

SPECIAL FOCUS

FROM TEL AVIV TO JERUSALEM: AN EMBASSY MOVE AS THE CRUCIBLE FOR CONTESTED HISTORIES

Too Big to be Owned: Reflections on Jerusalem in Islamic History

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Abstract

Muslims have venerated Jerusalem since the seventh century. Their direct control of the city began in 638 and lasted, except for a few interruptions, until 1917. When we examine the evolution of an official Muslim attitude towards Jerusalem, it becomes clear that they perceived their role not as owners of the city but rather as custodians. This attitude was informed by the realization that Jerusalem was sacred to Muslims, Christians, and Jews alike, and that all three religious communities share many of the same sacred sites. As such, statesmanship and law obliged Muslim rulers to protect and defend Christian and Jewish sacred spaces, even against occasional Muslim mob behavior that called for the destruction, confiscation, or exclusive use of those places. The Trump administration's decision in 2017 to enact the 1995 decision of the U.S. Congress to move the American embassy to Jerusalem stands as a violation of this historical framework and of the rule of law and sanctions the eradication of Palestinian identity and historical memory.

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Keywords: Jerusalem, Islam, Crusades, Muslim-Crusader relations, Muslim-Christian relations, Muslim-Jewish relations, History, Palestine

The modern conflict over the city of Jerusalem erases historical efforts to govern and adjudicate its environs within a framework that accommodates multiple monotheistic communities. Such efforts can especially be traced in Islamic history, within the Muslim attachment to and veneration of the city, which at times also included direct political oversight. Muslim statesmen and jurists modeled their governing of Jerusalem along a framework of “custodianship” that can be contrasted with “ownership” of land, and thus functions as a counterpoint to the violent conflict in which Jerusalem today serves as the symbolic and political center [Figure 1].

The religious and political significance of Jerusalem for the Muslims reaches back to the seventh century CE (the first Islamic century). This can be determined on the basis of both textual sources² and archaeological evidence.³ Exemplifying the city’s importance to Muslims is the Dome of the Rock, the first structure of its kind built in Islam. Indeed, the development of the Haram al-Sharif (noble sanctuary) – known in English as the Temple Mount, and in Hebrew as *Har ha-Bayt*, which means the Mountain of the House (of God) – was a major undertaking by the Umayyad dynasty. Its construction demonstrates the official attention given to the city that could only reflect its political and religious importance to Muslims. As such, it could be said that in early Islam, Jerusalem and Mecca were perceived together as constituting an axis of sanctity,⁴ or that these cities were in a competition and Muslims were divided as to which of the two sites should constitute their spiritual center.

The sanctity of Jerusalem in Islam – be it the city as a whole, or specific places in and around it – derived from two types of narratives: those which originated in the Judeo-Christian religious history, and those which came from the newly formed Islamic tradition. This understanding was widespread and resulted in these narrative types reinforcing each other, as we see in the books written on the *Fada’il* (religious merits) of

² For selected scholarship on this significance see Amikam Elad, *Medieval Jerusalem and Islamic Worship: Holy Places, Ceremonies, Pilgrimage* (Leiden: Brill, 1995); and Suleiman A. Mourad, “Jerusalem in Early Islam: The Making of the Muslims’ Holy City,” in *Routledge Handbook on Jerusalem*, eds. Suleiman A. Mourad, Naomi Koltun-Fromm, and Bedross Der Matossian (London: Routledge, 2019), 77–89.

³ Gideon Avni’s work identifies these connections in *The Byzantine-Islamic Transition in Palestine: An Archaeological Approach* (Oxford: Oxford University Press, 2014).

⁴ For the phrase and argument concerning this tension see, Uri Rubin, “Between Arabia and the Holy Land: A Mecca-Jerusalem Axis of Sanctity,” *Jerusalem Studies in Arabic and Islam* 34 (2008): 345–62.



