



BEYOND THE BLOCS

Jewish Settlement East of Israel's
Security Barrier and How to Avert
the Slide to a One-State Outcome

David Makovsky



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1111 19th Street NW, Suite 500
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Contents

List of Illustrations	iv
Acknowledgments	v
Executive Summary	vii
1 West Bank Settlement Dynamics and the U.S.-Israel Relationship	1
2 Assessing the Viability of the Two-State Solution	11
3 Trends in the Jewish Settler Movement	41
Annexes	73

Illustrations

1	Construction of Israeli Settler and Palestinian Units	18
2	Vote Share for National Religious Bloc, March 2021	46
3	National Religious Bloc Vote Share East of the Barrier, 2015–21	47
4	National Religious Bloc Vote Share West of the Barrier, 2015–21	47
5	Settler Population East/West of the Barrier, 2009–20	50
6	Population Growth East/West of the Barrier, 2009–19	50
7	Israel and West Bank: Population Growth Rates, 2009–19	51
8	Israel and West Bank: Population, 2009–20	52
9	Jewish Settlements East/West of the Barrier	55
10	Jewish Outposts East/West of the Barrier	55
11	Satellite Images of Select Settlements	56
12	Distance Between Existing Settlements and Legalized Outposts	60
13	Average RZP Vote Share in Violent Clusters, March 2021	65

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Executive Summary

U.S.-Israel relations during the era of President Joe Biden and Prime Minister Naftali Bennett have been largely positive in tone, marking a contrast to the public acrimony that often characterized the Obama-Netanyahu years, when last a Democratic U.S. president shared the world stage with a right-wing Israeli prime minister. Yet the two countries must still negotiate several sticking points, among them Israel's settlement policy in the West Bank.

Understanding settlement dynamics is key to Israel's desire to remain Jewish and democratic for the long run, while allowing the United States to stay true to its values. To this end, this study focuses on settlements located east of the security barrier—which was constructed starting in 2002 during the second Palestinian intifada (2000–2004) to prevent suicide bombings—precisely because this is where the future of the two-state solution will likely be decided. The Washington Institute has created an aerial imagery study—tracking the footprint of each of 130 settlements over a four-year period—to assist with this research.

This study demonstrates both the strength and the weakness of non-bloc settlers. Of greatest concern is that settlement activity outside the security barrier has grown at roughly the same rate as that inside the barrier—the population east of the barrier increased by 59.5% between 2009 and 2020, while the population west of the barrier rose by 60.9%. Furthermore, east-of-the-barrier settlers continue to effectively exert political pressure on the Israeli government. Yet despite the significant population growth, the

aerial images presented here reveal that the east-of-the-barrier settlement footprint has expanded by less than .05% of the West Bank's area. Furthermore, Israelis have far greater sympathy with the settlement blocs than with those outside the barrier, and when given a choice, the public overwhelmingly backed normalization with the United Arab Emirates over West Bank annexation.

The examination of east-of-the-barrier settlements that follows is guided by the following ideas:

The United States believes it is not politically possible to resolve the Israeli-Palestinian conflict through the negotiated establishment of a Palestinian state in the immediate or even the medium term, and thus seeks to preserve it as an option for the future. Nobody expects a Palestinian state to emerge any time soon, given the complex political dynamics embroiling both Israelis and Palestinians. The question is whether this option is permanently precluded owing to demographic shifts and other facts on the ground.

Whether including East Jerusalem or not, a large majority of Palestinians live east of the barrier and a large majority of Israelis live west of the barrier. Settlers east of the barrier are fewer in number but often more politically extreme than those west of the barrier. The land area east of the barrier constitutes approximately 92% of the West Bank and contains 23.5% of the settler population, or roughly 112,000 people—known as the “non-bloc” settlers—alongside approximately 2.5 million Palestinians. (This does not mean that a Palestinian state could not include land west of the barrier based on territorial swaps vis-à-vis Israel's 1967 borders, and thereby constitute closer to 100% of the West Bank's land area.)

Settlers east of the barrier tend to vote for the most extreme national religious party, the Religious Zionist Party (RZP), at three times the rate of their counterparts west of the barrier and nine times that of the overall Israeli population. Moreover, they are involved in a disproportionate number of violent incidents compared to settlers west of the barrier, even as the vast majority of settlers are peaceful. Since most or all of these settlers would

likely be evacuated as part of a two-state solution, understanding their political, ideological, and religious profile is critical.

More than three-quarters (76.5%) of Jewish settlers live inside, or west of, the security barrier, which constitutes 8% of the land area of the West Bank and runs largely adjacent to pre-1967 Israel. If East Jerusalem is included (counted as west of the barrier), the proportion of Israelis west of the barrier rises to 84.2%. Of the entire settler enterprise in 2019, nearly half of the natural population growth (the difference between total births and deaths over a set period) came from just two large Haredi, or ultra-Orthodox, settlements—Modiin Illit and Beitar Illit—which sit west of the barrier, adjacent to the Green Line, as the 1967 ceasefire demarcation is known.¹ While locality-level data from Israel’s Central Bureau of Statistics is not yet available for 2020, indications suggest the two settlements make up a similar proportion of natural growth for that year as well. This rapid growth is reflected in the high average Haredi family size—5.32 children per family in 2019—which far exceeds the national average of 3.72.²

It would be beneficial—given potential implications for a two-state solution—for President Biden and Prime Minister Bennett to reach a quiet understanding to avoid construction east of the security barrier. The political dynamics in both the United States and Israel require that such an understanding remain quiet and private. Keeping the option of a two-state solution open is important not just for the Palestinians but for Israel, which seeks to avoid a slide in public support in the United States, especially among key constituencies.

The hybrid Israeli government led by Prime Minister Bennett and Foreign Minister Yair Lapid should mean that settlers have less leverage than during the Netanyahu years, but the settlers are not without influence. The current coalition has significant non-right-wing representation—centrist, left-of-center, and Arab—in a way that the Netanyahu governments of 2015–21 largely did not. At this writing, it is unclear whether the Bennett-Lapid government will be forced to call early elections following

the April 6, 2022, defection of Yamina parliamentarian Idit Silman from the coalition. With polls showing no clear path to victory for any bloc, however, many of the same dynamics in West Bank settlement and demographics will likely persist. To prevent additional right-wing elements within the coalition from defecting to the Netanyahu-led opposition, however—and keeping in mind Bennett’s own right-wing background—the new government has allowed construction to advance east of the barrier, even as it has preferred to compromise or delay on more controversial measures, like outpost evacuation.

U.S.-Israel tensions increased in the second half of 2021 regarding sites toward the edges of Jerusalem—e.g., Givat Hamatos and Atarot, as well as E1, which is east of the city—that, if built up, might inhibit the creation of a contiguous Palestinian state with at least a significant part of East Jerusalem as its capital.³ Care will be needed to avert public friction between the Biden and Bennett governments, even as both have gone to great lengths to avoid public disagreement with respect to other issues, such as Iran.

Settlement policy under the Bennett-Lapid government has been mixed—reflecting political constraints and dueling ideologies within the coalition—but it has demonstrated a troubling continued tolerance of east-of-the-barrier settlements. Construction starts increased by 96% between 2020 and 2021, although this surge came largely from projects approved under previous Netanyahu governments, combined with the opening of a Covid-era backlog on building projects. The number of housing units advanced in the West Bank fell by 70% from 2020 to 2021, and the committee responsible for approving new plans and units has met only three times under the new government, most recently in October 2021; just over half of the nearly 3,000 units advanced at the October meeting were east of the security barrier (for more detail, see box “Settlement Expansion in 2021”). The government has shown a clear willingness to dismantle some new outposts, but it has refrained from acting in more controversial locations such as Evyatar or Homesh, which have become persistent hotspots for both settler and Palestinian agitation.

East of the barrier, settler numbers have nearly doubled since 2008, but these settlers remain about the same minority proportion of the total settler population as before. Using Israeli government figures, around 112,000 Israelis live east of the barrier, compared with about 65,000 in 2008. Importantly, Israelis east of the barrier constitute approximately 24% of the total Israeli population in the West Bank, nearly the same proportion as in 2008 (22%). In other words, though the settler population east of the barrier is growing, it is not doing so substantially faster than the overall settler population. If one includes East Jerusalem, which the Israeli government does not include as a settlement area since Israel annexed it in 1980, the percentage of the overall settler population east of the barrier drops to about 15%.

During the Netanyahu years, east-of-the-barrier settlers adeptly used a variety of tactics to maximum advantage. The principal strategy adopted by east-of-the-barrier settlers has been to persistently pressure the Israeli government to give legal status to outposts dotting the West Bank hinterland, which were deemed illegal under Israeli law. These outposts typically contain but a few dozen people, and their combined populations amount to only a few thousand residents, yet they still have significant and concerning implications for the two-state solution.

Settler groups have succeeded in securing legalization for 26 of the estimated 155 outposts (about 15%) in the decade since 2012.⁴ Moreover, even those deemed “illegal” are often not demolished and instead retain this liminal status for years, as the government prefers to avoid clashes between the settlers and the Israel Defense Forces (IDF). While this reticence may be understandable politically, the settlers’ takeaway is clear: they win when outposts are legalized, and they win when unauthorized outposts are not demolished. On top of all this, an additional 42 outposts have been built since 2012.

The settler movement has demonstrated troubling innovation in its placement of outposts, and has a clear focus on key transportation

routes and consolidating settlements in strategic locations. A common tactic is to build outposts that are relatively close to an existing settlement footprint but are not territorially contiguous with it, presenting the outpost as a “neighborhood” of the existing settlement. An outpost might be established half a kilometer from a built-up settled area and called a new neighborhood—potentially smoothing the legalization process—even as it actually functions as an autonomous entity. Settlers have also expanded their presence along important transportation routes, adroitly increasing settlement density along Route 60, the north-south spine of the West Bank and key for a Palestinian state. The general pattern of outpost establishment has followed the major trends of settlement expansion: along Route 60, in agricultural zones in the Jordan Valley, in strategic locations surrounding Jerusalem, and in and around settlement blocs (e.g., Ariel, Etzion).

Nonetheless, the non-bloc settlers have yet to prevail.

The aerial study presented here shows that east-of-the-barrier settlers did not expand their footprint significantly between 2015 and 2019. The territorial footprint of settlements east of the barrier increased only around 2.4 square kilometers between 2015 and 2019, roughly .04% of the total area of the West Bank (5,860 sq km).⁵ The effective area of control in certain settlements and outposts, particularly farms, is somewhat larger, however, as settlers graze animals outside the built-up area.

On the one hand, since 2015, 1,739 buildings have been constructed east of the barrier—a figure that accounts for roughly one-third of all construction in Israeli settlements. The great majority of these buildings were inside the footprint of the built-up areas from 2015, however, with roughly 10% constructed outside the 2015 footprint of existing settlements and about a quarter in outposts. Nonetheless, placing new buildings even within existing outposts fortifies areas that are not legal under Israeli law and makes possible evacuation even more formidable.

The non-bloc settlers have not won the Israeli public to their side. Polls suggest that the Israeli public can identify with the “blocs” largely (but not exclusively) adjacent to pre-1967 Israel, but not with settlements east of the barrier. In a country of nine million, relatively few Israelis have moved east of the Green Line—roughly 5% of the overall population—and only 1% live east of the security barrier.

Settler leadership has engaged in self-defeating political behavior. The Trump peace plan, roundly criticized for not being fair to the Palestinians, should have been viewed by “non-bloc” settlers as a gold mine. Instead, they missed an opportunity to annex virtually 100% of Jewish settlements into Israel, a chance that may never come again. Moreover, they were shocked at the speed with which the Israeli public abandoned the idea of unilateral West Bank annexation when the United Arab Emirates forced them to choose between annexation and a breakthrough on normalization, an indicator that support for annexation lacks deep roots in Israeli society.

Notes

- 1 Israel Central Bureau of Statistics: “Live Births, Deaths and Infant Deaths, by District and Subdistrict, Population Group and Religion, 2019,” Statistical Abstract—2019, October 10, 2021, p. 2, https://www.cbs.gov.il/he/publications/doclib/2020/2.shnatonpopulation/st02_39x.pdf; and “Regional Statistics,” <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv>.
- 2 Israel Central Bureau of Statistics, “Families and Households in Israel,” press release, February 10, 2021, https://www.cbs.gov.il/he/mediarelease/DocLib/2021/047/11_21_047e.pdf.
- 3 The Jerusalem municipal boundary, which Israel drew after the 1967 war, does not exactly match the course of the separation barrier, which was constructed during the second intifada. The barrier cuts inside the municipal boundaries at points in the city’s north, particularly in Kafr Aqab and the Shuafat refugee camp.
- 4 The number (26) is misleadingly low, however, given that a number of sites legalized before 2012 are considered settlements rather than legalized outposts.
- 5 World Factbook, “West Bank,” updated November 24, 2021, <https://www.cia.gov/the-world-factbook/countries/west-bank/>.

1

West Bank Settlement Dynamics and the U.S.-Israel Relationship

This paper evaluates the feasibility of a two-state solution to the Israeli-Palestinian conflict and highlights potential flashpoints in the region. Specifically, it examines the approximately seventy-eight settlements that lie in the 92% of the West Bank east of the security barrier, with a special focus on those established in the five-year period from 2015 to 2020—during which Israeli governments transitioned from a broader-based ideological orientation to a more right-wing one.¹ The mostly completed route for the security barrier serves as a metric to distinguish between settlements that are consistent with a two-state solution and those that are not. Does this mean that today’s security barrier is a future border between an Israeli and a Palestinian state? Not necessarily. A final border is, of course, up to the parties themselves, but many observers nevertheless believe the security barrier is a close enough approximation and therefore helps delineate which settlements do and do not impede a two-state solution.

As of 2020, 111,741 settlers lived east of the barrier, constituting 23.5% of all Israelis residing in the West Bank. (Unless stated otherwise, the use of the term “West Bank” in this paper excludes East Jerusalem.) In any final agreement with the Palestinians, these seventy-eight settlements would either be part of a Palestinian state, be annexed by Israel (most likely

in exchange for land swaps), or be evacuated and handed over, empty, to Palestinian authorities. Since the settlers have opposed all the peace plans involving a two-state solution, knowing more about them is important for evaluating their potential future impact.

A wealth of data has been accumulated through The Washington Institute's "Settlements and Solutions" interactive map, including aerial imagery of the West Bank from 2015 and 2019, voting records, population benchmarks, statistics on violent incidents, transportation infrastructure initiatives, and databases of construction plans, tenders, and starts.²

Background on Settlements and U.S.-Israel Relations

The issue of West Bank settlements is interwoven with the potential viability of a two-state solution between Israel and the Palestinians. This study asserts that a key indicator of the outcome will be the degree of settlement expansion east of the West Bank security barrier. These east-of-the-barrier settlers—sometimes called “non-bloc” settlers, since they do not live in the settlement clusters or blocs largely adjacent to Israeli urban areas—still amount to only a little over 100,000 people, compared to some 2.5 million Palestinians. The growth of these settlements along key West Bank arteries, however, raises questions about whether they could thwart a two-state solution. This paper seeks to study their growth and trajectory.

