

Al-Aqsa Mosque's Incident in July 2017: Affirming the Policy of Deterrence

ABDALLAH MAROUF OMAR*

ABSTRACT *The whole Middle East region passed through an upheaval and transformation for two weeks in the middle of July 2017. The event, now called: “The uprising of al-Asbat Gate,” not only took place in the heart of Jerusalem, one of the most important cities in the world, but also in the heart of al-Aqsa Mosque, one of the most heated and sensitive spots on earth. Those two weeks could be indeed considered as a milestone in the ongoing clash in the Holy Land.*

Background of the Events

On the eve of the British invasion of Palestine in 1917, the issue of the holy sites in Jerusalem, particularly al-Aqsa Mosque, was raised. It was the first time a non-Muslim power would control the holy city of Jerusalem and its holy sites since the end of the Crusades. This also came alongside the Balfour Declaration, which promised to assist in establishing a Jewish state in the majority-Muslim-inhabited Palestine. The sensitivity of al-Aqsa Mosque for Muslims was at that time a major challenge for the British authorities. Perhaps this was the reason why Britain initially did not oppose

the formation of the Supreme Muslim Council in Jerusalem in 1921.¹

However, the following events that took place in Jerusalem showed to what extent the case of the holy sites in Jerusalem, particularly al-Aqsa Mosque, could be inflammable. In April 1920, the first ever Palestinian uprising against the British mandate erupted. It was a result of Jewish harassment of Muslims celebrating a Muslim festival, known as Nabī Mūsā (Prophet Moses).² 1929 marked one of the largest Palestinian uprisings against the British mandate, known as the al-Buraq Revolution. It erupted as a direct result of a Jewish attempt to change the *status quo* in al-Buraq

* Istanbul 29
Mayıs University,
Turkey

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Wall (usually referred to as the Western Wall/Wailing Wall in Western writings). This uprising witnessed riots all over Palestine with hundreds of casualties on both sides. It only ended when a special committee, formed by the League of Nation in 1930, studied claims to the wall by both Muslims and Jews. The committee issued its report in 1931 assuring that “to the Muslims belong the sole ownership of, and the sole proprietary right to, the Western Wall.”³

Riots and the large number of casualties during the al-Buraq Revolution built a psychological barrier between Britain, alongside its Zionist allies, and the al-Aqsa Mosque. It established a deterrence equation that can be summarized in one very important fact, namely, that disturbing the situation in al-Aqsa Mosque could lead to very serious consequences. This policy ruled the relationship between the future Jewish state and Jerusalem even before its establishment. The 1948 war resulted in the division of

Palestine into the new Jewish state “Israel,” Gaza strip under Egyptian administration and the West Bank under Jordanian rule. The West Bank, alongside the Eastern side of Jerusalem, including the Old City and the holy sites, became part of the newly formed Hashemite Kingdom of Jordan in 1950. This meant, at that time, that the sovereignty over the holy sites in Jerusalem moved to Jordan and since then it has been the sovereign and sole administrator of al-Aqsa Mosque. A special department, namely the Department of al-Aqsa Mosque, was formed within the Jordanian Ministry of *Waqf* and Islamic Affairs.

On June 7, 1967, the third day of the Six Day War, Israeli troops broke into the Old City of Jerusalem and the al-Aqsa Mosque. The mosque was closed for numerous days, and the Israeli occupation authorities seized the keys of the mosque’s gates. Israel tried to enforce its sovereignty over the mosque, by ordering the Muslim administration of al-Aqsa to report to the Israeli Ministry of Religions. However, Muslim scholars refused to recognize the new authority, and insisted that the Mosque shall remain under the *status quo* as the occupation was illegal. Numerous scholars gathered in Jerusalem in July 1967, and declared the formation of the Supreme Islamic Council, to represent Muslims of Jerusalem. This resulted in returning the keys of the al-Aqsa Mosque’s gates, except that of the *Maghāribah* (Moroccan) Gate, which is still under Israeli control.⁴ It seems that the previous experience during



the British mandate played a significant role in the Israeli government's decision to return the administration of the mosque to Muslim authorities. The Supreme Islamic Council, since then, has played an important role in safeguarding the Muslim sovereignty over the mosque, and handing it back to the Jordanian *Waqf* authorities.