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Figure 1: *The Bunting Clover Leaf Map, or The World in a Cloverleaf, is a mappa mundi, or figurative illustration, that depicts Jerusalem at the symbolic center of Christian Trinity. Drawn by the German Protestant theologian and cartographer Heinrich Bunting, the map was published in Bunting's book *Travel through Holy Scripture* (1581) and is now housed in the Eran Laor maps collection in the National Library of Israel in Jerusalem, and a mosaic recreation exists at Jerusalem's city hall.*

Jerusalem in the ninth, tenth, and eleventh centuries. In brief, the unparalleled religious importance of Jerusalem to many Muslims is grounded in the belief that creation commenced there and will end there, and countless divine interventions and prophetic experiences unfolded in and around the city.⁵

The religious importance of Jerusalem to the Muslims is also attested in several religious practices that were popular in pre-modern times, such as visiting the city during the Hajj season to perform specific rituals in and around the Haram al-Sharif. Pilgrims, particularly from Palestine, Syria, and Egypt, who for some reason or another could not travel to Mecca for

⁵ For an overview, see Mourad, "Jerusalem in Early Islam."

the Hajj, came to Jerusalem instead. Jerusalem was also a significant spiritual retreat for many Muslims across the centuries, and this was predicated on the belief that it is the closest place to Heaven and the divine. In addition, many Muslims were eager to visit Jerusalem in order to familiarize themselves with it in preparation for the Day of Judgment, which, according to Islamic belief, will unfold there.

The legitimacy of this historical attachment to Jerusalem was called into question in a systematic effort led by some academicians starting in the 1960s. The scholarship of one in particular has been at the center of this effort, namely Emmanuel Sivan, who argued that Jerusalem only became important to the Muslims as a result of the Crusades.⁶ Several studies appearing in the 1990s and after have demonstrated that this is historically false and misleading.⁷ Nevertheless, Sivan's scheme is still popular among some historians and political scientists whose knowledge of Islam and Islamic history was mostly attained in graduate school during the 1970s and 1980s, or was filtered through some pro-Zionist advocacy groups. It is pertinent, therefore, to identify Sivan's manipulation of history as an effort both motivated and meant to serve the agenda and political objectives of a dominant camp in Israeli society, which also tells us how this specific movement within Zionism works in academia.

The decision of U.S. President Donald Trump to give the green light for the move of the U.S. embassy from Tel Aviv to Jerusalem is unquestionably an important milestone in the campaign to rob the Palestinians of their historical rights and national aspirations, sever other Jewish historical, political and cultural attachments that predate the nation-state, and cement the Netanyahu government's claim that Jerusalem belongs exclusively to Israel. Nevertheless, Trump did not initiate the move or lobby for its adoption, but rather simply made official a piece of legislation that the U.S. Congress had passed in 1995 – the Jerusalem Embassy Act – whose application U.S. presidents Bill Clinton, George W. Bush, and Barack Obama only deferred but never challenged. The Jerusalem Embassy Act, despite its deferral, indicates the role played by the American political establishment, which has consistently backed Israel

⁶ Sivan first posited this in an article – Emmanuel Sivan, “Le caractère sacré de Jérusalem dans l’islam aux xii^e–xiii^e siècles,” *Studia Arabica* 27 (1967): 149–82 – which was incorporated into his book *l’islam et la croisade: idéologie et propagande dans les réactions musulmanes aux croisades* (Paris: Librairie d’Amérique et d’Orient, 1968), 115–20.

⁷ See for example, Elad, *Medieval Jerusalem*; Oleg Grabar, *The Shape of the Holy: Early Islamic Jerusalem* (Princeton: Princeton University Press, 1996); Rubin, “Between Arabia and the Holy Land;” and Mourad, “Jerusalem in Early Islam.”

financially, providing it with more than \$134 billion in military and economic aid since 1948, and on the world stage, as it has vetoed, or threatened to veto, in the past UN resolutions that would admit Palestine as a member of the General Assembly and condemn Israeli settlement building as illegal.

