

Insiders' Jerusalem

August 28, 2020

Special Issue:

Normalization and the Status Quo on Haram al Sharif/The Temple Mount/Al Aqsa

The pending agreement between Israel and the United Arab Emirates which would normalize relations between the two countries has received much attention, and understandably so. Whatever one may think of normalization, this is clearly a seminal event in the annals of the Middle East. However, since the negotiations are still ongoing, and apparently not all of the terms have been agreed upon, few details of the pending agreement are public knowledge.

There is one exception, and it is to be found in [the Joint Statement](#) (hereinafter: "**the Joint Statement**") released by President Trump, Prince Bin Zayed and Prime Minister on August 13, 2020. As expected, the Joint Statement lacks specificity, with one sole exception, which relates to the volcanic core of the conflict between Israelis and Palestinians, and in which the Arab and Muslim worlds are stakeholders: the Temple Mount/Haram al Sharif/al Aqsa:

"As set forth in the Vision for Peace, all Muslims who come in peace may visit and pray at the Al Aqsa Mosque, and Jerusalem's other holy sites should remain open for peaceful worshippers of all faiths."

To the casual reader and observer, it would appear that there is a major breakthrough relating to prayer on the Mount, whereby Muslims will be allowed to pray at Al Aqsa, while the status quo on Haram al Sharif is being maintained. The truth is precisely the opposite. While the former is not at all new, and trivial, the latter is a radical departure from the status quo, and has far-reaching and potentially explosive ramifications.

Muslim pilgrimage to Al Aqsa is not new, and normalization changes nothing. Israel has been openly encouraging [Muslim pilgrimage to Jerusalem](#) for years, and succeeding. In recent years (and until the outbreak of Covid 19) there have been hundreds of thousands of Muslim visitors annually to Al Aqsa, with almost half of whom coming from countries with no diplomatic relations with Israel. There was no need for normalization in order to elicit Israeli consent to these visits.

The radical change in the status quo on the Mount is more complicated, and in order to appreciate how consequential this is, it is necessary to examine the status quo as it has been interpreted since 1967, as articulated in the Trump Plan and as it now appears in the Joint Statement.

[1. Status Quo on the Temple Mount/Haram al Sharif, Post-1967](#)

[2. The Trump Plan and the Status Quo](#)

[3. The Joint Statement on Normalization and the Status Quo](#)

[4. Developments on the Ground: the Erosion of the Status Quo](#)

[5. The Path Forward](#)

6. Postscript

A PDF copy of that report can be downloaded [here](#).

1. Status Quo on the Temple Mount/Haram al Sharif, Post-1967

There is no universally accepted definition of the status quo on the Temple Mount, and it is open to a number of differing views. The closest one that can come to a broad and widely accepted interpretation is this: the Temple Mount is a Muslim place of worship, open to the dignified and respectful visits of non-Muslims, in a manner coordinated with the Waqf and compatible with the customary decorum on the site (for a detailed analysis of the Status Quo in Jerusalem, see [here](#)).

In 2015, and after protracted discussions among Secretary of State Kerry, King Abdullah of Jordan and Prime Minister Netanyahu, the latter agreed to enshrine this interpretation of the status quo in a formal [declaration](#): **"Israel will continue to enforce its longstanding policy: Muslims pray on the Temple Mount; non-Muslims visit the Temple Mount."** There has been no statement made by Netanyahu that has since deviated from that declaration.

2. The Trump Plan and the Status Quo

The Plan stipulates that **"...the status quo at the Temple Mount/Haram al Sharif should be continued"**. However, in the following sentence, the Proposal lays out a radical departure from that status quo: **"People of every faith should be permitted to pray on the Temple Mount/Haram al-Sharif"**. This provision, allowing for Jewish prayer on the Mount, is an explicit deviation from the status quo as defined even by Israel, at least until the Trump Plan (for our analysis of the Trump plan in relations to Jerusalem-related issues, see [here](#)). Nadav Shragai, a journalist and expert on Jerusalem's holy sites with close ties to the Netanyahu government recently [revealed](#) that this was a clause in the Trump Plan **"...which Prime Minister Netanyahu's staff co-wrote with the Americans"**.

This provision was so controversial in the Arab world that the Trump administration was quickly compelled to walk it back. On January 28, days after the publication of the Plan, US Ambassador David Friedman took advantage of a press [briefing](#) to dissociate the Trump administration from this provision:

"The status quo, in the manner that it is observed today, will continue absent an agreement to the contrary. So there's nothing in the – there's nothing in the plan that would impose any alteration of the status quo that's not subject to agreement of all the parties. So don't expect to see anything different in the near future, or maybe in the future at all".

That should have laid things to rest, deferring any discussion of changing the status quo, and allowing for Jewish prayer, indefinitely.

It didn't – precisely the opposite.

3. The Joint Statement on Normalization and the Status Quo

As noted, the Joint Statement provides that **"... all Muslims ...may visit and pray at the Al Aqsa Mosque"**, while **"...Jerusalem's other holy sites should remain open for worshippers of all faiths"**.

It is imperative to compare this text word by word with that in the Trump Plan.