The settlements issue has historically been an irritant in an otherwise warm U.S.-Israel relationship, and there are many questions regarding how the Biden administration and the Bennett government will handle this issue from here on. The on-the-ground realities of settlement growth cannot be divorced, therefore, from the broader context of the U.S.-Israel relationship and the political dynamics in the two countries. Both the Biden administration and the Israeli hybrid government currently led by Prime Minister Naftali Bennett—to alternate with current foreign minister Yair Lapid, who leads the centrist Yesh Atid party—have made public harmony a defining feature of their bilateral relations: for example, differences about

the Iranian nuclear program that were famously acrimonious between the Obama administration and the Netanyahu government are now discussed behind closed doors—although Iran’s nuclear developments will undoubtedly test the U.S.-Israel relationship in coming months.

U.S. opposition to all settlement activity is rooted in its reading of specific clauses of the Fourth Geneva Convention, adopted in 1949 in the wake of World War II, which opposes moving civilian populations into areas a country controls as a result of armed conflict. In contrast, Israel believes the Fourth Geneva Convention does not apply to the West Bank, asserting that those territories were taken in a defensive war in 1967 against Jordan, whose own annexation of West Bank lands in 1949 was not recognized by virtually any country at the time.

This paper will first look at the current situation in the West Bank and then assess the policy implications of “non-bloc” or “east-of-the-barrier” settlement activity for the Biden-Bennett relationship.

For a Bennett-led Israeli government seeking to build stronger ties with Democrats in the United States, West Bank settlements hold the potential for future discord. (They also represent what may be the greatest political vulnerability for the hybrid Israeli government.) Second only to Iran, settlements were the point of greatest tension with the Obama administration, which, like its predecessors, viewed settlement activity as an impediment to a two-state solution. By making its case public time after time, the Obama administration sought to deter Israeli action; but Israel viewed this public approach as moralizing in tone and tuned it out. Amid differences over both Iran and settlements, relations between President Barack Obama and Prime Minister Binyamin Netanyahu deteriorated.

The Biden administration has taken a different approach, working behind the scenes in dealing with Israel. This was especially evident in May 2021, when the U.S. president publicly endorsed Israel’s right to self-defense and kept private any urging for an early cessation of Israeli military action in the conflict against Hamas in Gaza. Biden’s approach was vindicated: the crisis lasted a fifth the time of the Gaza crisis of 2014, with roughly one-tenth of the deaths.³ Similarly, the Biden administration’s preference to avoid public disputes with Israel on settlement activity gives Washington and Jerusalem

the political space to pursue quiet understandings that would not otherwise be possible.

U.S. administrations have grappled with the settlements issue for decades. The traditional approach has been to oppose all settlement activity, without making distinctions based on where the settlements are located. Over time, various administrations have offered differing rationales for the U.S. approach—some based in international law, some in policy. The U.S. emphasis, since the 1980s, has been on settlements as an impediment to peace rather than a legal violation. Since the George W. Bush administration publicly endorsed the idea of a two-state solution in 2001, successive administrations have opposed settlements as an impediment to such an outcome.

Yet the settlements are not, in fact, monolithic. There is a clear difference between settlement activity that has no necessary impact on a possible two-state solution and settlement activity that is fundamentally inconsistent with such a solution. Indeed, though the former characterization describes a minority of settlements, it applies to the majority of settlers. An estimated 85% of Israelis who live beyond the pre-1967 war boundary, known as the Green Line, live within an estimated 8% of the West Bank, largely adjacent to sovereign Israeli urban areas. These settlers live in clusters known as “blocs,” which comprise 52 of 130 West Bank settlements and are located within (i.e., west of) Israel’s security barrier; as of summer 2021, they numbered, according to one estimate, approximately 365,000 Israelis.⁴ (This number increases by 220,000 if one includes the part of the current municipality of Jerusalem controlled by Jordan before the 1967 war—known as East Jerusalem, even though not all this area is located, strictly speaking, in the city’s east.) Many Middle East peace plans assume that there would be territorial exchanges called “swaps” between the settlement blocs and compensatory areas within the Green Line that could be transferred to the Palestinians.

Although the barrier was established for security reasons in response to the dozens of Palestinian suicide bombings during the second intifada (2000–2004), it has become a widely understood political demarcation identifying a theoretical border between the parties. A true final border, of course, would need to be sorted out in negotiations. In short, carefully

delimited settlement activity is not necessarily inconsistent with a two-state solution, depending on how the parties address the issue of borders and potential land swaps. (For a more complete discussion and possible swap scenarios, see the author's earlier Washington Institute study *Imagining the Border*.⁵)

No such case can be made, however, with respect to settlements east of the security barrier and outside existing settlement blocs—an area covering 92% of the West Bank and home to an estimated 110,000 Israelis. The settlements in this area are an impediment to defining a mutually acceptable border between Israel and a Palestinian state, a component essential to a two-state solution. Therefore, how the Bennett government approaches settlement activity in this area could potentially harm relations with the Biden administration, which is committed to a two-state outcome even if it is willing to take its time advancing it.

Challenges Facing the United States—and Israel

In discussing settlements east of the barrier, this paper focuses on the flashpoint for possible U.S.-Israel tensions surrounding settlements. It also looks more particularly at the hybrid Israeli government, and explores creative solutions that might not have been possible under the right-wing Netanyahu administration.

The United States and Israel must agree soon on terms to preserve at least the possibility of an eventual two-state agreement and avert the slide to a de facto binational one-state outcome, which would threaten Israel's character and identity. As President Biden noted in his September 2021 address to the UN General Assembly, the gaps between the parties are too large for near-term diplomacy toward this end to be realistic.⁶ But preserving the long-term possibility requires, among other things, understandings that limit, if not prevent, expansion of Israeli settlement activity beyond the security barrier. Respective political dynamics in the United States and Israel mean that any such understandings will need to be very discreet, as will be explained in greater detail later in the paper. A public process would

carry political costs for both sides, potentially eroding the remaining base of a right-leaning Bennett in Israel while creating discomfort for the United States, given that tacit acquiescence to some settlement activity contradicts the administration's stated opposition to any settlement activity whatsoever. Yet ignoring the need for at least a quiet understanding also will have a cost.

Many U.S. officials accept that Israel will not suddenly uproot approximately 350,000 people living inside—or west of—the security barrier largely adjacent to Israeli urban areas inside the Green Line. Accordingly, at a certain point the United States will need to decide whether it will continue to oppose all settlements—viewing them as a symbol to the Palestinians of their powerlessness—or prioritize those that impede an eventual two-state outcome. The current Biden policy seems focused on the first option, even though that approach ignores the more urgent need to block expansion east of the barrier once and for all, the more immediate threat to eventual peace. Opposition to settlements everywhere may make Washington feel good, but it fails to respond to the central challenge at hand.

The goal of limiting settler growth east of the barrier stands in direct opposition to the settler movement, which seeks to establish “facts on the ground” precisely to ensure the impossibility of an independent Palestinian state. And Israelis who live east of the barrier have wielded their political influence in ways that have torpedoed diplomatic progress.

For example, in 2020, commentators, including this author, critiqued the Trump peace plan on many grounds, including its allotment of too little land to the Palestinians.⁷ But for their part, settlers east of the barrier criticized the so-called deal of the century for envisioning an independent Palestinian state on any land at all. When President Trump first announced his plan, in January 2020, he expressed a willingness to allow Israel to annex territories granted to it under the plan with or without Palestinian agreement. Given that Netanyahu played a key role in sketching the plan—which allowed for Israeli annexation of 115 of the West Bank's 130 settlements, with the other 15 remaining as Israeli enclaves within Palestinian territory—his approval should have been swift and enthusiastic. Indeed, the Trump plan allotted 30% of the West Bank to Israel, leaving Palestinians with just 70% of the

area, far less than the 92% east of the security barrier. (Once land exchanges were included, the division may have been closer to 80/20.)

At first, Netanyahu appeared to relish retaining all 130 Israeli settlements, believing that Trump's definition of a demilitarized Palestinian state was so circumscribed that it could not emerge as a genuine sovereign entity. As the months passed, however, unexpected Israeli opposition to the plan arose. While mayors of key bloc settlements largely adjacent to Israeli urban areas—where residents choose to live largely for economic, not ideological, reasons—endorsed the plan, leaders of outlying settlements, motivated by fierce ideological opposition, coalesced into a powerful opposing front.⁸ Though they represented a minority of settlers, these leaders were strong and cohesive enough to pressure Netanyahu not to endorse what was in effect his own plan. This was an astonishing moment when Netanyahu—icon of the Israeli right—could not endorse a peace plan that he had called the most favorable in Israeli history. The result was an astonishing impasse between the Netanyahu government and the Trump administration. It took a move by the United Arab Emirates during summer 2020 to end the impasse, whereby Abu Dhabi normalized relations with Israel in exchange for Israel's deferral of annexation for four years, along with the U.S. sale to the Emirates of advanced weapons.⁹

This turn of events reminded observers of the influence of the non-bloc settlers, as well as of Israel's complicated political dynamics. Whereas major-bloc settlers sought to ensure they were included in the borders of a post-agreement Israel, non-bloc settler leadership aspired to prevent any new borders from being drawn at all.

Notes

- 1 Note that throughout this paper date ranges vary slightly depending on data sources.
- 2 See <https://www.washingtoninstitute.org/westbankinteractivemap/>.
- 3 UN High Commissioner for Refugees for 2014, “Human Rights Situation in Palestine and Other Occupied Arab Territories,” June 2, 2015, <https://undocs.org/A/HRC/29/CRP.4>; Israel Ministry of Foreign Affairs for 2014, “Annex—Palestinian Fatality Figures in the 2014 Gaza Conflict,” <https://mfa.gov.il/ProtectiveEdge/Documents/PalestinianFatalities.pdf>; UN Office for the Coordination of Humanitarian Affairs for 2021, “Occupied Palestinian Territory (oPt): Response to the Escalation in the oPt,” Situation Report 1, May 21–27, 2021, <https://bit.ly/3GHZU90>.
- 4 These data were calculated through the integration of three Israeli government sources: (1) annual data from the Central Bureau of Statistics (CBS); (2) the Population Registry (produced and maintained by the Ministry of Interior); and (3) for the population of outposts, the Civil Administration’s inspection unit. Each source uses a slightly different methodology with distinct strengths and weaknesses (e.g., the CBS data is based on growth trends in between censuses, and its accuracy may vary greatly in small populations, including many settlements), and thus their integration helps account for minor variations. The calculations were conducted by Dr. Dany Tirza, one of Israel’s foremost cartographers and an expert on Jewish demographics in the West Bank, in the following: *Data and Trends in Israeli Settlement in the West Bank*, 2020, Yozmot Ltd., Israel.
- 5 David Makovsky with Sheli Chabon and Jennifer Logan, *Imagining the Border: Options for Resolving the Israeli-Palestinian Territorial Issue*, Strategic Report (Washington DC: Washington Institute, 2011), <https://www.washingtoninstitute.org/media/3376>.
- 6 For the address, see White House, “Remarks by President Biden Before the 76th Session of the United Nations General Assembly,” September 21, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/09/21/remarks-by-president-biden-before-the-76th-session-of-the-united-nations-general-assembly/>.

- 7 For the Trump plan, see *Peace to Prosperity: A Vision to Improve the Lives of the Israeli and Palestinian People* (January 2020), <https://trumpwhitehouse.archives.gov/wp-content/uploads/2020/01/Peace-to-Prosperity-0120.pdf>.
- 8 Jacob Magid, “Settler Umbrella Group Protests Trump Plan, but Some Mayors Endorse It,” *Times of Israel*, May 21, 2020, <https://www.timesofisrael.com/settler-umbrella-group-adopts-motion-against-trump-plan-but-opposition-builds/>.
- 9 Jacob Magid, “U.S. Suspends \$23 Billion Sale of F-35s to UAE That Followed Abraham Accords,” *Times of Israel*, January 27, 2021, <https://www.timesofisrael.com/us-puts-hold-on-sale-of-f-35s-to-uae-that-followed-abraham-accords/>.

2

Assessing the Viability of the Two-State Solution

The Jewish settler movement failed to stop the Egypt-Israel peace treaty of 1979 and later the Gaza disengagement of 2005. In both cases, settlements were dismantled—despite vociferous opposition—and Israeli commitments to withdrawal won out. Of course, far more settlers live in the West Bank today than lived in Gaza or Sinai in those prior generations. Yet in both 1979 and 2005, Israeli leaders' political will ultimately prevailed over the facts on the ground, because the Israeli public understood much was at stake. In 2020, the Israeli public preferred the tangible gain of normalization with a wealthy Arab state over West Bank annexation.

Moreover, while Netanyahu-led coalitions between 2009 and 2021 had different shades of broader political participation, all were distinctly right of center. In contrast, the new Israeli government encompasses a wider variety of views, including rotation between right-wing and centrist prime ministers over 2021–25. Today, prominent parts of the coalition, including the centrist defense and foreign ministers as well as the left-wing parties, believe settler expansion east of the barrier means a slide to a one-state reality that risks Israel's character as both a Jewish and a democratic state.

Though these elements do not always prevail, they constitute a brake on coalition elements that favor further settlement expansion.

Nevertheless, the settler population east of the barrier has doubled in the past decade, and each increase makes a two-state solution more difficult. While some believe the point of no return has already been reached, the fact that a vast majority of settlers live inside, or west of, the barrier suggests that a two-state solution has yet to be precluded. Still, continued expansion east of the barrier could make a two-state outcome moot, hence the focus of this study.

Settlement Developments in the Bennett Government

The Bennett-Lapid coalition government has been in power since June 2021 and only passed a budget in November 2021. But several important developments regarding settlements have occurred with consequences for U.S.-Israel relations.

As noted at the start of this paper, settlements are one of the few issues that could seriously hurt Israel's relations with the Biden administration. Both governments have made clear that they prefer to resolve issues privately, but Bennett has not been extremely circumspect when it comes to settlement approvals, as was evident in two announcements in August and October 2021, following June and October meetings by the Israeli body that approves settlement plans.¹ If anything, the signals are moving in the wrong direction, as the Bennett government is approving more settlement activity outside the security barrier.² Friction with Biden could well follow.

After the late October announcement on settlement activity, which represented a nearly 40% increase from the August proposals, with a higher proportion of units slated to be built east of the barrier, a U.S. State Department spokesperson issued a pointed public statement, saying: "We strongly oppose the expansion of settlements which is completely inconsistent with efforts to lower tensions and ensure calm, and...damages the prospects for a two-state solution. Plans for the retroactive legalization of illegal outposts

[are] unacceptable. We continue to raise our views on this issue directly with senior Israel officials in our private discussions.”³ (See box, “Settlement Expansion in 2021.”) U.S. secretary of state Antony Blinken reportedly called Israeli defense minister Benny Gantz to complain about the move.⁴ Gantz is viewed by the Biden administration as sympathetic to U.S. concerns about the Palestinian issue, and Washington perhaps hopes he will seek to persuade Bennett to refrain from future such actions.

If Washington does not differentiate when it comes to settlement locations, the Bennett government’s logic seems to dictate, then Israel can similarly ignore the distinction. According to recent news reports, sources close to Bennett have stated that, contrary to U.S. statements on the October settlements announcement, the Biden administration “doesn’t care that much” about the decision and “they have no problem tolerating it.”⁵ Yet given the problems attending the last two rounds of settlement approvals, which included significant construction beyond the security barrier and raised bilateral tensions, the two governments should be energized to reach quiet understandings.

