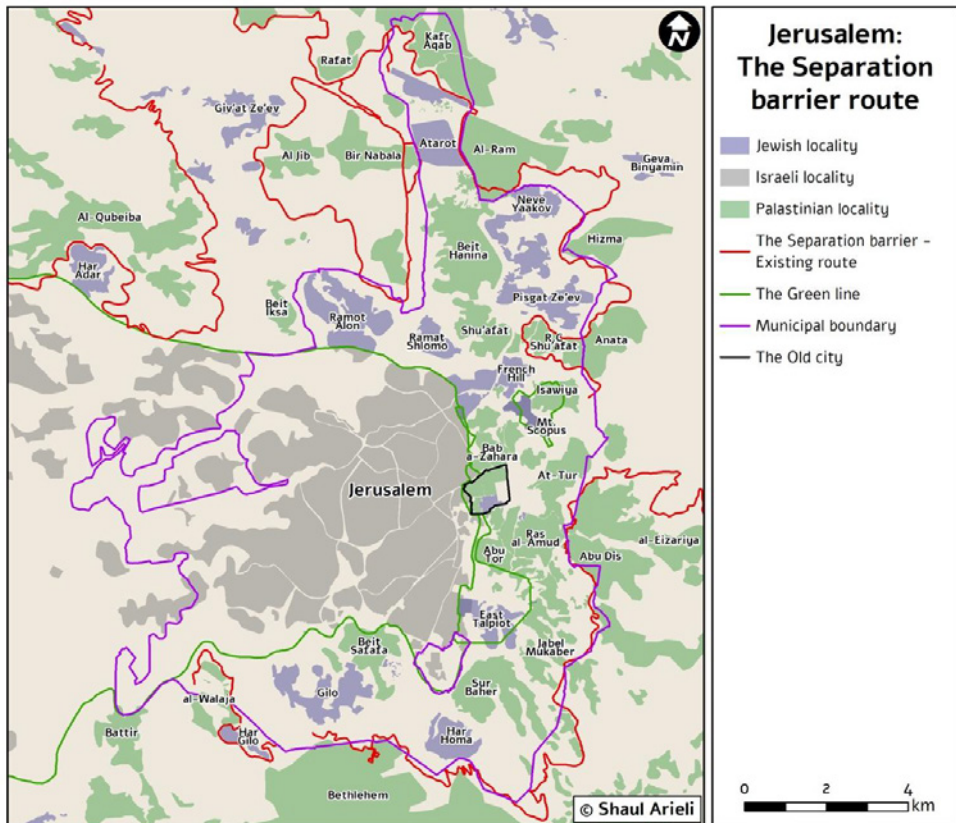
In June 1967, as part of another round of war between the Arab countries and Israel, the “West Bank”, including east Jerusalem, was captured by the Israeli army. Shortly after the ceasefire, the Israeli Government enlarged the municipal area of western Jerusalem to include the Old City, eastern Jerusalem, and some Arab villages around it. Thus, Israel annexed the whole area of Jerusalem. It was an act that became legal after approval in 1980 by the Israeli Parliament (Romann & Weingrod, 1991). Any country never adopted the annexation, but Israel conducted the whole area as part of its legal sovereign area (Klein, 2003).

In 2003, to combat Palestinian suicide, Israel built a high wall that separated Jerusalem from the entire Palestinian area and allowed only Palestinian permit holders to enter Jerusalem (Michael & Ramon, 2004).



◀ The expansion of Jerusalem after the 1967 war. Green – the pre-1967 line; red – the current line

▼ The Defense Barrier in Jerusalem area 2020



Current Situation

Peace negotiations between Israel and the Palestinian authority have been going for the last 25 years. The future of Jerusalem is one of the significant issues in those talks. The Palestinians insist on returning to the pre-1967 war lines, which divided Jerusalem to establish their Capital city in it. Israel insists that Jerusalem should be a united city under the Israeli regime (Biger, 2015). Although some Israelis are willing to accept that the Arab areas of Jerusalem could be under Palestinian rule, the problem of the Old City of Jerusalem, especially the question of the Temple Mount (Gonen, 2003), which is holy for the Jews and the Moslems, seems too difficult to overcome (Reiter, 2017/18). Up to now, more than 50 plans for ruling Jerusalem were suggested, including establishing “Holy Basin”, which will include the Old City and some religious area beyond it, ruled by representatives of the three faiths, but up to now, no solution was adapted (Lapidoth, 1994).

