The Implementation of the Jerusalem Embassy Act Under President Donald Trump (2017-2019)

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abstract: This article is aimed at analyzing the national interests and foreign policy of the United States under the leadership of President Donald J. Trump regarding the relocation of the United States Embassy in Israel from Tel-Aviv to Jerusalem on December 6, 2017. The relocation of the United States Embassy had been stipulated in the Jerusalem Embassy Act approved by the 104th United States congress in 1995 during the administration of President Bill Clinton. However, for several decades the implementation of the law was not realized until 2016. Furthermore, the law was realized during the administration of President Donald J. Trump who was supported by members of the 115th Congress in 2017. Using the theoretical framework of foreign policy and national interest, this article argues that the decision to relocate the United States Embassy from Tel Aviv to Jerusalem was due to some factors such as the influential role of the Israeli lobby, which greatly influences the direction of US foreign policy especially with regard to Israel, the conservative characteristics of the Republic Party, the Evangelical and Zionist Christian groups, which support Israeli’s interests, and the special bilateral relations between Israel and the United States.

Keywords: Jerusalem Embassy Act, the United States of America, Israel, Foreign Policy, National Interest, Donald Trump

INTRODUCTION

Foreign policy is an overall component consisting of achieving goals, a set of values, and decisions made and actions taken by the state (Webber and Smith 2002, 56) The purpose of foreign policy is to promote national interest in the international system between certain states are generally based on the interests of their own states (Petrić 2013, 15) In this case, the United States of America (USA) has its own concept of foreign policy. The foreign policy of the U.S. is generally related to its national goals, such as economy, politics, and the spread of the ideology of liberalism and democracy (Bardes, Shelley, and Schmidt 2021, 17).

One of the regions that concerns the U.S. is the Middle East. As a superpower, the foreign policy of the U.S. greatly affects that region, especially the prolonged conflict between Israel and Palestine (Baxter and Akbarzadeh 2012, 75). Since 1920s, the situation has been tense in Palestine due to massive Jews migration from all over the world to Palestine (Cleveland and Bunton 2016, 71).
On May 14, 1948, Jew’s nation proclaimed the State of Israel and was recognized de facto by the United States of America, followed by the Soviet Union that also recognized Israel on May 15, 1948 (Sayward 2017, 19). However, the states around Israel did not recognize the establishment of Israel.

After the recognition of Israel by the United States and the Soviet Union, Arab countries consisting of Lebanon, Egypt, Iraq, Syria, and Jordan mobilize the military to Palestine (Axelrod 2014, 23). It was done in response to the actions of Israel that declared its independence as a state. The Arab countries agreed to declare war against Israel that later became a new series of war in the Middle East, which is called the Arab-Israeli war. The Arab-Israeli War in 1948 ended with mediation and the signing of a truce in 1917 by Israel, Egypt, Syria, Lebanon, and Jordan. Although agreed by the warring parties, this did not lead to an agreement for peace. The Arab-Israeli war re-occurred in at least three different periods, in 1956 in the Suez Canal and the 1967’s Six-Day War (Ciment 2015, 87).

The tension between Israel and Palestine is still happening today. Things got worse on December 6, 2017 when the United States under President Trump recognizes Jerusalem as the capital city of Israel (The White House 2017). In addition, the U.S. relocated its embassy from Tel Aviv to Jerusalem. The relocation of the U.S. Embassy from Tel Aviv to Jerusalem is one of the United States’ controversial foreign policies during the Trump administration. This relocation is also an implementation of a Congressional decision on November 8, 1995, which was named the "Jerusalem Embassy Act" (US Congress 2017).

