

How to Preserve the Fragile Calm at Jerusalem's Holy Esplanade

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I. Overview

Even as protest and violence surge around Israel and in the West Bank, the Holy Esplanade, known to Jews as the Temple Mount and Palestinians as al-Haram al-Sharif, is, ironically, quieter than in years. Supremely important religiously and nationally to Israelis and Palestinians, Jews and Muslims, it has repeatedly been the epicentre of violence and protest. Today's surprising calm is the product of quiet understandings in 2014 and 2015 between Jordan's King Abdullah and Israel's Prime Minister Benjamin Netanyahu. But as the religious calendar enters the holiday season, activists on both sides are likely to regain their footing. Crisis Group has previously urged bolstering the Status Quo, the informal arrangement from the mid-nineteenth century that has regulated management of the Esplanade since Israel conquered it in 1967. This remains crucial, but most immediately important is maintaining the understandings on access.

As the Israeli political conversation increasingly emphasises Jewish identity, and religious Zionists strengthen within both its governing coalitions and the ruling Likud Party, Temple activists advocating expanded Jewish rights on the Esplanade gain more traction among the Jewish public. Even if their triple demand – for undisturbed Jewish access, Jewish worship and Jewish sovereignty – has little chance of realisation any time soon, its growing prominence has stoked Palestinian fears that Israel plans to divide the holy site, as it did Hebron's Ibrahimi Mosque in 1994 after centuries of Muslim-only worship and control. With Jerusalem's Palestinians feeling abandoned by the Palestine Liberation Organisation (PLO), the Palestinian Authority (PA) and Jordan, they take the defence of the Al-Aqsa Mosque into their own hands, including by intimidating religious Jews who challenge the Status Quo and throwing stones at Israeli police.

Thus, in 2014 and 2015, the prime minister and king found themselves in emergency consultations – direct and indirect, brought together by U.S. Secretary of State John Kerry – on how to calm clashes between the Israeli police and Palestinian youths in and around the Holy Esplanade. The 2014 understandings, reaffirmed in 2015, comprise four commitments, three by Netanyahu, one by Abdullah. Netanyahu committed to keep all Knesset members, some of whom had made incendiary statements about Israeli sovereignty and replacing the Dome of the Rock with a Jewish

Temple, off the Esplanade; to refrain from categorical age or gender limitations on Muslim access, as the police frequently had imposed as a security measure, that backfired; and to keep provocative activists from the site and limit religious Jewish groups permitted to enter. Abdullah's single, crucial commitment was to keep the young Palestinians who became the next day's stone-throwers from surreptitiously entering the compound at night.

Together, these understandings have calmed the situation, even if they remain partial and cloak deeper disagreements. The relative calm is thus deceiving. Temple activists are challenging restrictions on them, with some success. East Jerusalem's young Palestinians remain opposed to Temple activism. Any erosion of Israel's restraint, real or rumoured, is all but certain to provoke a response.

The arrangement's many shortcomings catch Israel and Jordan, but also, to a lesser extent, the PA – between competing interests. Each has domestic pressure to advance unsatisfied national interests: for Israel, Jewish access, worship and sovereignty; for Jordan, to be seen standing up to Israel; for the PA, to be seen standing up to both. No less pressing for leaders is calm on the ground and good relations, especially given the roiling of the region. In the past few years, governmental stakeholders, particularly Israel, have tacked between domestic and foreign interests. There is every reason to think this will continue.

The real bind is that Israel in effect has annexed East Jerusalem, so even were the government much less sympathetic to the religious Zionist agenda, it would have to jump through hoops at the Esplanade to avoid implementing Israeli domestic law, which not surprisingly provides for Jewish access to and worship at Jewish holy sites. But for Jerusalem's Palestinians, the PA and Jordan – and so for Netanyahu to keep relations with them even – the Esplanade must be treated according to its internationally-recognised status: as occupied territory. Until Israel reaches a formal arrangement with the PLO and Jordan – which need not be a final status agreement – that binds its conduct there no less thoroughly than its other laws do, every prime minister will be forced to balance competing interests.

Politicians and security officials have reacted by making and remaking policy on the fly, in secret and, in Israel's case, sometimes in apparent violation of domestic law. The commitment to the discreet understandings is above all between Netanyahu and the king, not Israel and Jordan. So long as they prioritise their personal relations and impose their will on their domestic systems, their agreement will hold. But if their calculations change, or one of their tenures ends, the understandings could evaporate, and with them, the prospects for stability.

Global stakeholders such as the U.S. – still the undisputed Arab-Israeli mediator – and regional powers including some in the Gulf, must ensure the understandings hold. Other vital steps should also be taken to strengthen the Status Quo. Jordan should give Palestinians a voice in managing the Esplanade, to better address their concerns. As before 2000, Israel should enable a greater role for Jordan in determining access to increase its credibility and legitimacy. Israel could initiate an intra-Jewish conversation about what is practically achievable on the Esplanade any time soon given political and legal constraints. But unless the understandings remain implemented, the relative calm will crumble, and no other measures will be possible.

II. A Tale of Two Escalations

A. *The Initial 2014 Flare-up*

The six-month flare-up that roiled Jerusalem in 2014, in no small part over the Esplanade, was ended by the November understandings between King Abdullah and Prime Minister Benjamin Netanyahu.¹ These aimed to shore up the Status Quo after several years of heated, sometimes violent Jewish and Palestinian activism.² But breaches of them and ambiguities about how to handle issues of access and worship at times of potential violence, helped fuel the next wave of violence, in mid-2015.

According to informed observers, when they met in Amman in 2014, Netanyahu promised to prevent all Knesset members (MKs) and Israeli political figures from entering the Esplanade; refrain from age and gender restrictions on entry of Muslims and Palestinians; and constrain access for Jewish Temple activists.³ Israeli officials do not dispute this but emphasise Abdullah's key assurance: helping to ensure security at the Esplanade, particularly by blocking the illicit night-time entry of young Palestinians, who despite the Al-Aqsa Mosque compound being closed, would slip in to perform special worship and reflection (*al-i'tikaf*), or so they claimed, and often became the next day's stone-throwers.⁴

After the 2014 understandings, tensions quieted, but only part of the relative success was due to relatively faithful implementation. The calendar also was significant: matters calmed at August's end, when the Gaza war ended, as did in October Ramadan and the Jewish High Holidays – in the celebrations of which the Esplanade is prominent. In February 2015, Jordan returned its ambassador, who had been recalled when Israel briefly cut off all Muslim access to the Esplanade in November 2014, after the attempted assassination of a prominent activist.

¹ The 2014 escalation is described in-depth in Crisis Group Middle East and North Africa Report N°159, *The Status of the Status Quo at Jerusalem's Holy Esplanade*, 30 June 2015.

² This briefing refers to the Esplanade's management arrangement, accepted by both Israel and Jordan, as the "Status Quo" (upper case). It provides for exclusive Muslim worship and access for all others, Muslim management of the plateau and Israeli policing from its periphery. The term "status quo" (lower case) refers, as standard in English, to the current situation. The distinction between the two terms is not always clear. "This unwritten arrangement, known as the 'Status Quo', was an inheritance of the original Status Quo, a 19th-century Ottoman decree ... intended as a temporary arrangement that would reflect and perpetuate the post-1967 status quo at the site until a permanent resolution for Jerusalem was reached. Each side's understanding of the Status Quo (upper case) largely reflected its subjective perception of the status quo (lower case)". Robert Blecher, "Trouble on Holy Ground", *Foreign Policy* (online), 4 November 2015.

³ Crisis Group interview, Jordanian diplomat, Amman, 5 November 2015.

⁴ Crisis Group interviews, Israeli official involved in managing the Esplanade, Jerusalem, 4 November 2015; Israeli official then involved in managing the Esplanade, Jerusalem, January 2016. The Jordanian Waqf (see fn. 5) escorts from the site all worshippers, except on occasion, a few staying for night prayer, when it closes at 10pm and shuts all gates, but young Palestinians are sometimes present when it opens at 7am. Jordanian diplomats have explained that Amman's will and ability to prevent illicit entry are directly related to its stature and degree of control at the site. When Israeli police breach its gates and rush in, it diminishes the Waqf before worshippers. Crisis Group Report, *The Status of the Status Quo*, op. cit.

