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SITUATION ASSESSEMENT

Trump's Decision to Announce Jerusalem as the Capital of Israel: Motives, Implications, and Prospects

Policy Analysis Unit | December 2017

Making Sense of the Jerusalem Decision

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Introduction

Breaking with seven decades of US policy on Jerusalem, President Donald Trump announced on December 6 that his administration officially recognized Jerusalem as the capital of Israel, and directed the State Department to begin preparations for the transfer of the US Embassy from Tel Aviv to Jerusalem. The US Congress, in a majority vote, adopted the 1995 Jerusalem Embassy Act, providing for the transfer of the US Embassy to Jerusalem before the time limit of May 21, 1999. However, the act included a provision allowing the US president to sign a six-month waiver if they deem it "necessary to protect the national security interests of the United States¹". Since the Bill Clinton presidency, every administration has continued to sign the waiver, every 6 months, despite promising during their presidential campaigns to move the US embassy to Jerusalem.

Most Important Elements of the Decision

Trump's decision to recognize occupied Jerusalem as the capital of the Israel comprises the following dimensions:

1. Jerusalem the Capital of Israel

According to Trump, the recognition of Jerusalem as the capital of Israel is the right thing to do. However, in his speech, Trump stressed that his declaration was "not taking a position on any final status issues²." According to a US State Department message to its embassies in European capitals, American diplomats were asked to explain to European officials that "Jerusalem is still a final status issue between Israelis and Palestinians and that both sides must determine the dimensions of Israel's sovereignty in Jerusalem during their negotiations³". Secretary of State Rex Tillerson asserted the same idea by insisting that the president was "very clear that the final status of Jerusalem is a matter that would be left – including the

¹ "JERUSALEM EMBASSY ACT OF 1995," November 8, 1995, at: <https://www.congress.gov/104/plaws/publ45/PLAW-104publ45.pdf>

² "Statement by President Trump on Jerusalem," The White House, Office of the Press Secretary, December 06, 2017, at: <https://www.whitehouse.gov/the-press-office/2017/12/06/statement-president-trump-jerusalem>

³ Arshad Mohammed, "Exclusive: U.S. asks Israel to restrain response to Jerusalem move – document", 7/12/2017 at:

<https://uk.reuters.com/article/uk-usa-trump-israel-document/exclusive-u-s-asks-israel-to-restrain-response-to-jerusalem-move-document-idUKKBN1E106T>

borders, would be left to the parties to negotiate and decide⁴." This implicitly suggests that the city could be divided into two capitals if the parties agreed.

Israel occupied West Jerusalem in 1948 and declared the city its capital in 1949, a move rejected by the international community, including the United States, and then occupied East Jerusalem in 1967. According to international resolutions, East Jerusalem, in which lie the holy sites of Jews, Christians and Muslims, is occupied territory, the part of the city that the Palestinians claim as the capital of their state, a claim refused by Israel. Despite the administration's attempt to play down the severity of Trump's decision, neither Trump nor his administration have mentioned the Israeli refusal, since 1967, to recognize the rights of Palestinians in East Jerusalem. Trump justified his decision to declare Jerusalem as the capital of Israel, with reference to the law passed by Congress in 1995. Yet, the same Jerusalem Embassy Act stipulates, "Jerusalem must remain an undivided city", which "should be recognized as the capital of the State of Israel". Consequently the argument that Trump's decision does not include the expropriation of the Palestinian right to discuss final status issues, including Jerusalem, in later negotiations is merely a smokescreen. This is especially obvious since reports revealing the features of a framework for a solution, drawn up by the President's son-in-law, Jared Kushner and his team, exclude East Jerusalem, or call to postpone research on it for years to come, even if a Palestinian state was established.

2. The Relocation of the Embassy To Jerusalem

Despite the decision of Trump to order the State Department to begin preparations to relocate the US embassy from Tel Aviv to Jerusalem, he signed the waiver for another six months. This was on the understanding that it would take time to "employ the architects, other engineers and planners to make the new embassy as a great tribute to peace when it is complete." According to Tillerson, the transfer of the embassy "is not something that's going to happen this year, probably not next year, but the President does want us to move in a very concrete and steadfast way to ensure the embassy is located in Jerusalem when we are able to do so at the earliest possible time⁵."

Regardless of when the embassy will actually be transferred, Trump's decision to recognize Jerusalem as the capital of Israel and direct the State department to begin the preparations for the transfer of the embassy is significant. He has broken with more than 20 years of policy

⁴ "Remarks With French Foreign Minister Jean-Yves Le Drian," U.S Department of States, December 8, 2017, at: <https://www.state.gov/secretary/remarks/2017/12/276384.htm>

⁵ "Remarks With French Foreign Minister Jean-Yves Le Drian." Ibid.

pursued by his three predecessors who postponed the relocation until a settlement has been reached Peace agreement between the Palestinian and Israeli authorities.

