



**The Israeli/Arab Peace Plan - An Alternative Approach for Conflict Resolution:
The Final Status of Jerusalem and its Holy Sites**

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Abstract

The US-brokered Middle East peace plan is in a quagmire. Both sides appear to be severely divided by the components of any solution, no matter what it entails and no matter which party, or even country, may be suggesting it. There are so many complex factors involved, some critical, and some less critical. This proposal comprises an innovative solution to the issues that surround the US-brokered Israeli/Arab peace plan and the final status that is now pending implementation. An innovative language-oriented solution is introduced herein that facilitates unique governmental, religious, and community levels of participation.

Keywords: Israeli-Palestinian conflict, United States, Jerusalem, holy sites, language, peace plan, alternative dispute resolution

Introduction

The peace process is not likely to move forward substantially in the near future. Although both sides ostensibly agree that a solution is necessary and forthcoming, they are severely divided by the components of that solution, whether it concerns final borders, Israeli communities over the Green Line, security guarantees, or the fate/ownership of Israel's holy sites.

- 1) Yet, pursuit of peace is a worthy goal, even when it seems far away. In the absence of progress on the core issues dividing the sides, progress might indeed be made on common concerns indirectly related to the core issues, using a specifically non-Western method of conflict resolution.
- 2) In 1991, the countries of the region embarked on multilateral talks based on the Madrid framework that eventually led to dozens of official and non-official meetings with various countries, and incorporating various forms of language (The Madrid Peace Conference, 1991; Special Document File, 1992; Lasensky, 2002). Five multilateral working groups addressed key regional issues such as arms control and regional security, water, economic development, and of no less importance, Jerusalem's religious holy sites. The idea was to make progress on issues of mutual concern that might serve as confidence-building measures to move the bilateral tracks forward. This concept of focusing on lesser disputes in order to help foster peaceful coexistence has historical roots that deserve to be further explored.
- 3) That was a time when Arabs and Israelis were talking about regional issues in a serious manner. Restarting similar multilateral talks in the present geopolitical environment requires a new mixed method approach, which would primarily consist of adopting a unique language-oriented code of conduct to be utilized with the citizens and directly in the negotiating process. The reason is due to the fact that we have now come to realize that modern western solutions are no longer feasible. A new, alternative approach is necessary.
- 4) One advantage of reconvening the multilateral talks in this way is that they would not really require any new concessions, as the framework has already been set up. If this new method improves the negotiating atmosphere, both parties might theoretically facilitate the conclusion of a lasting bilateral agreement. This would be accomplished by means of incorporating the proposed code of conduct.

The Middle East peace process has been exactly that, i.e., a "process" for far too many years. In fact, it is no longer a process, or even in process. The Israeli-Palestinian imbroglio has reached a standoff - Israel's most far reaching offers have consistently not met Palestinian expectations, as Palestinian Authority President, Mahmoud Abbas ("Abu Mazen"), related to the Washington Post's Jackson Diehl after acknowledging the Olmert offers of 2008: "the gaps were wide." Indeed, since then the past ten years have seen no significant change. As a result, there must be new forms of negotiation, and accountability can be upheld and enforced.

Solution

A new approach that focuses on language-based solutions could very much play a key role in resolving the current Israeli-Arab conflict. Just like a specific code of conduct was used in ancient times to negotiate land disputes between the Davidic Dynasty of Judean kings in Israel proper, and the Philistine rulers of ancient Gaza, the same might be utilized today, but emphasizing the linguistic elements of the negotiating process, and by setting up a new reality on the ground. Practically, this

alternative plan proposes that Israel should establish two special municipal authorities for two specific Jerusalem neighborhoods containing a mixture of Arabs and Israelis, as well as their holy sites within. This includes what we now refer to as the “Holy Basin” consisting of the Temple Mount, the Mount of Olives, Silwan, and the four Old City quarters that contain many of the houses of worship for all the major world religions (Shehori, 2004).