Another reason for the return of authority over al-Aqsa Mosque to Jordan, was that Israeli occupation of Eastern Jerusalem has not been recognized by the international community. As a result of the international pressure, Israel adopted the "Protection of the Holy Places" Law in 1967, hoping to "assuage some of the concerns of the international community."⁵

The Jordanian role in maintaining and administrating the holy sites in

Jerusalem was also reaffirmed in the peace treaty between Jordan and Israel, signed in 1994. Article 9 of the peace treaty deals with "places of historical and religious significance and interfaith relations." Israel, according to this article, "respects the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem."⁶ This section of the treaty usually refers to the continuous preserve of the *status quo* in al-Aqsa Mosque.

Dispute on What Al-Aqsa Is!

Israel had a different translation of the section related to the places of religious significance in the peace treaty with Jordan. This section refers to Muslim Holy "shrines," not Holy "sites." Israel interpreted the clause as being a reference to specific shrines

Palestinian worshippers pray in the outskirts of the Old City after the Israel government banned men under 50 from entering the al-Aqsa Mosque.

AA PHOTO / MAHMOUD IBRAHEM

within the al-Aqsa compound, namely the two main buildings with leaded and golden domes. However, Jordan's attention was later drawn to this confusion. In many cases, Israeli troops broke into the courtyards of al-Aqsa Mosque, avoiding entrance of the buildings within the compound, and then claimed that Israeli troops did not break into "al-Aqsa Mosque." This led Jordanian authorities to define al-Aqsa Mosque as being the whole compound within the walls, known sometimes as Haram al-Sharif (the Noble Sanctuary). In a treaty signed by Jordan and the Palestinian Authority on March 31, 2013, both sides define al-Aqsa Mosque as being "al-Masjid al-Aqsa with its 144 Dunums,⁷ which include the Qibli Mosque of al-Aqsa, the Mosque of the Dome of the Rock and all its mosques, buildings, walls, courtyards, attached areas over and beneath the ground and the *Waqf* properties tied-up to al-Masjid al-Aqsa, to its environs or to its pilgrims (... referred to as 'al-Haram al-Sharif')."⁸

Yet, Israel insists on identifying al-Aqsa Mosque as being a small building. In an official statement published on November 17, 2014, Israel defines the area as following: "The Temple Mount in Jerusalem, where the two Jewish Temples were located, is the holiest site in Judaism. Called Haram al-Sharif (the Noble Sanctuary) by Muslims, the site contains the al-Aqsa Mosque, which is considered to be the third holiest site in Islam, the iconic Dome of the Rock (which is not a mosque) and many other small structures."⁹

Nonetheless, the Executive Board of UNESCO adopted the Jordanian definition of al-Aqsa Mosque in its Resolution (199 EX/PX/DR.19.1 Rev), passed in October 2016. In this resolution, the terminology "al-Aqsa Mosque" was solely attached to the "Haram al-Sharif," while the terminology "Temple Mount" was completely ignored in the resolution's text.

Escalating Clash over the Mosque

The Israeli general elections in 2015 witnessed the rise of radical "Temple Groups." This was marked with winning 13 seats in the Israeli parliament (raised later to 14 after a member from the Likud party resigned). These groups influence as many as 7 members of the Israeli government, including the minister of Internal Security, Gelad Ardan, who seems to express support to them. These groups openly express that their main interest is to open al-Aqsa Mosque completely to Jews, and later to build their third Temple within its premises.

Even before the rise of the Israeli right wing, Israel tried repeatedly to share administration inside al-Aqsa in order to affirm its sovereignty.¹⁰ In October 2015, Israel, for the first time, suggested constructing metal detectors around the gates of al-Aqsa Mosque for security reasons.¹¹ However, this step was quickly withdrawn, as a result of riots in Jerusalem and Jordan's opposition. A new idea of setting surveillance cameras inside al-Aqsa Mosque emerged be-

tween October 2015 and April 2016. Despite the fact that this idea was presented by Jordan, it seems that it was initially an Israeli idea. It came as a result of a visit by the American Secretary of State, John Kerry, to the region. Yet, again the public in Jerusalem expressed their rejection of this step, and Jordan withdrew the idea, after fears were aroused of Israeli possible future interference with any installed cameras.¹²