There is another factor in President Trump's decision to sign the Jerusalem Embassy Act, namely the American evangelical lobby, which has a key champion in the administration in the person of Vice President Mike Pence. This lobby comprises a loose coalition of Christian religious fundamentalists (mostly evangelical Protestants) who share a common belief in Christian Zionism, which is translated into unconditional support of Israel. Ironically, the anti-Semitism of some in this coalition⁸ seems to be of no concern to pro-Zionist Jewish organizations and to the Benjamin Netanyahu government. Before the Second World War, Christian Zionism was known as Christian Restorationism, which advocated for displacing Jews from Europe and North America and relocating them to Palestine to prepare the conditions for the return of the Messiah and their final conversion to Christianity. Christian Restorationists included the second American President John Adams and author Herman Melville,⁹ and the ideology they spawned, Christian Zionism, is a major enabler of the Israeli policy to eradicate Muslim Palestinians' attachment, and its legitimacy, to Jerusalem. Their role in the decision to move the U.S. embassy to Jerusalem should not, therefore, be ignored, nor should the lobbying of their worldwide network to do the same (e.g., the recent decision of Brazil's evangelical president Jair Bolsonaro to also move Brazil's embassy to Jerusalem before he was pressured by the Brazilian military to delay it and open instead a trade delegation office).

* * *

The decision to move the U.S. embassy is also an attempt to cement Israel's absolute sovereignty over Jerusalem, against the terms of international law and in violation of history and UN resolutions. As a historian, I will focus on what I mean by "violation of history" to examine the general attitude of Muslim rulers towards Jerusalem and their

⁸ See for example, Gershom Gorenberg, *The End of Days: Fundamentalism and the Struggle for the Temple Mount* (New York: Free Press, 2000); and Robert O. Smith, *More Desired than Our Own Salvation: The Roots of Christian Zionism* (New York: Oxford University Press, 2013).

⁹ See Reuben Fink, *America and Palestine: The Attitude of Official America and of the American People Toward the Rebuilding of Palestine as a Free and Democratic Jewish Commonwealth* (New York: American Zionist Emergency Council, 1944), 20–23; and Ruth Kark, *American Consuls in the Holy Land, 1832–1914* (Jerusalem: The Magness Press, 1994), 20–24.

understanding of their obligations vis-à-vis Christians and Jews, which have now been erased in a politics of right-wing nationalism that inform the decisions of Trump and Netanyahu.

In 661, Mu'awiya¹⁰ was declared caliph in Jerusalem. His choice to come to the city for this specific purpose is very telling, especially since once he arrived there, and before he proceeded to the ceremony, he visited the Church of the Holy Sepulcher to pray at the tomb of Jesus and then went to the Gethsemane to pray in the church believed to house the tomb of Mary. After these pilgrimages, Mu'awiya went to the Haram where he was proclaimed caliph. On the one hand, his behavior should be situated within Islamic religious history and the belief that the history of Islam started with creation and therefore incorporated biblical history and personalities into its own perception of a monotheistic past. On the other hand, it constituted one of the earliest acts of Muslim veneration of Jerusalem, and therefore established a model that was pursued and developed by Muslims over the centuries. Moreover, Mu'awiya's conduct reveals the political significance of Jerusalem to the early Muslims in terms of their perception that the city bestows political legitimacy on those who govern it. His act was also a subtle political gesture to his military powerbase, which consisted at the time of powerful Christian Arab tribes.

There is no doubt that Jerusalem came in and out of focus during Islamic rule, including the period when it was captured by the Crusaders. But this tells us only little about the city's religious and political significance. Like any other city in history, its political salience waxed and waned with the times. During the Umayyad period (661–750), it was highly politically significant, and then less so under the 'Abbasid caliphs, who were much more invested in Iraq and the eastern Islamic empire. The rise of the Fatimid dynasty in Egypt starting in 969 restored some official attention towards Jerusalem. Despite this ebb and flow of official political attention to the city, what did not change during this period and the centuries that followed was the attitude that rule over Jerusalem did not mean absolute ownership, precisely because the city occupies a central place in the religious universe of Christians and Jews.

The only exception to this attitude on the part of Muslim rulers was the infamous case of the Fatimid caliph al-Hakim bi-Amr Allah. Thinking

¹⁰ Mu'awiya – the fifth caliph in Islam – was the brother-in-law of Muhammad (the prophet married Mu'awiya's sister) and a close relative of caliph 'Uthman (r. 644–656), whose assassination led to the first civil war among Muslims. Mu'awiya refused to acknowledge 'Ali (r. 656–661) as caliph, and with the assassination of 'Ali, he emerged as the only contender for the position.

himself to be God, he pursued a campaign of religious cleansing and intimidation against Muslims and non-Muslims alike. In 1099, he ordered the destruction of the Church of the Holy Sepulcher, an act situated in his ludicrous claim to be the incarnation of God, and therefore indicating his paranoia against any rival claim, including the Christian belief in Jesus as a divine being.

