



SUBSCRIBE



West Bank News

After Settlers Expelled West Bank Palestinians, Israel's Top Court Asks: Who Does the IDF Protect?

The High Court of Justice harshly criticized Israeli security forces for not adequately protecting a Palestinian family that is being harassed by Israeli settlers. 'Why aren't we seeing people behind bars?' one judge asked

Matan Golan

Follow

August 30, 2026



We're loading your content, stay tuned!

Israel's top court justices struggled to conceal their displeasure during Thursday's hearing on a petition filed by the Tubasi family, whose home in the West Bank village of Jalud was taken over by settlers last month.

"Why aren't we seeing people behind bars?" asked Justice Alex Stein, who sat on the panel alongside Supreme Court President Isaac Amit and Justice Yechiel Kasher, addressing the state's representative.

"We see a video showing a criminal offense involving a vehicle, and the police are throwing up their hands. Why no confiscation?" Stein said, referring to a recording that documented soldiers alongside settlers playing in the family's yard, in the midst of an IDF operation to evacuate illegal settler outposts in Jalud

and the nearby village of Qusra. "They play soccer with these people," he added.

Meanwhile, the army seized the house, and the family has not yet returned to it. "What is the army's role here? Is the army securing the protected residents, or is it guarding the people who are harassing them?" Amit asked.

"Why is coordination needed for their return? The people there [the settlers] should be removed," the justice wondered. "There's something illogical about the IDF wanting to protect the residents while the soldiers seize their home."

The Tubasi family did not abandon their home but were expelled from it, in front of a Haaretz team and in the presence of Border Police officers on July 22.

The Tubasis had been besieged for almost a month between two outposts that settlers established on both sides of their plot of land in the village of Jalud, on the outskirts of Area B, which is under Israeli security control but Palestinian civil control.

There, on an isolated hill, the Palestinian family built two homes. In April, the settlers erected a lean-to in the yard of the homes. About two weeks later, the settlers broke a hole in the wall of one of them and set it on fire, with its occupants inside. Despite a closed military zone order forbidding Israelis from entering the site, the outpost continued to exist for weeks.

"Your career is to be a police officer; I assume you want to succeed," Justice Kasher told the West Bank Police

representative. "There's suspicion of an offense [is happening] in known locations, where people who have no business being there enter a home that isn't theirs. This has been a regular occurrence for a month," he added.

"How do you live with this outcome? Find a way to prevent them from escaping ... They're making a mockery of you, and a bit of us too [the courts]. You should have done everything in your power. I expect this kind of emotion from you."

Concluding the hearing, Justice Amit said, "The feeling isn't good. We'll consider what to do."

In June, settlers also took over a building under construction near the family's home, blocked the access roads with rocks and began attacking any vehicle attempting to reach it.

"Did you come to the outpost?" a Border Police officer casually asked the Haaretz team that day, which had come to visit the besieged family. For her, the presence of the settlers was a done deal. Along the wadi, in the heart of the area under Palestinian Authority control, Israeli cars drove back and forth from Jalud to the top of the hill in Qusra.

About an hour earlier, settlers overlooking the village, masked and armed with clubs, identified the Haaretz journalists who intended to cross the wadi and descended toward them.

After an appeal by the Haaretz team to Israeli security officials, a Border Police unit arrived at the scene. It later emerged that they had not come to escort the journalists, but were instead dispatched following a report of an Arab vehicle whose occupants were observing Israelis.

The settlers blocked the road with rocks, but no one was arrested. The Border Police unit, which had been instructed to secure the Haaretz team, escorted the journalists up the hill and encountered another stone barrier. The officers then went to speak with the settlers, who began circling the vehicle.

One of the settlers claimed that there was no family in the homes at the top of the hill, and his colleague said that ascending to the outpost would be a "provocation."

Meanwhile, a settler vehicle was allowed to pass. A Border Police officer explained that they did not require the same level of security as the journalists.

Two hours later, the officers presented to Haaretz a closed military zone order signed in May, forbidding Israelis from visiting the area. The Haaretz team then returned to the center of the village, on the opposite hill. However, the settlers moved away from the Border Police force, moving to the open area between the lower outpost and the Tubasi family home, to which the closure order applied, and began ascending to the house's yard. The officers did not move from their position.

Later, Palestinians documented the family's car descending the hill, escorted by settlers. The settlers entered the structures afterward.

To reach their grandparents' home in the center of the village, about half a kilometer away, the family members had to take a long detour, through the chicken coops on the outskirts of Qusra.

When they arrived, the men sitting in the back were sobbing, and the grandmother in the front of the vehicle was the only one not to shed a tear.

"The army didn't let people get to us, so we lost all hope of food or water coming in," one of the family members told Haaretz. "Then two armed settlers arrived and told us in fluent Arabic, 'This is your chance. If you'll leave now, we'll secure your way out. If you won't, we're not responsible if you're killed, or if you're burned with the house.' So we left."

Attorney Ghiath Nasser petitioned the court to secure and reinstate the Palestinian families to their homes, to open the blocked roads and to remove the settlers from the area.

Responding to the petition, the state argued that security forces are collecting the ID numbers of the settlers and transferring them to Israel Police. With that said, the settlers disperse before the security forces ascertain their identity, causing many complaints to be closed. This is despite the petition including photographs of the settlers in the Tubasi family's yard and of their vehicles' license plates.

When Justice Kasher pointed out the contradictions in the state's position, its representative admitted that "the protected residents are not adequately provided for," but argued that law enforcement does not occur under optimal conditions.

The state's representative mentioned eight instances of security forces chasing settlers, but the state's response indicates that in those enforcements were "against illegal construction," and not against the settlers occupying the premisis.

When evacuating outposts, the IDF usually only destroying shacks and refrains from arrests. In outposts in Area B, the destruction of temporary houses has no real meaning, as settlers use abandoned Palestinian homes or buldings whose construction was halted as result of settler encroachment into the area.

Israeli journalist Shaked Green Arava, of the Calcalist financial newspaper, was stationed in the area during reserve duty. He described in an article how soldiers typically announce the closed military zone order to outpost residents via loudspeaker, then leave, abandoning the settlers at the site.

According to Green Arava, the soldiers were instructed not to prevent the outpost from being re-established in-front of their eyes.

Click the alert icon to follow topics:

-  West Bank
-  Palestinians
-  IDF
-  Israel settlers
-  Israel High Court
-  Israel Supreme Court

[Subscribe](#) | [Contact us](#) | [Terms and conditions](#) |
[Privacy policy](#) | [Cancellation of digital subscriptions](#) | [Editorial](#) |
[Newsletters](#) | [Accessibility](#) | [Advertise on Haaretz.com](#) |
[About Haaretz](#) | [Jobs](#)

Load More

Haaretz.com, the online English edition of Haaretz Newspaper in Israel, gives you breaking news, analyses and opinions about Israel, the Middle East and the Jewish World.

© Haaretz Daily Newspaper Ltd. All Rights Reserved