These events show that the public in Jerusalem has always been the main obstacle in the face of any Israeli attempts to interfere with the administration of al-Aqsa Mosque. This could in fact explain Israel's harsh actions towards the people of Jerusalem. Large numbers of people were banned from entering al-Aqsa Mosque in many cases. This even included, in one case, the administrator of al-Aqsa Mosque at the time, Najeh Bkerat, who was banned by Israel from entering his office in al-Aqsa Mosque in 2012, for more than one year.¹³ Israel also targeted a group of civilians known as *Murabitun*,¹⁴ who used to stay in al-Aqsa Mosque during the daytime in order to protect it against Jewish extremists. The *Murabitun* were outlawed in September 2015. This was followed, in November 2015, by outlawing the Northern wing of the Islamic Movement in Israel, headed by Ra'id Salah, which was considered the main supplier of *Murabitun* in al-Aqsa.¹⁵ These measures left al-Aqsa Mosque vulnerable and almost defenseless in the face of ongoing and evolving Israeli interference in al-Aqsa affairs.

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Moreover, the role of the Israeli police in al-Aqsa Mosque also developed to cope with this process. The presence of Israeli police, during the visits of extremist Jewish groups to al-Aqsa Mosque, was to protect the mosque from these groups' possible attacks and harassments against Muslims. Yet, with the ascension of the right wing in Israel as well as the presence of the radical Temple Groups in the parliament and government, Israeli police changed their presence goal. They became responsible for protecting members of these groups against Muslims, and making sure that these radical groups are not being counter-harassed by Muslims in the mosque.

Major Incident

Under all these circumstances, Friday, July 14, 2017 witnessed a major incident. A group of three young Arab-Israeli nationals from one family, namely Jabareen, shot dead

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two Israeli policemen in front of the Hitta Gate, one of the gates of al-Aqsa Mosque. This incident marked a major escalation in the conflict over al-Aqsa Mosque. It was the first time ever that al-Aqsa Mosque itself entered the circle of military action. This unprecedented incident continued to escalate as Israel decided to completely close al-Aqsa Mosque. Israel banned Friday prayer for the first time since the occupation. For two days, all members of the Islamic *Waqf* authority were prevented from entering the mosque, or even performing the *Adhān* (Call for Prayer). In order to avoid international pressure and internal riots, the Israeli Prime Minister declared that al-Aqsa Mosque would be re-opened gradually within two days.

The attack of the Jabareens marked a change in the defense strategy of the Palestinians towards the al-Aqsa Mosque. Previously, there was a common understanding among Palestinians to avoid any military action within the area of the al-Aqsa

Mosque, in spite of continuous Israeli attacks and the loss of civilian lives inside the mosque.¹⁶ Muslims preserved a common understanding of using peaceful demonstrations and not going beyond the use of stones in any riots against Israeli armed forces. However, it can be argued that, Israeli measures against the *Murabitun*, and banning the Islamic Movement, ended any Palestinian hopes in their ability to maintain common civilian ways to protect their mosque against Israeli confrontation. Israeli police, whom the Jabareens attacked, became a major part of the game in Jerusalem. The attackers considered the police directly responsible for the Israeli radical groups' actions in the mosque, simply because these groups enjoyed heavy police protection. Also, the fact that the Jabareens were Israeli citizens added another element to the new equation. It shows that the issue of al-Aqsa Mosque is not necessarily a matter of interest to the people of Jerusalem or the West Bank, as it used to be referred to. The attackers broke a long-standing barrier between Arab-Israelis and the use of force to express their opposition to the state of which they hold citizenship. This opens the way into a vast discussion about the relationship between the state of Israel and its so-called citizens.

New Facts

Sunday, July 16, 2017, witnessed another escalation in the events when Muslims were surprised by Israeli vehicles offloading metal gates and



A Palestinian worshipper, who was banned from entering to al-Aqsa Mosque, prays outside Lions' Gate, a main entrance to the mosque.

AFP PHOTO / AHMAD GHARABLI

Israeli personnel setting-up metal detectors. This took place in front of three main gates of al-Aqsa Mosque, namely: al-Asbat, al-Nazir and al-Sil-silah, while other gates remained closed. It seems that Israel thought that the reaction of the Palestinians would be to accept the new facts, or at least to enter the mosque and then start a diplomatic battle at the UNESCO or the UN. However, the Palestinian reaction was more surprising. Members of the *Waqf* and the public refused to enter al-Aqsa Mosque under these new procedures, and declared a sit-in in front of al-Asbat Gate. For the first time since the occupation, and for two weeks, Israel was the party trying to convince people to enter the mosque.

