

## Witness in Palestine Israeli Activism, Home Demolitions, & Jerusalem

**Sunday, February 20, 2005**

This week I went tree-planting with Rabbis for Human Rights, which has donated hundreds of young olive trees to farmers who have been separated from their land by the Wall. With the help of RHR and IWPS, the farmers planted young trees symbolizing their continued propriety over the land, despite their difficulty accessing it.



*Shelly, an Israeli activist, documents human rights abuses at checkpoints with Machsom Watch.*

Among my colleagues at the action was Shelly, an Israeli activist recently convicted of “obstructing the work of a police officer” for sitting in front of a bulldozer about to uproot olive trees as a means of collectively punishing an entire village. She was arrested alongside another Israeli named Neta, who had chained herself to the trees in protest. Shelly is calm and compassionate, and very dedicated to the cause. She works odd jobs to support her political work, and the rest of the time leads Israelis on tours to the Wall. Shelly said that Israelis are always shocked to see the reality of the Wall, and the tour facilitates discussions for people to process what they’ve seen in a productive way.

Rabbi Arik Ascherman, the director of RHR, was recently tried for standing on the roof of a Palestinian family’s house about to be demolished because it did not have a **building permit**. Although he lost in court, Rabbi Ascherman used the lawsuit to publicize the difficulties Palestinians face in obtaining building permits. The situation is most dire in Jerusalem, where Palestinians with Israeli citizenship account for a third of the total population but have access to only 7% of urban land. According to the Israeli Committee Against House Demolitions (ICAHAD), the Jerusalem Municipality has constructed 100,000 housing units in Jewish areas since 1967, compared with only 500 in Palestinian areas.

Palestinian applications to build on their own land are both extremely expensive and rarely successful. The entire application process for a modest house in East Jerusalem costs roughly US\$22,000, more than most Palestinian families can afford and often higher



*A Palestinian father and his sons stand in front of their home, which was demolished by Israeli soldiers because the family was unable to obtain an Israeli permit to build a house on their own land.*

than the price of building itself. Application costs for larger homes are even more expensive.<sup>52</sup> But even those Palestinian families who can afford to apply for a building permit are rarely granted one. The Israeli Jerusalem Municipality annually issues about 100 building permits to Palestinians, compared to 1,500 to Jewish Israelis.<sup>53</sup> Israel maintains a perpetual shortage of around 25,000 housing units for Palestinian Jerusalemites, forcing them to either leave the city or build homes without permits. Families often save up to apply for a permit, are rejected, lose their application fees, and subsequently resort to building illegally. Many of their homes are later bulldozed as well, a loss to the family of thousands more dollars (not to mention the psychological effects of displacement and losing everything they own).

Outside of the city, Israel has declared more than half of the West Bank “state lands,” annulling Palestinian land deeds going back generations and rendering thousands of Palestinian homes “illegal.” Demolishing these homes allows for the construction and expansion of Israeli settlements in the West Bank, confining the remaining Palestinians into tight enclaves. In East Jerusalem, the land is more than occupied—it’s annexed. Continuous expansion of so-called “Greater Jerusalem” allows Israel to control the entire

<sup>52</sup> Jimmy Johnson, ICAHD (March 8, 2006), personal correspondence.

<sup>53</sup> Jonathan Scott, “The Niggerization of Palestine,” *Black Agenda Report* (November 1, 2006).

central region of the West Bank, separating Palestinians in the north West Bank from those in the south, and both communities from Jerusalem: the economic, geographic, political, and spiritual heart of Palestine.<sup>54</sup>

Compartmentalizing the West Bank is one of several methods used by Israel to solve the so-called “demographic problem,” referring to the fear of too many Palestinians in an exclusively Jewish state. The *Law of Entry to Israel*, issued in 1952, has been used extensively to control the number of Palestinians living in Jerusalem and Israel. According to the *Palestinian Academic Society for the Study of International Affairs (PASSIA)*,<sup>55</sup> “the following restrictive provisions [from the Law of Entry] do not apply to Jewish permanent residents or Israeli citizens, but only to Palestinian Jerusalemites:

1. those who wish to travel abroad must obtain an Israeli re-entry visa otherwise they lose their right of return;
2. those who hold or apply for residency/citizenship elsewhere lose their residency right in Jerusalem....;
3. those who live abroad (which since 1996 includes the West Bank and Gaza) for over seven years lose their residency rights;
4. those who want to register their children as Jerusalem residents can do so only if the father holds a valid Jerusalem ID card.”