“In June of 1993, 257 members of the United States House of Representatives signed a letter to the Secretary of State Warren Christopher stating that the relocation of the United States Embassy to Jerusalem “should take place no later than . . . 1999”

-Section II of Public Law 104-45 the Jerusalem Embassy Act-

Jerusalem Embassy Act is a law that reaffirms the rights of each sovereign state to designate its own capital and the United States government for moving the U.S. Embassy to Jerusalem and recognize its city as the capital of Israel. The
statement confirms that Jerusalem is an undivided city, and the rights of religion and every ethnic group are protected. The status of Jerusalem to be the capital of Israel and the relocation of the U.S. Embassy must be established in Israel by May 31, 1999. The law also stipulates that the U.S. Government also provides funds not more than 50 percent allocated to the State Department for the “Acquisition and Maintenance of Buildings Abroad” in the fiscal year of 1999. The funds authorized in the fiscal year of 1996 were no less than 25 million US Dollar for construction and other costs associated with the establishment of the U.S. Embassy in Jerusalem. Meanwhile, for the 1997 fiscal year, 75 million US Dollar was provided (US Congress 1995).

Tel Aviv had been the capital of Israel since post-independence on May 14, 1948 and only operated as the capital of Israel for one year. Thereafter, Israel made Jerusalem its capital, moving the center of government to Jerusalem in December 1949, while Tel Aviv was developed to the center of economic, business, and modern city (The Knesset 1949). At this juncture, the United States continued to recognize Jerusalem as the capital of Israel, although other countries refrained from following suit and still located their embassies in Tel Aviv.

After the U.S. recognized Jerusalem as the capital of Israel, generally, the United States positioned the embassy as a diplomatic representative and choose the capital of the country concerned to be the location of the placement of the Embassy. Therefore, the United States felt the need to move its Embassy to Jerusalem. In 1995, U.S. Congress approved the relocation plan, and it coincided with the 3000th anniversary of King David’s designation of Jerusalem as the capital of Israel in 1000 BC (US Congress 1995).

The decision of this U.S. Congress had to be delayed for 22 years. It was not until the administration of President Donald Trumps that the U.S. embassy was formally moved to Jerusalem. This reflects the more aggressive posture of the U.S. foreign policy under President Trump than previous U.S. Presidents. The decision by the United States under Trump to implement the Jerusalem Embassy Act to relocate the embassy to Jerusalem is a combination of various interests, both internal and external (Moaddel 2002, 47). The relocation of the U.S. Embassy to Jerusalem is one of Trump’s campaign promises of presidential
election in 2016 (Davis 2019, 11) In addition to the decision of the relocation, harsh criticism came from various parties such as Middle East countries, Islamic countries around the world and the European Union. Countries opposed to this policy did not attend the inauguration of the U.S. Embassy in Armona, Jerusalem. There were 86 countries invited, but only 33 countries attended, and mostly from Latin America and Eastern Europe (The New York Times 2018)

In this policy, the United States indirectly affirms that Jerusalem belongs to the Israeli Jews that has an impact on the position of the Palestinian people who have been in East Jerusalem (The White House 2020). In addition to the elements of regional conflict, the United States policy also indirectly weakens the existence of Islam in Jerusalem. When it comes to the existence of Islam, it also takes into account political entities of Middle Eastern countries and Islamic leaders all over world.

This policy is considered high risk to the Israeli-Palestinian conflict peace process and unilaterally harms the Palestinians. Apart from various pro and contra reactions, the United States through President Trump emphasized that this was the right policy and was pursued for peace (The White House 2020). However, there were many negative reactions from various leaders of Islamic and Middle Eastern countries. In contrast, Israel responded positively to this relocation through the statement of Prime Minister Benjamin Netanyahu.

Israel’s positive reaction is based on awareness that there has been no country in the world willing to move its embassy to Jerusalem up to the present. When the United States became the first country to do so, Israel hoped that this would drive other countries in the world to do the same. This topic is interesting and important to study because the U.S. foreign policy towards Israel under President Donald Trump is not only a usual or normative foreign policy. There were various factors and supporting elements, both internal and external, such as the warm diplomatic relations between the United States and Israel and various supporting factors consisting of social, religious, political, and economic aspects. The foreign policy of relocating the U.S. Embassy to Jerusalem was a result of various interests and influences.
This article attempts to analyze factors that led to the implementation of the Jerusalem Embassy Act (JEA) by President Donald J. Trump supporting relocation of the United States Embassy in Israel from Tel-Aviv to Jerusalem. This study employs the theoretical perspectives of foreign policy and national interest. It argues that the United States’ relocation policy was driven by a combination of factors such as the powerful Israeli’s lobby groups, the nature of the Republican Party that traditionally supports Israel and its interests, the influential evangelical and Zionist Christian groups, and the very close diplomatic relations between the United States and Israel.

