

ASPECTS OF SOVEREIGNTY: INTRODUCTION

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The researchers on the sovereignty team began with the assumption that the present situation—comprehensive Israeli sovereignty over all areas of Jerusalem—cannot be maintained. Furthermore, the concept of sovereignty and its etymology in all languages suggests an absolute discretionary power that is exclusive and is not obliged to take into account any considerations other than its own. Such a situation is untenable in Jerusalem, where vital interests are at stake for the Israelis and the Palestinians, as well as for the international community—interests that need to be accommodated.

To resolve the dilemma, it was decided to break down the attributes and expressions of sovereignty into its myriad components. For each component identified, the team would seek concrete solutions and actual models for solutions that would accommodate, pragmatically, the interests of all three parties: the Israelis, the Palestinians, and the international community.

Such an approach negates the call for a physical division of the city and side-steps the legal issue of sovereignty. Instead, it seeks specific solutions for definite problems, while exploring how such solutions can act as models for resolving other problems, or components of sovereignty.

The team broke down the subject of sovereignty into some fifteen specific issues to be studied and addressed separately:

- health
- education
- municipal services
- legislation
- law enforcement
- legal jurisdiction (civil and criminal)
- currency
- professional licensing
- building permits
- zoning and land use
- entry and border control
- flags and symbols
- seat of government
- official language
- access to Jerusalem
- official holidays
- standards and measurements

Discussion began with three issues that were viewed as relatively simple: education, access to the city, and hospital administration. In the case of these issues, the team found that it was possible to outline pragmatic accommodations that address the needs of both communities within the context of the current systems, and without necessarily negating their claims of sovereignty. The team also reached agreement on the issue of access to Jerusalem (with the exception of the holy places, the subject of another team's investigations).