



Sovereignty and Its Enforcement

by Dr. Yechiel Shabiy

BESA Center Perspectives Paper No. 1,662, July 27, 2020

EXECUTIVE SUMMARY: The extension of Israeli sovereignty to parts of the West Bank—in reality and not just in theory—is all the more important in light of the chaos and lawlessness that are taking all meaning out of Israeli control of the lands in question.

In recent weeks, a struggle has taken place between supporters and opponents of the extension of Israeli sovereignty over portions of the West Bank. Some believe the measure will spark an Arab uprising, an international pressure campaign against Israel, and boycotts. Others claim that applying sovereignty to about 30% of the West Bank is not only essential but does not go far enough.

If we look at the current state of affairs in the West Bank, we find that Israeli “sovereignty” is devoid of meaning. The situation on the ground is utter chaos. The prevailing anarchy and accompanying complete loss of deterrence are apparent in many aspects:

- Under the cover of firecrackers, fired to celebrate various festivities (most recently passing matriculation exams), the Palestinians habitually shoot with light weapons at neighboring Israeli localities while the Israeli authorities turn a blind eye to this dangerous criminal practice. This willful ignorance must stop on both the municipal and the national levels.
- Pirate incinerators operate intensively despite the determined efforts of the Environmental Protection Ministry and the Civil Administration. Incinerators are shut down and then reopen at the same location.
- The security fence is regularly breached in multiple locations. Along the roadsides, “central stations” spring up for Palestinian taxis and transporters that ferry infiltrators and illegal work seekers into Israel and back to the West Bank. This is often done right in front of IDF soldiers who stand aside and

watch. There is little, after all, that they can do. How can a handful of soldiers handle hundreds of infiltrators at every point?

- West Bank checkpoints have become white elephants that mainly serve drivers who can't get through the fence breaches. Gravest of all, they serve those transporting the thousands who stay in Israel illegally and infiltrate through the breaches.
- Illegal roads are being readied, often just a stone's throw from Jewish communities and the main transportation arteries serving Israelis and Palestinians. No one knows what is being transported on those roads.
- In every open space, including state land and lands of Jewish regional councils, the Palestinians plant thousands of dunams of olive trees that preclude Jewish construction, hinder IDF soldiers from providing security to Jewish residents of the area, and enable terrorists to potentially attack Israeli targets very easily. Former Palestinian PM Salam Fayyad strove to take control of the open parts of Area C, which are officially under full Israeli control. Current PM Muhammad Shtayyeh is much more militant and supports terrorists and their families fearlessly and blatantly.
- At all hours of the day, the calls of the muezzins issue from powerful speakers. This is not always for purposes of prayer. To a great extent, and particularly these days, this is being done to incite against and vilify Israel.
- Throughout the West Bank there are countless archaeological relics of the area's ancient Jewish history. Systematic acts of Palestinian vandalism and robbery (such as destroying mikvehs and stealing stones from olive presses) are steadily erasing these testaments to the millenarian Jewish presence in the region.
- Likewise the COVID-19 crisis is being exploited to take over Jewish sites of antiquity (such as the Hasmonean fortress at Tel Aroha) and convert them into Palestinian "heritage" sites. Even Joshua's altar on Mount Ebal is being used to serve the Palestinians' fabricated narrative.

This cannot go on. Israel should unequivocally enforce its authority in the territories under its control while laying out a clear and uncompromising penal code to address any acts of lawlessness.

Anyone who illegally plants olive groves on state land, for example, should know he is liable to a substantial fine and will have to remove the trees himself. Religious preachers who incite violence should be incarcerated, as should anyone who builds illegally. Illegal structures should be demolished, with the demolition costs borne by their builders. Restrictions on movement should be imposed on those Palestinian leaders who support terror.

The more Israel continues to ignore this anarchy and lawlessness, the higher the price it will pay. For proof, we need look no further than the Negev, where Israel is

impotent in the face of mounting lawlessness and serious violence among its Bedouin citizens.

Dr. Yechiel Shabiy is a researcher at the BESA Center and a political science lecturer at Bar-Ilan University.