**METHODS**

The research methodology used in this study is a qualitative method. It is a research procedure method are research procedures that delivers descriptive data in the form of spoken or written words from observable behavior or people (Potter 1996, 55). Descriptive research is a type of qualitative method used in this study. It describes all data or the subject of the research. They are then analyzed, verified, and compared based on the current reality (Corbin and Strauss 2015, 14:37). Data used in this study are derived from primary data dan secondary data. The primary data consists of the US government websites and documents released by the government, while the secondary data are derived from books, journals, news, and other reliable sources. Furthermore, this study uses the theoretical framework of foreign policy and national interest. Foreign Policy is a set of formulas, values, attitudes, directions, and goals to defend, secure, and advance national interests, in the international system (Perwita and Yani 2005, 27). This concept is used to analyze and evaluate the strength of internal and external that influence a country’s foreign policy against other countries. National interest is a fundamental factor that determines and guides decision makers to formulate foreign policy. National interest is a general concept but is vital for the existence of a state. This concept covers some important aspects such as the survival of a state, territorial integrity, independence, economic prosperity, and military security (Ziring, Plano, and Olton 1995, 41)After the data relevant to this study
have been gathered, sorted out, and verified, they are then analyzed using these concepts to formulate compelling arguments of the study.

RESULT AND DISCUSSION

President Donald Trump’s Foreign Policy toward Israel

The election of President Donald Trump that replaces Barack Obama is a turning point in the U.S. foreign policy (Davis, 2019). President Donald Trump has his own characteristics in carrying out United States foreign policy. Trump’s policies were often against the wishes of the American public. Although, most of the public showed a different orientation for foreign policy, Trump sticks with his decision. In fact, several foreign policies had been well formulated during the 2016 presidential election campaign.

Regarding the peace between Palestine and Israel, President Trump has a different policy and was inversely proportional to what previous presidents had done, which is arguably based on (Robinson 2021). It is based on his proximity to evangelical Christians as well as his pro-Israel political stance. This is proved by President Trump promises in a campaign to Israeli lobbyists that he would recognize Jerusalem as the capital of Israel and to relocate the U.S. Embassy from Tel Aviv to Jerusalem (Landler 2017). It is different from previous presidents’ policy that postponed the implementation of the JEA because of the unfavorable conditions in the Middle East, particularly the ongoing conflicts between Israel and Palestine.

The decision to relocate the U.S. Embassy from Tel Aviv to Jerusalem was manifested by President Trump publicly in December 2017 (Landler, 2017). This surprised many parties, especially the Palestinians and countries that support Palestine and parties opposed the decision. The United States remains with its decision amid harsh criticisms to recognize Jerusalem to be the Israel capital and relocate the U.S. Embassy from Tel-Aviv to Jerusalem.

During his tenure as U.S. president, President Trump had provided considerable support for Israel through his policies. In the three years President Trump’s presidency, he has released several policies related to Israel. Practically, the United States has supported the Zionist state’s occupation of Arab territories
since 1967. For many in Israel, the incumbent Donald Trump is the U.S. president that is the most pro-Israel in history. In addition, Israel is an important ally for the U.S., and this is something that is not surprising the eyes the American public and the world (Lesch 2003, 49). Furthermore, Israeli officials have a very strong lobby in the U.S. government so that policies issued by the U.S. can also benefit their Israel.

Previous US presidents have taken the same attitude when it comes to Israeli interests. Especially during the US presidential election campaigns. However, Trump is different, his support for Israel is in the form of concrete policies. Trump’s statement in 2017 that Jerusalem is Israel’s capital has received widespread criticism from the international community (Landler 2017). They considered that the relocation violated international law, which is in contrast to the UN Security Council resolution and damaged the chances of a peaceful resolution of the Israel-Palestine conflicts.