3. The Commitment to Peace and the Two State Solution according to Israeli Specifications

In his speech, Trump emphasized his administration's "strong commitment to facilitate a lasting peace agreement." For the first time since he came to the presidency, Trump announced his support for a two-state solution, but added that his support here was on the condition that it was "agreed to by both sides". This brings negotiations back to square one, giving veto power to Israel, which refuses to recognize a Palestinian state based on the resolutions of international law⁶.

Trumps Motivations and Calculations

Trump's decision about Jerusalem did not represent a compromise between his chief advisors. While Secretary of State Tillerson, Defense Secretary James Mattis, and CIA director Mike Pompeo opposed the decision, Vice President Mike Pence, US envoy to the UN Nikki Haley, and US ambassador to Israel David M. Friedman all supported the move. The decision was also encouraged by son-in-law Kushner, and US Special Envoy for Peace in the Middle East, Jason Greenblatt⁷.

The arguments of the opposition camp are based on the potential threat to American interests in the Arab and Islamic region. They argue that it may weaken US moderation of Palestinian-Israeli negotiations and destroy any peace proposals that they are working on, and perhaps even drag them into a new round of violence in the occupied Palestinian territories. That is in addition to firing up tension between the US and any Arab or Muslim allies, and contributing to the alienation of the US, even from its European allies⁸. On the other hand, the supporter camp argued that such a declaration will enhance Trump's credibility among the Israelis, and

⁶ "Israel's Settlements Have No Legal Validity, Constitute Flagrant Violation of International Law, Security Council Reaffirms," United Nations, December 23, 2016, at:

<https://www.un.org/press/en/2016/sc12657.doc.htm>

See also UN Resolutions 242 (1967) and 338 (1973) at:

<https://unispal.un.org/DPA/DPR/unispal.nsf/0/7D35E1F729DF491C85256EE700686136>

<https://unispal.un.org/DPA/DPR/unispal.nsf/0/7FB7C26FCBE80A31852560C50065F878>

⁷ Jeremy Diamond and Elise Labott, "Trump recognizes Jerusalem as Israel's capital," CNN, December 6, 2017, at:

www.cnn.com/2017/12/06/politics/president-donald-trump-jerusalem/index.html

⁸ David Nakamura, "Trump recognizes Jerusalem as capital of Israel in reversal of longtime U.S. policy," The Washington Post, December 6, 2017, at:

https://www.washingtonpost.com/politics/in-white-house-speech-trump-recognizes-jerusalem-as-capital-of-israel-in-reversal-of-longtime-us-policy/2017/12/06/de9322e6-da9d-11e7-a841-2066faf731ef_story.html?utm_term=.634b06fc6710

therefore give him the ability to maneuver with the right-wing Netanyahu government should the US administration offer a framework for a final agreement with the Palestinians⁹.

This paper seeks out the real motivations for Trump to go ahead with the announcement of his decision on Jerusalem, despite the opposition of his senior advisers to the National Security Council. Trump tried to make his decision in compliance with 1995 Jerusalem Embassy Act. He did not hesitate to insinuate his three predecessors did not have the courage to implement the decision. The issue for Trump is that he made a promise as a candidate, which he believes he has to fulfill, unlike his predecessors. In his statement, Trump declared, "While previous presidents have made this a major campaign promise, they failed to deliver. Today, I am delivering." There is a personal dimension to Trump's decision. He did not succeed in delivering any of his electoral promises, which contradicts his desire to appear as a powerful president who makes decisions that no one else dared to take. Yet there is also a desire to appease his audience and his supporters and the base of his electoral support, above all:

1. The Israeli Lobby

In March 2016, Trump addressed the American Israel Public Affairs Committee (AIPAC), the largest arm of the Zionist lobby in the United States, pledging to transfer "the American embassy to the eternal capital of the Jewish people, Jerusalem¹⁰". According to various reports, the Jewish billionaire, Sheldon Adelson, the owner of a famous casino chain, supported Trump's presidential campaign and donated \$20 million to a political action committee for his campaign and a further \$ 1.5 million to the committee that organized the Republican Party convention following the AIPAC address. Since Trump's election, Adelson has relentlessly reminded him of his promise, and did not hide his grudge when Trump succumbed to the pressure of his advisers last June and decided to sign the waiver to postpone the embassy relocation¹¹.

According to the US media, Trump suddenly entered the meeting with his senior advisers for national security, on November 27, when they were discussing the postponement of the relocation and insisted on the need to give him an option to fulfill his electoral promise, despite warnings from his secretaries of state and defense¹².