*PASSIA* continues: “On 31 July 2003, the Knesset [Israeli parliament] approved a bill to prevent Palestinians who marry Israeli citizens from receiving Israeli citizenship ... and [the bill] applies retroactively.”<sup>56</sup> The so-called *Citizenship Law* also “denies citizenship to children born of an Israeli citizen and resident of the West Bank or Gaza. Via special permission from Israel’s Interior Minister, children [have been] allowed to remain with their family in Israel until the age of 12, when the child [is] uprooted and forced to leave the state.”<sup>57</sup>

According to *B’tselem*, the Israeli Information Center for Human Rights in the Occupied Territories, in the late 1990s Palestinian Jerusalemites living outside of the city’s municipal borders lost their rights to live and work there or anywhere else in Israel (the equivalent to losing your citizenship for going abroad, or even to a city other than the one on your identity card). The number of Palestinian Jerusalemites living outside the city was, of course, inflated due to the housing shortage for Palestinians in East Jerusalem.<sup>58</sup>

Disproportionate housing allocation is but one example of the unfair division of land and resources between Palestinian and Jewish Jerusalemites. Although Palestinians in East Jerusalem pay taxes like any city resident, they do not receive equal services. According to *B’tselem*,

The Jerusalem Municipality has continuously failed to invest significantly in Jerusalem’s Palestinian neighborhoods. Since the annexation of Jerusalem [by Israel in 1967], the Municipality has built almost no new school, public building, or medical clinic for Palestinians. The lion’s share of investment has been dedicated to the city’s Jewish areas.

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<sup>54</sup> Israeli Committee Against House Demolitions (ICAHD). [www.icahd.org](http://www.icahd.org)

<sup>55</sup> [www.passia.org](http://www.passia.org)

<sup>56</sup> *PASSIA* 2007, p. 297.

<sup>57</sup> *Ibid* at 292.

<sup>58</sup> “Revocation of Residency in East Jerusalem,” *B’tselem*.  
[www.btselem.org/english/Jerusalem/Revocation\\_of\\_Residency.asp](http://www.btselem.org/english/Jerusalem/Revocation_of_Residency.asp)

Less than 10% of the Municipality's development budget for 1999 was allocated for Palestinian neighborhoods, although the population represents a third of the city's residents.... Entire Palestinian neighborhoods are not connected to a sewage system and do not have paved roads or sidewalks; almost 90% of the sewage pipes, roads, and sidewalks are found in West Jerusalem. West Jerusalem has 1,000 public parks; East Jerusalem has 45. West Jerusalem has 26 libraries; East Jerusalem has two. West Jerusalem has 36 swimming pools; East Jerusalem does not have even one.<sup>59</sup>

House demolitions are a final major hallmark of discrimination targeting Palestinian Jerusalemites. One widespread misconception is that most houses destroyed belonged to the families of Palestinians who carried out armed attacks against Israel. In reality, punitive demolitions account for no more than one sixth of the Palestinian homes that have been destroyed by Israel during the Occupation.<sup>60</sup> The demolitions are simply another form of systematic discrimination under Israeli law, employed to encourage Palestinians to leave and thus to preserve or enhance the Jewish character of Israel.<sup>61</sup>

The problem is that a Jewish state cannot offer equal development opportunities to non-Jews and simultaneously ensure a Jewish majority indefinitely. That's why Palestinians with Israeli citizenship are treated as second-class citizens.

While we were planting trees, I asked Shelly what she thought about the contradiction between Zionism and democracy. Shelly agreed that it was a dilemma. "I don't have the right answer," she said. "We need a dialogue between both sides to find a solution, but that cannot occur while one side is occupying the other." In other words, two people cannot have a reasonable discussion with one person's foot on the other's neck.

Another Israeli was a little more pessimistic. He agreed that the Occupation needed to end, but he felt that the two sides could never get along and should simply be separated once and for all. A third Israeli had just been released from the army and was new to the debate. He didn't know how he felt about the dilemma, only that he felt very guilty for crimes he had committed during his service and wanted to give something back.

There have been many soldiers who, after finishing the army service, published letters describing the atrocities in which they had participated. *Refusenik* pilots and soldiers go a step further, refusing to take part in operations beyond the 1967 borders of the West Bank and Gaza. Some refuseniks refuse to join the military at all.

