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JORDANIAN- ISRAELI RELATIONS UPON THE ENDING OF THE CONTRACT CONCERNING THE AREAS OF AL-BAQURA (NAHARAYIM) AND AL-GHAMR (TZOFAR)

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Abstract: History has witnessed many projects that were based on the peace agreement between Jordan and Israel. Very often there were ups and downs in an effort to reach an agreement between the two parties. There were times when Jordan did not see that Israel was fulfilling its promises toward the kingdom, and reneging on these promises from the Israeli point of view was not because of intention, but because of unforeseen elements that may have prevented them from carrying out the original agreement. This article will discuss why the original contract signed in 1994 regarding the use of the areas of al-Baqura (Naharayim) and al-Ghamr (Tzofar)was not renewed in 2019. The contract gave the right to Israeli farmers to use these lands for farming, and the contract would have been renewable every 25 years. Unfortunately, this did not take place, and the Jordanian decided to activate their authority over the land. Some observers may connect the Jordanian's refusal to regional elements like the Arab Spring or the so called American Deal of Century, but others, especially on the Israeli side, argue that the failure to renew the contract was due to the enormous public

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pressure that the king faced locally, bearing in mind that the majority of Jordan's inhabitants are Palestinians and his decision might have been influenced by politics rather than economics.

Keywords: Jordan Israeli Relations, Peace Agreement, Palestinians Role, Century Deal, al-Baqura (Naharayim), al-Ghamr (Tzofar).

BAKURA (NAHARAYİM) VE GHAMR (TZOFAR) BÖLGELERİNİN SÖZLEŞMESİNİN SONA ERMESİ ÜZERİNE ÜRDÜN-İSRAİL SİYASİ İLİŞKİLERİ

Öz: Tarih, Ürdün ile İsrail arasındaki barış anlaşmasına göre kararlaştırılan birçok projeye tanık oldu. Bazen iki taraf arasında anlaşmaya varmak için iniş çıkışlar oluyordu. Ürdün'ün İsrail'in krallığa yönelik vaatlerini yerine getirmediğini gördüğü zamanlar oldu ve bu vaatlerin yerine getirilmemesi İsrailliler tarafından yanlış anlaşılma olarak görüldü, böyle bir reddetme niyetinde oldukları için değil, ancak onları hemen yerine getirmelerini engelleyen birçok unsur vardı. Ancak bu makale, 1994 yılında imzalanan Bakura (Naharayim) ve el-Ghamr (Tzofar) alanıyla ilgili sözleşmenin 2019 yılında yenilenmemesinin nedenini tartışacaktır. Sözleşme İsrailli çiftçilere bu arazileri çiftçilik için kullanma hakkını verdi ve sözleşme her 25 yılda bir yenilenebilirdi. Ne yazık ki bu gerçekleşmedi, Ürdünlü toprak üzerindeki yetkilerini etkinleştirmeye karar verdi. Bazıları Ürdün'ün reddini Arap Baharı veya Amerikan Yüzyıl Anlaşması gibi bölgesel unsurlara bağlayabilir, ancak özellikle İsrail tarafında sözleşmenin yenilenmesi, kralın Ürdün içinde karşı karşıya olduğu muazzam kamu baskısından kaynaklanıyor olabilir, Ürdün Sakinleri Filistinliler ve kararı ekonomik olmaktan çok siyasi olarak etkilenmiş olabilir.

Anahtar Kelimeler: Ürdün İsrail İlişkileri, Barış Anlaşması, Filistinlilerin Rolü, Yüzyıl Anlaşması, Bakura (Naharayim), Ghamr (Tzofar).

Introduction

It is important to point out that the Israeli- Jordanian political relationship could be described as a very tenuous one. Some experts might look at it in a more positive light and claim that it exhibits a degree of flexibility that began with the signing of the peace agreement between the two countries in 1994. However, the fact is that the reconciliatory process was initiated many years before. The peace agreement saw many advantages for the Jordanians; the most important of which was the return of the territory of al-Baqura (Naharayim) and al-Ghamr (*Tzofar*) in 1994.

¹Naharayim) and (*Tzofar*) are the Hebrew names given by the Israelis, while Al-Ghamr and Baqura are Arabic name given by Jordanians for the same land.