Between the initial August announcement regarding settlements and the modification and actual approval of the plans in October, the government’s focus shifted to settlement activity outside the security barrier, raising the question of why Israeli policy took this problematic turn. Indeed, the Bennett government appears to be keen on placating its right-wing elements—given their often single-issue focus on settlement activity and plenitude of electoral options—rather than the center-left parties, which feel left out of decisionmaking and are increasingly critical of the government.⁶ The coalition’s right-wing parties appear to be pressing the settlement issue as a way to justify to their constituents that they have not sold out by joining a hybrid government.

Context for Recent Settlement Moves

The Bennett government’s settlement policy must be seen in the context of its origins and composition. The current government was, in theory, supposed to avoid divisive issues like settlements. It was sworn into office with

a slender 60–59 majority in mid-June 2021, and is clearly reluctant to take steps that could galvanize the Likud minority to topple the government. A March 29, 2022, poll conducted by Channel 12 and Mano Geva shows that the current coalition parties would win only 56 seats if elections were held today, with New Hope at risk of failing to meet the 3.25% electoral threshold, and each party leader loses handily to Netanyahu in head-to-head polling.⁷

Israel's hybrid government—composed of eight parties with an ideological breadth unprecedented in Israeli history—is organized around the principle of protecting against an erosion in the institutional independence of the judiciary and law enforcement. These parties feared that Netanyahu's trial on corruption charges could significantly damage Israeli democracy, and they joined together to preserve what they see as the historic achievement of Zionism. However, bringing together three parties on the right—led, respectively, by the prime minister, Justice Minister Gideon Saar, and Finance Minister Avigdor Liberman—plus three parties on the left was no easy achievement. Two of the left-wing parties are the once vaunted Labor, led by Transportation Minister Merav Michaeli, and Meretz, led by Health Minister Nitzan Horowitz. The United Arab List, led by Mansour Abbas, is not a member of the government but belongs to the coalition. The first Islamist party to take part in an Israeli governing coalition, the United Arab List adopts views on the Palestinians that often align with Labor and Meretz, even if it does not hold traditionally left-leaning views on social issues.

Ironically, Bennett's vulnerability may be very much tied to his own party partner and interior minister, Ayelet Shaked, who has repeatedly hinted at her desire to return to the right-wing opposition. Her departure would further erode the Yamina party, which already suffered defections when Bennett refused to join a right-wing coalition led by Netanyahu. (Housing Minister Zeev Elkin, who is responsible for settlement policy, also has been an ideologically ardent supporter of settlement activity outside the barrier.) In contrast, parties on the center and left have few electoral options. (Labor has not been part of a ruling coalition since 2013; Meretz has not been in government since 2001.) They know that bringing down this coalition could well lead to Netanyahu's return.

Settlement Expansion in 2021

In 2021, Israel approved or finalized 3,645 homes in the settlements, a 70% decrease from 2020, when 12,159 homes were advanced.⁸ However, the number of construction starts rose from 1,286 in 2020 to 2,526 in 2021, a 96% increase, as a backlog of approved projects further delayed by the Covid pandemic began to clear.⁹ The number of units completed also rose slightly, from 1,802 in 2020 to 2,092 in 2021.¹⁰

On August 11, 2021, the Bennett government indicated that Israel would advance plans for 2,223 Jewish housing units in Area C (which is under Israeli civil control), largely west of the barrier, and essentially agreed to approve 863 previously built Palestinian housing units that had spilled over from villages in Area B (under Palestinian civil control).¹¹ News reports stated that Bennett slashed the initial plan of 3,623 settlements by 1,400 east of or outside the security barrier (roughly 39%) to placate the Biden administration, both because this was the first settlement housing project approved during Biden's term and in anticipation of Bennett's Washington visit later that month. The approval of Palestinian housing, the first such action in several years, was understood in the same light.¹²

Of the 2,223 Jewish housing units in the August announcement, 1,315 were advanced for further discussion, while 908 received final approval (see Annex A for details on the settlement approval process). More than 88% of the advanced units and roughly 60% of the finalized units are located west of the separation barrier; overall, 77% of the units will fall west of the barrier. The major exceptions are 286 units finalized for Elon Moreh, outside Nablus, and another hundred units planned for Har Bracha, in the same

region. The fact that the large majority of announced settlements were inside, or west of, the barrier was interpreted as a sign from the Bennett government to both Biden (that it would build primarily inside the barrier) and the settlers outside the barrier (that it would not freeze).¹³

The plans announced on August 11 were set to be approved at an August 17 committee meeting, but a labor strike at the Defense Ministry delayed the meeting.¹⁴ Instead, an update to the August plans, announced October 22, included far more housing units outside the security barrier. Indeed, just over half the units announced on October 22 and approved on October 27 are east of the barrier, whereas in the August version only 23% were. The October ratio—51% in the east, 49% in the west—was so precise that it appeared to be a hardly veiled message to the Israeli right.

This 51/49 ratio for the 2,860 units used figures from the NGO Peace Now, which were revised to avoid double-counting where previously approved plans were being expanded.¹⁵ Moreover, 1,519 units were submitted for approval—the first step of the planning process—of which roughly 82% were west of the separation barrier and 18% east of it. This ratio was reversed regarding the 1,341 units set to be validated for final approval; of these, only 12 percent were west of the barrier and 88% to the east. Of the nearly one thousand units added in new locations between the August and October announcements, 95% were east of the barrier, mostly in Eli and Talmon (629 and 224 units, respectively). A senior Israeli official was quoted as follows: “As far as the Americans are concerned, there is no difference if we approve 2,400 or 2,800 housing units, so we decided to release what’s already in the barrel.”¹⁶ In other words, the U.S. approach to the settlements is undifferentiated, so why not build in an undifferentiated manner? As U.S. criticism mounted with the October approvals outside the barrier, however, Foreign Minister Yair Lapid pledged he would be

“in the room” when such decisions were made in the future, which was interpreted as a sign that more controversial proposals would not get through.¹⁷

Additionally, on October 24, the housing minister announced the publication of construction tenders, a final step before building actually begins, for 1,355 homes in the West Bank.¹⁸ (Under the Israeli system, “tenders” constitute the public notification in the press so that companies can bid on construction for large tracts.) These homes are almost entirely in cities and local councils, which, unlike many smaller settlements, require the publication of tenders—and roughly two-thirds are west of the barrier. Of these, over one-half approved in October 2021 are in Ariel, which is twenty-two kilometers into the northern West Bank from the Green Line despite being inside the separation barrier—indeed, the furthest settlement still within the barrier.

These tenders marked a continuation of plans already finalized in the Netanyahu era. The October 24 announcement also included the publication of tenders for eighty-three homes in the Givat Hamatos neighborhood of East Jerusalem, a highly controversial area because it inhibits the contiguity of a potential Palestinian capital in the city. Moreover, in late October, construction of a new neighborhood began in the Jewish enclave in Hebron, known as H2—the site of much violence and one of the tensest areas of the West Bank. This is the first significant construction in two decades in H2 and received final government approval in 2018 under Netanyahu.¹⁹

Another 1,303 Palestinian housing units were approved at a meeting of the Higher Planning Committee on November 1, many of which had been waiting more than five years to be authorized.²⁰ Indications suggest many of the units on the agenda have already been constructed and are awaiting retroactive legalization (see figure 1 for Israeli and Palestinian building).²¹

Figure 1: Construction of Israeli Settler and Palestinian Units

Regional Council	E/W of Barrier	Location	# of Units	Approved	Finalized
SAMARIA	W	Revava	399	399	0
		Kedumim	380	380	0
		Barkan	10	0	10
		Peduel	7	0	7
		Hinanit (Tal Menashe)	115	115	0
		Tzofim	4	4	0
		Yair Farm	96	96	0
	E	Har Bracha	286	0	286
		Elon Moreh	100	100	0
		Hermesh	7	7	0
		Shavei Shomoron	152	0	152
		Itamar	123	0	123
		Nofei Nehemia	118	118	0
Rechelims		94	94	0	
BINYAMIN	W	Givat Zeev	115	73	42
	E	Beit El	52	52	0
		Eli	629	0	629
		Talmon	224	0	224
		Haroeh Haivri	24	0	24
		Maaleh Michmash	14	0	14
GUSH ETZION	W	Kfar Etzion	146	146	0
		Alon Shvut	128	110	18
		Efrat	4	4	0

Regional Council	E/W of Barrier	Location	# of Units	Approved	Finalized
MEGILOT	E	Vered Yeriho	45	45	0
MOUNT HEBRON	W	Sansana	100	100	0
	E	Tene	68	68	0
		Shima	5	0	5
LOCAL COUNCIL	W	Oranit	66	0	66
LOCAL COUNCIL	W	Karnei Shomron	133	27	106
Total			3,645	1,938	1,707
Total West of Barrier			1,699 (46.7%)	1,450 (75.0%)	249 (14.6%)
Total East of Barrier			1,941 (53.3%)	484 (25.0%)	1,457 (85.4%)

Palestinian Construction Approval			
Location	Governorate	# of Units	Approval/Deposit
al-Masara	Bethlehem	270	Deposit
Bir al-Basha	Jenin	270	Deposit
Abba al-Sharqiya	Jenin	160	Deposit
al-Masqufah	Tulkarem	233	Deposit
Khirbet Abdallah al-Yunis	Jenin	170	Approval
Dkeika	Hebron	200	Deposit
Total		1,303	

Sources: “780 Settlement Housing Units Approved Ahead of U.S. Presidential Transition,” Peace Now, January 17, 2021, <https://peacenow.org.il/en/780-housing-units-were-approved-in-settlements>; “The Government Is Advancing 30 Plans with 2,860 Units for Settlers and 6 Plans with 1,303 Units for Palestinians,” Peace Now, October 22, 2021, <https://peacenow.org.il/en/the-government-is-advancing-30-plans-with-2862-units-for-settlers-and-6-plans-with-1303-units-for-palestinians>.

The Bennett Balance: Avoiding Public Confrontation with Biden and with Settlers

Despite the unease created by recent settlement announcements, the Bennett government has attempted to strike a balance between mollifying Biden on one side and the settlers on the other. The following examples bear this out.

Bennett has demonstrated a preference for compromise on outpost evictions. The Evyatar outpost example is telling.²² First established in 2013, Evyatar was destroyed by Israeli officials shortly after its construction, and thereafter rebuilt and destroyed again several times. After yeshiva student Yehuda Guetta was murdered by a Palestinian at Tapuach Junction in May 2021, activists from the Nahala Movement rebuilt Evyatar a final time.

The IDF prepared to demolish the outpost in June 2021, prompting a crisis. Following court challenges, the brand-new government brokered a compromise in which the settlers evacuated on their own on July 2 and were assured that any rebuilt structures would be spared demolition, and also promised that they could return if it could be proven that Palestinians did not own the land. The settlers acceded to the request. Six days later, Palestinians appealed to Israel's High Court of Justice to annul the compromise on the grounds that it was their land. An IDF survey to determine the status of the land, completed in October 2021, revealed that roughly 60 dunams (about 15 acres) were state-held.²³ Nahala has used this result to advocate for the outpost's reconstruction and legitimization, while left-wing NGOs have argued that because the surrounding lands are all privately owned by Palestinians, there is no way to feasibly construct the outpost. Evyatar remains an outstanding issue for the government, and left-wing Meretz has warned that it will not allow the outpost to be legalized while the party sits in government.²⁴

In February 2022, meanwhile, outgoing attorney general Avichai Mandelblit delivered his opinion that there were no legal obstacles preventing the construction of either a yeshiva or settlement at Evyatar, leading the

Samaria Regional Council to call for a start to construction.²⁵ The Israeli Foreign Ministry warned that constructing the settlement would damage Israel's ties with the United States and its allies, along with its standing in international institutions.²⁶ In comments to *Haaretz*, however, a senior Israeli official downplayed the chances that Evyatar would be constructed, saying, "It's clear to all the sides that the High Court of Justice will not let it happen, despite the authorization given by the outgoing attorney general."²⁷ A clear conflict has emerged within the coalition, with the right-wing coalition members and, critically, even the approximately centrist Blue and White supporting the deal, while Yesh Atid, Labor, and Meretz are all strongly opposed.²⁸ However, the Bennett government has not hesitated to evacuate outposts in other cases. In mid-March 2022, the IDF dismantled the Maoz Esther and Aira Shachar outposts near the settlement of Kochav Hashachar, and several smaller outposts have been dismantled repeatedly in recent months.²⁹

For the first time, Israel is seeking to offset at least some settlement construction in Area C with construction for Palestinians. Until Bennett took office, Israeli permission for Palestinian construction in Area C was extremely rare. The novel idea of allowing both Jewish and Palestinian building in Area C, at a ratio favorable to Jewish settlement, was put forth as part of the August 2021 announcement, which would have approved 2,223 Jewish housing units alongside 863 Palestinian ones, a ratio of roughly 2.6:1. In October, this was modified to the earlier-noted 2,860 Jewish housing units alongside 1,303 Palestinian ones, a ratio of 2.2:1. (As already noted, the goal appears to be mainstreaming Palestinian housing in Area B villages near the Area C boundary that were already constructed without prior authorization, not approving new construction.)

This proposal exposed the same fault lines among the settler leadership as during the fight over the Trump peace plan. Settler leaders within the blocs, like Efrat mayor Oded Revivi, who had welcomed the Trump plan, also expressed support for the government's approach.³⁰ Revivi has long voiced his belief that settlers should not reflexively oppose Palestinian construction, so he welcomed the idea that both could gain. Meanwhile, the settlers' Yesha Council chairman David Elhayani expressed dissatisfaction, as he

had with the Trump plan: a redline has been crossed, he declared, “when the government makes the correlation between Israeli[s] and Palestinians building in Area C. It gives a message to the Palestinians that if you build in Area C, we will authorize it.”³¹ The general understanding, however, was that the government had carefully calculated the pairing of Jewish and Palestinian construction approvals so as to minimize domestic blowback from both right and left and to avoid drawing too much criticism from the Biden administration.

Bennett has honored his commitment not to make any moves toward unilateral West Bank annexation. The prime minister’s stated position is “no annexation and no settlement freeze.” Bennett noted that no annexation was a commitment made by Netanyahu in return for normalization with the Emirates during summer of 2020. (A senior Arab diplomat said privately to this author that the commitment was for the next four years.) This has drawn fierce criticism from the settler movement, which has singled out Defense Minister Benny Gantz as well as Bennett for their ire. Some, such as Chief of the Binyamin Regional Council Yisrael Gantz (no relation), have leveled accusations of a de facto settlement freeze in Judea and Samaria, the name they use for the West Bank.³² Bennett met with settler leaders in September 2021 to reiterate that no freeze had been implemented.³³

On March 20, 2022, settler leaders—including all regional council heads and seven mayors, although notably excepting Efrat mayor Oded Revivi—announced they would not meet with Gantz until the Higher Planning Committee, which had not met since October 2021, resumed a regular quarterly schedule.³⁴ Six days later, the Yesha Council announced that it would launch a campaign with the explicit goal to topple the government over its lack of progress on settlements, a move analysts noted had not occurred in fifteen years.³⁵

Bennett has asserted a desire to avoid divisive issues in a government devoted to consensus issues. Observers have taken this message, first stated at the start of his term, to mean that the prime minister would prioritize future settlement activity within the security barrier—but, as noted, the October 2021 settlement approvals included a majority of units outside the barrier.

