

Right-wing coalition passes law allowing jerusalem to be divided

—128 states vote for UN resolution slamming Trump’s Jerusalem policy

—Knesset to vote on bill to allow separating neighborhoods from Jerusalem

The bill requires a super-majority to give parts of Jerusalem to a foreign entity, but has a major loophole.



A general view of Jerusalem shows the Dome of the Rock, located in Jerusalem’s Old City on the compound known to Muslims as Noble Sanctuary and to Jews as Temple Mount December 6, 2017.. (photo credit: REUTERS)

A law ostensibly meant to make it harder to cede parts of Jerusalem to a foreign entity, which has a glaring loophole that allows Jerusalem to be divided, passed in a final vote in the Knesset overnight Monday.

The amendment to Basic Law: Jerusalem, requiring a vote of 80 MKs out of 120 to give parts of the capital away, was proposed by Bayit Yehudi faction chairwoman Shuli Moalem-Refaeli with enthusiastic backing from her party leader Education Minister Naftali Bennett.

The newly requisite supermajority comes in addition to the existing law requiring a referendum to give away any sovereign land, which includes Jerusalem. Although concessions in Jerusalem require an 80 MK vote, the bill can be changed with a 61-lawmaker majority.

However, the bill also canceled the article in the Basic Law that prohibits changing Jerusalem’s municipal borders, creating a loophole by which parts of Jerusalem can be turned into a new municipality, and then ceded to the Palestinians. That land will still be subject to 80-MK vote and the Referendum Law.

That lacuna was created intentionally, following a push by Jerusalem Minister Ze’ev Elkin, who seeks to remove villages populated by Arabs, which are part of Jerusalem but outside the separation barrier, from Jerusalem’s municipal borders.

Elkin said the new law “strengthens the defensive shield against those on the Left

who want to try to harm the future of Israeli sovereignty in a united Jerusalem.”

“This isn’t a theoretical bill,” Bennett said in the Knesset. “It’s very practical. There have already been attempts to divide Jerusalem.

You know very well that this isn’t about [Arab neighborhood] Kalandiya but about dividing the Holy Basin and the Old City. This isn’t just [former prime minister Ehud] Barak’s formula, but of those present, here. [Zionist Union leaders] say Jerusalem’s Jewish neighborhoods belong to Israel, but the Old City and Holy Basin have a ‘special status.’ [Yesh Atid leader Yair] Lapid said the same. They’re talking about dividing Jerusalem.”

Bennett added: “Our understanding is clear. No Jew has the authority to give up any part of the land, nor does the Jewish people.”

Earlier Monday, Bezalel Smotrich of Bayit Yehudi, one of the Knesset’s most hawkish members, expressed discomfort with the part of the bill that allows for Jerusalem to be divided.

“It’s very problematic,” Smotrich told *The Jerusalem Post*. “It’s in the law out of necessity, because Elkin refused to promote it any other way. Bennett only wanted the first part,” meaning the supermajority.

The deliberations came down to whether to have an “all or nothing” attitude or to make incremental change, Smotrich explained.

In the opposition, MKs saw the bill as a way to prevent a peace agreement with the Palestinians.

Opposition leader Isaac Herzog (Zionist Union) argued that the bill “does not help any citizens, only because the person leading the coalition is Naftali Bennett. There is no connection between the Palestinians living in villages and Jerusalem.”

Meretz MK Esawi Frej posited that “there is no diplomatic solution without east Jerusalem being Palestinian. All other ways won’t help.”

MK Ofer Shelah of Yesh Atid said the coalition is contradicting itself, on the one hand requiring a supermajority, and on the other, “the neighborhoods that few know where they are will be turned into not-Jerusalem.”

“In every agreement, Jerusalem will be under Israeli sovereignty, but we can’t let the residents of [Arab neighborhood] Shuafat decide our fate,” Shelah added.

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