His ill-founded policies notwithstanding, the official Muslim attitude towards Jerusalem can also be seen during the troubling Crusader period. When the city fell in July 1099 it did not generate any serious Muslim reactions; and the exaggerated reports about a massive massacre of Muslims there have little basis in history.¹¹ It was only in the late twelfth century that we begin to see occasional use of Jerusalem in a politically motivated religious propaganda campaign that targeted first and foremost the issue of internal Muslim disunity, more so than any effort to push for its actual liberation. When Salah al-Din (Saladin) conquered Jerusalem in October 1187, it was mostly due to the fact that the Crusaders had lost any serious ability to defend it, and the city was, to use an American expression, a sitting duck.

After Salah al-Din, his Ayyubid successors used Jerusalem as a bargaining chip with the Crusaders, to the chagrin of many Muslim voices. Many regional sultans were willing to share the city with the Crusaders as long as a negotiated agreement assured the Muslims' access and right to worship in the places sacred to them. Thus, the peace concluded between al-Kamil and Frederick II in 1229, and the peace contracted between a faction of Ayyubid princes and the Crusaders in 1244, demonstrate a willingness to negotiate access rather than to assert complete control. In the former case, Christian Jerusalem was turned over to the Crusaders, and Christians were also allowed to visit the Haram, which remained under Muslim control. In the latter case, all of Jerusalem was given to the Crusaders provided Muslims could still visit and worship there.

Because Muslims pursued a strategy of negotiation and compromise with the Crusaders over the rule of Jerusalem does not mean they did not have legitimate or honest religious attachments to the city. Likewise, that Jews did not mount any military campaign for the conquest of Jerusalem between the Bar Kokhba revolt in 136 and the twentieth century does not imply they did not have deep attachments to it. Any person familiar with

¹¹ See for example, Benjamin Z. Kedar, "The Jerusalem Massacre of July 1099 in the Western Historiography of the Crusades," *Crusades* 3 (2004): 15–75; and Konrad Hirschler, "The Jerusalem Conquest of 492/1099 in the Medieval Arabic Historiography of the Crusades: From Regional Plurality to Islamic Narrative," *Crusades* 13 (2014): 37–76.

Jewish history is aware of the central role Jerusalem occupies in Jewish religion and memory.

I will further elaborate on three cases, identified below, as they convey the complexity of the Muslims' understanding of the religious and political significance of Jerusalem, to them and to others as well. This complexity can be best framed by what the Muslims' perception of their own role as custodians was. It reflects a sense of statesmanship and a rejection of mob mentality and serves as a counter to the policies of the current government of Israel and the Trump administration.

Salah al-Din and the Church of the Holy Sepulcher

In October of 1187, following his capture of Jerusalem, Salah al-Din convened a council to discuss the fate of the Church of the Holy Sepulcher. Some of the debate during that meeting is preserved by Salah al-Din's court secretary, ʿImad al-Din al-Isfahani (d. 1201), who reported the following:

The majority of advisors declared that it (the Church) should not be demolished or razed, and its gates should not be locked barring the infidels from making the pilgrimage to it. Their target of worship is the spot of the Cross and the grave [of Jesus], not the building itself. Even if it were to be shattered to pieces, the Christians in all their diversity will keep coming to the site. When Commander of the Faithful ʿUmar, may God be pleased with him, conquered Jerusalem in the early years of Islam, he confirmed their right to the place and did not order the structure to be demolished.¹²

The words of ʿImad al-Din al-Isfahani leave no doubt that those convened by Salah al-Din – who included religious scholars, military officers, and statesmen – were divided on the issue of what to do with the Church of the Holy Sepulcher. The majority, however, refused to allow any harm to the structure on the grounds that demolishing the building would not diminish the site's sacredness for Christian worshippers, and, more importantly, that doing harm to it violates an agreement granted to the Christians of Jerusalem by caliph ʿUmar b. al-Khattab – allegedly when he came in 638 from Medina to oversee the terms of Jerusalem's surrender. This latter point is of tremendous ramification precisely because it legally protected the Christians' right to their religious sites and structures in and around the city of Jerusalem. In other words, neither logic nor law allowed