Furthermore, the October announcement reflects the Bennett government's strategy of pairing Jewish settlement with a smaller amount of Palestinian construction, reflected in the 2.2:1 ratio noted earlier. Yet the significant increase in building east of the barrier has complicated matters. The eastward units added to the August proposal were primarily in Eli and Talmon, two large settlements of four to five thousand residents each; that they were not included in the August announcement indicated the Bennett's government's recognition that the move could harm U.S.-Israel relations before the prime minister's first meeting with Biden. Yet Israel continued with the approvals despite clear U.S. disapproval.

Domestic Israeli politics plays a distinct role. The right-wing parties in the coalition, which control several critical bodies regarding settlement construction—in particular, the Prime Minister's Office (Yamina) and the Housing Ministry (New Hope)—wish to prove to their own constituents that they are not abandoning their ideological positions. This situation has become particularly acute as coalition infighting has increased and some members of the government, including Ayelet Shaked and Bennett himself, have expressed doubts that the government will survive until Yair Lapid becomes prime minister in August 2023.

The announcement of construction tenders for 1,355 housing units on October 24 by Zeev Elkin, a carry-over initiative from the Netanyahu era that could have been realized at any time, is illustrative of Israel's precarious politics. Challenged by left-wing coalition members over the move, the housing minister emphasized that he would not allow Meretz to alter his settlement policy, comparing his decision on settlements to that by some "Meretz people" to meet with Palestinian Authority president Mahmoud Abbas—a decision, he emphasized, with which he disagreed.³⁶

Though the left-wing parties are unlikely to bring down the government over settlements, fearing Netanyahu's return to power, such moves inflame tensions and make governance much harder. Yet even the left-wing parties allow for gradations in explaining their views on settlements. Minister of regional cooperation Issawi Frej (Meretz), for example, remarked on October 31: "There is a difference between building a house in an existing settlement and building a new settlement...Three thousand housing units

is just a headline; on the ground, the situation is different. Evyatar is an obstacle, E1 is an obstacle, adding another house to an existing settlement is not an obstacle.”³⁷

Meanwhile, opposition to all settlement activity from the Biden administration, like the Obama administration before it, highlights specific activity that could threaten the very contiguity of a two-state solution. A case in point is E1 (see Annex E), a controversial plot between East Jerusalem and Maale Adumim that many see as critical for a contiguous Palestinian state and that has emerged as a focal point. In late November 2021, twenty-five Democratic representatives wrote an open letter to Secretary of State Antony Blinken urging him to pressure Israel to stop its plans to build in the corridor.³⁸ The U.S. ambassador to the UN, Linda Thomas-Greenfield, told the Security Council around the same time that the “practice [of settlements] has reached a critical juncture, and it is now undermining even the very viability of a negotiated two-state solution.”³⁹ Only two days later, Blinken and Bennett had an “intense” phone call, as characterized by media reports, in which, among other things, Blinken reiterated the strong U.S. opposition to the advancement of a major construction plan for Atarot, another politically controversial site northeast of Jerusalem (see Annex E).⁴⁰ That plan was indirectly delayed after a hearing on December 6, when the Interior Ministry’s District Planning Committee ruled that an environmental impact study, which could take well over a year to complete, was necessary before it would consider the plan.⁴¹ (Israel’s Ministry of Environmental Protection is headed by Meretz, slowing the process down.)

The Need for a Quiet U.S.-Israel Understanding

At the core of a U.S.-Israel understanding on settlements—a prerequisite to achieving an eventual two-state solution—would be a commitment by Israel to avoid additional construction outside, or east of, the security barrier, even if that commitment could not be announced publicly. (On the possibility of using normalization inducements from Arab Gulf states, as occurred with

the UAE, see the TWI transition memo published in January 2021.⁴²)

Reaching a quiet understanding on settlements is fraught for all sides: for the Palestinians, who oppose all settlement activity as illegal; for the Israeli coalition, whose members embrace a vast array of conflicting views on the Palestinian issue; and for Bennett himself, who does not back a two-state outcome. On the eve of his August 2021 visit to the White House, Bennett told the *New York Times*: “This government is a government that will make dramatic breakthroughs in the economy. Its claim to fame will not be solving the 130-year-old conflict here in Israel.” He added: “This government will neither annex nor form a Palestinian state, everyone gets that. I’m prime minister of all Israelis, and what I’m doing now is finding the middle ground—how we can focus on what we agree upon.”⁴³ In an interview with the *Jerusalem Post* on January 28, 2022, Bennett said,

I think it would be a terrible mistake to create a Palestinian diplomatic entity in our land, but I don’t forbid them to meet. I don’t think it’s right to meet with someone who is persecuting IDF officers in The Hague and transferring money to murderers. But in the end, I’m not vetoing the meetings, as long as they don’t deal in the diplomatic arena. [Foreign Minister Yair] Lapid and [Defense Minister Benny] Gantz know this, and they made sure to say that there is no diplomatic conversation in this matter..To their credit, they always update me and ask for a green light before and then update me after.⁴⁴

Likewise, before taking office, Bennett told an Israeli television interviewer: “The national struggle between Israel and the Palestinians is not over territory. The Palestinians do not recognize our very existence here, and it appears this will be the case for some time. My thinking in this context is to shrink the conflict. We will not resolve it. But wherever we can [improve conditions]—more crossing points, more quality of life, more business, more industry—we will do so.”⁴⁵

Reaching a quiet agreement is sensitive for Biden, whose Democratic Party has tended to view permission for any settlement expansion as an imprimatur for settlement expansion writ large. The U.S. official position is

against all settlement activity, so it is wary of being seen as condoning any settlements, especially those outside the barrier. Setting aside that position, the Biden administration is not indifferent to the location of settlements—especially where new construction might affect the territorial contiguity of any future Palestinian entity. Specifically, it views building in E-1—located northwest of Maale Adumim—as constraining north-south movement within any Palestinian entity seeking to avoid tunnels and underpasses. It is likewise concerned about construction of housing in Givat Hamatos, located in south Jerusalem beyond the Green Line, as limiting access for Palestinians entering the city from Bethlehem (see Annex E).

Yet U.S. officials say privately that construction within the barrier—albeit not up to the barrier—will be pursued by the Bennett government, even if it is at a somewhat slower pace than during the Netanyahu period. They also acknowledge that if the two-state idea unravels, it will be on account of settlement activity outside and not inside the security barrier. One upshot could be this, as one knowledgeable U.S. official put it: “It is easier for us to avoid messy negotiations and rather focus on expectations. We want no new settlements, no new activity outside the barrier. We do not want to see an expanding footprint.”⁴⁶

At the heart of any Biden-Bennett understanding must be acceptance by the Israeli leader that *there will be no new construction east of the barrier*. “No new settlements,” as a blanket demand, is unrealistic as the basis for an understanding, given that new neighborhoods can sprout up half a mile from the most recently built house, and some illegal outposts have been gradually legalized over time. Building along key arteries where a Palestinian state could be established also undermines the prospect of a two-state solution. And the more Israel builds east of the barrier, the more it erodes legitimacy for west-of-the-barrier settlements in the name of security.

Even if a two-state outcome cannot be implemented now, Israel should be interested in ensuring that the possibility is not abandoned. The consequences for Israel’s Jewish and democratic character would be considerable. And the massive settlement expansion demanded by the right would further undercut support for Israel among American Jews, especially the younger generation, threatening a deep historic connection.⁴⁷

Moreover, any future planned construction of settlements outside the security barrier will be seized on by critics within and outside the Biden administration as evidence that the Bennett government is exploiting the administration's goodwill. And they will, in response, seek to toughen the Biden administration's public position toward the Bennett government—which cannot possibly be in the interest of the latter. The overriding interest of both the United States and Israel, then, is to find ways to reach understandings regarding east-of-the-barrier settlements, lest the two-state idea come undone. The gaps between the two governments' positions should not be insurmountable.

How the History of the Settler Movement Informs the Current Discussion

The origins of the post-1967 settler movement were ideological, but not uniformly right-wing or religious Zionist. Indeed, some of the earliest settlements, such as the reestablished Kfar Etzion (in 1967), which had fallen in the 1948 war along with several other Jordan Valley settlements, were founded by kibbutzniks, adherents of the old pioneering tradition of the Yishuv, as the Jewish prestate community in Palestine was known. In the early years, heterodox support for the settlement movement included liberals and secular right-wingers attached to the idea of a unified land of Israel along with a desire to increase Israel's security, as well as from religious Zionists who saw the settlement and acquisition of historic Judea and Samaria by Israel in messianic terms.

The first settlements formed after 1967 in Israel's newly acquired territories, including the Golan Heights and Gaza Strip, were a mix of kibbutzim and other communities established either by a nascent West Bank settler movement or by the paramilitary IDF unit and youth organization Nahal.⁴⁸ These late-1960s and mid-1970s settlers were driven not by the desire for an easy commute to Israeli urban areas but rather by nationalism, or else by a government determination that areas like the Jordan Valley held strategic value due to potential attacks from the armies of Jordan, Syria, Iraq, or other Arab states. Whereas the government preferred to avoid settling near Palestinian cities, the settlers harbored no such objections owing to their nationalist-biblical motivations. The first major religious Zionist settlement in the West Bank, Kiryat Arba, can be dated to less than a year after the 1967 war, when a group of settlers led by Rabbi Moshe Levinger claimed to be spending Passover at a Palestinian hotel in Hebron but refused to leave, citing the Jewish connection to the city.⁴⁹

Cited by the Bible as part of Hebron, Kiryat Arba is said to be where the patriarch Abraham lived. The Israeli government, seeking to avoid tension with the Palestinians living there but sensitive to the political consequences of evicting Jews from a biblical city, moved the settlers to just outside the city.

By the mid-1970s, settlements were driven more by nationalism than government strategy; many of the early settlements established by the IDF's special Nahal units were turned over to civilians, and nongovernmental forces became the core of the settler movement. In 1974, religious Zionists established Gush Emunim (Bloc of the Faithful), a largely youth-led movement that rapidly accelerated religious Zionist settlement.⁵⁰ Yet the watershed moment came in 1977, when the Likud government led by Menachem Begin replaced the long preeminent Labor Party, which had dominated Israel for the first twenty-nine years of its existence. Likud abandoned Labor's focus on very select strategic settlement locations—with a few exceptions owing to successful settler exploitation of party infighting—that would facilitate a West Bank partition, versus a more undifferentiated, nationalistically driven approach that could preclude it. (The security barrier, erected beginning in 2002 during the second Palestinian intifada to protect against suicide bombing, showed where partition was still possible, but tellingly the ideological settlements exist outside, or east of, the barrier.)

The two other Israeli population centers east of the barrier, alongside Kiryat Arba, are flagship ideological settlements of the 1970s. The city of Beit El is where Jacob is believed to have worshipped God before leaving the land of Israel. Ofra, too, is considered to have biblical origins. Taken together, these three centers are believed to have a combined population just exceeding 16,000.⁵¹

Patterns emerged over the decades. Nonideological settlers seeking cheaper housing and a higher living standard, who worked in

urban areas like Jerusalem and Tel Aviv, typically settled closer to the Green Line. They were predominantly the ones to gain protection from the security barrier during the second intifada. More ideological settlers tended to dwell outside the barrier, often near Palestinian urban areas. East-of-the-barrier settlers were captivated by the idea of living in the presence of biblical figures; and they were among the earliest settlers in all three largest population centers—Kiryat Arba, Beit El, and Ofra—outside today’s security barrier. Religious Zionists, animated by messianic ideology after the Six Day War, exhibited deep ties to the land, regardless of hardship. When, during a wave of second intifada attacks, a small number of less ideologically motivated secular settlers began to leave largely arid, barren Jordan Valley settlements, religious Zionists took their place.

West Bank settlers, of course, cannot be seen as synonymous with religious Zionists. To begin with, religious Zionism preceded the 1948 founding of the state, its leaders viewing their movement as a reaction against ultra-Orthodoxy and its exclusive focus on religious study. Like those in the analogous U.S. modern Orthodox community, most religious Zionists seek ways to combine a religious and a modern lifestyle, including professional activity. Yet, quite unlike the American modern Orthodox community, religious Zionists have seen themselves as a vanguard in building a Jewish state. While, for the first two decades of statehood, religious Zionists were content to defer to secular pioneers, a new generation born before or around 1948 emerged after the 1967 Six Day War, who saw, seeing the war’s outcome as a religious rendezvous with destiny. They meanwhile bristled at the erudition and cosmopolitanism of their European-minded forebears and simultaneously felt discomfort in their role as observers of secular nationalists as pioneers of the land. The religious Zionist crowd similarly objected to what it perceived as the secularists’ increasing focus on self-fulfillment rather than commitment to the national project.

The professional focus of many religious Zionists, however, has led to a backlash among purists, who in recent years have expressed the desire for a recalibration toward religious commitment and national sacrifice. A growing group of particularly rigorous adherents—nicknamed Hardal, an amalgam of the Hebrew acronyms for ultra-Orthodox and religious nationalist—think religious Zionists have become too modern.⁵² Whether Hardal or more classic religious Zionists, however, the ideology of many east-of-the-barrier settlers has intensified over the last thirty years, particularly with regard to military service and setting an example for the country. From the 1970s until today, many religious Zionists have viewed themselves as the defenders of Israel and inheritors of the pioneering spirit of the early Zionists. They contrast their high rates of combat service with relatively lower rates in secular, liberal bastions like Tel Aviv.

Today, there are 130 Jewish settlements in the West Bank, along with more than 130 typically small outposts (discussed later), which the Israeli government considers illegal because their creation was not approved subject to Civil Administration legal processes. Outposts are generally, though not always, established east of the separation barrier, and they are usually founded and staffed by the more radical elements in the settler movement.

The settlers east of the barrier justify the settlement project with multiple, mutually reinforcing arguments. Biblical patrimony plays a major role, as does national security, particularly with respect to settlements in Samaria and the Jordan Valley. But the settlers also see themselves as fighting a “shadow war” against the Palestinians over land in Area C.

Strategic Settlement in Area C

The contest between the settlement enterprise and the Palestinian Authority (PA)—marked on both sides by unlawful construction and use of the legal process both to delay demolitions of one’s own unauthorized structures and to object to new construction by the other—is often characterized as a battle for Area C. Settlement organizations and activists regularly allege that they are restricted from building even as unauthorized Palestinian construction continues unchecked, and present themselves as a bulwark against the de facto creation of a Palestinian state in Area C.⁵³ The Israeli government is both an observer of and a participant in this contest, and is regularly criticized both by supporters of the settlement movement and by supporters of the Palestinians.