B. *The 2015 Escalation at the Esplanade*

In mid-2015, when the religious holidays – Jewish and Islamic, and particularly those for which the Esplanade is of major importance – occurred, tensions re-emerged. Hundreds of thousands of Muslims visit Al-Aqsa, especially in the last week of Ramadan (in 2015, mid-July); at the same time, the Jewish calendar enters a cycle of commemorations of the destruction of the ancient Temple, followed by religious holidays in which the site figured prominently in antiquity, and still does for some today. Temple activists, who mobilise in particularly large numbers to visit for these events, find it easier then to muster political support.

In a signal of what was to come and an example of the ambiguities that doomed the 2014 arrangement, Jordan and Israel had what both considered credible intelligence that on 6 July 2015 – corresponding with 17 Tamuz on the Jewish calendar, marking destruction of the ancient Temple, and the 19th day of Ramadan – some twenty Hebron youths intended to throw stones and otherwise block Jewish access. The governments had different assessments of how to react. Jordanian officials demanded Israel temporarily close the site to non-Muslims and give Muslims priority access, as in the final days of Ramadan before 2000, when Jordan enjoyed a greater role in determining entry to the Esplanade. Privileging Muslim access at times of crisis was done on the premise, shared de facto until the end of the 1990s, that the prayer rights of hundreds of thousands of Muslims should not be held hostage to the rare violence of a few.⁵

Fifteen years later, with curbs on Jewish access to the Esplanade controversial in Israel, Netanyahu reacted differently. He rejected Jordan's demand, insisting the Waqf stop stone-throwers.⁶ Political reality had changed, even since early 2015, when the prime minister showed relative restraint on the Esplanade. In assigning ministries after his February re-election, he secured promises from coalition members to neither visit the site nor introduce legislation allowing Jewish prayer there. They kept these for a time, but by August, shortly before the Jewish High Holidays, their stance hardened.⁷ The national religious, many of whom consider the State of Israel a step toward redemption, see a central role for the Temple in that process and are more powerful in the new government, which is further right;⁸ and Netanyahu's single-seat parliamentary majority put him in a weak position to impose restraint on recalcitrant allies. Moreover, the national religious kept up a drumbeat on Jewish

⁵ Crisis Group interview, Jordanian diplomat, Amman, 5 November 2015.

⁶ Waqf (plural *awqaf*) is a generic term for an Islamic institution administering holy and charitable sites; the Holy Esplanade has been administered by one for centuries. Under the British, the Supreme Muslim Council, a local Jerusalem-based institution, assumed control. After the 1948 War, the Amman-based Jordanian Awqaf ministry took over.

⁷ Crisis Group interview, adviser to prime minister, Jerusalem, 27 May 2015. Culture Minister Miri Regev, arguably the most vocal politician on the issue, entirely avoided it to Temple activists' chagrin. Agriculture Minister Uri Ariel respected the ban on ascension. The chair of the Knesset's interior committee, responsible for monitoring the police, including at the Esplanade, was given his position on the understanding he was to prevent it from being an arena for political Temple Mount activism, as it was in the past. He abruptly ended the committee's first discussion on the topic when it became heated and prevented further initiatives. Crisis Group interview, Likud Central Committee member, Tel Aviv, 17 June 2015.

⁸ Crisis Group Middle East and North Africa Report N°147, *Leap of Faith: Israel's National Religious and the Israeli-Palestinian Conflict*, 21 November 2015.

rights on the Esplanade, prompting one-upmanship as the December for the Likud Central Committee chair neared.

When the Waqf refused to do as Israel demanded, the police as a precaution closed the Esplanade to Jews and other non-Muslims. The Waqf had imposed its will but at a cost: Temple activists began leveraging the incident to force the government in future, to resist “violent extortion”.⁹ They succeeded on 26 July (corresponding on the Jewish calendar to 9 Av, also commemorating the Temple's destruction). This time, when young Palestinians threw stones at the police, Internal Security Minister Gilad Erdan ordered the police to ensure Jews' access, including for particularly large groups of 30, one of which was joined, with Erdan's permission, by Agriculture Minister Uri Ariel (Jewish Home Party). The police rushed the Esplanade, sealing the young protesters inside the Al-Aqsa Mosque, which they had used as shelter from which to throw stones.¹⁰

The more intense escalation began slightly more than a month later, when, three days before the Jewish New Year (Rosh Hashanah), Erdan, informed that stone-throwing was likely, pre-emptively ordered the police to reinstate the age and gender limitations on access Netanyahu had pledged to stop, ignoring the police chief's assessment that it could prompt major clashes. Israel also banned two non-profits organising Islamic activists (*murabitoun*) at the site, who confronted and harassed Jewish religious visitors as they circulated on the plateau.¹¹

Palestinians, as in 2014, saw these steps as a prelude to “dividing Al-Aqsa”, by which they mean allowing Jews to pray at the site, with their own, unique times or spaces to do so, after centuries of exclusive Muslim worship.¹² It seemed that the previous Arab protests and the promises Israel had made to Abdullah had been for naught: thousands of Palestinians were again prevented every Friday from reaching the Holy Esplanade, while Jews circulated freely. It seemed that Israel was again trying to reduce the number of Muslims worshippers.

The reaction was as the security establishment feared. Palestinian protests escalated during the Jewish New Year, with attempts to block Jewish access to the Esplanade; in response, police blocked stone-throwers from sneaking over the walls, primarily by unprecedented deployment, including to the Al-Aqsa Mosque roof. Police also blocked Palestinians at checkpoints around the Old City and East Jerusalem. Unprecedentedly, for 48 hours they barred Palestinians who did not live or work in the Old City from entering it. The measures moved violence off the Esplanade but to city streets. Clashes soon were renewed at the Jewish Sukkot festival, an occasion for Temple pilgrimage in its day that now usually attracts to the Esplanade some of the largest number of Jews of any week. Only after Sukkot, once the upsurge in violence

⁹ Crisis Group interview, national-religious rabbi, Kedumim settlement in northern West Bank, 20 July 2015.

¹⁰ “The Incident that fuelled the flames at the Temple Mount”, Channel 10, 26 July 2015.

¹¹ Crisis Group interview, ex-General Security Service official with strong police contacts, Jerusalem, 25 October 2015. A Temple activist said, “[*murabitoun*] get ... in your face, ... their spittle showers you, and [they] block the way”. Crisis Group interview, Jerusalem, January 2016.

¹² Division of prayer times is seen as a step toward ultimately replacing the mosque by a Third Temple. The first, known according to Jewish tradition as Solomon's Temple, was destroyed by the Babylonians in 586 BCE; the second was destroyed by the Romans in 70 CE. Ofer Zalberg, “The Crumbling Status Quo at Jerusalem's Holy Esplanade”, Crisis Group Blog, 7 October 2015.

had begun that continues in the city and beyond to this day, did Netanyahu publicly ban Knesset members from the Esplanade.¹³

C. *The "Jerusalem Intifada" and Its Aftermath*

Stabbings and shootings of Israelis by young Palestinian assailants – seemingly spontaneous, with no organisational or factional involvement – spread across Jerusalem, the West Bank and within Israel proper. In parallel, Palestinians have protested at Israeli army positions in and around the West Bank and Gaza; it appears there was factional involvement in these at some point, especially by Fatah, more to limit their size and severity than to fuel them. In explaining this "Jerusalem intifada", many Palestinians spoke of multiple factors, including impunity of settler violence, failure of peace talks and unnecessary brutality inflicted on Palestinian assailants after they no longer posed a danger. But as the violence escalated, most often Palestinians invoked what they saw as the danger to Al-Aqsa.

It thus became clear that the 2014 understandings were in need of reaffirming, upgrading and clarification.¹⁴ As the crisis unfolded, they also provided a concrete rationale for U.S. Secretary of State John Kerry to engage the region. As he sought to head off what some feared would become a full-blown uprising, he also was searching for a hook to resume the diplomatic process. He helped the Israeli and Jordanian leaders to each reaffirm their Esplanade understandings but was unable to persuade them to build on these and go further.