¹² ʿImad al-Din al-Isfahani, *al-Fath al-qussi fi al-fath al-qudsi*, ed. Muhammad M. Subh (Cairo: al-Dar al-Qawmiyya li-l-Tibaʿa wa-l-Nashr, 1965), 146.

the Muslims to take away the Church of the Holy Sepulcher from the Christians, as some voices (be they in the broader Muslim society or among Salah al-Din's advisors) urged him to do.

One has to explain the context of this incident to convey the exceptionality of the decision not to damage the Church of the Holy Sepulcher. Salah al-Din could have easily confiscated it or razed it to the ground given the utter collapse of the Crusader forces in the Near East following their defeat at the Battle of Hattin in July 1187 and the subsequent surrender/capture of all their major holdings from Palestine to northern Syria, except for the city of Tyre. That he did not damage the Church – and some of his advisors sounded cautiousness – indicates awareness of the political and religious obligation to protect the Christians' sacred spaces and their right to come on pilgrimage and worship in Jerusalem. Indeed, these rights were enshrined as a matter of policy and pursued throughout the centuries of Muslim control of the city.

Al-Kamil, Frederick II, and Sharing Jerusalem

Another episode that displays Muslim rulers' understanding of Jerusalem as a sacred city bigger than theirs to possess exclusively is seen in the alliance concluded in 1229 between Sultan al-Kamil and Emperor Frederick II, which resulted in sharing Jerusalem (scholars often mistakenly speak of this as al-Kamil giving Jerusalem to the Crusaders).

The peace was negotiated on behalf of al-Kamil by a delegation of senior court advisors, which included the chief jurist of the sultan's army and other religious scholars. When news of the peace spread throughout the Ayyubid sultanate, many Muslims loathed al-Kamil for what they perceived as the cession of Jerusalem to the enemy. In many cities, preachers used their pulpits to cast aspersions at him, remind their audience of the religious significance of Jerusalem, and call on them to rally to its defense. Al-Kamil did not budge in the face of backlash. For him and his entourage, the deal was fair because he gave Frederick control only over the parts of Jerusalem that were not religiously central for the Muslims.

One of those who preached against al-Kamil was the very influential Damascene historian Sibt Ibn al-Jawzi (d. 1256). According to eyewitnesses, his sermon in the Umayyad Mosque of Damascus was attended by almost the entire male population of the city. Sibt Ibn al-Jawzi also recorded the circumstances of Frederick's entrance to the Haram. He wrote:

In this year, the emperor entered Jerusalem while Damascus was under siege. He displayed some admirable things there, among

them was that when he entered the Dome of the Rock, he saw a priest sitting near the mark of the foot, collecting parchments from the Frankish pilgrims. He drew near to him as if to ask for a prayer, but instead smacked him and threw him down on the floor, saying: “You pig, the sultan was gracious towards us that he let us visit this place and you do in it these things! If any one of you visits this place in this way again I will kill him.” . . . When the noontime came, and the muezzin made the call to prayer, all of his assistants, boys and even his teacher – who was from Sicily and taught him the books of logic – joined in the prayer, for they were all Muslims.¹³

Sibt Ibn al-Jawzi started his narrative by noting the irony that as Frederick entered Jerusalem, al-Kamil was laying siege to Damascus. In other words, instead of fighting the Crusaders, al-Kamil fought his nephew the governor of Damascus, allowing Frederick to move freely in Muslim lands. Moreover, when he visited the Haram and was shown around by local Muslim dignitaries, Frederick angrily reacted against what he considered offensive rituals done by Christian pilgrims there. His comment to the monk indicates that the Christians’ worship in the Dome of the Rock was sanctioned by Muslim rulers.