Many in Israel, mostly on the right, have long argued that unauthorized Palestinian construction in Area C—which violates Oslo Accords provisions requiring that all such construction be approved by the Israeli government—is an explicit PA attempt to create facts on the ground and claim more territory. The hard-right-wing NGO Regavim (“small patches of land,” in Hebrew)—which advocates promoting Jewish construction and stopping unauthorized Palestinian construction in Area C and is one of the only organizations to track Palestinian construction—claimed that this effort was part of the “Fayyad Plan,” a Palestinian attempt encompassing more than 34,000 dunams (about 8,400 acres) and seeking to expand the Palestinian footprint in Area C by 77% in one decade. In a general sense, focusing on unauthorized Palestinian construction is legitimate, but it must be said that this construction occurs in the context of extremely rare Israeli authorization for Palestinians to expand their villages in Area C. Much unauthorized building has taken place on the outskirts of towns with the purported aim of “Ending the Occupation, Establishing the State.”⁵⁴ According to Regavim, between 2009 and 2019, Palestinians built almost 29,000 illegal structures in Area C (which is under Israeli civil and security control), many of them just outside Area B (under Palestinian civil control) in places designated

as Area C, and it significantly outpaced Jewish construction over the same time period, according to the NGO.⁵⁵

Explanations and analyses of illegal Palestinian construction differ. Left-of-center NGOs argue that it occurs because Israel almost never approves Palestinian construction proposals; indeed, the approval rate for Palestinian housing units between 2016 and 2018 was only 0.81%.⁵⁶ Groups like Regavim counter that up to 70% of the land in Area B is undeveloped, and that population density in Area B is relatively low. They view the expansion of Palestinian construction in Area C as part of a deliberate attempt to create an “irreversible reality” by seizing as much of the area as possible through illegal construction, squatting, and other methods, and point to Palestinian planning that envisions expansion in many communities in Area C.⁵⁷

The nonpartisan group Commanders for Israel’s Security—which reports that roughly 20,000 Palestinian housing units were built without authorization in Area C between 1995 and 2017—believes that the problem stems from multiple sources: a lack of clear planning and construction guidelines, a shortage of suitable land on which to build in Area B, and natural growth outstripping construction in both Jewish and Palestinian parts of Area C.⁵⁸ As a resolution, they advocate reclassifying peripheral parts of Area C as Area B, so as to remove the problem of unauthorized construction while at the same time increasing the number of Palestinians under PA control, limiting the number under Israeli control, and signaling that Area C does not represent a final apportionment of territory. In exchange, the group proposes that free construction be allowed in certain Jewish settlements and neighborhoods in East Jerusalem to allow for growth needs without compromising the territorial contiguity of a potential Palestinian state.

Settlers view themselves as defending Israel by establishing a footprint in the West Bank, and they view all of Area C as being of critical strategic importance.⁵⁹ According to this line of thought, settlements arrayed along important hilltops, or along critical infrastructure like highways, ensure that the IDF can operate in the West Bank when necessary. Both sides would like to advance their political claims in Area C and engage in strategic settlement to that end.

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3

Trends in the Jewish Settler Movement

The settler movement is backed primarily by three political parties, two of them currently in the opposition. The first is Likud, led by former prime minister Netanyahu, which has spearheaded the settlement movement since coming to power in 1977. The second is Prime Minister Bennett's Yamina, which, like Likud, sees itself as a nationalist rather than a religious party—even though Bennett headed an earlier incarnation that did define itself in more religious terms. Its members tend to be modern Orthodox. The third, the Religious Zionist Party (RZP), is an amalgam of factions that positions itself to Likud's right and includes the neo-Kahanist Otzma Yehudit Party and the anti-LGBTQ Noam Party. The RZP came into being during the four consecutive election periods between 2019 and 2021, as then prime minister Netanyahu feared hardline votes would be lost if small right-wing parties did not have the support necessary to pass the Knesset threshold by garnering the requisite four seats (or about 140,000 votes); Netanyahu played a behind-the-scenes role in fashioning this new party.

The name chosen by RZP sounded benign: “religious Zionism” represents the large majority of self-identifying modern Orthodox Israeli Jewish citizens—perhaps a third of all Israeli Jews—who see religion, modernity, and love of the land of Israel as dovetailing. Many consider themselves political moderates and therefore are distraught that a name with wide appeal has

been hijacked by a group on the right edge of the Israeli political spectrum. The personalities in this new party, like Bezalel Smotrich and Itamar Ben-Gvir, confound that moderate image. Smotrich has previously advocated for a shoot-to-kill policy with respect to Palestinian stone throwers; Ben-Gvir is a disciple of a movement calling for the expulsion of Palestinians—later modifying his position to say that expulsion should occur only in instances of loosely defined disloyalty to the state.

The national religious sector in Israeli politics has been marked by political turmoil for much of the last decade, with many parties having appeared only to later enter alliances, otherwise merge, or disappear. Yamina holds seven seats in the current Knesset (including one rebel Knesset member, Amichai Chikli, who has voted against the coalition on several occasions), while the RZP holds six, augmented by a single Likud defector. Likud also has a powerful pro-settlement faction. But national religious parties such as RZP and Yamina do not constitute the leadership of the settler movement; the movement's leaders tend not to be represented in the Knesset.

The settler movement is not monolithic in ideology, methodology, or structure. Rather, it comprises a series of overlapping activist, legal, and economic organizations often led by individuals with deep connections to both the government and mainstream Israeli society, representing multiple streams of thought. These organizations include the state-oriented original religious Zionist settler movement from the 1970s, Gush Emunim; its construction arm, Amana; the more extreme and independent Nahala; and the amorphous, often anti-state second generation of radical settlers known as “hilltop youth.” In addition, organizations such as Honenu and the aforementioned Regavim defend hilltop youth charged with committing “price tag” attacks—carried out in retaliation for purported acts against the settlement movement—and other Jewish perpetrators of violence, as well as advocate for victims of Palestinian attacks and their families.¹

Founded in 1978 by Gush Emunim, Amana coordinates much of the construction east of the barrier and helps gain legal authorization for it. Amana collects dues from settlements it has constructed—which, in turn, fund future settlement projects. According to one source, Amana thus accrues an annual 100 million shekels (US\$32 million), allowing it to underwrite

housing projects, provide subsidized loans to settlers, and weather long periods of legal wrangling over new settlements.

Amana specifically promotes outposts not authorized by the government and thereby illegal, boosting these initiatives first and asking for legal “forgiveness” later. And close ties between the Amana leadership and the Israeli legal system and military establishment have frequently enabled the group to evade any major investigation into its illegal construction.

Atop Amana’s leadership is Zeev “Zambish” Hever, its CEO and a former member of the Jewish Underground, a violent, illegal group formed in the 1980s. Hever has extensive ties to the Israeli Civil Administration, the IDF, and the Ministry of Housing and frequently leverages his relationships to promote settlement construction. In 2017, Hever vowed to grow the settler population to one million in ten to fifteen years.² Yariv Oppenheimer, the secretary-general of Peace Now, remarked: “A company that is involved up to its neck in illegal construction, like Amana, would not survive for one day within Israel, and its senior personnel would long since have been hauled into court...Instead of punishing and trying the lawbreakers, the government of Israel protects them, collaborates with them and even grants them large-scale compensation.”³

Another key settler figure is Yossi Dagan, chairman of the Shomron (Samaria) Regional Council, a member of the Likud Central Committee, and the leader of the party’s powerful pro-settlement “My Likud” faction, which he founded in 2009. Dagan, who has been called the “foreign minister” of the settler movement,⁴ wholeheartedly rejected the 2020 Trump peace plan as a “poisoned chalice,” and in May 2020 launched a campaign against it that included outreach to American evangelicals.⁵ His pressure campaign was considered key in ensuring that Netanyahu did not reaffirm the very plan he had waxed enthusiastically about just months earlier when it was unfurled at the White House. After Likud entered the opposition in June 2021, Dagan rejected the notion that attacks from settler factions had damaged Likud and called instead for an expanded focus within the party on settlements.⁶ Dagan has attacked the new coalition government, stating that Bennett’s policy of no negotiations and no annexation is “unacceptable.”⁷

Some independent settler movements clash often with the government

and construct outposts in as many places as possible. One such group is Nahala, founded by the late Rabbi Moshe Levinger after the settler schism that followed the 2005 Gaza withdrawal. Today, Nahala is led by one of the only remaining active founders of Gush Emunim, Daniella Weiss—who has lived at the Kedumim settlement since the 1970s—and the organization relies on young activists and crowdfunding to rapidly construct and populate outposts. In 2020, Nahala helped lead protests against the Trump peace plan. Leaders Zvi Elimelech (Rabbi Levinger’s grandson) and Weiss both stated that the plan established a Palestinian state and gave up land that rightfully belonged to Israel. “I see this plan as dangerous since it establishes a Palestinian State in the heart of Israel,” Weiss asserted. “The plan must be torn up and we must continue to build up the country.”⁸

Nahala was responsible for the reconstruction of the Evyatar outpost south of Nablus in May 2021, which created the weeks-long crisis discussed earlier. After the IDF issued its latest demolition order for Evyatar on June 6, the Shomron Regional Council, led by Yossi Dagan, acted swiftly to legalize the settlement, filing *ex post facto* construction plans on June 20, 2021. Dagan also moved his offices to Evyatar as a symbolic gesture.⁹

In an interview, Weiss later credited Dagan as being a major intermediary between Nahala and government ministers, primarily Interior Minister Shaked and Defense Minister Gantz, in the negotiations over an evacuation. She also indicated that meetings between Nahala and the Shomron Council have continued even after the evacuation, with plans for a potential return pending results of the land survey.¹⁰

Neither Nahala nor Dagan, however, represents the extreme edge of the settler movement. In the wake of the Evyatar compromise, Dagan received death threats from harder right-wing activists—severe enough that the government assigned him a personal security detail. Weiss has associated herself and Nahala with the “moderate,” “state-oriented” hilltop youth, as opposed to those who clash regularly with the IDF and frequently attack nearby Palestinian villages.¹¹

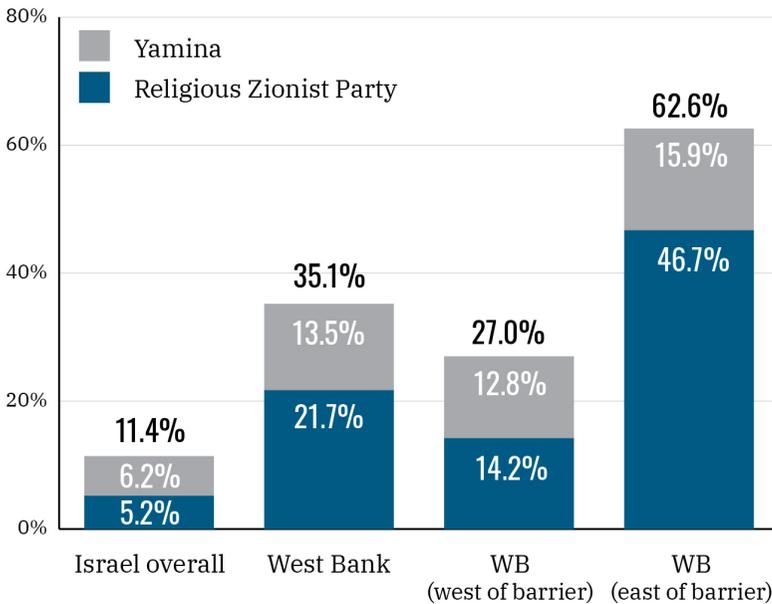
Voting Trends East and West of the Separation Barrier

Fifty-five years after the settlement enterprise began, the early distribution of different groups of settlers vis-à-vis their political inclinations is reflected in voting patterns. Settlers living east of the barrier are significantly more right-wing than their counterparts to the west, voting for the RZP grouping over the more moderate but still religious nationalist Yamina. In the March 2021 elections, while Yamina saw a 3% gap in its vote share between communities west and east of the barrier (13% vs. 16%), the RZP's vote share east of the barrier was over three times that to the west (46% vs. 14%).¹²

Pockets of moderation remain east of the barrier, primarily among the Jordan Valley settlements originally founded by old Labor Party supporters after the 1967 war: among the nineteen Jordan Valley settlements for which March 2021 election data is available, the national religious bloc received only 37.5% of the vote, 15% less than its average tally in the West Bank, and the center-left and left parties captured almost 30%. But the few settlements that historically identify with the Labor Party have small populations and struggle to retain residents in the punishing climate of the Jordan Valley ridge; the clear majority of settlers are national religious. Proportionally, the RZP received more than nine times its average national vote share of 5.1% among voters east of the barrier; among West Bank voters overall, it received more than four times its average national vote share. And the RZP made clear that it would never permit the establishment of a Palestinian state (see figure 2 for national religious vote share).

For its part, Yamina lost steam among east-of-the-barrier settlers amid pre-election rumors that its leader, Naftali Bennett, was considering joining a hybrid government with center and left forces, as he ultimately did. An additional factor was the breakup of the Yamina coalition in January 2021, when the RZP split off and drew national religious voters away. The net effect was that the RZP received six seats in the March 2021 elections, a number that effectively increased to seven when a Likud Knesset member switched to the RZP. Of course, given the ideologically diverse Yamina-led coalition, which includes Arab parties and has sought to place constraints

Figure 2. Vote Share for National Religious Bloc, March 2021



on settlement activity, its position among West Bank settlers would appear likely to drop sharply in the next election.

Overall, the vote share of the national religious bloc increased between the April 2019 and March 2021 elections by roughly 6% both west and east of the barrier: in the west, from 21% to 27%; in the east, from 55% to 62%. This is a statistically insignificant change, however, from the March 2015 elections, when the bloc received just over 63% of the vote east of the barrier and 26% west of it. In other words, proportional support for the national religious bloc in the West Bank has hardly changed in the past six years, notwithstanding the constant creation, transformation, and destruction of right-wing settler parties. Shifts in any individual party's fortunes from election to election have predominantly reflected turmoil within the national religious bloc, rather than a change in the ideology of the settler population. It remains clear, however, that the settler population is significantly more ideological east of the barrier (see figures 3 and 4 for voting patterns).

Figure 3. National Religious Bloc Vote Share East of Barrier, 2015–21

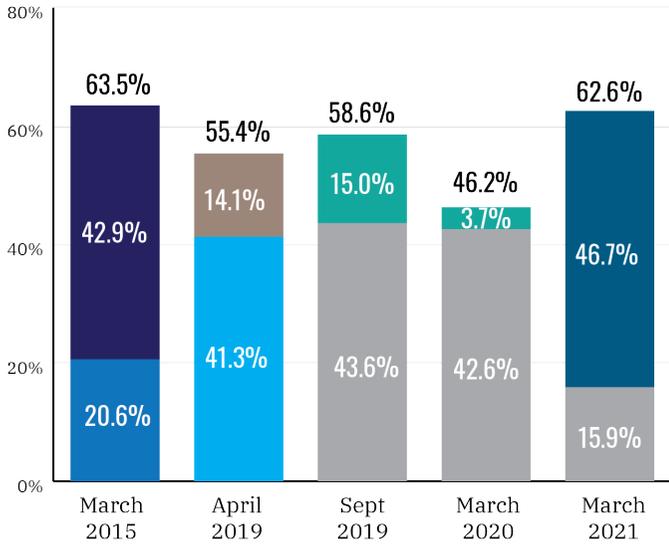
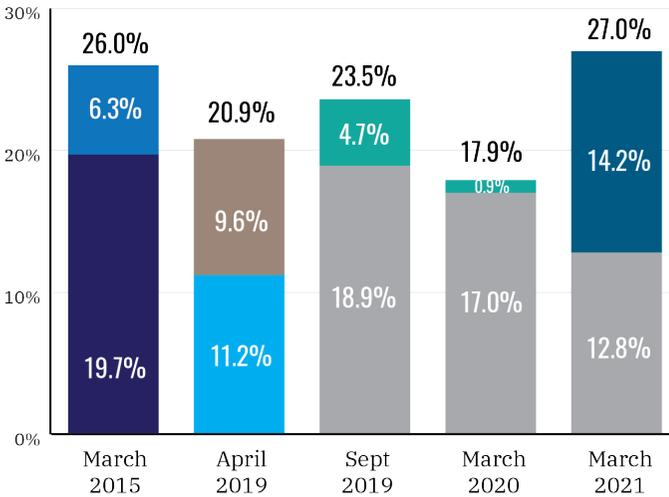


Figure 4. National Religious Bloc Vote Share West of Barrier, 2015–21



- Yachad
- Jewish Home
- Union of Right Wing Parties
- New Right
- Otzmah Yehudit
- Yamina
- Religious Zionist Party

Demographic and Geographic Trends in the Settlement Movement, 2015–20

With the leadership and political affiliation of the settler leadership now identified, this section evaluates recent demographic and geographic trends for east-of-the-barrier settlers, through an aerial survey, population statistics, voting records, and patterns of observed violence by a determined minority. Owing to myriad factors, including the political dynamics on both sides, a two-state solution to the Israeli-Palestinian conflict is not feasible in the near future—but many observers fear settlement expansion will foreclose the possibility of such an outcome altogether. Exactly what population or territorial threshold would render the two-state solution impossible is rarely specified. The question remains: has the settlement enterprise made the two-state solution impossible? Though the answer, in the end, depends on the political will exhibited by Israel and the Palestinians, an examination of demographic, political, and territorial and other trends east of the separation barrier can provide critical information and context.