Kerry's hurried trip yielded, on 24 October 2015, bilateral U.S.-Jordanian public understandings that he presented with Foreign Minister Nasser Judeh and were followed that day by an Israeli statement. King Abdullah made his own statement the next morning.¹⁵ The separate announcements signalled the serious deterioration in Israeli-Jordanian relations. The king, furious at what he saw as Netanyahu's flagrant disregard for their 2014 personal agreement, refused to meet him or even take his calls;¹⁶ he threatened that if Israel were to violate its commitments again, Jordan would review the 1994 peace treaty.¹⁷

Netanyahu's statement promised to respect Jordan's role at the Esplanade, reaffirmed that Israel had no intention of dividing it and welcomed increased coordination, notably on security, with the Jordanian Waqf. Perhaps most importantly, he promised Israel would "continue to enforce its longstanding policy: Muslims pray on

¹³ "Netanyahu bars ministers, MKs from Temple Mount", *Times of Israel*, 8 October 2015. "We passed a message each and every day demanding such a ban. By the time he did it, it was too late". Crisis Group interview, Jordanian diplomat, Tel Aviv, 8 February 2016.

¹⁴ Barak Ravid, "Kerry Seeks to 'Upgrade and Clarify' Temple Mount Status Quo", *Haaretz*, 20 October 2015.

¹⁵ "Remarks to the Press with Jordanian Foreign Minister Nasser Judeh", 24 October 2015. www.state.gov/secretary/remarks/2015/10/248703.htm; and "Statement by PM Netanyahu regarding the Temple Mount", 24 October 2015. mfa.gov.il/MFA/PressRoom/2015/Pages/Statement-by-PM-Netanyahu-regarding-the-Temple-Mount-24-Oct-2015.aspx. "Jerusalem status quo a paramount concern for us", King, Petra News Agency, 25 October 2015.

¹⁶ "The king felt Netanyahu reneged on explicit promises ... when hosted in his majesty's palace, looking the king in the eyes. He told Kerry that new promises from Netanyahu would be meaningless". Crisis Group interview, Jordanian diplomat, Amman, 5 November 2015. This was why the king insisted Netanyahu be first to declare renewed commitments, and publicly.

¹⁷ Crisis Group interviews, Israeli official, Jerusalem, 25 November 2015; Jordanian diplomat, Amman, 5 November 2015.

the Temple Mount; non-Muslims visit the Temple Mount".¹⁸ For an Israeli official, let alone a prime minister, this was unprecedentedly categorical. In the past, Israeli officials have depicted the Jewish prayer ban as temporary, resulting from immediate security concerns, especially since the Supreme Court gave Jews the right to pray there and put the onus on the security apparatus to justify any abridgment.¹⁹ With his statement, Netanyahu elevated to standing policy what long had been considered a temporary contingency.

Abdullah did not mention security cooperation with Israel, but neither did he refute Netanyahu's assertion that Jordan had agreed to it, thus signalling, informed observers said, his acquiescence.²⁰ Jordan already had begun strengthening the Waqf's capacities at the site the previous May, after a contentious and embarrassing visit by its chief judge to the mosque. His sermon was interrupted repeatedly by Palestinian worshippers complaining Jordan was not adequately protecting the site.²¹ In parallel to the October announcement with Kerry, Amman agreed to empower the Waqf further by increasing the 170 security guards to 250;²² appealing to Palestinian dignitaries in Jerusalem "to keep the Haram [Esplanade] out of political calculations"; expanding the Waqf administration from some 250 to 500 employees; and ensuring their competence and loyalty.²³

While some in Israel fear a prominent Waqf role might some day prejudice Israel's claim to sovereignty over the Esplanade, it works in the short term to Israel's advantage.

¹⁸ "Statement by PM Netanyahu regarding the Temple Mount", *op. cit.*

¹⁹ In the past, when challenged by its Supreme Court, which ruled that Jews should be allowed to pray at the Esplanade, the state said it recognised the right, but its realisation was prevented by the Israel Police, which deems Jewish prayer there a "public order" danger. Shmuel Berkowicz, "The Temple Mount and the Western Wall in Israeli Law", Jerusalem Institute for Israel Studies, 2001, p. 45. Some experts read Netanyahu's statement as implying "Israel waived the right of Jewish prayer at the site". Nadav Shragai, Temple Mount expert, public lecture, Jerusalem, 18 November 2015. Temple activists will challenge the statement in the Supreme Court. Crisis Group interview, senior Temple Mount activist, Jerusalem, 15 March 2016.

²⁰ Crisis Group interview, former General Security Service official with strong contacts in the Israeli police, Jerusalem, 25 October 2015. Crisis Group interview, Jordanian diplomat, Amman, 5 November 2015. See also fn. 2 above.

²¹ The 22 May visit of Jordan's chief justice sought to address what seemed to be, since the Turkish religious affairs minister's 15 May 2015 visit, Turkey's growing popularity and influence among worshippers. The minister, welcomed by hundreds of activists, was invited by the imam to preach inside the mosque, where he spoke also of renewing the Ottoman caliphate – widely seen as a barb at Amman, since a caliphate would supersede the Hashemite monarchy's authority at the Esplanade. Crisis Group interview, Palestinian leader from East Jerusalem, 20 June 2015. That added insult to a previous injury to PA aspirations to exert its authority at the site, when, in June 2014, Palestinian worshippers at the mosque attacked Mahmoud Habbash, head of the PA's Sharia (Islamic law) courts, with vitriol and stones, forcing him to flee under Israel protection via the Israeli-controlled Mughrabi Gate. Crisis Group interview, Israeli expert, Jerusalem, 24 November 2015. These incidents demonstrate both the power and limits of Arab Jerusalemites at the Esplanade: they can embarrass others, but have no authority of their own.

²² The guards were increased from 120 to 170 in 2014. Crisis Group interview, Jordanian diplomat, Tel Aviv, 2 November 2014.

²³ Crisis Group interview, Jordanian diplomat, Amman, 15 November 2015. Much of the implementation is expected to be slow. Guards, to date mostly Palestinians from Jerusalem, have to be trained in Amman. "Overhauling the Waqf is very difficult. When an employee is fired, we are accused of kicking out Jerusalemites; we face Israeli labour law claims by the employee in Israeli courts, and we face tensions with whatever Palestinian political group the employee is affiliated with". Crisis Group interview, Jordanian diplomat, Amman, 15 November 2015.

Police officials say they look forward to having a competent Arab partner.²⁴ A Netanyahu adviser emphasised the political dimension: "We want to strengthen Jordan at the expense of the Palestinians [in Ramallah]".²⁵ For that reason, Israel also has turned a blind eye to several modest new Waqf activities designed to win Palestinian hearts and minds: laying fire-fighting pipes, operating small sanitation vehicles and resuming use of long-abandoned offices on the Esplanade.²⁶ Because some of the changes are unprecedented post-1967, some U.S. officials believe they breach the Status Quo.²⁷

These were the most substantive changes on the Esplanade from the escalation that produced Kerry's trip, yet most media attention was on the purported agreement to put cameras on the Esplanade for a live video feed, ostensibly to enable identification of which party violated its commitments. But the plan, to install them "within days", broadcasting to the police, Waqf and Amman, has yet to come together.²⁸ Details, fuzzy when Kerry left, were deferred to a technical working team.²⁹ Opposition comes from many quarters: Palestinians fear cameras would be used to identify and target protesters; Israel refuses to allow the Waqf to post the cameras by itself; and Jordan is reluctant to coordinate the installation with Israel, particularly in light of Palestinian criticism.

France independently proposed an international monitoring force with the same objective: verifying compliance with the Status Quo.³⁰ But the utility of both monitors and cameras is limited: how could one identify the party responsible for breaking it when Israel and Jordan differ on what exactly the Status Quo is?³¹ They do not share priorities when violence forces a choice between undisturbed Muslim worship and free

²⁴ "Better them doing crowd control than us". Crisis Group interview, senior officer, Jerusalem district of Israel Police, Jerusalem, 15 October 2015. By end 2016, 195 guards are expected. Crisis Group interview, Jordanian diplomat, Tel Aviv, 8 February 2016.

²⁵ Crisis Group interview, Israeli official, Jerusalem, 25 November 2015.