More importantly, in deference to his hosts, Frederick chose to bring with him to the Haram bodyguards and courtiers who were practicing Muslims; hence, when the call for prayer sounded, they left him and went to pray. What this evidence shows is that even in a period of great tension, the Crusades, which witnessed heightened violence between Muslims and medieval European Christians, statesmanship retained some sway [Figure 2].¹⁴

The Incident of the Jewish Synagogue of Jerusalem

Over a period of almost two years – from November 1473 to August 1475 – an incident unfolded in Jerusalem between the local Muslim and Jewish communities. As a result of a heavy rain storm in November 1473, a small Jewish-owned building in the Jewish quarter of the city collapsed. Next to it was a mosque, which was accessible only by a narrow lane from the back. Local Muslims thought to confiscate and use the Jewish lot next door as a direct entryway to the mosque from the main street. Presenting evidence of their ownership of the building, Jewish community leaders

¹³ Sibt Ibn al-Jawzi, *Mir'at al-zaman fi ta'rikh al-a'yan* (Hyderabad: Da'irat al-Ma'arif al-'Uthmaniyya, 1951), 8.2: 655–57.

¹⁴ The depiction in Figure 2 is based on a myth. As far as we can tell, al-Kamil and Frederick never actually met.



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Figure 2: This miniature depicting Holy Roman Emperor Frederick II (left) meeting with Sultan al-Kamil (right) was taken from *Nuova Cronica* (New Chronicles), a 14th-century history of Florence written by Giovanni Villani (c. 1276 or 1280–1348). Villani describes Florentine building projects, demographic information, natural disasters, and more in his historical account of Florence.

appealed to the local jurists, who ruled in their favor. The local Muslims, upset by the decision, petitioned the Mamluk Sultan Qaʿitbay in Cairo on the grounds that the Jews did not really own the building. They also alleged that the Jews had built their synagogue in Jerusalem in violation of Islamic law. Sultan Qaʿitbay convened a council of senior religious jurists in Cairo. They ruled that the Jews have a right to both places (the damaged building and the synagogue). Several delegations of influential religious jurists from Cairo came to Jerusalem to resolve the matter but were met with defiance from local Muslim religious and social leaders in Jerusalem who categorically refused to accept anything less than the confiscation of the building and the demolition of the synagogue. In November of the next year, in 1474, following a meeting in which another delegation from Cairo failed to convince the locals to accept the Jews' rights, a Muslim mob marched to the synagogue and razed it to the ground. After hearing about the incident, Qaʿitbay, infuriated at the disobedience of the local jurists, ordered the synagogue rebuilt. The local

jurists who crossed the sultan already either abstained from expressing an opinion on the matter – mostly out of fear – or publicly refused to allow the rebuilding of the synagogue. Local workmen were also threatened not to accept the job. Notified of this further act of insubordination, the sultan sent a military delegation to arrest the jurists and bring them to Cairo, where most of them were flogged and fired from their posts. Reconstruction of the synagogue was finally allowed to begin in August 1475.¹⁵

This episode touches several issues raised in this paper. For one, we see how legal rights were not only granted to non-Muslim religious communities (especially Christians and Jews), but also assiduously enforced, however unpopular it might be. Two, the Mamluk sultans and senior jurists acted out of their responsibility to answer and defend legitimate grievances, irrespective of who made them, and to condemn abusive mob behavior by some Muslims.

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The examples discussed above indicate that a medieval sense of statesmanship guided the Muslim rulers' attitude towards Jerusalem. Specifically, the notion of custodianship weighed heavily on their decision to protect the rights of Christians and Jews [Figure 3]. They convened and consulted with religious scholars and political advisors, abided by legal obligations, and acted in some cases in the face of popular opposition that demanded otherwise – in a word, judiciously.

Indeed, analyzing this notion of custodianship – in contrast to sovereignty-ownership, which is how the Netanyahu government and the Trump administration approach the situation – leads to three realizations about the complexity of the Muslims' understanding of Jerusalem. The first realization concerns the “exclusively” Islamic sacred sites, which are only important to Muslims, the second, the “exclusively” Christian or Jewish sacred spots, which are revered only by Christians and/or Jews, and the third, the “non-exclusivity” of certain sacred spaces, which are revered by all three Abrahamic faiths and to which whoever controls them has an obligation to secure equal rights of access across the religions.