Another policy regarding Israel was that President Trump recognized the Golan Heights as part of Israel (Trump 2019). He signed issued this policy at the White House in March 2019, which was witnessed by Israeli Prime Minister Benjamin Netanyahu. Golan or Golan Heights is Syrian territory, it borders Syria, Jordan, Lebanon, and Israel. From Damascus, it is only 60 kilometers away. This oil-rich and very fertile region is occupied by Zionist Israel during the Six Day War in 1967 (Oren 2003, 79). For decades, Israel has tried to make the Golan its territory, among other things, by building Jewish settlements. Furthermore, the White House acknowledges that the settlements in the West Bank by the Jewish do not violate international law (Jakes and Halbfinger 2019). Jewish settlements are housing complex units built in the Palestinian territories occupied by Israel with military force since the 1967 War.

The international community generally considers the establishment of the settlements of Israel in Palestinian territories as illegal and violates article 49 of the Fourth Geneva Convention (Hadi 2007, 19). It does not permit an occupying power to transfer its inhabitants to the territory it occupies. Israel claims it does not violate international law because Israeli citizens have not been transferred to settlements. The U.S. official policy regarding this settlement is based on a legal
opinion issued by the State Department in 1978, which says that building settlements on Palestinian territories is inconsistent international law (Zanotti 2020, 7). There is no American president has ever changed that policy, but all of them have avoided calling the settlements illegal, preferring to describe them as a major peace obstacle in the Middle East. The U.S. remains committed to helping facilitate peace and will continue to do all it can help to deal with the problem. The other deals also included the Palestinian confederation with Jordan and the transfer of some Palestinians to Sinai, Egypt. Egypt and Jordan would receive assistance from the United States to help boost the economies of the two countries (Glasser 2001, 39).

Factors that Influence the Relocation of the U.S. Embassy from Tel-Aviv to Jerusalem

There are several factors that influence the relocation of the U.S. Embassy from Tel-Aviv to Jerusalem. These factors will be used as supporting analysis in the decision to relocate the United States embassy which has been delayed for decades. Domestic politics become a factor that important in pushing for the decision to relocate the U.S. Embassy and the recognition of Jerusalem to be the Israel capital. Apart from that, economic, political and social conditions as well as the influence of interest groups were domestic factors, while international factors were the international political conditions that took place at that time.

The Israel Lobby

The Israel Lobby is one of the most powerful entities in determining the foreign policy of the United States, especially in the decision-making processes concerning Israel. Basically, the lobby is not a specific movement, but rather a coalition between individuals and organizations that are actively involved in shaping pro-Israel in the U.S. policy. The members of the Lobbying were mostly Jews or evangelical Christians (Mearsheimer and Walt 2006, 7).

In carrying out their actions, this interest group ensures that the policy is pro-Israel, especially in protecting Israel’s interests in the foreign policy of the United States. The activities of these interest groups are, for example, forming
public opinion, participating in presidential elections, contributing to campaigns, pressuring the executive and the congress (Lenz 2018, 23). One of the most influential interest groups is AIPAC. The role of AIPAC in U.S. politics is through supporting US politicians who are pro-Israel (Mearsheimer and Walt 2006, 17). The form of support is in the form of campaign funds to create favorable public opinion through the media. This interest group would also overthrow politicians who are not pro-Israel by supporting their political opponents.

![Annual Lobbying by American Israel Public Affairs Cmte](https://www.opensecrets.org)

**Figure 1. Annual Lobbying by AIPAC**

Source: https://www.opensecrets.org

Based on the figure above, the period from 2016 to 2018 was AIPAC’s highest donation. This period was the time for the implementation of the Jerusalem Embassy Act, during which President Trump’s administration began to relocate the embassy from Tel-Aviv to Jerusalem. The donation was made because the government paid a lot of attention to AIPAC issues, especially the JEA.

