

The Twentieth Knesset

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Unofficial Translation

Basic Law Bill: Jerusalem, Capital of Israel (Amendment –Supermajority [i.e. Qualified Majority])

Amendment of Article 7 1. In Article 7 of the Basic Law: Jerusalem, Capital of Israel¹, before the words “Clauses 5 and 6 shall not be modified” will come the words “Despite what was mentioned in any other law”. Also, “Clauses 5 and 6” will be replaced with “Clauses 5, 6 and 7”, and “by a majority of the members of the Knesset” will be replaced with “by a majority of 80 Knesset members”.

Explanations

The Basic Law: Jerusalem, Capital of Israel states that no authority related to the area of Jerusalem, which is stipulated in the law of the State of Israel or of the Jerusalem Municipality, may be transferred to a foreign body, whether political or governmental, except by a majority of the members of the Knesset.

Jerusalem is a city which has a special status and historical significance for the Jewish people and is their eternal capital. Jerusalem, the capital of the Jewish people, is a commitment for all generations. There is no other nation on earth which has such an eternal and ongoing connection to their capital as that of the Jewish people’s connection to their capital. After about 3000 years from King David’s declaration of Jerusalem as the capital of the Jewish people, the generations’ longing and yearning for Jerusalem finally fulfilled the historic miracle which has no parallel since the birth of nations.

At a time when we see some signs of objection to the very foundations that make up our national existence, the Knesset must perform an act which prevents any harm to the capital of Israel. Therefore, within the framework of this bill, a proposal was made to assert that any change in the area of Jerusalem and any change in the clause which prevents the transfer of the Jerusalem-related authority to a foreign body will require a supermajority [i.e. qualified majority] of 80 Knesset members. Moreover, we propose that any change in the aforementioned defensive clause will require a similar majority – 80 Knesset members.

The amendment of this law also has a security purpose because the IDF’s withdrawal from Lebanon and its disengagement from the Gaza Strip proved that the places from which Israel withdraws witness the inpouring of terrorists who threaten the security of Israel’s residents. Such a possibility must undoubtedly be prevented in the city which was “knit together” [in reference to Psalm 122:3].

The aim of this legal amendment is to strengthen the unity of Jerusalem, secure its future and preserve the security of its residents.

A similar bill was presented to the table of the Seventeenth Knesset by Knesset member Gid’on Saar and a group of Knesset members (P/17/3044).

Submitted to the Knesset Chairman and deputies

¹ Statutes Book of the [Hebrew] year 5740 [which extends from 22 September 1979 until 10 September 1980], Page 186.

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and presented to the Knesset's table on the date of 26.6.2017 [Hebrew Calendar: 2 Tamuz 5777].