²⁶ Crisis Group interview, Jordanian diplomat, Amman, 15 November 2015; observation, 1 November 2015. There is also a new "fire truck", outside the Waqf offices on the upper plateau, immediately before the entry to the Dome of the Rock, since August. It is a car with a dozen fire extinguishers, ladder and a long fire hose. Jordanian officials had repeatedly asked Israel for independent fire-fighting capacity, citing the 1969 incident in which the Al-Aqsa Mosque was set on fire by an Australian Christian Evangelist. Waqf officials note that if the mosque's single door catches fire, those inside may otherwise be doomed. Crisis Group interview, Waqf Council member, Jerusalem, 7 January 2016. Waqf Council member, Jerusalem, 7 January 2016.

²⁷ Crisis Group interview, U.S. diplomat, Tel Aviv, 1 December 2015. Israel continues to veto implementation of over twenty Waqf restoration projects, including fixing the decrepit ablution system and restoring sections of the Marwani prayer hall. These would do much more to boost Waqf support in East Jerusalem and beyond but likely also cause significant opposition in Israel, including from the secular population that might see them as a violation of the Status Quo. An Israeli analyst said, "In the end, Israel, as usual, is allowing its Arab partner to have more and better guards, but not much more". Crisis Group interview, Jerusalem, February 2016.

²⁸ Karin Laub and Josef Federman, "Jordan, Israel expect to stream holy site footage from security cameras", Associated Press, 27 October 2015.

²⁹ Crisis Group interview, Israeli official, Jerusalem, 25 November 2015. Immediately after declaration of the understandings, the Waqf tried to install the cameras and was stopped by the Israel Police. Nir Hasson and Jack Khoury, "Israeli Police Remove Cameras Installed by Muslim Officials at Temple Mount", *Haaretz*, 26 October 2015. A second controversy beyond who uses the imagery and how, involves how to dig at the site to lay cables.

³⁰ Cyrille Louis, "Jérusalem: la France réclame des observateurs sur l'esplanade des lieux saints", *Le Figaro*, 16 October 2015.

³¹ Robert Blecher, "Trouble on Holy Ground", *Foreign Policy* (online), 4 November 2015.

Jewish access. Practically speaking, this is the true dilemma at the heart of managing the site.

III. Will This Time Be Different?

Against most expectations, the Esplanade remains largely quiet.³² Israel, without a formal decision, bans its elected politicians without regard to religion;³³ as a rule unprecedentedly limits daily entry of religious Jews to 60 (up to fifteen at a time); has avoided age or gender limitations on Palestinian entry; and completely blocks access for prominent Temple activists, including former MK Moshe Feiglin.³⁴ Jordan contains Palestinian provocateurs.³⁵ Rigorous implementation of the understandings is certainly a key factor in the calm and a lesson in what diplomacy can achieve, but there are two other no less important factors: heightened policing of Palestinians by Israel's police and the Israel Security Agency and a perception in Israel that Temple activists are to blame for the current violence.

Israel continues enhanced security measures in the Old City, including a larger police presence and more frequent checking of ID cards and body searches, which encumber residents, local shoppers and tourists (as does persistent fear of violence), leading Arab merchants, whose income is dwindling, to pressure youths not to protest.³⁶ Prominent activists of the Al-Aqsa Youth – the informal groupings of

³² Israel's outgoing police chief said the site "is in its quietest period in recent years". Yaniv Kubovich, "Outgoing Israeli Commissioner: 'Police Will Solve Arson Murders of West Bank Family'", *Haaretz*, 2 December 2015. In the past six months, there has not been a single stone-throwing incident or entry by the Israel Police into the Al-Aqsa Mosque or Dome of the Rock.

³³ The act was defined as a penalty-incurring violation of the Knesset's ethics regulations. Decision 7/20, Ethics Committee, 2 November 2015. The committee would have power to punish a violation by limiting Knesset rights, such as participation in various committees. The decision is to last until "the authorised security bodies" revoke it, seemingly rendering the committee unable to do so. Even the Knesset Speaker, Yuli Edelstein, a strong supporter of MK access, switched sides, at least for the time being, after an Arab MK defied the ban: "I address my friends in the coalition: let's not respond with our own protests. At least we should be human beings. Enough, enough, enough! We must not wait until we get to bloodshed. One can be an MK without being a pyromaniac". Zeev Kam, "Edelstein to MKs: Do not be dragged after Ghattas", *Ma'ariv-NRG*, 28 October 2015.

³⁴ Exceptions for entry in larger groups are made rarely when they coordinate it in advance. Crisis Group interviews, ex-General Security Service official with strong contacts in the Israeli police, Jerusalem, 28 January 2015; senior Temple activist, Jerusalem, 26 January 2015. Push-back from Temple activists produced a government statement that the limitation would be annulled, but it remains. A member of a radical organisation, Return to the Mount, received a rare restraining order, keeping him out of Jerusalem for six months, after he organised a project of a monetary award for praying and defying the police ban. Nir Hasson, "Israel Police Orders Temple Mount Activist Out of Jerusalem", *Haaretz*, 1 November 2015. Rabbi Yehuda Glick was prevented from entering for eighteen months when police voided an indictment against him.

³⁵ "We should not overestimate the impact of their work as their capacities are limited, but they are living up to their commitment". Crisis Group interview, Israeli diplomat directly involved in management of the Esplanade, Jerusalem, 13 January 2016.

³⁶ Old City vendor unions acted after police closed a few shops on al-Wad Street. They feared the violence would lead to closure of all shops on the street, as happened on a major Hebron street. Crisis Group interviews, shop owners, al-Wad street, 12 November 2015. The Old City's merchants' committee also offered 40,000 NIS (about \$10,500) for information on an attacker in Tel Aviv. "Arab-Israeli offers money for information on Dizengoff shooter", YNETNEWS, 5 January 2016.

Palestinians from the Old City that lead the protests – have been detained.³⁷ No less importantly, on Jewish holidays the police have been stopping busses carrying Muslim worshippers they consider would-be-provocateurs and preventing potential provocateurs from the West Bank, based on intelligence reports, from reaching Jerusalem.³⁸ They intend to continue, notably when Jewish holidays resume, though they recognise that these steps often encourage violence and raise tensions elsewhere, above all in and around the Old City.³⁹

Pro-Temple groups, in which the national religious figure prominently, have lost leverage with Netanyahu, who at least for now, prioritises the Amman relationship. Like all his predecessors, he sees Hashemite rule in Jordan as the best defence from attacks on Israel's longest border and the best way to keep the country in the pro-Western camp.⁴⁰ The attitude in Israel about the Temple Mount activists also has changed significantly as a result of the unrest, which mainstream sentiment blames at least partly on their attempts to change the status quo.⁴¹ Leading political figures who once championed the activist agenda now keep a low profile.⁴² Ultra-orthodox politicians and rabbis – who, as opposed to the national religious, believe the entry of Jews to the Esplanade is forbidden by Jewish law – have mounted a campaign against changing the status quo, arguing that Jews entering the site not only violate religious law but also endanger other Jews.⁴³ National-religious leaders, feeling the weight of public sentiment, express more willingness, at least for the moment, to tolerate Israeli restraint.⁴⁴

³⁷ The Israel Police found the leaders by detaining different groups of activists to see whether the protests and violence continued when they were behind bars. Crisis Group interview, East Jerusalem youth leader, Jerusalem, 1 December 2015. At the peak of violence, during Sukkot, police removed Waqf guards from the site and closed it to virtually all Muslims.

³⁸ "We told the police regarding both Jewish and Muslim provocateurs: by the time they get to the mosque it is too late. You have intelligence, use it. Keep them away". Crisis Group interview, Jordanian official, Amman, 15 November 2015.

³⁹ Crisis Group interview, former General Security Service official with strong contacts in the Israeli police, Jerusalem, 24 February 2016.

⁴⁰ Crisis Group interview, former Netanyahu adviser, Tel Aviv, 9 March 2016.

⁴¹ A month into the violence support for Jewish prayer at the Temple Mount dropped from 57 per cent in September 2015 to 43 per cent in November. "Poll: Majority Supports Maintaining the Status Quo at the Temple Mount", *NRG-Ma'ariv*, 15 November 2015. "Leading Shas Rabbi: Jewish 'Provocation' on Temple Mount behind Latest Violence", *Haaretz*, 9 October 2015.

