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The Settlers' Dream Government

Analysis of the coalition agreement between the Likud and the Jewish Home party (Bayit Yehudi)

The coalition agreement between the Likud and the Jewish Home party (Bayit Yehudi) reveals the plans of the new government and indicates its intentions. Beyond increasing the budgets and development of settlements, the government intends to address sectorial interests relating to the national religious public and to finance ideological educational activities aimed to fortify the right side of the political map. In addition, the government intends to initiate actions to restrict freedom of expression, to weaken the High Court of Justice and impair Israel's democracy.

The analysis below lists the main implications of the coalition agreement between the Likud and the Jewish home party on three issues:

- 1. Settlement fortification**
- 2. Impairment of democracy**
- 3. Allocating public funding to bolster the right wing political stance**

1. Settlement Fortification

- A. **Jewish Home party Deputy Minister of Defense with authority over the Civil Administration** (Art. 13) – Grants the extreme party a direct impact on the policy for promoting construction in settlements, handling illegal outposts, status of land in the Territories and policy toward the Palestinian population (see elaboration in the appendix).
- B. **Settlement Division** (Art. 67) – The body that propels the development of settlements and illegal outposts in the Territories:
 1. **Direct control** for the Jewish Home party. Minister Uri Ariel will be responsible for the Settlement Division;

2. **Additional 50M NIS to the Division's budget** (Beyond the additions granted throughout the year and which amounted to ~400M NIS last year);
 3. **Protecting the status of the Settlement Division as a body that is not subordinated to governmental management norms and is not obligated to transparency** – In response to the legal opinion issued by the Deputy Attorney General. (See elaboration in the appendix).
- C. **Legalizing illegal outposts and illegal construction in the settlements** (Art. 84) – Establishing a panel of four (two on behalf of the Jewish Home party) to “formulate an outline for regulating structures and neighborhoods in the settlement”. For more about the meaning of legalizing the illegal outposts - see [Peace Now's Report](#)).
- D. **Establishing a ministerial committee on settlements** (Art. 77) – The agreement does not list the authorities of the ministerial committee. However, in the past, such a committee was involved with the establishment of new settlements. Two members of the committee will be members of the Jewish Home party.
- E. **Establishing student villages in the settlements** (Art. 80) – Applying the model for student villages in the Galilee and Negev, where students are granted scholarships and accommodations in return for volunteering in the community, to the settlements. This will enable financing for infrastructures and construction in existing and new settlements, as well as funding for settler upkeep therein (scholarships and rent) at the government's expense.
- F. **Additional budget for the university in the settlement of Ariel** (Art. 60).
- G. **Special grants to local authorities in the settlements** (Art. 82) – Guaranteeing the continued special grants issued to the settlements (in 2014, settlements received ~100M NIS in special grants, [20M of which were special grants issued to the settlements alone](#)), in addition to the ordinary grants received under those allotted to every local authority.
- H. **Armoring buses and private vehicles in the settlements** (Art. 90) – There are already extensive budgets for armoring settler transportation,

thus the appearance of a clause in this regard in the coalition agreement is unclear. [It may reflect the implementation of the National Security Council plan](#) to finance the armoring project at 287M NIS (~50M per annum).

- I. **Increasing protection and safety in East Jerusalem settlements** (Art. 48) – This probably means an addition to the budget that, in 2014, [exceeded 100M NIS](#). This budget is for private security guards for ~2,500 settlers residing in Palestinian neighborhoods in East Jerusalem, such as Silwan and Ras al Amud, (i.e. a monthly budget of ~3,300 NIS for each settler(!)).
- J. **Indications for the changing of the status quo at the Temple Mount (Al-Haram A-Sharif)** (Art. 46) – The agreement contains an article stating the following: *“The government will retain the rights of freedom of worship and religion in all holy sites for all religions and sects”*. It is difficult to explain the need for such an innocent article within a coalition agreement and especially an agreement with the Jewish Home party. It is probably vague wording for the intention to increase trends toward changing the status quo on the Temple Mount by increasing the number of organized and provocative visits by right wing groups.
- K. **Jewish Home party Minister of Agriculture** (Art. 13) – Agriculture is another form of settlement. In recent years, farming activity has greatly increased in the settlements, enabling the settlers to increase their control over thousands of acres. As Minister of Agriculture, Minister Ariel will be able to increase governmental aid for farming activities in the settlements.