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<sup>59</sup> "East Jerusalem: Neglect of infrastructure and services in Palestinian neighborhoods," *B'tselem*. [www.btselem.org/english/Jerusalem/Infrastructure\\_and\\_Services.asp](http://www.btselem.org/english/Jerusalem/Infrastructure_and_Services.asp)

<sup>60</sup> This is certainly *not* to say that the punitive demolitions were justified. Punishing the families of attackers is collective punishment, which is illegal according to the Fourth Geneva Convention, not to mention ineffective at deterring violence.

<sup>61</sup> The Israeli government commission of inquiry established to investigate the uprising in October 2000 by Palestinians inside Israel revealed decades of systematic discrimination against Israel's Palestinian citizens. Known as the "Orr Commission," the September 2003 report's panelists wrote that "the government treatment of the Arab sector was characterized by prejudice and neglect.... [The state failed to] budget resources on an equal basis to the [Arab sector and] ... did not do enough to promote equality in the Arab sector and ... uproot the phenomenon of discrimination." "'Orr Panel' Finds Decades of Discrimination Against Palestinian Israelis," *Palestine Media Center, Al Jazeera* (September 2, 2003).



Israeli activists demonstrate alongside Palestinians and internationals.

Refuseniks give me hope. Israelis have a power to effect change in a way that my international colleagues and I do not. After all, even though my country is funding Israel's Occupation, I am still an outsider. To soldiers, I'm just a naive American girl who thinks she knows everything. I don't know what it's like to live in Israel. But Israelis speak the language of soldiers and settlers and live amidst the fear and propaganda that plague Israeli life. That's why when there is a problem at a checkpoint, for example, we work with Israeli groups like

Machsom Watch, which maintains a frequent presence at checkpoints to monitor human rights abuses. Machsom Watch is a small group of women who, at a moment's notice, leave their daily activities to rush to the West Bank, where they try to prevent the most egregious human rights violations at checkpoints. If that doesn't work, the women appeal to higher authorities in the army, often with good results. They have a spin-off group *Yesh Din* ("There is law" in Hebrew) that accompanies Palestinians who want to file complaints regarding settler or soldier crimes.

Another group of Israelis working against the Occupation is *Gush Shalom*, dedicated to exposing misinformation that fuels Israeli public support for or acceptance of the Occupation. They organize boycotts against products manufactured in settlements. (Government housing and transport subsidies encourage companies to build factories there for higher profits.) They circulate maps and facts that refute widespread propaganda regarding Barak's "generous offer" at Camp David II<sup>62</sup> and current myths about the Wall enhancing Israeli security. *Gush Shalom* advocates a two-state solution, with Jerusalem as the shared capital, a reestablishment of the 1967 borders, and an allowance for "each refugee to choose freely between compensation and repatriation to Palestine or Israel."

I was making conversation and an ex-soldier we planted with shared an observation: "Often Palestinians speak to Israeli soldiers as if the soldiers were their masters." This comment scared me a lot, and I've been thinking about it since. Yes, there are people willing to use civil disobedience or even violence against an illegal or unjust oppressive force, but sometimes easier to smile and be submit than to disobey. Some Palestinians cooperate and some even collaborate with soldiers, either for money or privileges, or because they are being blackmailed. It's a game: soldiers are the bosses because they have the government, the army, and the justice system on their sides. They hold the guns and the power. But the more the game is played, the more real it becomes. Eighteen-year-old Israelis start to feel like gods, and Palestinians become psychologically even more oppressed.<sup>63</sup>

<sup>62</sup> See Appendix IV for more information on Camp David II.



*With support from Israeli volunteers from Rabbis for Human Rights, Palestinians plant trees and harvest their land, much of which is annexed by the Wall or threatened by expanding outposts and violent settlers.*

A few days ago, we went plowing again with RHR and a Palestinian family who had not been to their land since the beginning of the Second Intifada 5 years ago. The farmers said they were repeatedly harassed by armed settlers who threatened to shoot them if they ever returned. Because they don't dare punish the ideological settlers, a small but politically powerful minority in Israel, the army's solution to the violence is to assign soldiers to supervise farming in the area. Palestinians are now forbidden to farm alone. The trouble is, the army doesn't usually provide ample time, and soldiers frequently don't show up when they are supposed to. It is also offensive for farmers to have to rely on chaperones to do the work their families have done successfully for generations.

