

The Status of the Status Quo at Jerusalem's Esplanade

Comments by Mick Dumper

This is an impressive report. The lucidity in the structure, the clarity in expression and the formidable expertise demonstrated makes it one of the best in a continuing line of excellent studies on the Arab-Israeli conflict by ICG. The research behind the report is exceptional and the authors supply a credible and authoritative set of footnotes which are almost as important as the main text itself. As such, it provides a valuable thought-provoking platform for further discussion for policy-makers and researchers.

I have a preliminary comment on the term "Holy Esplanade" used by the authors: After rejecting this term initially, I have come round to thinking that it may be one of the better alternatives available when looking for a neutral term to refer to al-Haram al-Sharif and Ha-Har Bayit.

Some issues which might have been given more prominence in the report are discussed below:

- 1) The role of the Madrasa Tankiziyya/Mahkame Border Police station beside the Bab al-Silsilah. Although not strictly on the Holy Esplanade, a prayer room has been created in the room overlooking (and jutting out into) the Haram and is sometimes called the "synagogue inside the Haram". This is referred to in the Report (Note 18) but the reference does not give this development its due significance. My information is that these prayers are taking place more often and with larger numbers of people to the extent that new equipment and structural alterations have been introduced. I have seen photos of such gatherings. All in all I think the changes are quite significant and are an important element in the growing perception with Palestinians that Israeli radicals have a) succeeded in their aims to establish a Jewish place of prayer on the Esplanade and b) the complicity of the Israeli security and police in these aims.
- 2) More could have made more of the incremental assertion of Israeli sovereignty over the management of and access to the Holy Esplanade. The report implies it throughout but omits to state it explicitly as a very prominent pattern. I have used in my own writing the term "the Hebronisation of Jerusalem" to highlight the way in which radical Israeli groups in Jerusalem have acted as outriders for the Israeli establishment and political mainstream: settler provocations in the Old City, like in Hebron and the Ibrahimi mosque, draw in the security apparatus which in turn creates a larger Israeli presence. This is now a pattern we can see emerging on the Holy Esplanade. "Hebronisation" may not be a useful term when the Report is attempting to speak to a wider and non-specialist audience. In addition, the term

also suggests that a spatial and temporary division is taking place in the Holy Esplanade similar to that which has been imposed in the Ibrahim mosque. This is not yet the case but, nevertheless, a term like “Hebronisation” does highlight the direction of travel and a stronger description of this dynamic in the Report would have conveyed more clearly the danger of the changing status quo.

- 3) In relation to this, the Report could have discussed what I call the “logic of numbers”. Irrespective of the sensitivity of the sites involved, it is the mere fact of the changes in the demographic balance between Palestinians and Israelis that is pushing the alterations to the status quo or *modus operandi*. We saw the impact of this logic in the 1920s, when as a result of the growth in the Jewish population, increasing number of Jews started praying at the Western (Wailing) Wall and thus created the political pressure to change the arrangements and protocols in the narrow courtyard before the Western Wall. (The Wailing Wall Incident) This culminated in the creation of the plaza beside the Western (Wailing) Wall in 1967. But also in the mid-1980s we saw a similar pattern in the logic of numbers in growing use of the Small Kotel, beside the Bab al-Hadid, to the extent the Waqf lost control over the use of that courtyard due to the constant presence of Jewish worshippers. The current visits by Jewish radicals on the Holy Esplanade would not be such an issue if they were not undergirded by the sheer growth in numbers of Jews wishing to enter. The logic of numbers is pushing the question of Jewish access to the top of the agenda. The importance of this analysis is the impact it may have on the Report’s key recommendation: providing access to non-Muslim worship may sound plausible and balanced in principle, but the sheer impact of numbers will give it different sense and a different political result from what is intended.
- 4) The role of UNESCO and the precedents set by its involvement in monitoring and verification of excavations and changes in use would have been a valuable part of the discussion looking at solutions, particularly in the light of the PA’s attempt to internationalise the conflict. I understand from the authors of the Report that this was omitted for reasons of space and that is understandable. Nevertheless, an evaluation UNESCO’s effectiveness hitherto is overdue especially since it is often mentioned in various peace proposals as the relevant international body.
- 5) A minor point – I am not sure if the map of the Esplanade is entirely accurate. My impression of the Marwani Halls from previous visits is that they are much larger than depicted in the map.
- 6) Finally, the recommendations. The authors have tried very hard to find plausible, practical steps that can be taken and in the face of the dysfunctional negotiations between the parties. More could have been made of possible linkages to the EU Heads of Mission Report (2014) which made explicit recommendations regarding member states and their recognition of Palestinian sovereignty in East

Jerusalem. (See EU HOMs Report (2014) Annex 2: “Recommendations to Reinforce EU Policy on Jerusalem”. The relevant sections are: Section B and Section D xxxvi and xl.) This is something the international community can build on. In addition, some reference to the Council for Religious Institutions in the Holy Land (CRIHL) as a possible vehicle for exploring further dialogue would have been welcome. CRIHL is not as effective as its supporters may have hoped but there is some evidence that the secretariat is making some progress behind the scenes.

- 7) The main recommendation of the Report is the “dilution” model. This is that non-Muslims should be allowed greater access to Holy Esplanade and this may be acceptable to Palestinians and the Muslim world if Muslims were also allowed greater access. I do not believe this will have, in the current context of mistrust and anxiety, the agreement of any Palestinian partners. Irrespective of the infringement on worship arrangements, both FATAH and HAMAS, are looking over their shoulders at the Muslim world and do not want to go down in history as the people who “lost” al-Aqsa. However, the proposal needs further discussion and the perspectives of a wider range of views including those of the Saudis, the Jordanians and Moroccans would be instructive. A useful and more general recommendation the Report could have made was for the initiation of a broader consultation and dialogue with Muslim scholars and leaders over the future of the Holy Esplanade under a range of political scenarios.
- 8) Despite these comments, the report is of a very high quality and the authors deserve to be commended on completing a very difficult assignment.