2. Impairment of Democracy

- A. **Passing the override bill to restrict Supreme Court authority** (Art. 27)
– The proposed bill will limit Supreme Court authority to revoke laws at a majority of 8 judges of 15 and will enable the Knesset, with a majority of 61, to maintain a law even where the Supreme Court revoked it (initially until two years after the Knesset’s term and then the Knesset can, upon a 61 vote majority, retain the law for an unlimited time).

- B. **Passing the Jewish nation state bill** (Art. 34) – A team will be established to formulate a version of the [Jewish nation state bill](#) agreed by all coalition members. Only a version agreed by all will bind all coalition members to support it.
- C. **Passing the NGO bill** (Art. 83) – An antidemocratic bill aimed at persecuting left wing and human rights organizations, restricting their ability to act, in order to eradicate their political rivals and prevent public debate on major issues on the public agenda. (See elaboration in the appendix).
- D. **Communication market reforms** (Art. 65) – All coalitions members re-committed to supporting the Prime Minister's communication reforms. Coalition members may not support proposed bills unsupported by the Minister of Communications. The agreement does not specify the said reforms but, [based on various publications](#), they relate to franchise extension for channels, blocking bills like the Israel Hayom bill and enabling the Prime Minister to terrorize the media.
- E. **The Authority for the regulation of Bedouin settlement in the Negev to the control of Minister Ariel** (Art. 8) – The Authority is supposed to address regulation of Bedouin settlements, register lands and help develop the Bedouin population of the Negev. Mr. Ariel's positions on this matter are known, he supports the [demolition of Bedouin settlements in the Negev](#) and considers the Bedouin presence in the Negev a threat that must be overcome by [taking control of lands](#).
- F. **Ayelet Shaked, Minister of Justice and Chairperson of Ministers' Legislative Committee** (Art. 22) – The Minister of Justice is responsible for protecting the legal system, the State Attorney and the Attorney General, for representing them and seeing to their interests. Shaked is among the leaders of the campaign for weakening the Supreme Court and she will now become its representative in the government. The Minister of Justice is also the chairperson of the Judge Appointment Committee.

As chairperson of the Ministers' Legislative Committee, which determines the government position on every proposed bill presented to the

government for a preliminary reading, she can promote or delay proposed bills as she deems fit.

The Minister of Justice also recommends to the President on pardon requests of prisoners. In case of a political decision to release Palestinian prisoners, Shaked may refuse to sign the pardon (after the signing of the President).

- G. **Jewish Home party Chairperson of the Constitution, Law and Justice Committee** (Art. 16) – Many judicial initiatives relating to administrative and constitutional issues are subject to the Constitution, Law and Justice Committee of the Knesset and the chairperson has a decisive impact thereon. For example, when Minister Livni wished to apply the duty of transparency to the Settlement Division, the [Chairman of the committee prevented it](#) by failing to place the matter on the committee's agenda until such a time where the meeting was attended by only two MK's who rejected Minister Livni's regulations.

3. Bolstering the Right Wing Political Stance and The Jewish Home Party (Bayit Yehudi)

- A. **Bolstering the "Religious Gar'inim"** (Art. 89) – The "Religious Gar'inim" are ideological associations, some of which are directly affiliated with the Jewish Home, and comprise a [nationwide political base for the party](#). The model applied by those groups is that their members are provided inexpensive housing and positions ("jobs") at the government's expense and, in return, they conduct national-religious ideological educational activities in the neighborhood where they reside. In 2013, the government invested [110M NIS](#) in the project.

The coalition agreement contains a promise to fund the religious Gar'inim for another two years and to establish a special administration within the Ministry of Agriculture (under Minister Ariel), including the "option of generating positions" – i.e. adding jobs for the party's political endeavor, at the government's expense.

For further reading about the Gar'inim [see the report by Molad](#).

