

## Preventing further Destruction of Jewish Homes and Neutralizing the Illegal Arab Construction

### The Background

The war over the character of Israel is being waged on many fronts. Those who want to see Israel continue as a Jewish democratic state are experiencing their greatest setbacks in the courts. Super activist judges and well financed Arab and Jewish "liberal" NGOs have combined to set precedent which would, if unchecked, soon make Israel a state of all its citizens without a Jewish vocation and character. Thus, the Supreme Court has already suggested that Jewish settlement in Israel (even within its '49 borders) is not a lawful State activity, and it has also made clear that maintaining a Jewish majority in Israel is an illegitimate State objective.

### The Problem

At the Institute for Zionist Strategies (IZS), we have been studying the problem of illegal Arab construction and land grabbing in the Galilee and in the Negev. We are devising strategies for defeating this danger to Israel's survival as a Jewish State.

In the midst of these efforts, the latest focus of this struggle over Israel's borders has added oil to troubled waters. "Peace Now" has led the effort to dismantle "illegally constructed" Jewish homes via a multi-pronged operation that is spearheaded by Supreme Court rulings. Many of these "illegal" Jewish homes have been built with government encouragement and even financial support.

However, "Peace Now" has engaged in an extremely effective attack and has been able to utilize the judicial, political and military structures to destroy these Jewish homes. They

have capitalized on their understanding of the prevailing public psyche and of the workings of the government decision-making process. They have successfully appealed to the public's fear of lawlessness and crime (which has increased at an alarming rate in Israeli society) and have successfully painted the picture of unlawful construction on "Arab lands" and vigilante-like opposition to their destruction. They have skillfully marshaled court support and public approval to have these houses torn down and the Jewish families transferred. This unusually harsh result blatantly ignores the undisputed fact that thousands and thousands of court demolition orders against illegal Arab houses in the Galilee and Negev are not being enforced.

No one has stood up to point out the absurdity of these court decrees in the larger context.

### The Solution

The IZS, a new Jerusalem-based think tank, has analyzed these activities, which will have long-term negative national, security and social implications for the Jewish State. The IZS is commencing efforts that it believes will be most effective in preventing illegal Arab construction efforts.

We plan on using the same weapons, and the same tools that "Peace Now" has used so effectively – the court system.

### The Goals

- Retaining Israel's land reserves;

- Demolition of illegal Arab buildings and prevention of further illegal land grabbing and illegal construction;
- Correcting the bias of the Court by demonstrating clearly discriminatory policies;
- Avoiding the useless and senseless deportation of Jewish families.

### **The Method**

By engaging some of the most experienced and distinguished lawyers, including Civil Liberties experts who regularly succeed in other causes, the IZS will help Jewish NGOs file petitions to the Court against specific and targeted illegal Arab construction. These suits will directly parallel cases in which the Court ordered demolition of Jewish homes. From a strictly juridical point of view, these petitions should be compelling, since most of the Arab structures are already under court order for demolition having escaped lawful process only because of administrative and political timidity.

The court will thus be faced with a dilemma. It should either enforce the court orders for demolition of the illegal Arab construction, which today is politically incorrect and even fraught with a potentially violent confrontation, or it must abstain from further demolition of Jewish homes.

The IZS has supported initial petition efforts to the Court, and these efforts are already influencing the tactical deliberations within the offices of the Attorney General and of the State Prosecutor. Continued pressure is bound to steer policy in a more balanced direction, and continued legal efforts must yield ever more important results. If this IZS strategy is successfully implemented, rather than leaving the field uncontested for

"Peace Now", we will dramatically alter the public dialogue and the rapidly evolving events.

### **Geographic Focus**

Although the current Court battles will help stop the uprooting of Jewish families in Judea and Samaria, the ultimate thrust of our efforts will be the reclaiming of the Galilee, the Negev, and Jerusalem.

### **Action Plan**

Following are the tactics that must be employed for the successful execution of our strategy:

- Identification of comparable illegal Arab construction;
- Information gathering: legal and pictorial evidence;
- Supreme Court petitions and the accompanying legal preparations;
- Communications and public relations targeted at the decision makers and the wider public.

### **Costs**

The cost of one Supreme Court law suit on average is \$15,000. In order to successfully see this strategy through, it is expected that a minimum of 6-8 law suits will need to be filed. Our efforts in public relations and persuasion will cost an estimated \$50,000. The total cost is \$160,000.

### **Join Us**

If you, or your organization are interested in supporting these efforts or just want to find out more about it, please contact Ben-Tzion Spitz at +972-52-3835149 or via e-mail at [ben@izs.org.il](mailto:ben@izs.org.il)

*The Institute for Zionist Strategies is a Jerusalem-based think tank devoted to presenting the Israeli public and its policy makers with creative, implementable programs that will maintain the State of Israel as a Jewish and viable state. Among the activities the IZS is involved in are the drafting of a constitution that the Knesset is currently reviewing, dealing with the demographic issue and developing a new generation of public leaders.*