⁴² For example, when Culture Minister Miri Regev (Likud) denied promoting prayer rights for Jews at the Temple Mount, the show's host played a recording of her stating that Jews should be allowed to pray at the site even if were to lead to a third intifada. Noon program, Reshet Bet, 27 October 2015. Regev since has avoided interviews about the subject.

⁴³ Israel's two chief, and some 100 other, rabbis reissued the 1967 ruling against ascension. "Leading Israeli rabbis warn against Temple Mount visits", *Times of Israel*, 23 October 2015. Israel Cohen, "MK Moshe Gafni attacks Minister Uri Ariel: 'Harm, Harm'", *Kikar Hashabat*, 17 September 2015. The anti-Zionist Hassidic Satmar group launched a campaign in Arabic to inform Palestinians the ultra-orthodox do not enter the Esplanade. Cohen, "Satmar to Publish Campaign: Haredim do not ascend to Temple Mount", *Kikar Hashabat*, 1 November 2015. In parallel, over 50 non-ultra-orthodox Torah instructors, religious and secular, issued a petition. "Petition Urges Temple Mount Status Quo", Shalom Hartman Institute, 26 October 2015.

⁴⁴ 70 national-religious rabbis have published a call under the heading "We won't give up the Temple Mount" to clarify that the arrangements agreed by the government should not be taken to imply giving up rights to the Temple Mount. Kobi Nachshoni, "We won't give up Temple Mount, Israeli Rabbis tell Obama", YNET, 11 November 2015.

These conditions likely are temporary. Passover, one of Judaism's three feasts of pilgrimage to the ancient Temple, begins on 22 April. Sooner or later general elections and party primaries will take place and provoke one-upmanship and raise tensions. Some Palestinian youth might be released from jail, and new figures will replace those who are not. Should the upsurge of violent incidents attenuate, memories will fade, and Netanyahu will again have to weigh his domestic political constraints against the importance of the Amman relationship. Moreover, the Israeli police are undergoing major personnel changes, which could diminish institutional memory and set back relations with the Waqf.⁴⁵ Senior politicians are already promising Temple activists a more forceful policy "within a few months".⁴⁶ Further down the line, the confidential and personalised nature of the Netanyahu-Abdullah understandings creates doubts about the commitment of future Jordanian and Israeli leaders.⁴⁷

And Palestinians are hostile to the understandings. They see the Esplanade as occupied territory and look askance on anything that gives Israel a de facto role there, as the current arrangement does, while depriving them of responsibility at what they consider their preeminent national site. An East Jerusalem activist called the understandings an "Israeli conspiracy". The PA foreign minister criticised them as a "trap", primarily because, he said, Israel would use the cameras to arrest Palestinians.⁴⁸ A PLO adviser called the understandings "a Jordanian façade for allowing Netanyahu to do what he wants at Al-Aqsa". Hamas attacked them as an attempt to quell the "Jerusalem Intifada". Al-Aqsa's imam, Sheikh Ikrima Sabri, a prominent religious leader Arafat appointed in 1994, criticised them as ultimately strengthening Israel's legitimacy at the site.⁴⁹ The leaders of East Jerusalem's factions – Fatah, Hamas and the leftist fronts, which rarely act in unison – jointly approached Sheikh Azzam Khatib, the Waqf's director, and threatened to break any cameras.⁵⁰

King Abdullah tried, with little success, to address Palestinian dissatisfaction over the cameras by inviting Jerusalem dignitaries to join his 4 November meeting in Amman with the Waqf Council, a Jerusalem-based Amman-nominated body taking

⁴⁵ Crisis Group interview, ex-General Security Service official with strong contacts in the Israeli police, Jerusalem, 28 January 2015.

⁴⁶ Crisis Group interview, senior Temple activist, Jerusalem, 26 January 2015.

⁴⁷ According to a Jordanian diplomat, Abdullah impressed upon Netanyahu that he would view another violation of these commitments as breaching a promise to him, not "only" violating a commitment to Jordan's government. Crisis Group interview, Amman, 5 November 2015.

⁴⁸ Crisis Group interviews, Palestinian East Jerusalem civil society leader, 20 November 2015; PLO legal adviser, Jerusalem, 11 November 2015; Khaled Abu Toameh, "Palestinian FM says surveillance on Temple Mount 'a new trap by Israelis'", *The Jerusalem Post*, 25 October 2015. He added: "The Palestinians and their leadership must be a major part in any arrangements to ensure and defend the historic status of Al-Aqsa Mosque".

⁴⁹ Crisis Group interview; "Hamas: Kerry's statements boost Israeli hegemony over al-Aqsa", Qasam.ps, website of the Al-Qassam Brigades (Hamas's military wing), 25 October 2015. "Former Mufti of Jerusalem: Kerry working to support Israeli presence at Al-Aqsa", *Middle East Monitor*, 26 October 2015. There are persistent rumours that a handful of Abbas's presidential guards will be stationed at the Esplanade in plain clothes.

⁵⁰ Crisis Group interviews, Palestinian civil society leader in East Jerusalem, Jerusalem, 20 November 2015; Jordanian diplomat, Amman, 15 November 2015. By February 2016, the Waqf and Israel agreed the cameras would be installed over the plateau, not within the mosque. Netanyahu explained at a Likud faction meeting there would be double cameras at the holy site entrances. Crisis Group interview, Likud leader, Jerusalem, 7 March 2016.

decisions on day-to-day administration of the site.⁵¹ By late March President Abbas had come to publicly support camera installation, but young Palestinian East Jerusalemites – whose activism is a vulnerability for Jordan – remain suspicious.⁵² With the Arab leadership crisis in the city and beyond, Al-Aqsa has become virtually the sole address for Palestinian politics in Jerusalem and, more broadly, the only Palestinian national symbol left to protect.⁵³ This is a product of the Oslo Accords, which shut the PA out of the city and gave Israel a justification for prohibiting Palestinian political activity there, creating a generation of young Palestinians resentful of their elders for failing to protect national interests.⁵⁴ Further antagonising Palestinians are major changes Israel has already begun to introduce in the Esplanade's immediate surroundings.⁵⁵

Including Palestinians in site management – perhaps via the Waqf Council or, more conceivably if still improbably, establishing a Palestinian consultative body to that council⁵⁶ – might help satisfy some needs, provide a measure of transparency and give them a stake in implementation of the understandings. Including younger Palestinian leaders, whose sense of exclusion is most severe, would be particularly important.⁵⁷ Israel has not rejected outright inclusion of East Jerusalem Palestinians in a consultative capacity to Jordan. Jordan would have to take the lead, however, and

⁵¹ He explained to the group that his initiative had been misunderstood: the cameras would be a Jordanian, not Israeli-Jordanian project; the feed would be viewed only in Amman (thus, implicitly, not by the Israel Police) via a control room at the compound the Waqf alone would operate; and Amman alone would determine where to place the cameras and would avoid the Al-Aqsa Mosque interior. "King reaffirms Jordan's support of Jerusalemites' steadfastness against Israeli violations", *Jordan Times*, 4 November 2015. Some prominent East Jerusalem dignitaries, out of respect or fear, did not express their reservations at the meeting with the king, leaving Jordanian officials to believe they had acquiesced. Crisis Group interview, Jordanian diplomat, Amman, 15 November 2015. Many changed their tune upon return to Jerusalem.

⁵² "Judeh Meets Abbas in Ramallah", *Jordan Times*, 24 March 2016. Virtually all the over 100 East Jerusalemites at larger Waqf Council meetings are older than 50, including Fatah, PA and Islamist figures, but not leaders from Hamas and the northern branch of Israel's Islamic movement. Crisis Group observation, Jerusalem, 9 February 2016. Asked about opposition of East Jerusalem youths, a Jordanian diplomat said, "of course they are against it! They don't want their [violent] actions at the mosque filmed". Crisis Group interview, Tel Aviv, 8 February 2016.

⁵³ Crisis Group Middle East and North Africa Briefing N°135, *Extreme Makeover? (II): The Withering of Arab Jerusalem*, 20 December 2012. "The fact is that we already lost the land. We should focus on defending Al-Aqsa. This is the Palestinian vocation". Crisis Group interview, Palestinian teenager, Jerusalem, 24 November 2015. "Defending Al-Aqsa is what we are here for. This is not only what Palestinians do. It's who we are". Crisis Group interview, Palestinian East Jerusalem leader, Jerusalem, 20 October 2015.