During the 2016 presidential election campaign before the United States-Israel Foreign Affairs Commission, President Trump delivered a speech regarding the relocation of the United States Embassy in Israel from Tel Aviv to Jerusalem (Begley 2016). The following is his statement:

“We will move the American embassy to the eternal capital of the Jewish people, Jerusalem, and we will send a clear signal that there is no daylight between America and our most reliable ally, the state of Israel. When I become president, the days of treating Israel like a second-class citizen will end on day one.”
The Conservative Characteristics of the Republican Party

Within the Republican Party, a legislative initiative was developed for the relocation of the United States embassy from Tel-Aviv from Jerusalem. In 1995, New York senator from the republican party Alfonse D’Amato took part in turning the initiative into legislation, which is called the Jerusalem Embassy Act (JEA), even though at that time the president was from a democratic party (US Congress 1995). However, after the law was passed, President Bill Clinton was given the option to implement or suspend the plan to relocate the embassy for security reasons.

![Figure 2. Sympathies toward Israel by Party ID](https://news.gallup.com)

It has been ups and downs of support from the Republican Party for Israel, from 87 percent to 86 percent, but the republican party ranks in the top ranks of support for Israel compared to the democratic party which only has 43 percent in 2019. Support is even greater from the Independent Party, which is 60 percent in 2019. During President Trump’s administration, the Republican Party supported every decision made by the government. In relocating the embassy to Jerusalem, there were three senators from the Republican Party named Ted Cruz from Texas, Dean Heller from Nevada, and Marco Rubio from Florida, The following is Marco Rubio’s speech (Smith 2017):
“Jerusalem is the eternal capital of the Jewish state of Israel, and that’s where America’s embassy belongs. It’s time for Congress and the president-elect to eliminate the loophole that has allowed presidents in both parties to ignore US law and delay our embassy’s rightful relocation to Jerusalem for over two decades.”

Similar steps have been taken by the majority of Republican Senators over the past two decades. However, this time they have given considerable support for President Trump. The Republican Party was preparing a bill to relocate the embassy building from Tel Aviv to Jerusalem.

The Interest Groups of Evangelical and Zionist Christians
Evangelical Christianity is a group interest in the U.S. Evangelical Christianity is a stream of a Christian faith that has a theological basis with the main objective of returning the Jews to Israel based on the Bible (Amstutz 2013, 23). The majority of Evangelical Christian groups have been attracted by Trump’s promises since the campaign period, electing Trump, and dominating the Trump-Pence vote in the 2016 election (Wong 2018, 17). Furthermore, they also supported President Trump to immediately relocate the embassy when he was elected the U.S. President.

Good relations have existed structurally between evangelicalism dominated by white citizens and conservative politics that existed before Donald Trump became a president. However, at the time of the presidential election, Donald Trump directly asked Evangelical, especially evangelical leaders, to vote for Donald Trump (Wong 2018, 15). Evangelical groups are the most solid Republicans among other major religions in Republican constituencies.
From the data above, it shows that White Evangelicals are the largest community that supports President Donald Trump in the presidential election. This is in stark contrast to the Catholic group that ranks below Evangelicals in supporting Donald Trump. It has been mentioned above that the Evangelical groups are very supportive of moving the United States Embassy to Jerusalem. Although support for Israel is not their primary objective, a number of Christian evangelists have become increasingly outspoken and more vocal in expressing their support for this Jewish State. They have also recently formed a series of organizations to promote this commitment within the U.S. political system (Wong 2018, 7). They are influential actors in various Pro-Israel groups in the American Jewish Community.

Christian Zionist groups also support Israeli interests in the United States (Graizbord, 2020). This group is an interest group with non-Jewish members, that is, a larger, politically oriented sub-association of the group — the Christian Right. Members of this group include religious figures such as the late Jerry Falwell, Gary Bauer, Pat Robertson, and Jhon Hagee as well as politicians such as former House Majority Leaders Tom DeLay (Republican Party-Party) and

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**Figure 3 White Christians’ Support for Donald Trump**

Source: [https://www.pewresearch.org](https://www.pewresearch.org)
Richard Armey (Republican Party-Texas), and Senator James Inhofe (Republican Party-Oklahoma).