The municipal authorities would abide by a specific, language-oriented code, and the residents who hold Israeli residency cards would continue to live as such, respecting this code with all that it entails, i.e., to abide by a specific curriculum that teaches and promotes core values, ethical conduct and speech, as well as accountability. This paper argues that despite the potential for language differences to lead to and/or exacerbate the conflict, language can also be an important potential bridge in helping to resolve them. In addition, this paper examines the role of a corresponding code of conduct in conflict resolution, and specifically as applied to the US-brokered Middle East peace process.

A Language-Based Code

In 2018, there has been an alarming rise in hate-speech, both online and offline, as well as social media messages that spread hostility and hatred to all age groups. Indeed, in order to foster a new environment for peaceful coexistence, and specifically in the Middle East, a common language code along with a corresponding behavioural code must be constructed and applied, because core values are not inherited, they must be taught. Schools and mediation centers must therefore set up curricula to teach the necessary fundamentals for establishing ethical conduct and speech, and even therapy if necessary. For those living in Israel, simply desiring peace is not enough, and pushing the sides toward an agreement without laying the necessary community groundwork can result in disaster, as we have seen. President Barack Obama’s well-meaning but ill-conceived efforts have been dashed on the rocks of the Middle Eastern shoal. Yet, pursuit of peace is a worthy goal, even when it seems distant. The Western method of simply bringing two adversaries to the table at a time when they can’t suffer each other’s presence, has not worked for the peace plans of the past. We require a specifically non-Western approach of, for instance, having a traditional mediator go from party to party first, preparing each one with the proper terminology and conduct before sitting face to face in a room. Concrete commitments on paper must be established first in order to provide a foundation and framework for reconciliation. This process can take up to 6-9 months, and is what is commonly used in traditional Africa. Another version was recently incorporated by the Sultan of Oman, the “Arab-Islamic Sulha/Sablah Process.” In the African version, a public ceremonial reconciliation event is held afterwards that forms a real covenant between the two communities moving forward, including rituals of breaking bread together to bring in the post-conflict period. Only by incorporating these steps can a stable platform then be achieved. When some avenues are blocked, other alternative methods must be tried. It is therefore high time for new platforms to be set up, i.e., a code of conduct for language and behavior that both sides can adhere to that makes a synergy between the two traditional processes.

According to the theory proposed here, the Interior Ministry would be in charge of implementing the plan in two distinct Jerusalem districts, what’s called the “Holy Basin,” and a section of East Jerusalem. Practically speaking, the plan does not require legislative measures in the Knesset because it entails a change of municipal conduct within a territorial unit that is already within the state of Israel

and under Israeli sovereignty. The main difference here is that the plan begins with a combination of city level governing, and grass-roots community building and education. Hence this concept has high political feasibility compared to other plans. Indeed, what is being proposed is a good fit for the East Jerusalem residents. The residents stand to gain two local councils that will be budgeted by the state, like any other council. They will be able to improve their situation considerably and invest more funds in infrastructures and educational services - two very neglected areas in their neighborhoods, providing that an integral code of conduct is upheld. From an urban standpoint, they will not be dependent on the will of the decisive Jewish majority, which administers their affairs today. Unlike in the plans for dividing the city, the Arab residents will maintain their resident status with all the requisite rights and benefits, etc. With a view to a final arrangement that could possibly complete the peace plan, the most holy Temple Mount complex in Jerusalem would have a special status that includes visiting and prayer rights for all nations, what is now being called “embassy sovereignty.”

Arab residents will not be left to their fate after almost 50 years of Israeli rule, and they will not be transferred to the PA, something most of them do not want. Matching grants and government budgets that meet the needs to educate the population are an obvious prerequisite for implementing this plan. The Jerusalem city government (now with its new mayor) is now more supportive of this solution than it ever has been. The plan does not put this area, now or in the future, in the PA’s hands. It does not jeopardize Israeli’s security control of it, which is vital to maintaining security in the adjacent Jewish neighborhoods and for protecting Jerusalem’s holy sites in general, and the Temple Mount in particular. This plan, for the first time, assumes real responsibility for the rehabilitation of these neighborhoods and makes the residents part of the endeavor by fostering hands-on, peaceful coexistence between its Arab and Jewish residents. The plan does not ignore the Israeli demographic interest in Jerusalem, nor does it nullify the residency status of the Jerusalem population living in those areas.

