

## Israeli Settler Violence against Palestinian Civilians in the Occupied West Bank and Jerusalem

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**"The holy martyr, Baruch Goldstein, is from now on our intercessor in heaven. Goldstein did not act as an individual; he heard the cry of the land of Israel, which is being stolen from us day after day by the Muslims. He acted to relieve that cry of the land... The Jews will inherit the land not by any peace agreement but only by shedding blood!"**

*Rabbi Israel Ariel Eulogizing Baruch Goldstein. Quoted in Shahak, Israel and Mezvinsky, Norton, Jewish Fundamentalism in Israel, 1999, Pluto Press, p. 10*



## Background

- Israel invaded the West Bank and East Jerusalem in 1967 and has occupied it since. The occupation is illegal according to international law which also stipulates that it is illegal for Israel to build settlements and populate this occupied territory with its own civilian population.
- Since 1967, successive Israeli governments have followed a policy of settlement expansion as either a strategic and demographic security measure or as what they consider the natural fulfillment of the Zionist project.
- 121 settlements have been built in the West Bank and 12 in East Jerusalem. Additionally, there are over 100 unrecognized or unofficial settlements known as 'outposts'. While all settlements are illegal under international law and have been condemned by numerous United Nations Security Council resolutions, 'outposts' are considered illegal even under Israeli law.
- Ma'ale Adumim is one of the largest settlements located in East Jerusalem as part of the urban belt created around the old city. Other large settlements are located in the West bank, particularly Hebron where a radical hard-line group of around 500 religious settlers live in the very heart of the Palestinian city.
- According to the Israeli Central Bureau of statistics, there were 444,339 settlers in the West Bank (including east Jerusalem) at the end of 2006. The current number is estimated to be 500,000. The Jewish rate of population growth in the settlements, which now stands at 5.8% per annum, is far higher than in Israel proper (1.8%), leading to a rapid rise in the settler population.



## Legal Status

- The UN, the International Court of Justice and most Western countries including Britain hold that the settlements are illegal. Their existence is the root cause for the violation of an array of international Human Rights laws by the Israeli government including freedom of movement, equality, and the right to property to name but a few.
- The United Nations Security Council Resolution 446, adopted on March 22<sup>nd</sup> 1979, determined “that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.”
- An advisory opinion by the International Court of Justice in 2004, addressing the West Bank wall in particular and the West Bank itself in general, concluded “that the Israeli settlements in the Occupied Palestinian Territories (including East Jerusalem) have been established in breach of international law.”
- Article 49 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War states in its first paragraph: “Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.” And in the sixth paragraph: “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”



## Fundamentalism

- As a reaction to the 'open bridges' policy instituted by the Israeli government in 1967 in relation to the Occupied Territories, a hard-lined religious orthodox movement that would later become officially known as Gush Emunim emerged. They demanded their immediate annexation and emphasized Jewish settlement of *Eretz Yisrael*; the whole land of Israel according to a maximalist interpretation of the Biblical text, Genesis 15:18: "God made a covenant with Abraham and said "To your descendants I give this land, from the river of Egypt to the great river, the Euphrates." Their focus was the establishment of Jewish settlements in the territories beyond the 1948 ceasefire lines.
- To Gush Emunim and other radical religious groups like the Chabbad which make up the core of the violent settler population, particularly in the area of Hebron "the advent of the Jewish state was considered the beginning of a divinely inspired and ordained redemptive process. This process depends among other things on the territorial integrity of the whole land of Israel (including the Occupied Territories). Failure to settle the land or withdrawal from presently occupied territories constitutes man's direct contravention of God's Will and would cause the interruption or cessation of the redemptive process."<sup>1</sup>
- Their ideology is based on a distinctive literalist interpretation of the Halacha and the Talmud as espoused by Rabbis such as Manis Friedman. Of the Palestinians he wrote; "The only way to fight a moral war is the Jewish way: Destroy their holy sites. Kill men, women and children (and cattle)" He argued that if Israel followed this wisdom, there would be "no civilian casualties, no children in the line of fire, no false sense of righteousness, in fact, no war." He went on to write "I don't believe in Western morality," "Living by Torah values will make us a light unto the nations who suffer defeat because of a disastrous morality of human invention."<sup>2</sup>