According to the peace agreement such territories were to be granted to Israeli farmers for 25 years, a contract that would be open to renewal. The current article will introduce an intellectual perspective that will explain the reasons which led to the Jordanian refusal to renew the contract. This issue will be discussed from the social and political perspectives of both sides as well as an analysis of various press reports from the two countries. This article will be divided as follows: first, the return of the land through the peace agreement, second, the reasons for not renewing the contract. Third, the consequences for Israel as a result of the termination.

1. Returning Lands through Peace: al-Baqura (Naharayim) and al-Gamr (Tzofar) in 1994

The beginning fruit of the Israeli- Jordanian negotiations was the signing of the Wadi Araba Peace Agreement. The terms of the agreement regarding the two area of Al-Gamr (*Tzofar*) and al-Baqura (Naharayim) was as follows: It is important to take into consideration the distinct circumstances of the al-Baqura / Naharayim territories, which not only come under Jordanian sovereignty, but are also considered as Israeli property rights.² Both parties have decided to apply the articles which is stipulated in Appendex 1(B), in regard to Al-Gamr (*Tzofar*) ara, in addition to applying articles mentioned in Appendex 1(c).³

Furthermore, the Appendex 1(c) which deals with al-Baqura / Naharayim was summarized as follows: "an absolute sovereignty for Israel which is connected to specific security rules that guarantee the security and the safety of the region. It is also permissible to merge joint projects in the region and other security and economic matters, but the most important item in this paragraph is the following one, which deals with the contract period: "without prejudice to the right related to the disposal of the land in the region, this appendex will remain in effect for a period of 25 years, and it is automatically renewed for similar period, unless one of the parties informs the other party of its intention to terminate the work of this annex one year before its expiration, in which case both parties would start consultation about each other's requests."4

Regarding Al-Gamr (*Tzofar*), as it was mentioned in the previous clause that relates to the "period" item, was precisely the same. Thus, the confusing question that remains: what is the secret behind the Jordanian refusal to renew their contract with Israel?

² The Tzofar area covers 6km square, while Naharayim covers 6km square

³ The terms of Wadi Araba Agreement, The ministry of foreign affairs in Jordan, the information office also available on the website of the Israeli ministry of foreign affairs via the following link: https://mfa.gov.il/MFAAR/IsraelAndTheMiddleEast/Jordan/Pages/peace%20treaty%20israel%20jo rdan.aspx

⁴ ibid

It is important to discuss the issue in relating to the temporal evolution of the relationships of both countries which had faced certain extent of weakness and apathy through the years, particularly with regard to regional and local issues. Here we will mention some aspects of strained relations that took place since the agreement of "Wadi Araba" in 1994. The first manifestation of tension was the assassination attempt of "Khaled Meshaal" In Amman in 1997.5 However King Hussein, the former king of Jordan viewed the assassination as an assault on all Jordanians. He even personally visited Meshaal in the Hospital, and requested from the Israeli authorities to send the antidote to the poison that was injected in Meshaal's body by the Israeli's Mossad agents. The king insisted, if Meshall dies the peace agreement will be "Gone with the Wind". The Israeli government headed then by Benjamin Netanyahu has responded to the king request. Mishaal was medically treates and cured. In addition, Israel released the establisher of Hamas movement, Ahmed Yassen, who was killed by them later. This release was to show a sign of good intention by the Israeli to improve the relationship between the two countries prior to the assassination attempt.6

One may think that such event might decrease the significance of the agreement stability, but in fact, the opposite has taken place. The Jordanian authority realized that the presence of Hamas' members' movement may affect the internal peace security in Jordan. So, the Jordanians government, had issued a formal decision that the leadership members of Hamas is unwanted in Jordan, and consequently they were sent to Syria. This was the moment that the stability of the relationship between Israel and Jordan had begun. Here, one must go back to the harbingers of Jordanian-Israeli peace agreement and see what analyst stated about the agreement. The researcher Hani Alhorani⁸ argue that the peace agreement had created what he has called the realistic peace agreements between the two countries officially.

However, some other views have not lacked criticism. Dr Hani Alkasawna, a former politician and minister in the Jordanian government claimed that the Israeli Jordanian treaty has no future. In his view, it was imposed by duress as

⁵Khaled Meshaal, is a Palestinian politicians, He was one of the Establishers of Hamas Movement, viewed as a terrorist organization by the west, currently control Gaza against the well of the Palestinian authority. He was the head of movement's political bureau when he was subjected to the assassination attempt in Amman.