It’s interesting to note that with respect to fostering peaceful coexistence, the current secretary-general of the religious Mecca-based NGO, Muslim World League, Sheikh Dr. Muhammad bin Abdul Karim Al-Issa, who is a former Saudi justice minister, is doing just that. He has already taken important steps toward breaking down boundaries, language barriers and overcoming prejudices by way of his radical new proposal to bring a ‘peace caravan’ to Jerusalem. “We should send a peace convoy that is representative of all three Abrahamic religions. They should be Muslim, Christian and Jewish and they should visit all holy sites,” he stated. Indeed, this peace caravan can be seen as a humanizing step toward recognizing the fact that all three religions worship the same God and share a connection to the Holy City. The Sheikh’s unique recognition of the Arabic-speaking Jews in Muslim majority lands, combined with speaking on behalf of the Muslim World League, cannot be underestimated. It gives hope in laying a path for mutual understanding, emphasizing the historical precedent through centuries of shared trade and culture (Hannah, 2019).

In fact, there are thousands of years of shared history, going back to the beginning of Muslim-Jewish relations in Medina, a city founded by Jewish refugees that fled the destruction of the Herodian Temple in Jerusalem in 70 AD. Hundreds of years later, the Prophet Muhammad grew up with Jewish friends and neighbors and included Jews as part of the “Ummah” - a diverse community in which individuals have equal rights and shared responsibilities - in his landmark constitution. Thus, there is no inherent tension between Judaism and Islam. Islam, which recognizes the Jewish Prophet Moses, their forefather Abraham, and Joseph the ancient Jewish/Egyptian Prime Minister, celebrates the rescue of

Jews from drowning in the Reed Sea while being pursued by the Egyptian Pharaoh's army. In fact, it has historically coexisted with Judaism to the point where in the early Muslim period, as well as in the times of Maimonides, there actually existed a Jewish edifice in the northeastern corner of the Temple Mount, where both sides didn't infringe upon their respective rituals of worship, and nobody got in each other's way. As today, it was due to political tensions, not religious disputes which led to Muhammad's eventual conflict with the Jewish tribes. In this case, both parties had started coexisting together by speaking the same language, literally and figuratively.

Language

Traditionally, language has played a key role in resolving dispute, and will likely play a key part in resolving the Israeli-Arab conflict. According to a 2017 Pew Research Poll, many people believe language is "the core of national identity." This was true in ancient times perhaps even more than today. Today, more than 70 percent of the population of the United States, Europe, Australia and Japan agree on this idea with respect to national identity. And yet, as scholars of faith-based conflict resolution and peacebuilding, we know that people pay too little attention to language, while overemphasizing the political issues. In contrast to many other factors, language is in fact deeply rooted in societies and not easily swept aside. It has its roots in ancient conflict resolution whereby the rulers and kings of nations would put their major differences aside in order to facilitate a working relationship that concentrates on what both nations have in common, and not the opposite. Nowhere is the role of language in conflict more evident than the Middle East, where there are so many overlapping languages. These conflicts also frequently infringe upon the rights of linguistic minorities to use their languages freely and without prejudice. For example, this is a central factor in the case of Turkish Kurds and the lesser-known struggles of Berber (Tamazigh) people in southern Libya. Israel is no exception. It's worth repeating that in the tough neighborhood that Israel finds itself, language has played a major role in perpetuating the Israeli-Arab conflict, but could just as easily play a role resolving it.

This language conflict is far more complex than "Hebrew versus Arabic." Jewish and non-Jewish communities in Israel have partly overlapping linguistic, ethnic/cultural and religious identities. For example, there are several distinct varieties of Arabic used in Israel: standard Arabic, Palestinian Arabic, Bedouin Arabic and even Judeo-Arabic. Speakers of some of these varieties, such as Palestinian and Bedouin Arabic, cannot always understand each other. Similar perhaps to the Cockney form of English accent as it is spoken by the (so-called) "true Londoners" of the East End.