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<sup>1</sup> Jewish Fundamentalism in Israel, Pluto press, 1999, Israel Shahank and Norton Mezvinsky, Chapter 4  
[[http://www.geocities.com/alabasters\\_archive/nrp\\_and\\_settlers.html](http://www.geocities.com/alabasters_archive/nrp_and_settlers.html)]

<sup>2</sup> <http://www.haaretz.com/hasen/spages/1091469.html>



- Rabbi Ariel Israel taught: “A Jew who killed a non-Jew is exempt from human judgment and has not violated the [religious] prohibition of murder.”<sup>3</sup>
- Gush spokes persons have “routinely compared Palestinians to the ancient Canaanites, whose extermination or expulsion by the ancient Israelites was, according to the bible, predestined by divine design”<sup>4</sup>
- Settlers enjoy the unwavering support of influential factions within the government whether through explicit statements or tacitly. Foreign Minister Avigdor Lieberman himself lives in Nokdim, a settlement south-east of Bethlehem in the occupied West Bank. [Guardian, Monday 16 March 2009]

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<sup>3</sup> Jewish Fundamentalism in Israel, Pluto press, 1999, Israel Shahank and Norton Mezvinsky, Chapter 4  
[[http://www.geocities.com/alabasters\\_archive/nrp\\_and\\_settlers.html](http://www.geocities.com/alabasters_archive/nrp_and_settlers.html)]

<sup>4</sup> Ibid.