It might sound surprising to many today that most of Jerusalem during Islamic rule fell under either the second or third categories of space. The first category was limited to a few sites associated with post-Muhammad

¹⁵ A detailed account of the story of the synagogue is reported by the Jerusalemite scholar Mujir al-Din al-ʿUlaymi (d. 1522), who witnessed many of the events and attended some of the meetings: Mujir al-Din al-ʿUlaymi, *al-Uns al-jalil bi-ta'rikh al-Quds wa-l-Khalil*, ed. ʿAdnan Nubata (Amman: Maktabat Dandis, 1999), 2: 300–14.



US public domain (photograph by Félix Adrien Bonfils during the late 1800s).

Figure 3: A caption published in 1894 describes Jewish attachment to Jerusalem by focusing on their worshiping practice at the Kotel (Western Wall of the Temple), in which one would “approach the stones and placing their mouths to the crevices, repeat, in mournful tones, some of the lamentations of Jeremiah.”¹⁶

Muslim figures, whereas sites such as the Haram, including the Dome of the Rock and Mary’s cloister, the Western Wall or *Ha’it al-Buraq* in Arabic (*ha-Kotel ha-Ma’aravi* in Hebrew), and the Spring of Silwan (Siloam) were shared sacred spaces that other monotheists had the right to visit and worship in. The continued allowance of access to these sites defined the Muslims’ understanding of their role as “custodians” and not as owners of these places.

It is not my intention to argue that these Muslim rulers were models of morality. They were not, and there are countless cases that show their brutality. But when it came to Jerusalem, the notion of custodianship reigned and guided their decisions. This is not to say that the notion of custodianship precluded counter-positions whereby other Muslims advocated for making the city exclusively Islamic. As discussed above, some

¹⁶ Daniel B. Shepp, *Holy Land Photographed* (Philadelphia, PA: Alfred M. Slocum Company, 1894), 30.

of Salah al-Din's advisors, for example, urged him to destroy the Church of the Holy Sepulcher, and some jurists treated the agreement between al-Kamil and Frederick to peacefully share Jerusalem as treasonous to Islam. The fighting over the plot of land of the damaged Jewish building likewise demonstrated popular support for the confiscation of Jewish religious sites in Jerusalem, and some Muslim jurists refused to honor the law. However, in all of these cases, Muslim rulers and senior jurists felt obliged to stand by their role as custodians and to defend and secure the rights of each religious community, even in the face of popular unrest.

Of course, the fair-handedness on the part of Muslim rulers and scholars did not translate into complete respect towards Christians and Jews, and it was not uncommon for Muslims to treat their monotheistic brothers with disdain. Certain scholars took to labeling them as infidels (*kuffar*). Likewise, some Muslims derided the Church of the Holy Sepulcher as *Kanisat al-Qimama*, meaning the Church of Garbage (nicknamed thus because it rhymed with the Arabic name for the building *Kanisat al-Qiyama*, meaning the Church of the Resurrection). Yet, since the time of Salah al-Din, the keys of the Church and the upkeep of its doors were entrusted to two Muslim families, which gave them tremendous prestige and honor within the Muslim community.¹⁷

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It is rather ironic that the period we call the Middle Ages – which, because of its euro-centricity, evokes notions of barbarism and religious fanaticism – can offer lessons about statesmanship that are dangerously lacking today. The Trump administration proves that a single rash world leader – a modern al-Hakim bi-Amr Allah – can cause irreparable damage to the U.S. standing in the world and credibility of international law and norms. The strategy of the state of Israel, especially under Netanyahu, has been to treat control over Jerusalem as a zero-sum game, whereby the Jews lose everything if the Palestinians' rights to the city are honored. This strategy has also effected a zero-sum game within Judaism itself, perhaps explaining why Netanyahu has cozied up with nationalist, right-wing governments in Washington and other capitals around the world (e.g., Brasília and Budapest).

Jerusalem is a city that no single group could or should possess. Those who rule it are to behave as custodians. For, despite the small size of old Jerusalem, it is too big to be owned.

¹⁷ They are the Nuseibeh family and the Joudeh family.