⁵⁴ A Palestinian lawyer defending two young assailants arrested after stabbing attacks said, "it goes deeper than the crisis of legitimacy of the PA or the absence of an Orient House [the erstwhile Jerusalem headquarters of the Palestine Liberation Organisation (PLO)]. Within families, fathers are no longer seen as sources of authority. Teachers' status is in decline. There is an overall sense that nothing is working; no one can defend Al-Aqsa; and they have to do it themselves". Crisis Group interview, Jerusalem, 17 November 2015.

⁵⁵ Khaled Abu Toameh, "Grand Mufti Condemns New Jewish Egalitarian Prayer Section at Western Wall", *Jerusalem Post*, 2 January 2016. Nir Hasson, "Settler Group Wins Right to Run Jerusalem Archaeology Park After Appeal", *Haaretz*, 13 October 2015; Hasson, "Israel Appeals Decision to Let Right-wing Group Run Site Near Western Wall", *Haaretz*, 12 January 2016.

⁵⁶ One way would be to establish a body composed of a leader from each East Jerusalem Arab neighbourhood, which would meet regularly with the Waqf to express needs and consult on projects at the Esplanade. See Crisis Group Report, *The Status of the Status Quo*, op. cit.

⁵⁷ The Waqf Council invites some elder East Jerusalemites to parts of some meetings.

though some officials profess interest, Amman's unprecedentedly bad relationship with the PA would complicate movement.⁵⁸ Moreover, due to Israel's total ban on Palestinian political activity in East Jerusalem, there are few prominent, widely-respected young leaders in East Jerusalem.

There is also the question of buy-in among Palestinians, in Jerusalem and elsewhere, who regard Jordan and Israel as co-conspirators. The furthest that Jordan and Israel realistically could go – granting Palestinians advisory status – would be far from sufficient. It is hard to imagine Palestinians joining a body that likely would be only symbolic and harder still to imagine other Palestinians finding a participant in such an enterprise a credible national representative.

In Israel there is a parallel, if qualitatively different, exclusion of an important constituency – national-religious Jews. While Palestinians are excluded as a national bloc from a formal Esplanade role, the national religious are part of the Israeli government, with substantial representation in cabinet and parliament and indeed in the prime minister's own party. Though they have power to advance their agenda in legal channels and surreptitious ones, their basic demands – undisturbed, at-will Jewish access to, Israeli sovereignty over and worship on the Esplanade⁵⁹ – are very far from what is allowed by the Status Quo to which the government remains committed. Netanyahu enforces the agreement with Abdullah only by excluding their interests from the conversation.

Though on the defensive, national-religious leaders and activists are pushing back. Prominent declarations in the media, including by cabinet members, forced Netanyahu to reprimand them publicly and order them to desist.⁶⁰ This opened the way for Likud and Jewish Home backbenchers to try to improve their own standing in party primaries and weaken Netanyahu's by embracing the Temple activists' cause. Junior MKs from both parties proposed a draft amendment of the Protection of Holy Places Law (1967) to grant freedom of worship for all at holy sites.⁶¹ Likud rank-and-file are pressuring Netanyahu to ban *murabitoun* entirely from the Esplanade; two Israeli non-profit organisations supporting Muslim activists were banned, but activism continues, albeit less confrontationally, led by East Jerusalemites.⁶² In parallel, some Temple activists have launched a campaign against Jordan, including

⁵⁸ King Abdullah refused to meet President Abbas in the first eight months of 2015 due to anger at Abbas's decision to submit a resolution in defiance of his advice to the UN Security Council, which was voted down.

⁵⁹ See Crisis Group Report, *The Status of the Status Quo*, op. cit., pp. 13-14.

⁶⁰ Minister Ariel said, "I accepted the prime minister's request not to ascend these days because of the security situation; with the help of God I commit to return and ascend ... as much as possible and to bring up as many Jews as possible. It is ours, and it is our holiest site, and some want to remove us from there in a particularly shameful way. When there is a risk to our sovereignty in any place ... we should strengthen our efforts". "Uri Ariel: 'I commit to ascend to the Temple Mount as much as possible'", *Makor Rishon*, 23 October 2015. "Deputy FM: I dream of Israeli Flag flying over Temple Mount", *Times of Israel*, 26 October 2015.

⁶¹ www.knesset.gov.il/privatelaw/data/20/2368.rtf. On the eve of primaries for chair of the Likud's Central Committee, MK David Amsalem, a candidate for that position and chair of the influential Knesset interior committee, supported Jewish prayer at the Esplanade, winning the support of Yehuda Glick, Likud's most prominent Temple activist. "Chairperson of Interior Committee: Allow Jewish Prayer at Temple Mount", *Makor Rishon*, 24 December 2015.

⁶² MK Oren Hazan showed clips of *murabitoun* at Likud meetings and urged Netanyahu to fully implement the ban. "Banned but Continuing to Go Wild", *Makor Rishon*, 13 January 2016.

anti-Semitism accusations.⁶³ Others appealed to the Supreme Court to freeze camera installation.⁶⁴

Temple activists persuaded the internal security minister to deny initial announcements of a daily quota and publicly promise “there will be no advance limitation on the number of visitors to the Temple Mount. The police will do all they can to allow maximal entry and security for visitors during the Mount’s opening hours”.⁶⁵ Activists are having some success challenging the new policy at the Supreme Court. In late December, Temple activist Yehuda Etzion regained the right to visit the Esplanade after years of prohibition, and soon after, the court ruled that walking with palms raised in the air on the Esplanade, as he did per Jewish religious custom, does not violate the Status Quo, so does not warrant ejection.⁶⁶ Another national-religious activist, Itamar Ben Gvir, won a suit against the Waqf for escorting him against his will as he toured the Esplanade.⁶⁷

Netanyahu has a dilemma. For the second time in two years, he has shown himself able to control activism when he needs to. For a half year, no minister or Jewish Knesset member has entered the holy compound. Despite his narrow coalition, the activists’ champions in the cabinet have shown zero influence over Esplanade policy.⁶⁸ Waqf maintenance projects, refused for years, have been green-lighted. Access restrictions on Muslims, supposedly needed in tense times to enable Jewish access, have not been imposed, and there have been no adverse security consequences, despite unrest and attacks elsewhere. Indeed, the Esplanade has been quieter than when restrictions were in place.

The problem, though, is that his tight control and limitations of religious access could spur a backlash. Given the Supreme Court’s endorsement of a Jewish right to pray, the growing strength of the national religious and the principled sense in Israel, including among the secular, that Jewish prayer at Judaism’s holiest site should not be constrained, Temple activists are likely to make gains from the restrictions. A prominent activist said the current focus is on removing the daily quota, an issue on which he expects favourable public opinion.⁶⁹ Even if violence does not subside, Netanyahu is likely to find himself pinched between his right-wing allies and his desire

⁶³ Tali Farkash, “Deported from Jordan for having yarmulkes”, YNETNEWS, 12 October 2015.

⁶⁴ “Appeal by Professors for a Strong Israel”, on file with Crisis Group, arguing installation would violate the Antiquities Law and not ensure Israeli control over location and operation.

⁶⁵ <http://tinyurl.com/zu72rp8>.

⁶⁶ Crisis Group interview, Temple Mount activist, Jerusalem, 19 November 2015. “Erdan denies Jewish quota on Temple Mount”, *Arutz 7*, 24 November 2015. “Court rules raising hands permitted on Temple Mount”, YNETNEWS, 29 December 2015.

⁶⁷ The court ruled, despite the Waqf’s absence from proceedings, that it had to pay him 56,000 NIS (almost \$15,000). Imri Sadan, “‘Not immune’: The Waqf will pay compensation to Ben Gvir”, *NRG-Ma’ariv*, 25 February 2016. Other Temple activists are considering such lawsuits.