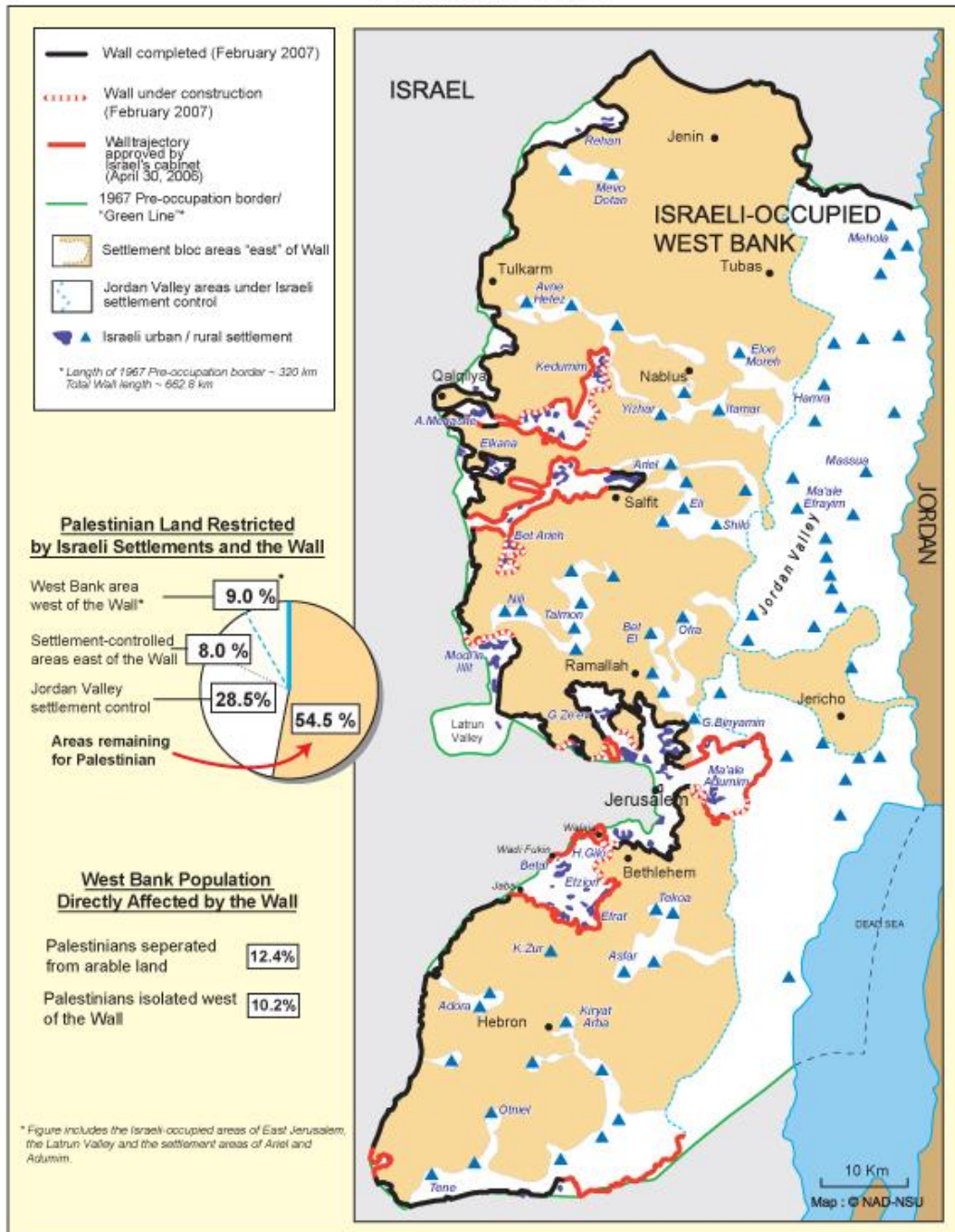


# MEM

## MIDDLE EAST MONITOR

### ISRAEL'S WALL AND SETTLEMENTS (COLONIES)

#### FEBRUARY 2007



Source: Palestine Monitor.



### Spectrum of the violence and aggression

- Settler violence takes a number of forms. It is widespread and enduring but may escalate and peak at times. Recent reports have shown a sharp general increase in the trend with "290 settler-related incidents targeting Palestinians and their property" during the first eight months of 2008 alone [UNOCHA]. A 59% increase on the 182 incidents throughout 2006 and a 19% increase on the 243 in 2007.
- Much of the violence is aimed at intimidating Palestinians in the hope that they will abandon their homes and farmland and thereby allow settlers to move in and gain control of them. Other reasons include using violence as a deterrent, punishment or in retaliation. Settlers often get their weapons and ammunition from the IDF.
- 40% of all settler violence in the West Bank takes place in Hebron. Around 500 settlers live in four settlements established in the heart of the city (Tel Rumeida, Beit Hadassah, Beit Romano and Avraham Avinu) and they are extremely aggressive. They believe in establishing an exclusively Jewish State over Israel and the Occupied Palestinian Territory.



## Physical Violence



- At the extreme end of the spectrum, settler attacks are fatal for Palestinians. Between 2000 and 2004 alone, 34 Palestinians were murdered by settlers. On June 2<sup>nd</sup> of this year, Amjad Abu Kheir, 30, walking with his Israeli employer, approached a settler to ask for a cigarette. The settler first asked Abu Kheir if he was Arab. Upon receiving a positive answer, he shot him dead. According to Abu Kheir's Jewish employer, the settler would have shot him too if he hadn't managed to blurt out that he was an Israeli.<sup>5</sup>
- There have been innumerable savage beatings, stonings and shootings including settlers chasing and shooting at young stone throwers in violation of penal law and open-fire regulations. On 1<sup>st</sup> June 2009, settlers near the junction of Kadumim set up a road block and began stoning passing Palestinian cars. During the course of the attack, they managed to injure six people including Ali Sedda (44), who was injured in the head, and

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<sup>5</sup> Joharah Baker, June 04, 2009 MIFTAH





taken to the Arab Hospital in Nablus where he was in critical condition. In another attack in the same area, Mohamad Khalid recounts to the Israeli news site *Ynet*: "I was transporting vegetables when I encountered a road blocked by stones near Kadumim. I got out of the car, and dozens of settlers—50 to 60—began attacking me, broke the car and strongly beat me over the entire body. I felt like I was being lynched."<sup>6</sup>

- Bricks are often thrown through the windscreens of moving cars causing horrific injuries, in one instance a pregnant mother was struck with a brick and her six year old daughter hospitalized. Dogs and wild boars are set upon defenseless innocent civilians including children. In one report a young boy in Hebron's mouth was stuffed with rocks by a female settler causing broken teeth and in another a tent with people inside it was set alight.