Wide Palestinian rejection of the new Israeli measurements shows, in fact, deep understanding of the

jeopardy of this issue and its political dimensions. The main point raised by the Palestinians on this issue was that these gates, and all other new measures enforced by the Israelis, violate the *status quo*. Allowing these new facts to pass unchallenged would mean literally accepting Israel as a complete sovereign over the holy sites in Jerusalem. Israel wanted to be the main controller of the movement in and out of al-Aqsa Mosque, and therefore to become a major partner in administrating the complex. Palestinians succeeded in focusing the issue on the gates themselves, not on any security excuses presented by Israel. Moreover, Israel started installing CCTV cameras inside and outside al-Aqsa Mosque as was suggested in 2016. This gave an impression that Israel was using the incident of July 14 as an excuse to enforce its previous unsuccessful at-

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tempts, and to set itself up as a new partner in the administration of al-Aqsa Mosque.

Israel Falls in a "Domination" Crisis

One might claim that, Muslims declining entrance to al-Aqsa Mosque, was what Israel hoped for. However, this claim ignores many elements that affect the Israeli political situation regarding the holy sites in Jerusalem. Israel never officially called for sole Israeli administration of al-Aqsa Mosque. This is simply because it understands that the world has not recognized its occupation of Eastern Jerusalem and its holy sites. Clause 1 of article 9 of the Peace Treaty between Israel and Jordan states that "each party will provide freedom of access to places of religious and historical significance."¹⁷ This Israeli commitment resulted in Israel trying to convince the world that it only wants to share administration of al-Aqsa Mosque with Jordan. As shown before, Israel tried first to play with the definition of al-Aqsa as being

only the Qibli Mosque building. This would give Israel an excuse to request a share in administrating the whole compound, claiming that not all of it is al-Aqsa Mosque. Yet this issue was avoided by the Jordanian, and then the UNESCO, definition of al-Aqsa. Muslims' refusal to enter the whole mosque, on July 16, put Israel in a position where it looked like a sole unjustifiably dominating power, instead of being a partner in administrating the mosque.

This exposed Israel as an illegal occupying force that denies the basic right of Muslims to enter their holy site freely. The peaceful form of the Palestinian sit-in and demonstrations, contrary to severe Israeli suppression of civilians, uncovered a cruel face of Israel to the world. This was mostly visible on Friday July 21, when three Palestinian civilians were killed in Jerusalem and around al-Aqsa Mosque. Israel tried to distract the international attention from this event by concentrating on another attack that took place that evening. Three Israeli settlers were killed by a Palestinian attacker in an Israeli settlement in the West Bank, namely Halamish. Despite being an attack committed against civilian settlers, this attack was initiated inside an illegal settlement. This shows that the target was carefully selected and planned to be on illegal occupied land. This changed the discourse from the legitimacy of this attack into another direction, concentrating on the illegitimacy of the settlements in the West Banks themselves. Hence, Israel was not able to use this

attack as it hoped, and it was considered a direct reaction to what was happening in Jerusalem, which in fact put further pressure on the Israeli government.

Consequently, it could be understood to what extent Israel found itself in crisis as a result of its actions. Israel tried to convince the world that its new measures were not targeting the *status quo* of the holy site, but only to increase security. Nevertheless, this claim was not convincing since, until the last day of the events, Israel continuously tried to impose new facts. After setting-up the new metal detectors, Israel set up new cameras, and then metal bridges outside al-Aqsa Mosque. Also, Israel tried to completely close Hitta Gate, where the attack took place on July 14. The Palestinians' firm insistence on removing all Israeli new measures put all these plans to failure, and exposed true Israeli intentions as being to violate the *status quo* and setup new facts on the ground.