⁶⁸ An influential Israeli journalist commented that, ironically, Temple activists have been kept in check precisely because Netanyahu’s coalition is narrow and right-wing; though the Esplanade plays an outsized role in Israeli politics, nobody wants to risk the stability of such a narrow coalition to agitate on its behalf. Crisis Group interview, Tel Aviv, April 2016. National-religious members of the government have followed Netanyahu’s request not to speak publicly about the Esplanade. When Deputy Foreign Minister Tzipi Hotovely spoke of her dream to see an Israeli flag on the Temple Mount, he reprimanded her. “Deputy FM: I dream of Israeli flag flying over Temple Mount”, *Times of Israel*, 26 October 2015.

⁶⁹ Crisis Group interview, Jerusalem, January 2016.

to preserve Israel's interests vis-a-vis Arab states, especially Jordan.⁷⁰ And even if the activists remain constrained, their rhetoric can feed Palestinian fears thus greatly complicating the situation on the ground.⁷¹

Abdullah and Palestinian leaders face their own dilemmas. The king confronts profound challenges, even from his ostensible Sunni partners. Turkey – drawing on its Ottoman heritage to bolster government legitimacy at a time of heightened domestic contestation and regional instability – has implicitly challenged Jordan's role as the rightful conservator of Al-Aqsa Mosque. Security threats in southern Syria and northern Sinai have pushed Jordan to openly increase cooperation with Israel, which exposes the king to strong domestic criticism, including demonstrations and parliament votes to sever relations with Israel.⁷² In Jerusalem, Palestinians blame Jordan for not doing enough to protect the Islamic holy site.⁷³ Amman may soon be caught between keeping the peace by ignoring minor Israeli infractions and a need to show it stands up to Israel.

The PA, too, is caught between opposing forces, with little room to manoeuvre. Since it is not permitted to operate in Jerusalem and is much weaker politically, it needs Jordan's help to ensure Israel does not harm Muslim interests at the site.⁷⁴ Cooperation with Amman would also give it a chance to at least claim a role in the holy city, though Palestinians widely consider that Jordan's at the Esplanade comes at their expense. Balancing its interests often leads Ramallah to publicly criticise Amman's policy, even when it can accept its substance.

Nor can Islamic movements escape competing concerns. Hamas has urged turning the violence upsurge into a full intifada;⁷⁵ the northern branch of the Islamic movement in Israel – unlike the southern branch, which includes MKs – keeps a low profile since being banned in November on charges of threatening public order and inciting racism, but its leaders largely share the goal.⁷⁶ Both, however, worry about consequences: for Hamas, Israeli retaliation in Gaza; for the northern branch, harsher enforcement of the ban on its affiliated bodies.

⁷⁰ "There is no credence to Jordanian threats to review the peace treaty in the event of problems at the Temple Mount. They need Israel all the more when there are problems. But this does not mean Netanyahu can do what he wants we certainly don't want to do things that would endanger Hashemite rule of Jordan. This means that both governments have a strong interest to find a way to deal with differences at the Mount, even at a high domestic cost". Crisis Group interview, Israeli official directly involved in managing the Esplanade, Jerusalem, 7 January 2016.

⁷¹ Prominent Temple activist Rabbi Yehuda Glick is next in line on the Likud list. His very entry to the Knesset, likely would raise tensions. "Hotoveli's Pregnancy Draws Glick's Entry to the Knesset Nearer", *Srugim*, 21 January 2016.

⁷² Crisis Group interview, Jordanian diplomat, Amman, 15 November 2015. Eran Lerman and Yaacov Amidror, "Jordanian Security and Prosperity: An Essential Aspect of Israeli Policy", BESA Center Perspective Papers no. 323, December 2015. "Jordan's parliament votes to expel Israeli ambassador", Agence France-Presse, 26 February 2014. "Jordanian lawmakers demand expulsion of Israeli ambassador", Al Bawaba News, 21 September 2015.

⁷³ Jerusalem's mufti, Ikrima Sabri, recently embarrassed Amman by publicly criticising the Waqf for not responding when Israel banned *murabitoun* from the site. www.pls48.net/?mod=articles&ID=1206206#.VrMnw7J97IU, 2 February 2016.

⁷⁴ This was the main reason Abbas sought an agreement with Jordan over holy site protection. It recognised Jordan as custodian of the site and Palestine as the future sovereign in Jerusalem. "Jordanian-Palestinian agreement on Holy Places in Jerusalem", 31 March 2013.

⁷⁵ Ismail Hanieh speech, 8 January 2016. www.youtube.com/watch?v=f2dlamh3c.

⁷⁶ Crisis Group interview, Islamic movement member, Umm al-Fahm, 9 January 2016.

Each main party to the Esplanade conflict – Israel, Jordan, and the PA – is caught between need for an external partner, which counsels restraint, and constituency demands, which tend toward the hard-line and exclusivist. This leaves all tacking between competing exigencies and does not augur for extended calm.

IV. Conclusion

There are ways to reduce the risk of a new flare up on the Esplanade and consequent intensification of strife throughout Israel, the West Bank and Gaza. The 2014-2015 understandings have worked better than many expected. They fleshed out the deal at the heart of the Status Quo – access and worship for Muslims; access but no worship for non-Muslims – which, for the foreseeable future, is probably the best achievable. But this has a chance of enduring only if Israel and Jordan continue to implement King Abdullah's and Prime Minister Netanyahu's commitments to each other. Any signs of erosion must be quickly stopped. If past is precedent, special attention must be paid in the run-up to Passover and Sukkot, in addition to the Jewish New Year (early October).

The Status Quo, as Crisis Group has written, could be further bolstered by giving Palestinians a substantial role at the site and the Israeli government leading a national conversation about the Esplanade's relative importance to the Jewish body politic and the feasibility of the national-religious triple demand for access, worship and sovereignty. In the current environment, only smoothing Jewish access is viable, and even that depends on loud demands for Jewish worship and sovereignty stopping and Muslim access being undisturbed.⁷⁷ Palestinian declarations – chiefly denial of the Temple's existence – should also be stopped. Palestinian leaders should make clear that Jewish access, not prayer, has long been part of the Status Quo, and that so long as Muslims have access and can pray and the Waqf manages the site, the Esplanade should remain open to all faiths.

That said, the relative calm at the site is unlikely to hold, particularly as unrest continues elsewhere. When Jewish holidays come, Temple activists will more assertively challenge the constraints on them, and even preparations for stone-throwing could push Israel and Jordan back to zero-sum logic on access.⁷⁸ Palestinians will react against any provocation, which could be enough to cause an escalation, as in each of the past two years. If Netanyahu is to keep his commitment to Abdullah, the police will have only one option to deal with violence: preventing would-be provocateurs from getting to the Esplanade and more intrusively policing the site. This is probably preferable to closing access to Muslims based on age or gender, which would surely generate backlash. Keeping the site calm will be even more difficult this year because of the context: the ongoing "third intifada", which seems to have a life of its own.

⁷⁷ Statements by Israeli Jews that only the southern-most building (the Al-Aqsa Mosque), not the plateau itself, is holy to Muslims, should also stop. They run counter to centuries of Islamic theology and are seen as indicating Israel's desire to eventually divide the Esplanade. In 1495 Mujir al-Din al-Ulaymi al-Hanbali, a Jerusalemite Islamic judge and historian, referred to the entire compound as "al-Masjid l-Aqsa al-Sharif" [the Noble Aqsa Mosque] in his *Al-Uns al-jalil fi tarikh al-quds wa-khalil*. Mustafa Abu Sway, "The Holy Land, Jerusalem and Al-Aqsa Mosque in the Qur'an, Sunnah and Other Islamic Literary Sources", on file with Crisis Group.

⁷⁸ A leading activist said, "Passover will not be quiet". Crisis Group interview, Jerusalem, January 2016. Israeli and Jordanian officials did not agree.