- B. **A check for 160M NIS per year** (Art. 79) – The agreement allocates the Jewish Home party an annual budget of 160M NIS for objectives not yet determined, i.e. political funds that can be spent on any legal objective.
- C. **Additional 630M NIS to the Ministry of Education, controlled by the Minister** (Art. 57) – Utilization of this budgetary addition is subject to Minister Bennett's sole discretion. In addition, Ministry budget will be remunerated for expenses promised to Yahadut haTorah under the coalition agreement (estimated by 1 Billion NIS).
- D. **Increasing the budget and strengthening the national-religious educational system** (Art. 40, 58, 88) – The coalition agreement contains several articles intended to guarantee continued budgets to national-religious schools, preparatory courses and yeshivas. The agreement includes a legislative amendment “for strengthening and stabilizing the status of religious governmental education.”
- E. **15M NIS for the Gush Katif Heritage Center and a budgetary addition for the Gaza settlements evacuees** (art. 70-74) – Responsibility for Gush Katif evacuees will be transferred to the Ministry of Agriculture, including the transfer of the administration for the evacuation of the sites from the Housing Administration to Minister Ariel. Addition of two years to the aid budget granted to authorities that absorbed evacuees, totaling [~50M NIS](#). In addition, 15M NIS will be allocated to the establishment of a Gush Katif (Gaza Strip settlements) Heritage Center.
- F. **Control over National Service Administration** (Art. 81) – Many of the institutions involved in National Service are affiliated with religious Zionism. Control over the National Service Administration will enable the Jewish Home party broad and extensive power and control. In addition, it seems that National Service will continue to be budgeted by [50M NIS](#).
- G. **Diaspora Affairs to Naftali Bennett** (Art. 13) – Grants the Jewish Home party access to foreign policy and creates an unnecessary, confusing and expensive redundancy with the Ministry of Foreign Affairs.

4. Appendix – Elaboration

Deputy Minister of Defense responsible for the Civil Administration

The Civil Administration is a military body responsible for all civilian aspects of Israel's control in the Territories – regarding both the settlements and the Palestinian population. The Civil Administration is not subordinated to the IDF Chief of Staff, but rather to the Minister of Defense (through the Coordinator of Government Activities in the Territories - COGAT).

For example, every phase toward approving construction plans in the settlements requires Minister of Defense approval. The same applies to the allocation of land, expropriation, declaration of government lands, etc. In addition, the Civil Administration enforces construction laws in the settlements. Questions on whether and when to demolish structures in illegal outposts and settlements are presented to the Minister of Defense. The Civil Administration is also responsible for enforcing the law and approving construction plans for Palestinians in Area C.

A Deputy Minister responsible for the Civil Administration will generate a “Commander’s Spirit” that will impact routine decisions, such as instances in which the settlers wish to prevent Palestinians from cultivating their lands.

The authorities that shall be delegated to the deputy minister are unknown. Theoretically, the Minister of Defense may authorize him to approve all issues under his authority, including all of the above.

Uri Ariel, Minister of Agriculture responsible for the Settlement Division

The Settlement Division is the engine propelling the settlements; it controls nearly all settlement and illegal outpost lands, and uses its immense budgets to promote construction and agricultural development in the settlements. The Division is formally subordinated to the Zionist Organization, but it receives all of its budgets from the government. The

Division was established in order to enable settlement development by a non-governmental entity that can also act in gray areas of proper administration.

The previous government exposed a fraction of the activities that the Settlement Division usually conducts in secret. MK Stav Shafir, acting within the Finance Committee, led a campaign against the transfer of the exorbitant amounts granted to the Division. Deputy Attorney General, Adv. Dina Zilber, wrote a harsh opinion (approved by the Attorney General himself), stating that the authorities granted to the Settlement Division must be returned to the government:

“The Division’s execution of these activities greatly exceeds the extent of aid permitted by another and de facto comprises a prohibited delegation of authority to a non-governmental entity. This situation further causes failure in the government’s governing capacity seeing that it impairs its ability to determine for itself its policy and priorities regarding settlements... The government must discontinue direct funding of the Settlement Division, whether through the Budget Law or by other direct monetary transfers...”

The settlers know full well that if the legal recommendation by the Deputy Attorney General is implemented, it will immobilize one of the settlement’s main engines, whose power is derived of the fact that it is not transparent and not subject to strong public supervision. To prevent this, the coalition agreement states that, instead of implementing the Deputy Attorney General’s recommendation, the coalition will establish a CEO committee actually intended to bury the recommendation and replace them with others, more convenient for the settlers.

Passing the NGO bill

The coalition agreements states that that the NGO bill will be passed, severely impairing the freedom of expression and assembly, intending to silence organizations operating toward the promotion of human rights and peace. According to the bill, organizations will be permitted to accept

donations from foreign countries, subject only to approval by the Knesset Foreign Affairs and Defense Committee. In addition, whenever appearing in the media or any publication, individuals acting in such organizations will be obligated to declare that they accept donations from foreign governments. The agreement does not specify whether the proposed bill relates also to contribution or organization taxation.

It is important to note that those who initiated the law are not concerned with the foreign funding. Many right wing associations are greatly funded by foreign sources – private donors, who are also “foreign factors.”