Riots at the International Level

On Sunday July 23, another development occurred as an Israeli security guard in the Israeli Embassy to Jordan shot dead two Jordanian citizens, including a 17 year old teenager. According to the Israeli narration, the teenager was setting-up bedroom furniture in a flat rented to an Israeli diplomat, when he attacked the security guard with a screwdriver, and therefore the latter shot him. The other casualty was the owner of the

flat, a local doctor, and Israel claimed that he was shot by mistake.¹⁸

This incident heated up the atmosphere, as the alleged attack was considered directly linked to the riots in Jerusalem. Israel was facing an escalating anger in its surroundings despite the Jordanian government's initial cold response to the incident. Jordan released the Israeli guard within 24 hours of the incident, claiming that he was a diplomat, and was therefore immune to criminal jurisdiction, according to article 31 of Vienna Convention on Diplomatic Relations.¹⁹ However, the Jordanian elites and public refused this justification, since security guards are considered members of staff, not diplomats, and therefore are not immune to civil and administrative jurisdiction. This is mentioned clearly in clause 2 of article 37 of the convention.²⁰ This put pressure on the Jordanian government in the face of Jordan's public opinion.

The Israeli Prime Minister intensified Jordanian anger when he released a recording of his telephone call with the security guard responsible for the killings as soon as he had passed over the border into Israel. The next day he welcomed the security guard in to his office at the same time as the funeral of the Jordanian teenage victim was taking place, further fueling public outrage in Jordan. Jordan had to ease their public by putting more pressure on Israel in the case of the al-Aqsa Mosque. King Abdullah II of Jordan criticized the Israeli Prime Minister over his handling of the

Palestinians run from teargas, fired by Israeli forces, who exerted violence on the worshippers as they protest against the security measures at al-Aqsa Mosque.

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shooting in Jordan. The Royal Court then issued a statement saying that the King spoke to the Israeli Prime Minister and demanded the removal of all new security measures in al-Aqsa. Nonetheless, it seems that the very public welcoming home of the security guard, by the Israeli Prime Minister, was actually aimed to ease the internal pressure in Israel. Prime Minister Netanyahu wanted to prepare the Israeli public to accept his coming decisions that were to be applied only three days later.

The Halamish Settlement attack, and the Israeli Embassy shooting in Jordan, proved that Israel's stubborn actions put the whole region on the verge of a third Intifada. These factors were the main reasons to force the Israeli government to back down and abolish its new measures in and around al-Aqsa Mosque, starting

by removing all metal detectors and cameras on the morning of Thursday July 27, and finally by completely opening the Hitta Gate, on Friday July 28.

International Reaction

In the two weeks of crisis, almost no voices were heard supporting Israel's latest attempt to set-up new facts on the ground in the al-Aqsa Mosque. This could be a direct result of the whole Israeli occupation of the West Bank, Eastern Jerusalem and al-Aqsa Mosque not being recognized by the international community. On July 25, the Middle East Quartet of Russia, the United States, the European Union and the UN in a statement encouraged "Israel and Jordan to work together for de-escalation, noting the special role of Jordan as recognized

in its peace treaty with Tel Aviv.”²¹ This continued with other international statements, Malaysia strongly condemned the Israeli measures, the Arab League said Israel was ‘playing with fire’ and the Turkish President considered these new measures “an insult to the Muslim world.”²²

Huge demonstrations were held in numerous Muslim countries such as Malaysia, Jordan, Turkey, Indonesia and others. Muslim communities in Europe and the United States held protests against Israel in more than 40 locations. The reaction to this crisis was far beyond Israeli imagination, which, in turn, assisted in pushing Israel to back down.

After the Crisis

There is no doubt that Israel felt defeated by the end of the two weeks of riots. Numerous Israeli right wing politicians accused the Prime Minister of caving in to the Palestinians. A poll revealed that 77 percent of the Israeli public felt that their government surrendered and should not have removed the metal detectors. The poll showed that Prime Minister Netanyahu’s approval ratings were harmed over the way in which he handled the crisis.²³ Radical Temple Groups reacted by calling for 5000 Israelis to break into al-Aqsa Mosque on the “Tisha B’Av”²⁴ day that was due to fall on August 1, 2017. However, they were able to gather no more than 1080 to break into the mosque on that day, which is considered another failure to the Israeli

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agenda. Yet it must be noted that this was the largest number of Jews entering al-Aqsa Mosque in one day since the occupation.²⁵