As of 2020, the area comprising seventy-eight Jewish settlements located in the 92% of the West Bank east of the security barrier was home to 111,741 settlers,¹³ or 23.5% of all Israelis residing in the entire West Bank. In any final agreement with the Palestinians, these settlements would either be part of a Palestinian state, be annexed by Israel, or be evacuated and handed over, empty, to Palestinian authorities. (To be clear, this study uses the mostly completed route for the security barrier as a metric to separate settlements broadly viewed as consistent with a two-state solution from those that are not. According to the UN, as of mid-2020, 64% of the barrier had been constructed, roughly the same proportion as in 2012; construction has stalled over the past decade, largely owing to pro-settler objections to its proposed route, along with budgetary failures and procedural delays.¹⁴) Since the political influence of these settlers tipped the balance against the Trump peace plan, the latest U.S. proposal, understanding them better is essential to assessing their potential future impact.

This section of the study draws on the wealth of data accumulated through The Washington Institute’s “Settlements and Solutions” interactive map, including aerial imagery of the West Bank from 2015 and 2019, voting records, population benchmarks, statistics on violent incidents, transportation infrastructure initiatives, and databases of construction plans, tenders, and starts.¹⁵

This information helps answer the following questions: What are the characteristics of the settler population and the settler enterprise? Is the settler footprint expanding and its population growing, and if so, what is the structure and method of that expansion or growth? How do settlers vote? Do violent incidents occur in any pattern? And, most important, is there anything that can be learned from this data with respect to the future of the two-state solution?

Population Growth

The settler population east of the barrier increased by just over 59% between 2009 and 2020 (from 70,078 to 111,741).¹⁶ Yet the average annual growth rate east of the barrier is comparable to the growth rate west of the barrier—5.40% and 5.54%, respectively—and the two track each other closely. (The settler population west of the barrier rose from 226,317 in 2009 to 364,203 in 2020, an increase of just under 61%.) The proportion of the settler population living east of the barrier remained extremely stable between 2009 and 2020, decreasing only slightly from 23.6% to 23.5%.

During most years, the settler population both east and west of the barrier grew at a rate between 3.5% and 5%, except for 2018 and 2019, when the rate dropped sharply, and 2016, when it spiked dramatically. The sharp rise in 2016 is striking, since that was the first full year Prime Minister Netanyahu did not have to share power with partners in the center, as he did from 2009 to 2015 (see figures 5 and 6).

Figure 5. Settler Population East/West of the Barrier, 2009–20

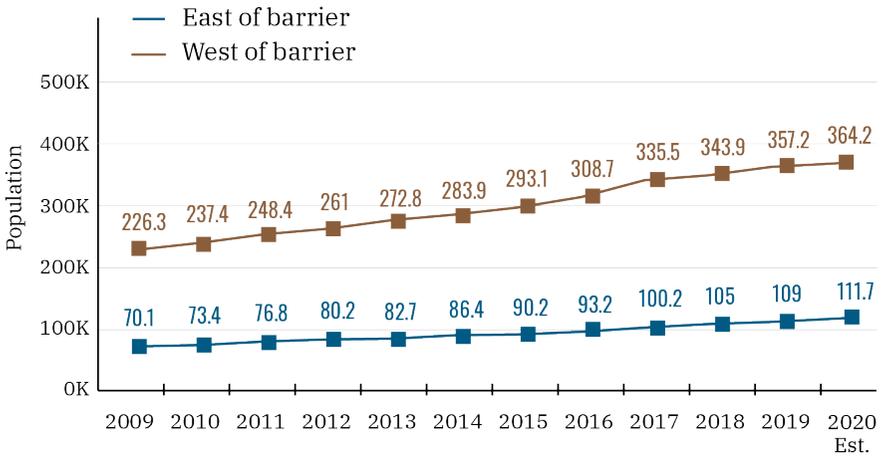
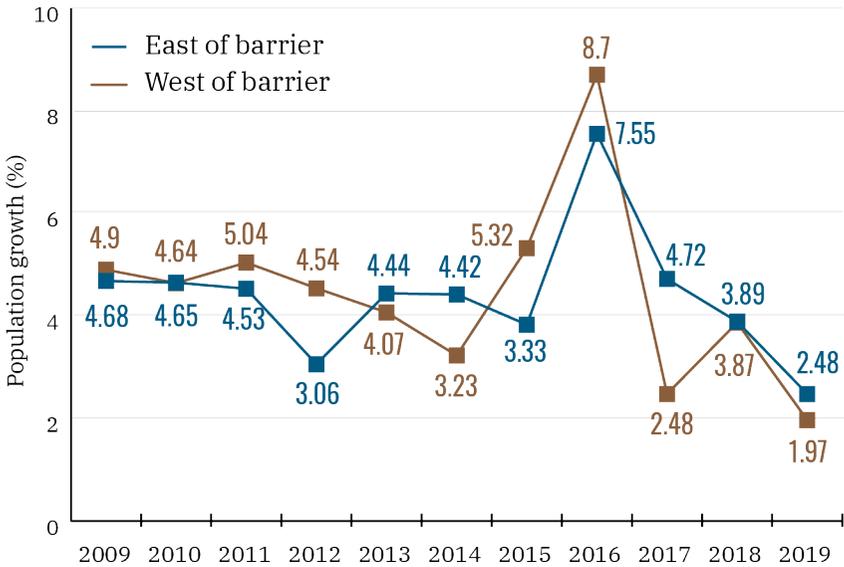


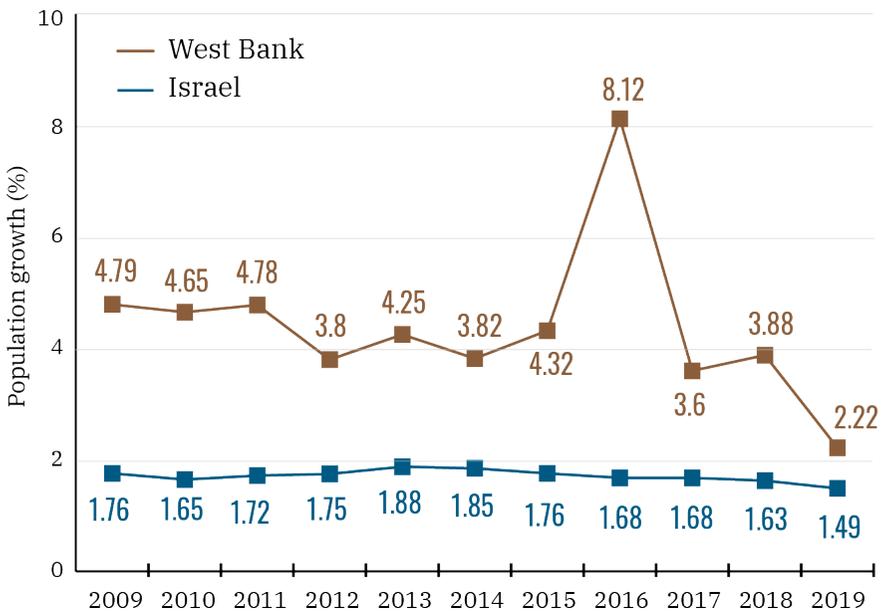
Figure 6. Population Growth East/West of Barrier, 2009–19



As in the past, the overwhelming proportion of Israelis in the West Bank live west of the security barrier (76.5%), and over 95% of Palestinians live east of it, if East Jerusalem is excluded from the total.¹⁷ According to the 2017 Palestinian census, around 125,000 Palestinians live among 364,203 Israelis west of the barrier, while 111,741 Israelis live among roughly 2.5 million Palestinians east of the barrier.¹⁸ If East Jerusalem is included in these figures (counted as west of the security barrier), then roughly 14% of Palestinians live west of the barrier and 86% east of it, while 84% of Israelis live west of the barrier and 16% east of it.¹⁹

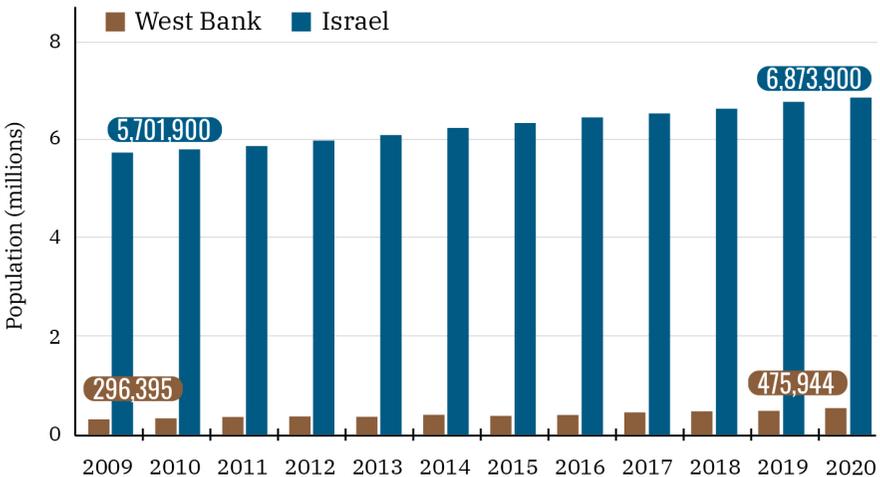
It is noteworthy, furthermore, that the overall settler population on both sides of the barrier has grown faster than the Jewish Israeli population within Israel's sovereign Green Line: an average of 5.51% annual growth from 2009 to 2020, versus 1.87% among the Jewish population in Israel overall.²⁰ This suggests that the settler project is very much alive. (See figure 7 for growth in both Israel and the West Bank.)

Figure 7. Israel and West Bank: Population Growth Rates, 2009–19



Overall, the settler population has increased from 296,395 in 2009 to 475,944 in 2020, or roughly 61%. By way of comparison, the overall Jewish population in Israel, including all settlements, increased from 5,701,900 to 6,873,900 in the same period, or roughly 21%. At the same time, around 35% of growth among the entire West Bank settler population between 2009 and 2020 came from the two large Haredi settlements alone—Beitar Illit and Modiin Illit—both located west of the security barrier in blocs adjacent to the Green Line; these settlements averaged 7% annual population growth over the period (for Israel and West Bank population statistics, see figure 8).

Figure 8. Israel and West Bank Population, 2009–20



Territorial Footprint

The Likud government permitted significant expansion east of the barrier from 2015 to 2019. In 2015, the total built-up area of settlements east of the barrier was 40.596 square kilometers, with an additional 10.219 square kilometers of outposts east of the barrier.

The footprint of east-of-the-barrier settlements expanded significantly from 2015 to 2019 under the Likud government, by 3.36%—or 4.67%, if one includes outposts (see figures 9 and 10). But this expansion amounted only to about 1.364 square kilometers in settlements and 1.011 square kilometers in outposts. The total expansion east of the barrier constituted an increase of 2.38 square kilometers compared with the 2015 figure, amounting to .042% of the total area of the West Bank. (The effective area of control in certain settlements and outposts, particularly farms, is somewhat larger, given that settlers graze animals outside built-up area.) A number of outposts, particularly in the South Hebron Hills, were constructed after 2019 and are thus not included in this paper's aerial survey analysis; these are primarily so-called settlement farms.

Though the growth rate for east-of-the-barrier settlements was roughly on par with that for settlements west of the barrier, a disproportionate number of new buildings were erected east of the barrier: only 23.5% of Israeli settlers live outside the barrier, but roughly one-third of building construction—a total of 1,739 buildings—occurred there. This disproportionate increase did not result in more geographic expansion compared with that west of the barrier because most of these buildings did not increase the territorial footprints of the settlements in which they were located. Only 176 buildings were constructed in an expanded area beyond their respective footprints as of 2015, while 432 were constructed in outposts.

Four settlements accounted for 53% of the 176 buildings in the expanded area: Geva Binyamin (41 buildings), Mevoat Yericho (25), Susya (15), and Halamish (12). With regard to the 1,739 buildings constructed in developed areas east of the barrier, the construction was spread out over fifty settlements, which grew by between 20 and 112 units (the latter in Naale).

As for the outposts that experienced growth, all existed prior to 2015, with the exception of Tzuriel Farm, which was built in 2015 and had four additional units constructed. All 432 buildings erected within outposts beyond the barrier represent a deliberate attempt to expand the area of each, enabling residents to entrench the outpost and make it more difficult to remove. (Of course, placing any new buildings within existing outposts fortifies areas that violate Israeli law.)

Only twelve settlements and four outposts account for 63.54% of the territorial increase east of the barrier between 2015 and 2019 and 67.06% of the buildings constructed during the same period; seventy-five other settlements and outposts studied account for the rest. Of the sixteen settlements and outposts that grew most from 2015 to 2019 throughout the entire West Bank, eleven were west of the barrier and only five were east; of the eleven west of the barrier, five were East Jerusalem neighborhoods.

Geva Binyamin (aka Adam; located along Route 60, discussed below) is reflective of the predominant type of settlement expansion east of the barrier during this period. Its territorial footprint doubled between 2015 and 2019, and the settlement saw an increase of forty-one housing units. In 2018, then defense minister Avigdor Liberman announced that four hundred new homes would be built in the settlement as “the best response” to a fatal stabbing there by a Palestinian man.²¹ The settlement saw five construction starts on housing units in 2014, and 3,600 units were advanced in 2015.

Overall, territorial expansion beyond the 2015 borders appears to have been for residential units, rather than commercial or industrial buildings. The settlements that experienced the most growth from 2015 to 2019, in terms of construction in new territory, often built neighborhoods outward, at the edge of the settlement footprint, rather than using new construction to in-fill built-up areas within the footprint. Occasionally, these neighborhoods were oriented toward adjacent settlements or outposts in the hope of creating territorial contiguity.

Figure 9. Jewish Settlements East/West of the Barrier

Settlements	2015 Area (sq km)	Growth (sq km)
East of barrier	40.596	1.364
West of barrier	70.521	2.214
Total	111.117	3.578

Figure 10. Jewish Outposts East/West of the Barrier

Outposts	2015 Area (sq km)	Growth (sq km)
East of barrier	10.219	1.011
West of barrier	2.347	0.226
Total	12.566	1.237

Construction within settlement or outpost borders often follows similar logic. For example, thirty-eight buildings were constructed in the settlement Kochav Yaakov, all but one within its 2015 boundaries; all were built adjacent to the outpost neighborhood Kochav Yaakov West. Similar construction occurred in Einav, Halamish, and Rechelim. (See figure 11 for satellite imagery of settlements.)