2. The Evangelical Groups

⁹ MARK LANDLER, "For Trump, an Embassy in Jerusalem Is a Political Decision, Not a Diplomatic One," The New York Times, December 6, 2017, at: <https://www.nytimes.com/2017/12/06/us/politics/trump-embassy-jerusalem-israel.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=first-column-region®ion=top-news&WT.nav=top-news>

¹⁰ "Trump's Speech to AIPAC," Time, March 21, 2016, at: time.com/4267058/donald-trump-aipac-speech-transcript/

¹¹ MARK LANDLER. Ibid.

¹² Anne Gearan, "Inside the Trump administration debate over declaring Jerusalem to be Israel's capital," The Washington Post, December 1, 2017, at: https://www.washingtonpost.com/politics/inside-the-trump-administration-debate-over-declaring-jerusalem-to-be-israels-capital/2017/12/01/4a02852c-d6b5-11e7-95bf-df7c19270879_story.html?utm_term=.aa7612b4ef20

Evangelical Christians make up around 25% of the American population¹³, with around 20% of white evangelicals voting for Trump in the presidential elections last year¹⁴. The issue of moving the US Embassy from Tel Aviv to Jerusalem was a priority for this electoral bloc. Indeed, many have pressed Trump to expedite the decision to relocate the embassy and declare Jerusalem as the capital of Israel¹⁵. For the evangelicals, the embassy is not a political matter; it is a fulfillment of a prophecy paving the way for the return of Christ on the way to the end of days according to doctrine. The Jews will then find redemption in accepting Christ as their savior¹⁶. Trump probably does not believe in this doctrine, but he is unlikely to want to upset this large electoral bloc.

Conclusion

Trump's latest decision expresses the triumph of his egoism and domestic political considerations over the pursuit of a rational and realistic approach to foreign policy¹⁷. It also represents a victory for the extreme right-wing camp in his administration, which calculates that the Palestinians will move away from the negotiating table for a while, soon returning to face new realities, as they always do¹⁸. This means that the outcome depends on the popular resistance and the Palestinian leadership, and whether they are able to withstand US and Arab pressures, to insist that the United States is no longer a qualified mediator in the peace process. This comes in the light of claims by unnamed Palestinian officials that Saudi Crown Prince Mohammed bin Salman exerted pressure on Palestinian President Mahmoud Abbas during his recent visit to Saudi Arabia to accept a proposal by Kushner. This proposal included establishing "a Palestinian entity" in Gaza as well as the West Bank administrative areas A and B and 10 percent of area C, which contains Jewish settlements. In this plan the settlements would remain in the West Bank, Palestinians would lose sight of the right of return, and Israel would retain

¹³ Michael Bird, "US election: Why did evangelicals vote for Donald Trump?," ABC News, November 16, 2016, at: www.abc.net.au/news/2016-11-16/why-did-evangelicals-vote-for-donald-trump/8028932

¹⁴ Steve McQuilkin, "White evangelicals just elected a thrice-married blasphemer: What that means for the religious right," U.S.A Today, November 10, 2016, at:

<https://www.usatoday.com/story/news/politics/elections/2016/11/10/conservative-christians-boorish-trump/93572474/>

¹⁵ Ian Lovett, "Evangelical Christians Lobbied Hard for Trump's Move on Jerusalem," The Wall Street Journal, December 7, 2017, at: <https://www.wsj.com/articles/evangelical-christians-lobbied-hard-for-trumps-move-on-jerusalem-1512662128>

¹⁶ Diana Butler Bass, "For many evangelicals, Jerusalem is about prophecy, not politics," CNN, December 8, 2017, at: <http://edition.cnn.com/2017/12/08/opinions/jerusalem-israel-evangelicals-end-times-butler-bass-opinion/index.html>

¹⁷ CATHERINE LUCEY, "On Jerusalem, Trump delivers for supporters at home," The Seattle Times, December 7, 2017 at: <https://www.seattletimes.com/nation-world/on-jerusalem-trump-delivers-for-supporters-at-home/>

¹⁸ Elise Labott and Jeremy Diamond. Ibid.

its authority over the borders¹⁹. In this sense, Trump's announcement represents the elimination of Palestinian aspirations for the establishment of a Palestinian state in the territories of the West Bank, occupied since 1967, and the Gaza Strip, with East Jerusalem as its capital, which in itself would constitute a historic compromise on the part of the Palestinians.

¹⁹ Samia Nakhoul, Stephen Kalin, Suleiman Al-Khalidi, "Despite furor over Jerusalem move, Saudis seen on board with U.S. peace efforts", 9/12/2017, at: <https://www.reuters.com/article/us-usa-trump-israel-saudi-insight/despite-furor-over-jerusalem-move-saudis-seen-on-board-with-u-s-peace-efforts-idUSKBN1E22GR>