Beyond continuing to implement the Abdullah-Netanyahu understandings, all stakeholders should take the following steps to extend the current respite:

- Since November 2014, as Crisis Group recommended, some Jewish and Muslim leaders have pursued discreet dialogue. This should be expanded, particularly by bringing together pragmatic and harder-line religious leaders *within* each faith. Inter-communal work has become extremely difficult and intra-communal dialogue can convey the other's concerns.⁷⁹ In the short term, these groups could help identify less combustible forms of activism and provide a needed crisis management mechanism. In the longer term, religious leaders' support will be needed for any political agreement, especially but not only on religious issues.⁸⁰
- The Waqf could grant more access and greater freedom of movement on the Esplanade to religious Jews, including activists, as before 2000, if Jordan had the stature and legitimacy conferred by a substantive role in determining non-Muslim access to the Esplanade, as it also had before 2000. The Israel Police and Waqf could quietly coordinate mutually acceptable bans on individuals with a history of disrupting the Status Quo. In parallel, the Waqf might return as before 2000 to selling admission tickets to tourists for both sacred structures (Al-Aqsa Mosque and the Dome of the Rock) and the Islamic museum. Israel has refused to restore this arrangement because, officials say, Jordan demands the right to veto specific non-Muslim visitors, and Israel cannot risk the Waqf refusing to sell tickets to Jews it considers *persona non grata*.⁸¹

It may be possible to square the circle. Jordan and Israel could agree to deny Esplanade access to a would-be entrant only mutually. And because entry to the sacred structures is more sensitive than to the plateau, certain Jewish activists might agree to forego entry to them, at least until there is a sustainable calm and new arrangements can be contemplated.⁸²

- Not all activism is a substantive Status Quo violation. The Israel Police and Waqf should differentiate between *murabitoun* in study and prayer groups who intermittently shout at Jewish activists and those who physically obstruct and spit at Jews; and between, say, a discreet visit by a marginal Jewish political figure to the Esplanade's periphery and that of a minister who climbs to the upper plateau and before cameras invites the Dome of the Rock's replacement by a Temple.

⁷⁹ Crisis Group interviews, participants in intra-communal dialogues on the Holy Esplanade, October 2015-March 2016.

⁸⁰ One of the most important issues to resolve – if Israel does not obtain sovereignty over the Esplanade – would be whether Jewish prayer would be allowed there. Several Palestinian Muslim leaders said that once the site was no longer illegally occupied and Muslims managed it, prayer would be possible as part of a two-state agreement or in one constitutional state. Crisis Group interviews, PA Waqf ministry official, Jerusalem, 28 December 2015; ex-PA minister, Jerusalem, 27 October 2015; Al-Aqsa imam, Jerusalem, 28 December 2015; prominent member, southern branch of Israel's Islamic Movement, Jerusalem, 25 November 2015. Other Muslim leaders firmly object to Jewish prayer under any circumstances. Crisis Group interviews, member, northern branch of Israel's Islamic Movement, Jerusalem, 12 December 2015; Waqf Council member, Jerusalem, 7 January 2016.

⁸¹ Crisis Group interview, Israeli official involved in managing the Esplanade, Jerusalem, 4 November 2015.

⁸² Plateau not sacred structure access is most Temple activists' top interest. Crisis Group interview, prominent Temple activist, Jerusalem, 26 January 2015. The Waqf could refuse individuals, ideally with Israeli agreement, whom it knows to have violated the Status Quo repeatedly.

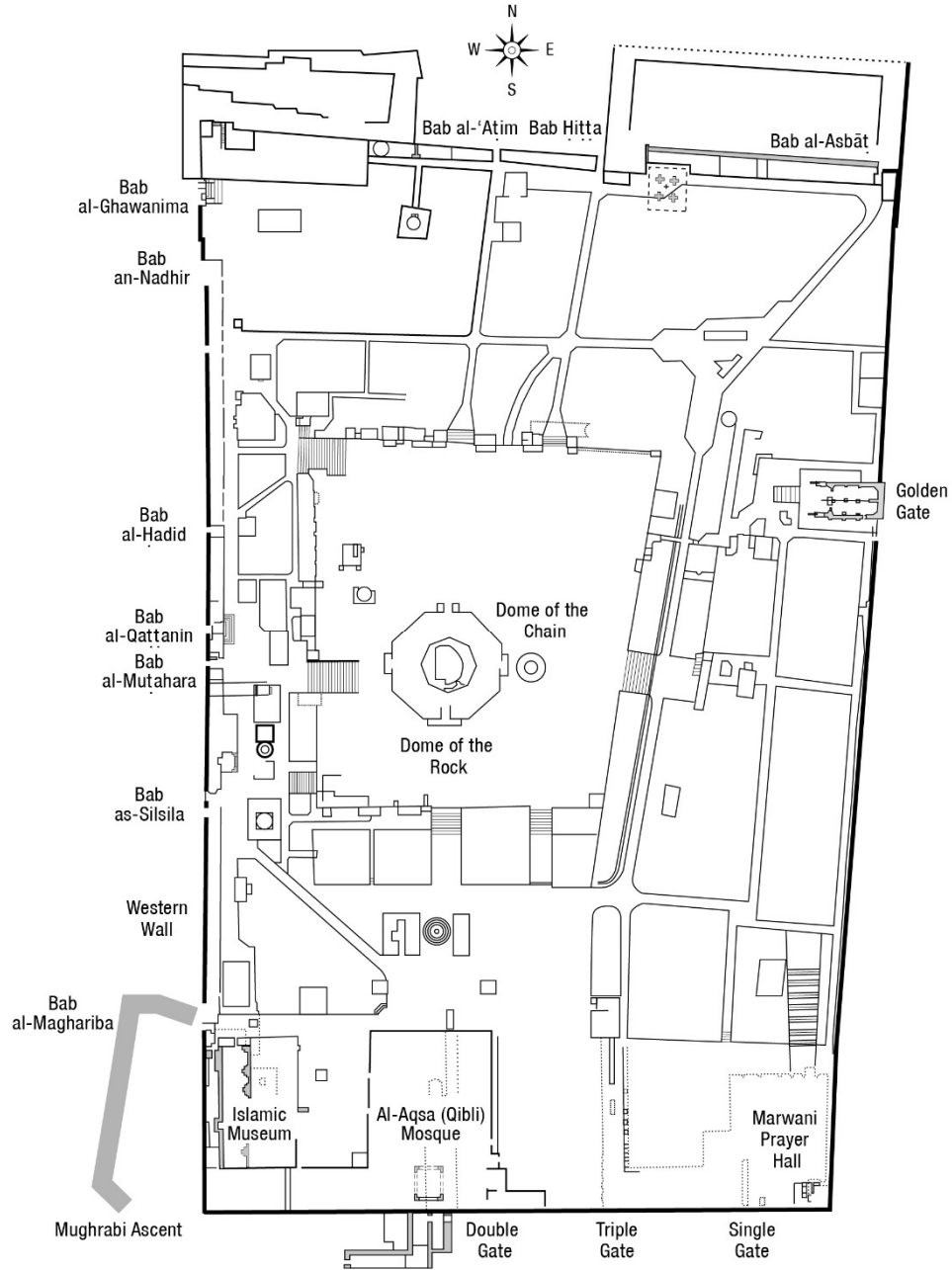
- Calming tensions at the Esplanade could have a helpful by-product: increasing international tourism, which has fallen sharply in recent years. According to the Israel Police, 400,000 tourists entered the Esplanade in 2010; in 2015, after two years of intermittent violence, the number was 192,000.⁸³ Restoring tourism would dilute the number of Jews in a larger pool and, if Muslim access is not limited, diminish the impression Jewish access is a step toward dividing the site.

None of this addresses the deepest factor separating the stakeholders. For Israeli Jews, the Holy Esplanade is in Israel, subject to its law, even if the government chooses to restrain expressions of sovereignty. Jordan has to a degree staked its legitimacy on custodianship of a territory outside its borders, though most Palestinians are deeply hostile to its agenda. For Palestinians, the Esplanade is occupied territory. There are a few ways out of this bind, most obviously a two-state final status agreement or a long-term interim agreement between Israel and Palestine that also resolves competing Palestinian-Jordanian claims. Given the present state of the diplomatic process and trends among both Jews and Palestinians, such musings are fanciful. Until it is possible to address these deeper issues, the pressing need is to consolidate the fragile calm on the Esplanade.

Jerusalem/Brussels, 7 April 2016

⁸³ Arnon Segal, "Ascension to the Mount 2009-2015: The Tourists Vanish", *Makor Rishon*, 10 January 2016.

Appendix A: Map of the Holy Esplanade



Map redrawn by Crisis Group, based on a map in Gideon Avni and Jon Seligman, *The Temple Mount 1917-2001: Documentation, Research and Inspection of Antiquities*, 2001. Courtesy of the Israel Antiquities Authority.

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