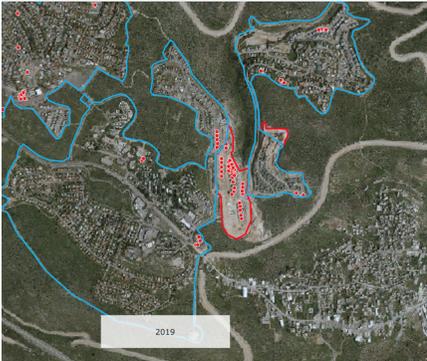
Figure 11. Settlements Satellite Images



Geva Binyamin

Construction in Geva Binyamin between 2015 and 2019 was mostly in the new residential neighborhood of Nofei Binyamin, in the eastern part of the settlement.

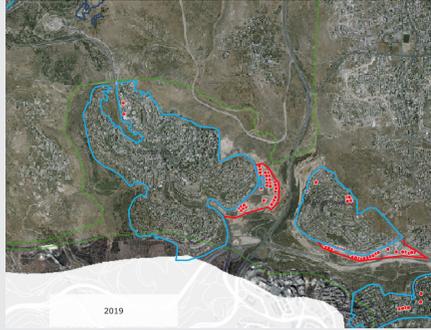
<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Geva%20Binyamin>



Elkana

The majority of new construction in Elkana (I) between 2015 and 2019 was between it and the settlement of Etz Efraim, helping establish contiguity between the two.

<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Elkana>



Ramat Alon

Nearly all the new construction in Ramat Alon from 2015 to 2019 was in the direction of Ramat Shlomo, another settlement in greater East Jerusalem.

<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Ramat%20Alon>



Mevoat Yericho

Mevoat Yericho expanded almost entirely outward between 2015 and 2019, when it was legalized, the sixth outpost to retroactively earn legal status since the Oslo Accords.

<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Mevo%27ot%20Yericho>



Sansana

Between 2015 and 2019, the majority of new construction in Sansana was located in a new neighborhood northwest of the settlement's older sections.

<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Sansana>

**Kochav Yaakov**

The majority of construction in 2015–19 in Kochav Yaakov was clustered on the border between the settlement and the outpost of Kochav Yaakov West, helping to establish contiguity between the two.

<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Kochav%20Ya%27akov>

**Rechelim**

Between 2015 and 2019, all construction in Rechelim was at the edges of the settlement, expanding its footprint.

<https://www.washingtoninstitute.org/westbankinteractivemap/?widget=Change%20Over%20Time&change=Rechelim>

Outpost Origins and Locations

Whereas many settlements west of the barrier are constructed in blocs or populated areas (e.g., Ariel, Gush Etzion), the eastern settlements are often first built as isolated outposts on the borders of existing settlements, then retroactively legalized as neighborhoods of their adjacent communities or as full-fledged settlements.

In the early 2000s, settlers established numerous settlements without governmental authorization. Yet notwithstanding the illegality of these communities under Israeli law—and Israel’s pledge, in response to severe IDF-settler clashes, to take down outposts and comply with the 2003 Road-map peace initiative—successive Israeli governments have deemed the destruction of outposts too politically costly to pursue.²²

A key finding of this study is that Israeli governments have strategically designated outposts as neighborhoods of existing settlements to avoid breaking a repeated public pledge not to build new settlements.²³ Going back to the George W. Bush administration, Israel has pledged that any expansion would occur adjacent to the most recently built house within existing settlement borders—in what is called a “built-up area.” These outpost “neighborhoods,” however, are often not adjacent to the last-built house. At least six outposts classified as neighborhoods are situated at least half a mile from their “parent” settlement. (Two others are closer, but still not adjacent.) (See figure 12.)

East-of-the-barrier settlements (or their neighborhoods) that began as outposts include Givat Hadagan, Givat Hatamar, Rechelim, Elmatan, Givat Salit, Elisha, Sde Bar, and Shvut Rachel. From 2015 to 2019, Givat Hadagan and Givat Hatamar accounted for 29% of all housing units built in outposts. Subsequently, both were reclassified as settlements.

Nofei Nehemia, another example, was established as an outpost in 2002 approximately 1.4 miles east of Ariel’s border, at a virtual midpoint between Ariel and Rechelim. When Rechelim was legalized, its footprint was determined to include Nofei Nehemia as an unofficial “neighborhood,” despite the distance between the two areas. While Nofei Nehemia is officially still

Figure 12. Distance Between Existing Settlements and Legalized Outposts

Existing Settlement	Legalized Outpost	Distance (in miles)
Maale Shomron	Elmatan	0.54
Talmon	Zayit Raanan	1.24
Kochav Yaakov	Migron	0.55
Negohot	Mitzpe Lachish	0.56
Rechelim	Nofei Nehemia	0.95
Nahliel	Nahlei Tal	0.89

considered an outpost by the Israeli government, a substantial expansion of units has occurred at the site.²⁴

Moreover, the proximity of these now-authorized outposts to established settlements suggests a pattern of construction in certain key locations designed both to further entrench the Israeli presence in the West Bank and to preclude Palestinian contiguity. This includes the now-legalized Shvut Rachel (as a neighborhood of Shilo)—located between Shilo and Amichai, around the small Palestinian community of Khirbet Sara—as well as Sde Bar (now a neighborhood of Nokdim), which has continued to expand in the direction of Nokdim.

Many of the authorized outposts are also located near Palestinian population areas, including major cities such as Ramallah (Haresha, Zayit Raanan, and Elisha Preparatory) and Nablus (Gilad Farm). These outposts, recognized by the Israeli government, stand as direct impediments to the contiguity of major Palestinian communities. Moreover, the authorization of these outposts encourages Israeli citizens to circumvent both international and Israeli law and construct communities in an expedited fashion.

Still, an estimated 130 outposts, most of them east of the barrier, have not yet been legalized. Right-wing elements have exerted significant pressure in

the Knesset to pass retroactive legislation that would legalize those outposts, even though they are located on private Palestinian land. In December 2020, Israeli defense minister Benny Gantz said he was determined to block the move.²⁵ A bill that would have legalized nearly seventy outposts passed its first reading in Knesset in May 2021, but stalled when the new coalition came to power and is unlikely to be revived.²⁶

In the October 2021 round of settlement approvals (discussed elsewhere in this paper), the government approved the construction of educational institutions in Maale Michmash East (aka the Mitzpe Dani outpost) and the Haroeh Haivri outpost; the latter involves the construction of twenty-four housing units. This amounts to de facto legalization of those illegal outposts.²⁷

Focus on North-South Transit Route 60

Some will argue that the Israeli government has no strategy when it comes to settlement expansion; that, rather, it is responding to the pressure of settler interest groups. But here, it bears noting that much of the settlement construction outside the barrier between 2015 and 2019 has been along Route 60, the north-south transportation spine of the West Bank and a core component of the settler enterprise. Of the thirty-four settlements that experienced the most territorial growth from 2015 to 2019, eight (24%) were along Route 60. Likewise, 41% of units constructed east of the barrier in newly expanded territory, as well as several outposts that experienced growth—Shvut Rachel (now a neighborhood of Shilo), Gilad Farm, Nof Harim, Givat Harel, Hayovel—were along Route 60.

In addition, settlers are advancing plans for bypass roads around Palestinian communities. Two of these roads (Hawara and al-Aroub) create a separate avenue for Israelis off Route 60. Supporters of these projects argue that they protect Israelis from Palestinian attacks on major highways. But they also serve to further entrench the settlement enterprise along the critical Route 60. This enables the settlers to maintain transportation infrastructure and contiguity across an increasingly connected network.

Increased construction east of the barrier in settlements along Route

60, particularly in the area around Rechelim, poses a grave danger to the future of the two-state solution. Were the Israeli settlements along Route 60 to remain in place in a Palestinian state, Israel would have almost complete control over the main artery linking Jenin, Nablus, and Hebron. To be sure, removing the settlements would ignite massive backlash from their residents, and past Israel governments have shown a reluctance to incur such a violent response.

East-west roads across the West Bank are vital as well. Settlers see Route 5 as the “trans-Samaria highway,” providing transit from the coastal area to the Jordan Valley. Other key bypass roads enable settlers to reach settlements without traversing Arab villages, including Luban—which received 76 million shekels, or about US\$24 million, for improvements in March 2020—Nabi Elias Road, Tunnels Road, Alon Road, and the earlier-noted Hawara and al-Aroub Roads.

These trends have continued during Bennett’s tenure. In October 2021, 952 of 1,341 (71%) of finalized housing units and 760 of 1,519 units (50%) deposited for approval were in settlements along Route 60. Notably, many areas of Route 60 pass west of the security barrier. Of the housing units either deposited for approval or finalized along Route 60 in October 2021, 663 of 1,712 (39%) were west of the barrier.

Settler Violence East of the Barrier

Settler violence, which has been in the news of late, has occurred mostly in select areas east of the barrier. Israel does not release detailed statistics on violence perpetrated by Israelis in the West Bank; several NGOs and the UN Office for the Coordination of Humanitarian Affairs (OCHA) maintain their own records, using different methodologies. Methodological difficulties and differences in recording violence in the area by both Israelis and Palestinians mean there is no authoritative publicly available database to rely on.

According to OCHA, in the period between 2015 and 2021, forty-one Israeli civilians—meaning Israeli settlers living in the West Bank, Israelis living in Israel proper, and Israelis living in East Jerusalem (whom OCHA

regard as settlers)—were killed in terrorist attacks in the West Bank and East Jerusalem, while twenty Palestinians were killed in the West Bank by settlers.²⁸ About half of the forty-one Israeli civilian deaths and roughly 35% of 323 injuries occurred during the “knife intifada,” which lasted from September 2015 to June 2016. A further 208 injuries to Israeli civilians by Palestinians occurred outside a terrorist context, mostly during riots and clashes. The UN does not record injuries to IDF soldiers caused by settlers, but several such high-profile assaults in 2021 drew sharp responses from the military and Defense Minister Benny Gantz.²⁹

Even as Palestinians have caused more Israeli deaths than vice versa, Israeli civilians have been responsible for more comparative Palestinian injuries. OCHA recorded 742 injuries in incidents involving settlers between 2015 and 2021, at least 76% of them in areas where the closest Israeli settlements and outposts were east of the barrier. Israeli peace activists have also been injured by settlers, although the UN does not record these occurrences. The figures presented here, meanwhile, include instances in which Palestinians were either victims of attacks or were injured or killed while committing them. Of the twenty deaths at the hands of Israeli civilians, about half were the result of an Israeli civilian shooting a Palestinian as the latter was committing a terrorist attack; only five deaths could be clearly attributed to a settler terrorist attack, with the remainder taking place in unclear or contested circumstances. The left-wing Israeli NGO B’Tselem reports a higher number of deaths in the period—twenty-four—with at least fifteen reportedly having occurred during the conduct of Palestinian terrorist attacks.³⁰

To create a very rough measure of the relative settler violence west and east of the barrier, only 50 of the aforementioned 742 Palestinian injuries were most likely caused by settlers from locations west of the barrier, relative to 566 from settlers from locations east of the barrier. (The remaining 126 emanated either from East Jerusalem, areas too close to the security barrier to reliably classify nearby settlements as solely east or west, or areas regarded as unlisted or irrelevant by OCHA.) While attackers do not always come from the closest settlement or outpost, this is often the case, rendering spatial mapping of attacks a crude but useful tool to analyze patterns

of violence. Settlers east of the barrier meanwhile account for just under a quarter of the total settler population, but ten times as many settler-caused injuries to Palestinians occurred east versus west of the barrier, showing that violence is disproportionately concentrated there.

Reflecting the relative preponderance of settler violence east of the barrier, likely perpetrated by people living in close proximity to Palestinian villages, Israeli expert Shaul Arieli explains, “All of the documented incidents [between January 1, 2020, and July 31, 2021]—shooting, house attacks, physical assault, property damage and crop damage—occurred at the back of the mountain [West Bank ridge], along Route 60, except for a few incidents (in Maskiyot in the northern Jordan Valley).”³¹ No comparable open-source statistics are available for the east-west breakdown of attacks by Palestinians against Israelis.

The vast majority of settlers are nonviolent. Pockets of neo-Kahanists can be found in places like Tapuach and Yitzhar, however, and the “hilltop youth”—young rebels who ignore all institutions—are also known to have violent members. Some rationalize their attacks as preemptive measures to deter Palestinian attacks. Much settler violence takes the form of “price tag” attacks carried out by the most radical fringe of the settler population, in retaliation either for Palestinian violence or the actions of the Israeli government. For example, during a spate of shooting and stabbing attacks by Arab Israelis and Palestinians in spring 2022, instances of retaliatory vandalism and assault took place in the West Bank.³²

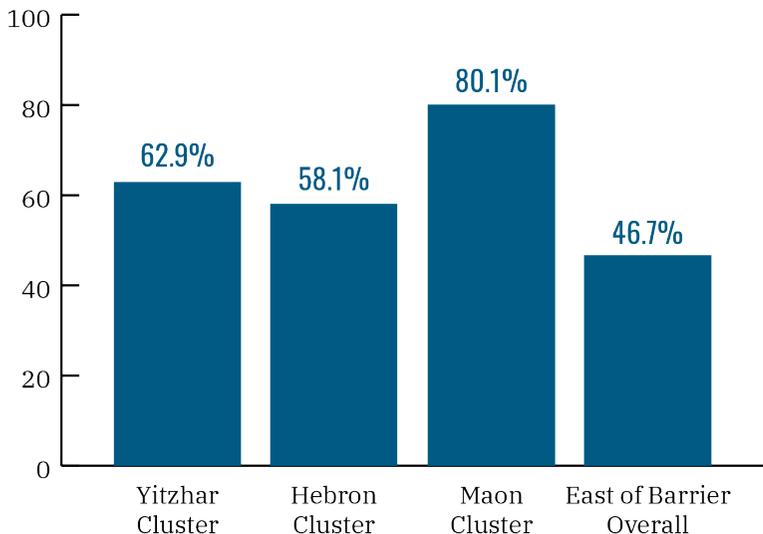
At least three violent geographic clusters can be identified: in the area around Yitzhar (comprising Yitzhar, Itamar, Kfar Tapuach, and Har Bracha, along with six outposts), Hebron (comprising Kiryat Arba, Beit Hagai, Pnei Chever, and the Hebron City settlement, along with the Shehunut Gal outpost), and the South Hebron Hills near Maon (comprising Maon, the Avigail and Maon Farm outposts, and several other recently established outposts). These clusters alone account for almost 45% of the recorded injuries to Palestinians from 2015 to 2021 (81 in the Yitzhar cluster, 197 in Hebron, and 46 in Maon), findings supported by Shaul Arieli’s research.

A large number of attacks emanate not from settlements, but from the small, often impermanent outposts near them, many of which are within a

few hundred meters of Palestinian villages or agricultural areas. A November 2021 report by the Israeli NGO Peace Now claims that 63% of a sample of 1,256 violent incidents between 2012 and 2021 took place near outposts. The character of a settlement, however, is an indicator of the character of nearby outposts.