Israeli Jews speak not only Hebrew and Arabic but also English, Yiddish, French and Spanish. Incredibly, Israel is also home to the third-largest Russian-speaking community outside the former Soviet Union, after the U.S. and Germany. Ironically, these major and minor language divisions leave Israelis themselves, of all affiliations, struggling with great "social" distances inside the small country. That is, even though people share public spaces - traveling, walking, playing and shopping alongside one other - they remain distant strangers without a common language. This distance is a problem in that it perpetuates Israel's internal conflicts. Unfortunately this problem is exacerbated immensely between Arabs and Jews. Estimates show that only 10 percent of Israeli Jews are fluent in spoken Arabic. Fewer can read and write the language. Even Arabs who know Hebrew are often not inclined to use either language in their interactions with Israeli Jews, preferring instead English as a neutral medium. Forcing

only one official negotiating language on the other party, i.e., either Hebrew or Arabic, can procure disastrous results. During the Bengali language movement in Pakistan for instance, the Urdu-Bengali controversy was intensely reignited when Jinnah's successor, governor-general Khawaja Nazimuddin, staunchly defended the "Urdu-only" policy (and using only Arabic script) in a speech on 27 January 1952 (Al Helal, 2003).

Recognizing this problem has led some to try language-based solutions. In the past 10 to 20 years, Hebrew-Arabic bilingual schools with a specific behavioral and ethical code have been established in different parts of the country as a test marker for enhancing peaceful relations. These schools are involved both in raising a generation of truly bilingual children and in growing the students' families into bicultural communities that can live side by side with common values, built from the ground up. While still somewhat experimental, there is reason to believe they have enormous potential for creating a population of Hebrew-Arabic speakers who will understand each other and coexist, while serving as a model, as in ancient times, for living a just and harmonious social life in Jerusalem.

It appears their preliminary success has not been lost on Israel's educational establishment. In 2016, Israel's Ministry of Education mandated Arabic language classes, beginning in first grade, in public schools where Hebrew is the language of instruction. This move generated opposition and has not yet led to fully bilingual education. Yet, analysts' and policymakers' recognition of the need to use language solutions promises to open new and gradual pathways to resolving the conflict, and by extension, with respect to the idea of sharing religious, holy sites. Moreover, recognition and use of language-based solutions to assist in diplomacy, if successfully applied here, might in fact serve as a model for the resolution of some of the other, more destructive and protracted conflicts that have long plagued the region.

Having established that, the good news is that there are now over 30 community mediation centers supported by the Israeli Ministry of Welfare, and even some NGO's, spread out through various cities across Israel, including Arabe, Beuna Nujedat, Binyamina, Daburiah, Ein Rafa, Kfar Tavor, Kiryat Ono, Raanana, Sde Boker, Tamra, and Tuba Zangaria. In the West Bank: Bethlehem, Bet Sachur, and Jericho. The concept is for these centers to also provide an important degree of accountability vis-à-vis the proposed code of conduct. Their dual purpose is to find that common language, a middle ground between the Arab and Jewish populations, and even within the Jewish sectors themselves. What does success look like for this plan? Getting civilians to look at one another and to ultimately believe that yes, 'they're one of us' (Ultimate Peace Middle East, n.d.).



A teacher from the Arab town of Kabul gives an Arabic class to Israeli schoolchildren. AP Photo/Oded Balilt

This paper is also being submitted into a formal draft proposal to the Ambassador of the United States to Israel, the Honorable David M. Friedman, as well as the United Nations Economic and Social Council (ECOSOC), designed to introduce and establish a language-based code of conduct that would affect these two Jerusalem municipalities in a unique, democratic and positive way. Arab countries currently participating in the talks in various capacities include Jordan, Egypt, Algeria, Bahrain, Morocco, Qatar, Saudi Arabia, and the UAE. However, hostile messages about Israel purveyed in the PA educational system and even found in some of the Jerusalem UNRWA school textbooks must be eradicated. Teaching and implementing proper terms of conduct and ethics from the ground up, in conjunction with an accepted form of accountability, can eventually force a new Palestinian leadership into a final acceptance of the Jewish state including a special status arrangement re: the Temple Mount and Holy Basin area. Recently, mainly as a result of procrastination, the US has applied more drastic punitive measures, most notably in terms of the withdrawal of financial support to the Palestinian Authority, etc.