A New actor came to deal with the Jerusalem problem. In January 2020, the “Peace to Prosperity” – President Trump’s plan for the peace between Israel and the Palestinian – was published. In it, the future of Jerusalem is dealt with in a special section, with details. The main idea is that “Jerusalem is holy to multiple faiths and has religious significance for much of humanity”. As so, “The issue of Jerusalem’s holy sites, particularly the Temple Mount/Haram al-Sharif should be treated with the utmost sensitivity”. The Americans view the present situation as follows: “The State of Israel has been a good custodian of Jerusalem. During Israel’s stewardship, it has kept Jerusalem open and secure”. According to that document, “Jerusalem should be a city that unites people and should always remain open to worshippers of all religions”. In order to achieve this goal, it is suggested that “We believe that returning to a divided Jerusalem, and in particular having two separate security forces in one of the most sensitive areas on earth, would be a grave mistake”. In order to establish two capital cities in Jerusalem, the Plan presents the idea in which: “While a physical division of the city must be avoided, a security barrier currently exists that does not follow the municipal boundary, and that already separates Arab neighborhoods (i.e., Kafr Aqab, and the eastern part of Shuafat) in Jerusalem from the rest of the neighborhoods in the city. This physical barrier should remain in place and should serve as a border between the capitals of the two parties”.

Thus, according to the Plan, “Jerusalem will remain the sovereign capital of the State of Israel, and it should remain an undivided city. The sovereign capital of the State of Palestine should be in the section of East Jerusalem located in all areas east and north of the existing security barrier, including Kafr Aqab, the eastern part of Shuafat and Abu Dis, and could be named Al Quds or another name as determined by the State of Palestine” (President of USA, 2020).

Conclusions

It appears that the definition of Jerusalem’s status and function is the result of religious and national concepts, international and local decisions, and construction that annexes

territory to the city but sometimes avoids it. Some argue that the real Jerusalem is only the one inside the walls – The Old City, and all the rest are neighborhoods built over the last hundred years, and only administrative decisions have determined that they will be part of Jerusalem. Thus, sloppiness and administrative decisions can be changed. The western neighborhoods of Jerusalem were not included in Jerusalem during the Mandate period, and thus the nearby local community of Mevasseret Zion, which is adjacent to Jerusalem, is not part of the city, and other areas in the west were added to the city.

It seems, therefore, that the boundaries of Jerusalem have changed considerably over the last 150 years. Sometimes the change is due to expanding the built-up area and sometimes due to planning and political needs. In any case, the authority to determine the city's territory was exclusive in the hands of the central government, which ruled the area at the time.

So, where is Jerusalem? It seems that it depends on the reader's position, and everyone has his own Jerusalem, which he demands for himself and is not willing to share with others.

References:

- Bahat, D. (1996). *The Illustrated Atlas of Jerusalem*. Carta.
- Barr, J. (2011). *A Line in the Sand: Britain, France and the struggle that shaped the Middle East*. Simon & Shuster.
- Ben-Arieh, Y. (1986). *Jerusalem in the 19th century: Emergence of the new city*. Palgrave Macmillan.
- Biger, G. (2015). Israel – Jerusalem – Palestine. In E. Brunet-Jailly (Ed.), *Border Disputes – A Global Encyclopedia, Vol. 1 – Territorial Disputes* (pp. 261–268). ABC-Clio.
- Bovis, H.E. (1971). *The Jerusalem Question, 1917–1968*. Hoover Institution Press.
- Evans, M. (1997). *Jerusalem Betrayed*. Thomas Nelson.
- Gonen, R. (2003). *Contested Holiness – Jewish, Muslim and Christian Perspectives on the Temple Mount in Jerusalem*. KTAV Publishing House, Inc.
- Israeli, R. (2002). *Jerusalem divided: The Armistice Regime, 1947–1967*. Routledge.
- Klein, M. (2003). *The Jerusalem Problem: The Struggle for Permanent Status*. The University Press of Florida.
- Lapidot, R. (1994). Jerusalem: The Legal and Political Background. *Justice*, 3, 7–14.
- Michael, K. & Ramon, A. (2004). *A Fence Around Jerusalem*. Jerusalem Institute for Israel Studies.
- Prawer, J. (1976). Jerusalem in Crusader Days. In Y. Yadin (Ed.), *Jerusalem Revealed* (pp. 102–107). Israel Exploration Society.
- President of USA. (2020). *Peace to Prosperity – A vision to improve the lives of the Palestinian and Israeli People*.
- Reiter, Y. (2017/18). How to live together with the clashing narrative over Holy Places. *Palestine-Israel Journal*, 22/23(4), 65-73.
- Romann, M. & Weingrod, A. (1991). *Living together Separately: Arabs and Jews in Contemporary Jerusalem*. Princeton University Press.
- Stein, L. (1961). *The Balfour Declaration*. Simon & Schuster.