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Regulation Bill May Legalize “Settlements”

Israeli MKs took a step on December 7, toward legalizing thousands of homes built on the West Bank, approving the first reading of the controversial Regulation Bill in a late night vote that followed a five-hour Knesset debate, according to a *Times of Israel* article by Raul Wootliff.

MKs voted by 58 to 51 in favor of the bill, which was both praised by supporters and criticized by opponents during the plenary session as the first step toward full Israeli sovereignty over the West Bank. Following a raucous preliminary vote on Monday that saw legislators shouting and ripping up copies of the proposed law, Wednesday’s debate was, for the most part, a comparatively subdued event. The shouting that faced Jewish Home MK Shuli Moalem-Refaeli as she presented the proposal quickly died down as over 50 opposition and a handful of coalition MKs took to the podium one-by-one to detail their delight over or concerns about the bill to a mainly empty plenum.

Rafaeli said that the law, if passed, would be an important step in taking control of parts of Israel that have been “lawless” for over 50 years. “The Land of Israel belongs to the People of Israel. We returned after 2,000 years and established a state,” she said. Hitting back at criticism that the move would break international law, Rafaeli said that a nation “can’t be an occupier in its own land,” and that Israel was free to make its own laws over the territory. Originally designed to avert the court-ordered demolition of the outpost of Amona, the Regulation Bill was initiated by lawmakers from the national-religious Jewish Home party as well as the governing Likud parties.

On Monday, harried government efforts to reach a compromise saw a clause that would retroactively override a High Court ruling to raze Amona by December 25, dropped from the bill. The bill would, however, recognize other settlements built on West Bank land.

Some officials, including Prime Minister Benjamin Netanyahu – who voted for the bill along with other MKs – have warned that the law could see Israeli officials prosecuted in the International Criminal Court in The Hague. Last week coalition chairman David Bitan said the bill was expected to pass its final readings by December 14. Asked Wednesday by *The Times of Israel* if that still applied, given that preventing the December 25 demolition of Amona is no longer part of the bill, a spokesman for Bitan said the coalition could not guarantee the original timetable. Among the first to mount the podium was veteran Likud MK Benny Begin, who said he would again break ranks and vote against the first reading



Amona (CC BY-SA 3.0, via Wikipedia)

of the bill, as he did in the preliminary vote in a move that led to his suspension from a key Knesset panel. Begin said that while he believes the Jewish people have a natural right to all of the Land of Israel, the bill would only damage the state and the settlement project.

“This bill is not smart, responsible or stable, and that is why the government is still looking for other options,” he said. “I can therefore not support it and will vote against it.” On Tuesday, Bitan suspended Begin from the Knesset Constitution, Law and Justice Committee a day after he twice voted against the preliminary version of the bill. Speaking at Wednesday’s debate, Meretz MK Tamar Zandberg said the bill constituted government theft of private property.

Settlement watchdog Peace Now says the Regulation Bill will legalize 55 outposts and 4,000 housing units in existing outposts and settlements in the West Bank, covering some 8,000 dunams (3 square miles) of privately-owned plots. The legislation stipulates that settlement construction in the West Bank that was carried out in good faith, namely without the knowledge that the land was privately owned, would be recognized by the government provided the settlers had some kind of state assistance – which in some cases could be as simple as having existing infrastructure, since most infrastructural services fall under the jurisdiction of state ministries.

The proposed legislation notes that the government support may be explicit or implicit, from the start or post facto, and that the backing of local municipalities is considered state support. Under the bill, the government will be able to appropriate land for its own use if the owners are not known. If the owners are known, they will be eligible for either yearly damages amounting to 125 percent of the value of leasing the land, a larger financial package valued at 20 years’ worth of leasing the plots, or alternate plots. The legislation explicitly refers to structures in three settlements that have been subject to legal efforts to demolish buildings constructed on private land – Eli, Netiv HaAvot and Ofra.

Background: It should be noted that the “settlements” were built on disputed land, not on “privately owned” Palestinian land. The area formerly referred to as Palestine, was a backwater province of the Turkish Empire, which was defeated during World War I. When the Jews began to arrive, at the end of the 19th century, there was no political entity known as “Palestine.” In fact, there was no government at all over this particular body of land. Thus if anyone said “I want to build my house in Hebron,” there was no political entity to tell him he couldn’t.

Shortly after this, the United Nations partitioned the area, giving part of it to the Jews and part to the Palestinians. It is important to note that the Palestinians rejected this partition. Not satisfied with a part, they wanted the whole “pie.” The Jews also claimed the whole area, the Bible being their “deed” and certificate of possession. When God told Abraham He would give him the land as far as his eye could see, it definitely included what is today called “Palestine.” The Jews are simply occupying all the land God promised to give them.

“And the LORD said to Abram, after Lot had separated from him: ‘Lift your eyes now and look from the place where you are – northward, southward, eastward, and westward; for all the land which you see I give to you and your descendants forever’” (Genesis 13:14-15).



Depiction of the separation of Abraham and Lot by Wenceslaus Hollar. (CC BY-2.0, via Wikipedia)

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