To use a metaphor then, how can the proverbial wolf ever lie with the lamb? This famous verse from the prophet Isaiah is very important for illustrating how peace and unity between the opposite camps can, and will eventually, be realized in the future. At the end of the day though, human beings are not metaphors, and so the metaphors have to serve human beings, and that needs to take place in a more immediate way.

Israel in the meantime, if not formally, has effectively adopted a strategy of patient conflict management. An alternative approach whereby a common set of terms and conditions are setup beforehand, as previously noted, and upheld by both the population and the governing bodies, i.e., where both sides, Arab and Israeli, can ‘speak the same language’ (as it were). In the absence of meaningful negotiations, Israel, particularly Prime Minister Benjamin Netanyahu, has advocated the promotion of “economic peace” as a component of conflict management.

The above method of dealing with the problem also has its roots in ancient conflict resolution, based on the assumption that the Kingdom of Israel has never had anything to gain from disgruntled neighbours.

Exacting pain from opposing societies is what war is all about, and pain often has a moderating effect on collective behavior. After the Yom Kippur War in 1973, Egypt, for example, decided to change course with regard to Israel because it grew reluctant to pay the costs of maintaining the conflict. In fact, Egypt's President, Abdel el-Sissi has courageously been contributing much to the current US-brokered peace plan in terms of already offering parts of the northern Sinai Peninsula to be designated for Palestinian high-tech agricultural zones, etc. By the same token, Oman, in its own right, has recently stepped up to the plate by agreeing to push forward with a plan to build a high-speed railway link that will connect the Middle East to Israel. The plan, appropriately called "Tracks for Middle East Peace" will create an additional trade route in the region and is tentatively supported by the US and Israeli administrations.



Palestinian protesters wave Palestinian flags as Israelis carrying Israeli flags walk past in front of the Damascus Gate outside Jerusalem's Old City. (photo credit: REUTERS)

Following an extended trial period of calm and confidence building measures on the ground at the grassroots level in these two municipalities, final status negotiations can then take place between Israel and Palestine regarding these areas, including the Temple Mount and Holy Basin. The core values and ethics that were taught as part of the codes of conduct between the two parties would affectively push aside the hate-speech and "bad behaviors" each side finds objectionable, while turning over a new leaf for the future. For example, establishing a joint Israeli/PA television station with offices in Ramallah (or Riyadh) and Jerusalem would offer a prime example of coexistence with the goal of disseminating a common set of facts and basic truths to both Arabs and Jews. Israeli news and opinions will be followed

by Arab rebuttal and vice-versa to create a broad, peaceful dialogue between peoples, both adhering to a strict speech policy and (lingual) code. Similarly, a very real testing ground to be set up in the two above specified regions of Jerusalem using a new economic package focusing on advancing joint Israeli-Palestinian business ventures, like this one. In this case, the municipal funding would flow directly to the localized media companies, and not through the centralized Palestinian Authority, and the like. The ultimate purpose being the expansion in “people-to-people” programs to decrease public incitement and hate-speech, seeing the religious and ethnic leaders calling out for strict compliance in the media as well as their respective houses of worship. Potentially, this novel idea of a language-based code of conduct could actually go beyond bilateral negotiations, encompassing those countries signing on to the multilateral track.

Historically, there is a precedent for this approach in the Bible, and even in modern times. It could be based on the code of conduct embodied in the Helsinki Final Act of 1975. The CSCE which it established began to operate despite the enormous political gaps between NATO and the Warsaw Pact countries on such sensitive issues as borders. Israel and Jordan are already committed in their 1994 Treaty of Peace to establish a Middle Eastern version of such a framework. While not every aspect of that code is applicable to the current Middle East situation, points could include refraining from the threat or use of force, the peaceful settlement of disputes, non-intervention in internal affairs, respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion, or belief; and fulfillment in good faith of obligations under international law using a mutually agreed upon, common language-based code.