Christian Zionists have formed several organizations specifically aimed at increasing support for Israel (Graizbord 2020, 35). These groups include Christians United for Israel (CUFI). Its founder regards CUFI as the “Christian version of the American Israel Public Affairs Committee”), the National Christian Leadership Conference for Israel, Unity Coalition for Israel, Christian Friends of Israeli Communities (CFIC), Christians Israel Public Action Committee, International Christian Embassy Jerusalem (ICEJ), and a number of smaller groups. Indeed, the Christian Zionist beliefs are naturally aligned with groups in the American Jewish community and in Israel that support the settlement movements and oppose the two-State solution.

The United States – Israel Bilateral Relations

Israel has established bilateral cooperation with the United States since the State of Israel declared its independence. In this case, bilateral relations between the two countries are an external factor that greatly influences every U.S. foreign policy, especially the plan to relocate the United States Embassy from Tel-Aviv to Jerusalem. The presence of Israel is very important for the United States to spread its influence in the Middle East (Freedman 2018, 9). Israel as a special ally of the United States is always ready to become a partner of the United States in the Middle East. This is exemplified by the United States’ readiness in supporting the relocation of its embassy in Jerusalem through the Jerusalem Embassy Act. The law is very important for Israel because it will make Jerusalem its undisputed capital. This is because, although the center of Israeli government was in Jerusalem, it has not been fully recognized by the international community (Lewis 2012, 259).

For the United States, the strategic political advantage in relations with Israel is that during the Cold War, Israel’s support for the United States made the United States stronger in the international community (Freedman 2018, 261). Since then, Israel and the United States have exchanged intelligence and joint development of security technology to face the challenges of security in the future. Israel’s relationship with the United States is based on mutual need to
protect the countries’ security interests in the Middle East. This has become the justification for the enduring strategic relations and cooperation in a variety of sectors, particularly the security ones, between the United States and Israel.

CONCLUSION
The implementation of the Jerusalem Embassy Act (JEA) was realized during the administration of President Donald Trump after previous administrations carried out a waiver with various considerations of political situation at that time. The implementation of the JEA was influenced by several factors, both internal and external. Internal factors that influenced the implementation of the JEA are the very strong Israeli Lobby groups in the politics of the United States. A very prominent and influential lobby, namely the American Israel Public Affairs Committee (AIPAC), has a strategy to achieve success in lobbying the government and members of congress by providing information, mobilizing constituency power, and raising funds. AIPAC succeeded in influencing the congress to plan to move the U.S. Embassy from Tel Aviv to Jerusalem.

Furthermore, most of the members of the House of Representatives and Senate were from the Republican Party. The Evangelical Christians and Zionists also play an important role in implementing the JEA: most of them are supporters of President Trump. President Trump also responded to the aspiration of the Evangelical Christians and Zionists positively by implementing the JEA. The external factor is the bilateral relationship between the United States and Israel in which Israel is a special ally that facilitates the interests of the United States in the Middle East. The implementation of the JEA succeeded because of the very good relationship between the United States and Israel, starting from the recognition of the United States of Israel’s independence to the cooperation that has been made by the two countries such as economic and military cooperation. The United States has assisted Israel in maintaining its security and economic stability by providing a wide array of support ranging from security technology development assistance to weapons development. In the economic sector, the United States consistently provides economic assistance to Israel, such as through the annual aid that has been budgeted by the United States government. The Implementation of
the Jerusalem Embassy Act confirms the theoretical framework of national interest that principally highlights the importance of implementing all necessary measures, including in the sphere of foreign policy, to protect and advance the wide range of national interests of a state (Ziring, Plano, and Olton 1995, 19). It is through the formulation of the United States’ foreign policy of the JEA that this national interest was channeled (Perwita and Yani 2005, 77). The JEA would then help achieve the United States’ interests and its allies, particularly in the Middle East.

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