⁶ Wesam Ibrahim Afifa (2014),The Jordanian political discourse toward the Palestinian issue in light of Wadi Araba agreement. unpublished M.A dissertation, Gaza University. p.44

⁷ Fwaz Mwafak Danon, Jordanian policy toward Hamas Islamic Movement 1990-2010, Journal of regional studies(Arabic), Almousel University, Vol9, 2013, p. 268

⁸ Hani Horani is a Jordanian political analysist, had wrote many articles and studies about Jordanian relations with other countries, most important books he wrote: Islamic movements and organizations in Jordan.

a result of political conditions connected to weakness of the Arab's nations after the second Gulf war. In addition, he argues that the Jordanian people has not benefited from it. Another researcher, named Kamel abu Jaber argues, that the peace treaty is nothing but a long term armistice with the Israeli side. He added that the Arab world in general and Jordan in particular has not achieved any strategic, economic or social goals like other treaties that were conducted with Israel. Emphasizing that the circumstances of the Israeli- Arab conflict was not the same before 1994. It was even worse as a result of the deteriorated circumstances in the Palestinian's territories.⁹

The Israeli view of the treatment was that such treatment might bring strategic defense benefits: first, recognition of Israel in the name of the Arab Israeli conflict. Second, gaining the consent of the United States in order to reach comprehensive and sustainable security for Israel. Something might be noticed by the systemic phenomenon of Jordanian-Israeli relations is that they were established toward continuous consensual trends. It is impossible for any aspect of internal conflict in both countries to be able to dispel the defeat of the agreement, or even to suspend the work of it. Despite of what may happen, it is important to mention the transformations of relations, particularly, the one which renewing the Israeli control over the al-Baqura (Naharayim) and Al-Gamr (*Tzofar*) areas.

Earlier in the article we mentioned the element that almost had destroy the peace treaty- the attempt of assassinating of "Khaled Meshaal", however, the effect showed the opposite, the security phenomena were more stabilized, in addition to the expulsion of Hamas components outside Jordan. As for other justification that can be related to stability, one can relate the matter for two elements: first, the political and economic transformations that accompanied the so-called Arab Spring in many Arab countries. In addition, the new American policy, particularly what was called "the Century Deal" by the Trump American Administration.

2. Arab Spring and its Influence on the Israeli- Jordanian Relations

The spark of the Arab Spring that began in Tunisia in the end of 2010 was not transformative starting points for Arab regimes as an idea of political mythology. In fact, the Arab spring was a flow toward self-transformation of the Arab intellectuality. However, there were, many transformations in other places which was connected to the location of the country itself. As for Israel, what would have benefited it in such transformations the fact that her neighboring countries were, Egypt, Syria, Jordan, and Lebanon. Hence, any change in the area would have caused a disruption of the agreements. This was due to the

⁹ Kamel Abu Jaber (2019), cold Peace, Almagar news paper, Amman Jordan

¹⁰ Aldostur, newspaper, vol. 9762 26-10-1994

peace with these countries is a "sleeping one", is not continuous. The Israelis had realized that balances that exist in the Middle East area would demolish sooner or later. The realistic Israeli writers began to point out that the absence of some Arab regimes means the loss of strategic balance of Israel, while signs initially appear to confirm a heavy change in the streets of the Arab world. Particularly, the Islamist party had benefited from this transformation for that they were more organized and experienced in their relation with society.¹¹

One of the purposes of this paper is to describe the regional economic repercussions of challenges caused by the Arab spring, and the first challenge was the closure of the Suez Canal for the Israeli's Cargo Movement. In addition, there were signs of the intention of canceling the Gas agreement between Egypt and Israel. Therefore, Israel has strengthened the security presence, of course in coordination with the army, in protecting the producing gas pipeline. This because Israel make over a billion-dollar profit yearly from selling Egyptian Gas in the Palestinian areas. 12

The Israeli researchers had realized that if Egypt exited the circle of regional peace, which may lead to increase the defense spending nearly 24%. Since the Camp David treaty with the Egyptians, this amount was not reached. These developments can change the political environment of the area that may lead Israel to catastrophic economy since Israel would have to redistribute its resources between the defense and economy ministries, which in essence would lead to a complete restructuring of Israeli budget, which would generally reflect the welfare of the Israeli's state. ¹³

Concerning the Syrian's events, even there were no "sleeping peace" exist, the Syrian regime avoided any military confrontation with the Israeli side, thus the Syrians events had benefited Israel in reducing the money spent on defense. in contrast to Jordan, Israel is unconcern about falling of the Jordanian regime, or fear of insecurity, but rather, the impact of political events in neighboring countries formed the greatest fear to Israel. As a result, Jordan would enter into an economic ordeal, which may lead to reconsider the peace agreements signed with the Israelis. Particularly, after closing the boarders, thus the economic pressure in Israel would increase.