In fact, linguistic underpinnings of the current situation in Israel and Palestine go back to the British rule over the territory between 1922 and 1948. At the time, English, Hebrew and Arabic were all official languages of the Palestine Mandate - a former part of the Ottoman Empire comprising modern-day Israel and Jordan, which was ruled by Britain after World War I. When Israel declared independence in 1948, English was actually eliminated from this list, due in part to Israeli animosity toward British colonizers. Since independence however, Hebrew and Arabic have shared status as *de facto* official languages of Israel. Their status is nowhere near equal though, especially in lieu of the new nation-state law that has been passed in the Knesset (The Knesset, 2018; Wootliff, 2018; Hermann & Yaar, 2018; Dakwar, 2018; Ozer, 2018).

Furthermore, from a pragmatic point of view, Israeli society is far more linguistically complex than its two official languages would suggest. With a population that is around 80 percent Jewish, Hebrew’s status outstrips that of Arabic. With Israeli Arabs being more fluent in Hebrew, it is those Hebrew speakers who are socially disadvantaged by not being able to communicate with fellow Israelis who speak Arabic.

Conclusion and Recommendations

A language-based code of conduct will enable each side to proceed within the confines of the agreed code based on the following principles with respect to negotiating the US-brokered peace plan, such that:

- All negotiating parties acknowledge and reaffirm the continued relevance by which they recognize their “mutual legitimate and political rights” by adhering to a code of conduct, using mutually agreed upon language, behavioral codes, and civil education systems.

- “Language,” within the context of the negotiations, with a view to ensuring a positive ambiance, means that the representatives of all negotiating parties will refrain from any form of hate-speech and/or expressing any reservation or threat regarding the subject matter of negotiations, their continuation, the anticipated outcome of any topic, or the negotiations in general for the duration.
- “Code of Conduct” means that all negotiating parties will refrain from strict dictation of preconditions for entry into, continuation of, or completion of, negotiations on any topic. Furthermore, all negotiating parties, when discussing any specific issue, will refrain from actions related to that issue that could influence the outcome of negotiations on that topic, or on the negotiations in general, i.e., unilateral proclamations of a state, or submitting unofficial cases to the International Criminal Court.
- All partners to the negotiating process will seek, as partners, through their public statements and interviews to ensure ongoing public support for and encouragement of the negotiating process, as well as a positive negotiating ambiance, and to this end will refrain from derogatory statements or any form of hate-speech regarding other parties to the negotiation or their representatives.
- With a view to maintaining a constructive negotiating atmosphere, the parties will refrain from initiating or supporting actions in international or nongovernmental organizations, or in foreign countries, directed against another party or its representatives, leaders, or officials.
- With a view to maintaining a *bona fide* negotiating atmosphere, the parties will refrain from initiating, organizing, or supporting economic or other sanctions of any kind on another party, its representatives, or commercial enterprises.
- Negotiating parties will ensure freedom of movement by representatives of the other negotiating parties to all locations in which negotiations are being conducted.
- Every effort will be made to set up the requisite municipal offices, mediation centers and educational curricula to facilitate this code in all languages necessary for its implementation.

Finally, subscribing to this code would also facilitate the advancement of a more democratic way of life in those Arab districts currently undergoing turmoil. The previous head of the Israeli parliamentary opposition to Netanyahu, Tzipi Livni, proposed a “universal code for participation in democratic elections” that has points worthy of considering here. This would include requiring every municipal office to embrace, in word and deed, a set of core democratic principles: the renunciation of violence and hate-speech, the pursuit of aims by peaceful means, commitment to the rule of law and to equality before the law, and adherence to an international language-based code that promotes core values, ethics, and a mutual culture of peace at the grassroots level. A “culture of peace” is defined by the United Nations General Assembly (1998, 1999) as “a set of values, attitudes, modes of behavior and ways of life that reject violence and prevent conflicts by tackling their root causes to solve problems through dialogue and negotiation among individuals, groups and nations.”

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