During the two weeks of the sit-in, a new public leadership emerged in Jerusalem, scholars stood as leaders of the community who, in turn, insisted on their demands and imposed their opinion on their leadership. On a few occasions, Jerusalem’s scholarly leadership had to change their opinion to follow the public spirit. On Thursday, July 27, scholars were about to enter the mosque from al-Asbat Gate. Yet, they had to change their decision and insist on entering the mosque from Hitta Gate as the public desired. Moreover, the absence of the Palestinian Authority, and any other formal political representative bodies, made the community free to determine their choices and demands, not giving any chance to politicians to ease the public surge. Some political attempts emerged, following the end of the crisis, claiming the accomplishment to themselves rather than to the people

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of Jerusalem. The official statement of the Saudi Royal Court attributed the end of the crisis to the King of Saudi Arabia.²⁶ Similar claims emerged from Jordan, the Palestinian Authority and even Egypt. This was seen as a desperate attempt to downgrade the people's achievement. It could be said that some Arab regimes could have felt threatened by any public achievement, fearing that it could lead to the spread of the idea that there is People Power, as happened after the Tunisian revolution in 2010.

What Next?

This crisis shed a heavy shadow on the future of the region. On the Israeli side, these events could result in very serious consequences that could even lead to the fall of Netanyahu. Should this happen, the general Israeli public mood could bring a more radical government. According to the polls that followed the crisis, there is almost no chance for the Israeli left wing to win any upcoming elections. However, it should be noted that the Radical Temple Groups will most

likely continue to perform activities within the mosque, noting that their ability to gather crowds will not exceed the limit of 1000-1500 persons in the foreseen future. Therefore, it is expected that these groups will try to gain more power politically, by trying to win more government members to their side, rather than among the Israeli public.

As for the Palestinian people of Jerusalem, this crisis revealed many elements of strength that were not clear previously. The community is able to organize itself at any time of crisis and it can generate leadership. The Israeli occupation authority is expected to strengthen its pressure on the people of Jerusalem in the near future, yet this could lead the public to decide to go further in challenging the occupation. This could lead to civil disobedience or even be escalated into Israel's ultimate fear, a third Intifada, which would put Israel in a very tough position, noting that its annexation of Eastern Jerusalem is not recognized internationally.

The issue of the holy sites in Jerusalem was brought back into the headlines within two weeks. It showed that, no matter how long this issue lies dormant, it remains one of, if not the most, crucially controversial issues in the Middle East. These 144,000 m² could be a key to destabilizing the whole region. This crisis brought the issue of al-Aqsa Mosque back to its beginning, namely, that confronting al-Aqsa Mosque has a very high price, and Israel simply cannot pay this price. ■

Endnotes

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12. See Hisham Ya'qoub (ed.), *al-Taqrīr al-Sanawī Ḥāl al-Quds 2016*, (Beirut: al-Quds International Institution, 2017), p. 127.
13. "Iqtihām Manzil Mudīr al-Masjid al-Aqṣā," *Palestinian News and Information Agency WAFA*, retrieved on August 8, 2017, from http://www.wafa.ps/ar_page.aspx?id=DdG5Dqa607294554240aDdG5Dq.
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15. Hisham Ya'qoub, *al-Taqrīr al-Sanawī Ḥāl al-Quds 2016*, p. 27.
16. Israel committed three major attacks on Muslim prayers within the walls of al-Aqsa Mosque: first was on October 8, 1990, as a result to an Israeli attempt to break into the mosque and place a "foundation stone" of the third Temple. 21 Palestinian civilians were killed inside the mosque by Israeli troops. Second was on September 23, 1996, as a result to opening a tunnel under the Western wall of al-Aqsa Mosque by the Israeli government. 3 Palestinians were killed on that day. Third was on September 29, 2000, one day after Ariel Sharon, the head of Israeli opposition at the time, broke into al-Aqsa Mosque, and 5 Palestinians were killed inside the mosque. This incident in particular marked the beginning of the second Palestinian Intifada. These attacks were not the only ones to take place inside al-Aqsa, but they involved the Israeli government. Other individual attacks within the mosque never stopped, starting from the fire of al-Aqsa Mosque, deliberately started on August 21, 1969 by an Australian extremist, and more recently with the attack of the Israeli soldier Alan Goodman, who attacked the Dome of the Rock and killed two Muslims on April 11, 1982.
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