Electurally, the settlements in the violent clusters voted for the RZP at significantly higher rates than the average east of the barrier in March 2021: while eastward settlements voted for the RZP at around 46%, the Yitzhar cluster awarded it roughly 63% (including 90% in Yitzhar itself, home to the politically incendiary Od Yosef Chai yeshiva, where rabbis have published books glorifying the 1994 massacre at Hebron's Cave of the Patriarchs and outlining legal justifications for the killing of non-Jews), 58% in the Hebron cluster, and 80% in Maon (see figure 13 for RZP vote share). Put simply, the settlers living in violence hotspots vote for the most extreme right-wing party at a much higher rate, their ideology likely being a major driver of increased violence. Attacks are also somewhat concentrated along Route 60, with just over half of the recorded injuries traceable to settlements along that road.

Figure 13. Average RZP Vote Share in Violent Clusters, March 2021



According to OCHA, settler attacks that damage property, such as vandalism, arson, uprooting of trees and crops, or destruction of cars, rose annually from 2019 to 2021, measuring 259, 274, and 370 in the consecutive years. Although OCHA does not break down these attacks by location, one can reasonably assume that they follow a similar pattern to those causing personal injury. A combination of settler attacks that did not cause injury with those that did yields the figure 496 for 2021, compared with 358 in 2020.³³

OCHA statistics do not capture certain frequent Palestinian attacks against Israelis. In 2020, the IDF recorded 1,769 instances of such nonfatal attacks in the West Bank—e.g., stoning of cars with Israeli license plates, use of Molotov cocktails, shootings, and stabbings—while the Israel Security Agency (ISA, or Shin Bet) reported 56 significant terrorist attacks in the West Bank and Jerusalem and claims to have prevented 430 more.³⁴ In 2021, the IDF reported 5,532 stoning attacks, 1,022 Molotov cocktail attacks, 61 shooting attacks, and 18 stabbing attacks, all of which resulted in two civilian deaths and an unknown number of injuries.³⁵ The sharp jump may owe partly to a change in recording methodology—the revised 2020 figures show 4,793 attacks—but shooting and stabbing attacks doubled in 2021, indicating a true change for the worse. The Israeli rescue service Hatzalah, which operates in the West Bank, reported at least 2,273 attacks against Israelis by Palestinians in 2020, causing 276 serious injuries and three deaths.³⁶

All such statistics, if accurate, indicate far more attacks by Palestinians against Israeli civilians than the reverse. But as noted earlier, settler attacks cause far more Palestinian injuries, especially when one takes into account the 2,485 injuries caused by IDF troops in settler-related incidents between 2015 and 2021;³⁷ indeed, the Israeli military is responsible for more than three-quarters of Palestinian injuries in settler-related incidents. More specifically, over 60% of the IDF-caused injuries to Palestinians are from tear gas inhalation, including 642 cases reported in December 2021 during clashes outside Burqa after the killing of Yehuda Dimentman near the controversial Homesh yeshiva site.

On the political level, several ministers in the Bennett government have strongly condemned settler violence, with both Public Security Minister Omar Barlev and Defense Minister Benny Gantz calling it terrorism. In a

January 2022 interview, Bennett also referred to violent settlers as terrorists, stating that “any violence by those people is despicable and it is necessary to act against it with all our might,” while emphasizing that “the vast majority of the settlers are normative, law-abiding people.”³⁸ Yet according to several Israeli human rights NGOs, settlers who commit attacks are rarely arrested or charged, and police data indicates that only around 4% of complaints result in charges filed.³⁹ Further contributing to the problem are persistent disputes between the IDF and the police in the Judea and Samaria districts, with both believing that the other should play the leading role in detaining and arresting settlers committing attacks.⁴⁰ The police force in the West Bank is small and stretched across a large area, and has complained that it lacks the personnel and vehicles to effectively respond to attacks.⁴¹

Conclusion

Given complex political dynamics, a near-term two-state resolution to the Israeli-Palestinian conflict is highly unlikely. This paper has focused, rather, on whether a two-state solution will be precluded in the future and has explored the various factors that will determine its fate. To keep the door open, Israel, the United States, and other actors must focus on the area where such a solution might expire, which is east of the security barrier. Settlers east of the barrier have used a variety of techniques to expand their territorial footprint—actions that could make a two-state solution impossible. It is therefore imperative that the Biden administration and the Bennett government reach quiet understandings on these settlements and thus avert a one-state outcome that would undermine Israel’s democratic and Jewish character.

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Annexes

A. Settlement Approval Process

Background research—background status checked by planning staff at Civil Administration, done yearly by every local authority or region in Yesha [the occupied territories]
Background step for state land—land that is not worked by a private individual in the past is recognized as state land subject to legal counsel
Jurisdiction—assignment to Civil Administration or local authority according to general order
Decision of the government to establish a yishuv [settlement]—can be received in promotional (initial) or advanced steps
Permission of the city building plans before the planning bureau of the Civil Administration—professional procedure
Permission of the city building plans by the local planning council
Passage of programs to be checked at the political level—defense minister or prime minister determine if the plans will be raised for discussion at the Higher Planning Committee
Discussion of the city building plans in the Higher Planning Committee and initial permission granted (“deposit”) and permission to promote the plan advertised
Opposition and discussion step
After permission for deposit—state-level permission is needed to raise the plans to the Higher Planning Committee for [validation]
Higher Planning Committee advertises the [validation] granted
Local authority dispenses the building permission
Building begins

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B. Expansion of Territorial Footprint of Select Areas, 2015–19

	Area Added 2015–19 (sq km)	Percentage Increase 2015–19	Buildings Added in New Territory	Percentage Increase 2015–19	Percentage of Total Area Added in New Territory	Percentage of Total Buildings Added in New Territory	East/West of Barrier
NORTH OF JERUSALEM	.9501		102		20.31%	17.32%	
<i>Geva Binyamin</i>	0.5044	57.1867	41	1.04			E
<i>Ramat Alon</i>	0.1935	7.4777	25	0.63			W
<i>Givat Zeev</i>	0.1765	6.4162	24	0.61			W
<i>Pisgat Zeev</i>	0.0757	2.6666	11	0.28			W
SOUTH OF JERUSALEM	0.177		14		3.97%	2.38%	
<i>Gilo</i>	0.177	8.9647	14	0.35			W
WEST OF JERUSALEM	0.0842		32		1.88%	5.43%	
<i>Maale Adumim</i>	0.0842	2.0692	32	0.81			W

B. Expansion of Territorial Footprint of Select Areas, 2015–19 (continued)

	Area Added 2015–19 (sq km)	Percentage Increase 2015–19	Buildings Added in New Territory	Percentage Increase 2015–19	Percentage of Total Area Added in New Territory	Percentage of Total Buildings Added in New Territory	East/West of Barrier
SOUTHEAST ARIEL CORRIDOR	.4015		95		9.00%	16.13%	
<i>Brukhin</i>	0.2927	122.2957	77	1.97			W
<i>Alei Zahav</i>	0.1088	12.6075	18	0.45			W
BEITAR ILLIT	0.2271		22		5.09%	3.74%	
<i>Beitar Illit</i>	0.2271	5.3365	22	0.56			W

B. Expansion of Territorial Footprint of Settlements and Outposts, 2015–19

	Area Added 2015–19 (sq km)	Percentage Increase 2015–19	Buildings Added 2015–19 in New Territory	Percentage Increase 2015–19	Percentage of Total Area Added in New Territory	Percentage of Total Buildings Added in New Territory	East/West of Barrier
SETTLEMENTS	.4558		73		10.22	12.39	
<i>Mevoat Yericcho</i>	0.2855	188.7333	13	0.33	6.40	2.21	E
<i>Elkana</i>	0.0939	6.9851	41	1.04	2.11	6.96	W
<i>Sansana</i>	0.0764	44.803	19	0.48	1.71	3.23	W
OUTPOSTS	0.5346		57		11.99	9.68	
<i>Gilad Farm</i>	0.1502	105.629	9	0.23			E
<i>Yair Farm</i>	0.1253	96.432	13	0.33			W
<i>Esh Kodesh</i>	0.1339	117.2631	21	0.53			E
<i>Gidonim</i>	0.1252	71.7569	14	0.35			E

These twelve settlements and four outposts accounted for 63.54% of the territorial increase between 2015 and 2019 and 67.06% of the buildings constructed during the same period. The remaining area and buildings are spread over seventy-five other settlements and outposts studied.

C. East/West of Barrier

	Area Added 2015–19 (sq km)	Percentage of Total Area Added 2015–19 in New Territory	Buildings Added 2015–2019 in New Territory	Percentage of Total Buildings Added 2015–19 in New Territory
EAST				
	2.1936	49.34%	203	34.47%
WEST				
	2.2521	50.66%	386	65.53%

D. Special Cases

Three cases for special consideration are the E1 area between Jerusalem and Maale Adumim, Atarot (between East Jerusalem and Ramallah), and Givat Hamatos, a settlement in south Jerusalem.

E1

E1 is the Israeli designation for the area between Jerusalem and the Maale Adumim settlement.¹ To the north of E1 are the Palestinian communities of Anata and Waar al-Beik, and to the south is al-Zayem. Israel has long pushed to develop this area as a corridor between Jerusalem and Maale Adumim, but Palestinians have protested that such development would cut off East Jerusalem from the rest of a future Palestinian state. For the most part, construction in E1 has been limited, with plans for 3,412 housing units proposed in 2020.² In January 2021, then prime minister Binyamin Netanyahu authorized 14 million shekels (about US\$4.5 million), on top of existing funding, for a separate E1 bypass road that would allow Palestinians to travel from al-Zayem to Anata without entering Israeli settlements.³ Before taking office as prime minister himself, Naftali Bennett declared this project a “sovereignty road” that would create a contiguous Israeli corridor from West Jerusalem through Maale Adumim while boxing in East Jerusalem.⁴ The Civil Administration held two hearings, on October 4 and October 18, to hear objections to the plan.⁵ While further meetings regarding E1 were scheduled for the end of 2021 and early 2022, dozens of U.S. lawmakers urged Secretary of State Antony Blinken to pressure Israel to drop the project.⁶ Then, in early January 2022, a meeting to hear objections to the plan was postponed indefinitely, halting the approval process.⁷ In March 2022, U.S. ambassador to Israel Thomas Nides said that construction in E1 would be a “disaster” and confirmed that he had lobbied intensely against the project.⁸

Atarot

On the way from East Jerusalem to Ramallah, Atarot is the site of the former Qalandiya/Jerusalem International Airport, which began as a British airstrip, then was seized by Jordan in the 1948 war, retaken by Israel in 1967, and

abandoned during the second Palestinian intifada (2000–2004) owing to security concerns. A plan to build nine thousand homes on the site for the growing Haredi population was frozen for more than a decade; were it to eventually go through, Palestinian groups argue, it would cut off East Jerusalem from Ramallah, disrupting the contiguity of a future Palestinian state.⁹ The area was allotted to the Palestinians under the Trump peace plan, tagged as a potential tourism hub, but Israel returned the Haredi housing scheme to the agenda for a December 2021 Civil Administration meeting.¹⁰ Secretary Antony Blinken, in a call with Prime Minister Bennett, expressed the administration's strong opposition to advancing the plan. According to news reports, while Bennett promised that the plan would not receive final approval for construction, Blinken expressed the American position that any advancement of the plan was unacceptable.¹¹

Givat Hamatos

Located south of Jerusalem, the Givat Hamatos settlement effectively separates the Israeli capital from Bethlehem, with many Israelis viewing it as a tool to block Bethlehem's northward expansion. In November 2020, Israel authorized the auction of 1,257 homes in Givat Hamatos, but these plans were frozen as of January 2021 after Palestinians petitioned against what they deemed a discriminatory process.¹² The Construction and Housing Ministry published tenders for 83 homes in Givat Hamatos as part of its larger October 24, 2021, announcement on settlement building.¹³

E. Population Change in Settlements During 2020 (Including Beitar and Modiin Illit)

Barrier	Overall Growth	Natural Growth	Net Migration	% Migration
<i>East</i>	2,702	1,888 (1.7%)	814	30.13%
<i>West</i>	7,034	6,469 (1.8%)	565	8.03%
TOTAL	9,736	8,356 (1.8%)	1,380	14.17%

F. Population Change in Settlements During 2020 (Excluding Beitar and Modiin Illit)

Barrier	Overall Growth	Natural Growth	Net Migration	% Migration
<i>East</i>	2,702	1,888 (1.7%)	814	30.13%
<i>West</i>	3,983	3,162 (0.9%)	821	20.61%
TOTAL	6,685	5,050 (1.1%)	1,635	24.45%

G. Settlements with Highest Immigration in 2020

- Karnei Shomron: 1,100 (West, north of Ariel)
- Alei Zahav: 251 (West, East Jerusalem)
- Efrat: 196 (West, Gush Etzion)
- Naale: 154 (East, western edge)
- Immanuel: 127 (West, north of Ariel)
- Nokdim: 112 (East, beyond the blocs)

H. Settlements with Highest Natural Growth in 2020

- Modiin Illit: 1,699 (West, western edge)
- Beitar Illit: 1,608 (West, Gush Etzion)
- Maale Adumim: 589 (West, Maale Adumim)
- Givat Zeev: 484 (West, north of Jerusalem)
- Efrat: 315 (West, Gush Etzion)
- Kochav Yaakov: 199 (East, Beit El)
- Karnei Shomron: 131 (West, north of Ariel)
- Oranit: 118 (West, western edge)

I. Population of Legally Approved Outposts

East (2,655 settlers)—*Aside from Haresh Yaron, all the legally approved outposts saw construction between 2015 and 2019, mainly in the form of outward expansion.*

West (2,863 settlers)—*These legal outposts saw internal construction.*

J. Population Growth in Settlements with Greatest Territorial Expansion

Of the twenty-one settlements listed below, sixteen are east of the barrier. Almost 40% (39.7%) of settlements east of the barrier are located along Route 60.

West of Barrier (Population)	East of Barrier (Population)
Efrat (12,829)	Shavei Shomron (1,093)
Neve Daniel (2,659)	Itamar (1,300)
Elazar (2,616)	Geva Binyamin (5,815)
Migdal Oz (415)	Rechelim (915)
Kedumim (4,753)	Har Bracha (2,883)
	Kfar Tapuach (1,429)
	Kochav Yaakov (9,538)
	Shilo (4,728)
	Shima (884)
	Yitzhar (1,868)
	Eli (4,377)
	Ofra (3,273)
	Karmeit Tzur (1,130)
	Beit Hagai (728)
	Otniel (897)
	Alon Shvut (3,498)
Total: 23,272	Total: 44,356

Notes

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DAVID MAKOVSKY is the Ziegler Distinguished Fellow at The Washington Institute and director of its Koret Project on Arab-Israel Relations. He is also an adjunct professor at the Johns Hopkins School of Advanced International Studies. During the Obama administration, he worked in the Office of the U.S. Secretary of State as a senior advisor to the Special Envoy for Israeli-Palestinian Negotiations. He hosts the podcast *Decision Points*, focused on Israel-Arab-American politics and history, and recently coauthored with Dennis Ross *Be Strong and of Good Courage: How Israel's Most Important Leaders Shaped Its Destiny* (PublicAffairs). He also wrote the Institute Transition 2021 note *Building Bridges for Peace: U.S. Policy Toward Arab States, Palestinians, and Israel*.