All this took place in the beginning of the Arab spring. Nevertheless, 10 years post that period, the results were satisfactory to Israel. The Islamist did not continue to control Egypt, which fall under the control of Egyptian army headed by Abd el-Fatah el-Sisi, the current president of Egypt, and who has a

¹¹ Adnan Amir (2012), Israeli, Israel, and change in the Arab Area, The Arabic center of Humanity studies, Alryad Journal, p. 17

¹² Calclalist economic appendix 22-2-2011

¹³ Globus Israeli Magazine, 22-3-2011

great relationship with Israel and the United States. Syria continues to suffer from the internal conflict, but the worst part is fear of Iranian penetration and getting closer to the Israeli border, a scenario that would increase the defense spending.

Concerning Jordan in light of economic effect, economic experts have clarified the necessity of exploiting the Jordan valley lands from which Israel benefits. One of them was Khaled Aiash, a Jordanian political analyst in an interview with the new Arab newspaper-*Alaraby al-Jadeed*, emphasized the significance of the valley area which includes al-Baqura (Naharayim) and Al-Gamr (*Tzofar*) areas since this area is considered Jordan's food basket and includes the majority of agricultural exports comes from it. These agricultural products are shipped to Europe and Arab Gulf countries.¹⁴

It seems that the economic, not the political repercussions of the Arab spring might be connected to Jordanian thoughts of these areas. However, the question that continuously deals with the literature of Jordan political relations, and still exist is: what is the role that Israel provides to help Jordanian economy in order to maintain good relations with kingdom? This was evident on the Israeli side, especially after it submitted to Jordan the Gas agreement which was signed after deep consultation with American former administration headed by former president of the united states Barak Obama. This agreement had helped with economic development which is connected to the value of gas consuming for Jordanian citizens.¹⁵

3. American Policy and Century Deal

It is nearly impossible for those who study the strategic and political relations, to view the Century Deal as an only a media instrument. However, the American view toward the Middle East had reached severity when the American president Donald Trump announced its items. The announcement had brought huge disappointment of the way of ending the Arab- Israeli conflict such disappointment had affected the Jordanian attitude enormously, because of the fact that the American side did not give Jordan a privilege of negotiation regarding its items, along with the announcement of Donald Trump about the deal items in different languages which had shocked the Arab side.

The aim here is not about expanding the discourse of the Century Deal. However, it is a privilege to say that Jordan's political reference in expanding

¹⁴ Alaraby aljadeed news paper. 4-14-2019

Jordan had signed the Gas agreement with Israel, to export the Gas from Israel through an American company called Nobil, according to this agreement Jordan will pay no less than 15 billion Dollar as a price for 45 billion, and taking in consideration that might change, in addition, it would be a high cost for Jordan, also Jordan incur the infrastructure cost for the gas to reach Jordanian terminal. see the AbdAlaziz, Majdi, The political dimension of Jordanian-Israeli Gaz agreement, Middle Eastern Study magazine, vol 91. (2020), pp 135-140 ¹⁵

relations with America. Neglecting the Jordanian role in such consultation and even reaching the final text of the agreement was a political shock to the political side. The respond of Jordan was to send a message in the formation of the idea to both the American and the Israeli side. The letter has also requested to activate the Jordanian role in the area's political and economic future.

The king of Jordan has explained in many statement that many Jordanian-Israeli relations must be based on ethical systems that has concerns about rights. The general frame that King Hussein wanted to reach is to create a type of relation between the two parties and such relations to be based on moral system regarding the Palestinians issue, which believe in the solution of two countries one for the Israelis and the other for the Palestinians. Both the former and the current king always looked at the boundaries of Jordan's constant interest and then proceeded to other interests, despite that if it is connected to his local country, or to other Arab country in the region. However, King Abdullah was greatly stunned by the insistence of passing the so called Deal of the Century towards global inclusiveness, especially after many countries, including America, had transferred their embassies from Tel Aviv to Jerusalem ¹⁶

The king of Jordan announced in his High Throne speech the termination of the al-Ghamr attache, saying: "Today I announce the end of the work of the two annexes in the areas of al-Ghamr and al-Baqura in the peace agreement and the imposition of our full sovereignty on every inch there." Perhaps the five years plan that Jordan has drawn up to deal with the return of lands led the facing of economic and financial challenges. It is not possible to talk about economic benefits of returning lands to Jordan, except after looking at the method of benefiting from them.