Upon request, RHR and IWPS have stepped in to accompany farmers instead of the Army. As we sat in the sun watching the farmers plow, two armed settlers came walking down the road, holding large guns. Obviously surprised by the sight of the internationals and Israelis, they turned around and left.

Ten minutes later, an army jeep drove by. The soldiers yelled at the farmers that they weren't supposed to plow without army supervision. The villagers replied that the army wasn't around, and the land needed to be plowed. We explained that we had come for that purpose. Then the army ordered the farmers off their fields. They said they had orders to allow plowing on the right side of the road, but not the left. The villagers appealed by saying they didn't know if or when they would have another opportunity to plow. The soldiers replied, "We don't agree with it; we're just following orders."

I interrupted.

"So what is the reason they can't they plow on the left side? Do you think it's a security threat?"

"No, I told you. I'm just following orders."

"Are you thinking about what you're saying? Do you realize how absurd and cruel the order you're following is?"

<sup>63</sup> Testimonies from ex-soldiers on the "power trip" of operating with unchecked power over the lives of Palestinians can be found at [www.breakingthesilence.org.il/testimonies/database/362575](http://www.breakingthesilence.org.il/testimonies/database/362575) or [.../70856](http://www.breakingthesilence.org.il/testimonies/database/70856)

“I don’t think. I’m a soldier. If every soldier thought, the army would fall apart.”

“If every soldier thought, there would never have been any genocide, or the Nazi Holocaust.”

“Look, I’m just doing my job. I don’t have a choice.”

“And what about when you’re finished with the army, when you will have a choice, *then* will you make an effort to change things? Or will you just forget?”

The soldier sighed and looked at me sincerely. “I’ll move on with my life and try to forget.”

One of my best Israeli friends thinks I’m wasting my time. He hates Ariel Sharon and the settlers, but he doesn’t think it does any good to argue with soldiers. He says soldiers can’t think for themselves, or armies would not be effective. The choice was made when that soldier joined the army, and some would argue that’s hardly even a choice at all. All



*Soldiers come to tell farmers that they are not allowed to plow on the left side of the road that day.*

Jewish Israeli men and women who cannot gain exemption from military service on religious, physical, or mental health grounds must serve or face going to jail. Those who do refuse suffer consequences beyond imprisonment. Much of Israeli society looks down on them as cowards and traitors, or worse, “self-haters.” Furthermore, refuseniks are ineligible for certain jobs and economic benefits reserved for ex-soldiers. Palestinian citizens of Israel, who generally do not serve in the army, are automatically excluded from these advantages and professions as well.<sup>64</sup>

It’s a lot to ask for an 18-year-old to sacrifice acceptance and respect from his community and to risk his future in protest of his government’s policies. I know a handful of refuseniks who have been disowned by their families. The Occupation has separated families in the Occupied Territories *and* in Israel. It has imprisoned the youth of Palestine, and on some level it has robbed the youth of Israel of their freedom as well.

But those are not the most frightening effects the Occupation has had on Israelis. The Nuremberg Principles—developed during the Nuremberg trials of Nazi party members

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<sup>64</sup> “Israel and the occupied territories,” *Bureau of Democracy, Human Rights, and Labor* (February, 28, 2005).

*Israeli 18-year-olds are required to serve in the army, where they are frequently given orders that violate human rights and international law.*



*A minority of Israelis refuse to take part in the Occupation. Some end up at protests on the other side of the Wall, alongside Palestinians.*

after World War II—state that any person who commits a crime under international law is responsible for his actions and subject to punishment, regardless of his country's laws at the time, and regardless of whether he was following the orders of his government or his superiors. The Occupation is not protecting the future of Israelis; it has turned Israel's youth into participants in war crimes.

Terrorist attacks are not the most common cause of death for Israeli soldiers these days—suicide is.<sup>65</sup> According to the Israeli newspaper *Ma'ariv*, more than 450 Israeli soldiers have killed themselves since 1992, averaging more than one every 2 weeks. The adverse effects of the Occupation on Palestinians are obvious and plenty reason enough to oppose it, but what is the Occupation also doing to Israelis?



<sup>65</sup> By the end of 2005, five times more Israeli soldiers had committed suicide than were killed by Palestinian violence over the course of the year: 30 to 6. *Ma'ariv* (October 10, 2005), p. 6.