While the Trump Plan speaks of access to "the Temple Mount/Haram al Sharif", the Joint Statement speaks specifically of access to "the Al Aqsa Mosque", not Haram al Sharif. Israel defines Al Aqsa as the structure of the mosque, as does the wording of the Statement, whereas Muslims define Al Aqsa as the entire esplanade of Haram al Sharif/the Temple Mount. Consequently, according to Israel (and apparently to the United States), anything on the Mount that is not the structure of the mosque is defined as **"one of Jerusalem's other holy sites"**, and open to prayer by all – including Jews. Accordingly, Jews may now be permitted to pray on the Temple Mount, just not in the mosque.

Furthermore, by omitting any mention of the waqf and its autonomous role as the agent of Jordanian custodianship, the Muslim claims to Haram al Sharif/Al Aqsa are

being transformed from one of proprietorship to that of "welcome guest" with the right to visit and pray at Al Aqsa.

Both the Israeli Prime Minister and the US negotiating team fully understand the significance of every word and every nuance relating to Jerusalem in general, and to the Temple Mount/Haram Al Sharif in particular. Consequently, this choice of terminology is neither random nor a misstep, and cannot be seen as anything but an intentional, albeit surreptitious attempt to leave the door wide open to Jewish prayer on the Temple Mount, thereby radically changing the status quo.

4. Developments on the Ground: the Erosion of the Status Quo

After 1967, a movement emerged, now known as the Temple Mount movement, largely but not exclusively led by the extreme nationalistic religious Jewish right, which seeks to radically alter this status quo on the Temple Mount/Haram al Sharif. Some of the activists call for Jewish prayer on the Mount. Others seek to build a synagogue alongside or even instead of the mosques. A movement that was in 1967 perceived as an eccentric fringe, has since gone mainstream, and today enjoys the support of a majority of Netanyahu's cabinet. One of Netanyahu's cabinet member went so far as [advocating](#) the construction of the Third Temple.

In recent years, and under pressure from the Temple Mount movement, the established status quo is being significantly eroded. Unlike the practice in past decades, on Jewish holidays, large numbers of Jewish visitors, many of whom openly and vocally advocate changing the status quo on the Mount, are allowed to visit the site, even when these visits fall on Muslim holidays. The police are becoming increasingly permissive in regard to Jewish prayer other nationalistic gestures on the Mount.

The cumulative message of the new policies and recent events is clear: if, in the past, the Temple Mount/Haram al Sharif was a Muslim place of worship open to the visits of non-Muslim guests, it is rapidly becoming a shared Muslim-Jewish site, like the Ibrahimiya Mosque/Tomb of the Patriarchs in Hebron. This is the declared goal of the Temple Mount Movement and the deepest fears of the Muslim worshippers. And it's already happening.

For centuries, a spark on the Mount has been the likeliest cause of an eruption of violence in the Holy Land, and the current trends on the Mount are making just such an event more likely. Events at Al Aqsa invariably send shock waves throughout the region. Should an incendiary incident on Haram al Sharif/the Temple Mount indeed take place and intersect with the sense that Palestinian/Arab/Muslim interests and equities on the Mount are being bartered away, the results might be dire indeed.

And now, what is happening on the ground has been enshrined in the founding statement upon which Israel-Emirati agreement is based.

5. The Path Forward

It is not too late. While there can be little doubt that the wording selected regarding Al Aqsa is intended by the United States and Israel to open the door to Jewish prayer on Haram al Sharif/the Temple Mount, it is highly unlikely that the Emirates were party to this scheme. It is not too late to insist that this wording be removed and that there be a renewed commitment, unambiguous in its clarity, by both Israel and the United States to the traditional interpretation of the status quo, and specifically regarding Jewish prayer on the Mount.

What starts in Jerusalem doesn't stay in Jerusalem. At some point, as the stark ramifications of this concession will become clear, it is almost inevitable that those interested in normalizing relations with Israel will be accused of having contributed to the loss of Jerusalem to the Arab and Muslim worlds.

The status quo is an important Israeli security concern. Since 1967, the Israeli security establishment and policy communities have traditionally viewed issues relating to the Temple Mount/Haram al Sharif as a matter of cardinal importance to the security of Israel and regional stability. Doubts have [been cast](#) as to whether, or to what extent they have been consulted on the pending agreement with the Emirates. Should Israel's military, intelligence and diplomatic community be engaged on this issue, it will likely have a sobering impact.

This is not an exclusively Arab/Israeli matter. States that are invested in their commitment to Israel and Palestine, and the integrity of Jerusalem and its stability, are stakeholders in maintaining the status quo on the Mount. As such, their

engagement is key to guarantee that this status quo is indeed scrupulously maintained, in word and in deed.

6. Postscript

Jerusalem is a very wise and kind city to those treating her complexities with the reverence they deserve. It is a cruel and vindictive town to those who treat those complexities cavalierly, or ignore them. Jerusalem's millennia old history is littered with the bodies, literal and figurative, of conquerors, prophets and emperors who acting as though Jerusalem is a private or collective asset to be exploited at whim, or a commodity which can be bartered. One tinkers with Jerusalem at grave peril to all involved, and the provisions of the Joint Statement recklessly tinker with the status quo.

As currently crafted, normalization is being used as a cover to allow one of its stakeholders to remold the most sensitive place in Jerusalem in its own ideological image.

One need only recall the aftermath of the opening of the Western Wall Tunnel in 1996 (by the very same Netanyahu) and the Sharon visit to Haram al Sharif/the Temple Mount in 2000 in order to realize just how irresponsible and dangerous this can be.