4. The Implications of Ending particularly al-Baqura (Naharayim) and al-Ghamr (Tzofar) within Israeli Politics

The biggest loose that occurred in the ending of the contract regarding these lands is the loose of that the farmers faced. This was evidenced by documentation of some visitors to the area of al-Baqura (Naharayim),

As tears of sorrow appear on the farmers for losing the land that they have not left since 1951, this land was called by the farmers "the Island", However after the peace agreement it was called (Naharayim) the "Island of Peace", though the peace was interrupted one time by a Jordanian Soldier shooting on

¹⁶ Qteshat, Yassir. (2009) The Jordanian political relations in light of changes in Arab regional system. Dar Yafa Publishing, p 136 (Arabic)

¹⁷ Al-Gad newspaper

girls teenage group who were visiting the area. but the Israelis looked at the attack as an individual event and continued with peace agreement knowing that according to some testimonies who lived the event in Jordan said that on the public level, people did not give any kind of attention to this incident, and even the Jordanian government did not build any kind of small monument as a memorial for the victims. ¹⁸

The Israelis sorrow was not expressed only over the agricultural lands that were lost, but also over groups of cultural landmarks like power station that was built during the British mandate, prior to the establishment of Israel, and this station was subjected to war fights with Iraqi armies who took part in the war at the time and also expelled the Israelis who lived then in the area. for the Israelis al-Baqura (Naharayim) area is a tourist one that contains the River of Jordan which represents ancient myths and tales. So one can claim that loss of this lands for the Israelis farmers, lead to loose of their subjective feelings. ¹⁹

The Jordanian decision of not renewing the contract regarding these lands by the Jordanians a surprising one for the Israelis. Allen Padimos, who was an Israeli ambassador and who talk an active part in the negotiations of the peace agreement between Jordan and Israel, had stated that according to the agreement the contract would be renewed every 25 years, but what happened was exactly the opposite. Padimos argue that the decision to end the contract was solely due to the pressures that the king of Jordan has been exposed to lately from his own people despite the fact that was an assurance that the Wadi Araba agreement would not be affected by any defect, as it came after Palestinians decision to reconcile with Israel (Oslo Accords).²⁰

This with bearing in mind that the decision to terminate the work of the agreement was disappointing and ambitious decision, and even reached the point of questioning the continuity of Jordanian-Israeli peace agreement. The Israeli side tried tirelessly to convince the Jordanian side to the extension of the agreement, but all these attempts were unsuccessful. However, it is possible that there will be future connections and negotiations on new projects in the Jordan Valley area that aims at developing the region, particularly after the decision of Israeli prime minister, Benjamin Netanyahu to annex that area.²¹

Conclusion

Whether the Israeli or the Jordanian side introduces different reasons for the Jordanian authority to refuse to renew the contract of al-Baqura

¹⁸ Alaraby aliadeed news paper, 4-14-2019

¹⁹ https://www.youtube.com/watch?v=_vU2J55NWnQ

²⁰ interview with Allen padimos https://www.youtube.com/watch?v=zOpQrEbSe54

²¹ https://www.maariv.co.il/news/israel/Article-728584

(*Naharayim*) and al-Ghamr (*Tzofar*) that was first signed in 1994, when the official peace agreement was signed between the two countries. The Israeli farmers in particular were very disappointed from the Jordanian step toward ending the agreement, and all the efforts of the Israeli government unfortunately was not successful in renewing it. Israeli analyst including former ambassador of Israel had claimed that the main reason for ending the contract was the public pressure that the king faces inside Jordan, particularly that half of the inhabitants belong to Palestinians origin.

Despite the reason of why this happened in the end of the day both countries will face economical loose from taking this step. In addition, the area of the Middle East in general or Israel in particular would always be affected by regional elements, when forming any kind of future agreement. At the official level in Jordan, the deal of the century was a real shock, particularly, in terms of peace references based on the two states solution suggested by Jordan officials. Therefore, not renewing the agreement was a way of pressure at least to stop or to delay the process of such deal.

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