### **Intimidation**

- Every Israeli government since 1967 has supported settlements and settlers in the Occupied Territories. High ranking members of parliament, such as the Foreign Minister Avigdor Lieberman, are themselves settlers. In addition, many high ranking IDF officers as well as the soldiers responsible for protecting Palestinians are graduates of extremist religious schools and therefore share the ideology of the settlers.
- The support and leniency of Israeli governments toward the settlers and the general support they receive from the Jewish Israeli public, both religious and secular, has created a breed of utterly arrogant, self-righteous and violent individuals who believe themselves to be both in control [in so much as they shape Israeli government policy] and above the law. "Eretz Yisrael belongs to the Jewish people," states one settler during an anti-Obama demonstration in Jerusalem. "What right does anybody have to tell us to stop building in the land that was given to us by God? I'm not going to stand by and let Obama, or anybody else, tell me where I can live and where I can't live."<sup>7</sup>

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<sup>6</sup> Ahmad Jaradat & Virginia F., 01 June 2009, Alternative Information Center (AIC)

<sup>7</sup> Joharah Baker, June 04, 2009, MIFTAH



- Settlers, like Israeli soldiers and civilians, are permitted to bear arms while Palestinians are not. Thus, Palestinians are unarmed, unprotected and have no real legal recourse against settler aggression. This means they are being left at the mercy of these radical fundamentalists to quite literally fend for themselves in an alarmingly situation.
- Nahla Ahmed, the 36-year-old mother of four relates: "We put bars on the windows after the first attack that came at 2:00 am three years ago," "Now they come each week." Nahla lives in a hilltop house on the edge of the village, with the Jewish settlement of Yitzhar on a facing hill. She says they come repeatedly "to spray the Star of David on the walls, cut down a tree, throw tear gas canisters. In November 2008, they threw Molotov cocktails inside." "They want to make us afraid, to make us leave, so that we get out of here," says Nahla's husband Djamal, 38. "They take the land step by step, with all impunity, and for us there is no security, no-one protects us," he says.<sup>8</sup>

## Abuse

- Settlers routinely abuse and intimidate merchants and stall holders in the marketplace, terrorize children on their way to school and deface Palestinian property with racist anti-Arab graffiti containing slogans such as "Death to Arabs" and "Gas Arabs" or the Star of David is spray painted on front doors. A woman living below the Tel Rumeida settlement in the Israeli controlled H2 area of Hebron was threatened with rape. Jamal, a Palestinian refugee in his mid-40s commented: "Day and night, night and day, it makes no difference, the settlers always abuse us,"<sup>9</sup>
- Rubbish is thrown into backyards and Muslim graveyards have been desecrated.

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<sup>8</sup> Djallal Malti, Agence France Presse, 11 June 2009

<sup>8</sup> Hebron, 31 August 2008 (IRIN)



### Theft & destruction of property

- It is commonplace for settlers to attack and damage the personal property of Palestinians. This includes vandalizing houses; smashing windows, destroying external structures, shooting at solar panels and water tanks on roofs and shooting at houses themselves. There have also been cases of petrol bombings, slashing of car tyres, smashing car windows and overturning and torching of cars, arson, poisoning and shooting of livestock, attempting to poison water supplies and cutting of telephone and power lines as well as releasing wild boars on Palestinians and their farmlands.
- During the olive harvest season, settlers mount a sinister and relentless campaign of brutal attacks against farmers in their fields as they work. The aim is to cause economic impoverishment by destroying the livelihoods of these poor farmers who are set upon with bats and clubs, threatened with guns or settlers take pot shots at them from a distance. Their trees are slit so they can no longer bear fruit, others are uprooted, their harvested produce is stolen and their farms are burned to the ground. A year ago Salah Siddi, his wife and his 11-year-old son were attacked by eight settlers from the Havat Gilad outpost. Siddi saw eight men rushing towards him from a hill, four at him and four at his wife and son. The men kicked, shoved and punched all three and at one point tried to pull the boy away from his mother. "The settlers rushed at us, hit us and threw rocks at us," says Siddi's son Mustapha, now aged 12. "They set their dog on me and wanted to pull me away from my mother's arms." As soon as he saw the men coming at them, Siddi quickly called a local activist from the Rabbis for Human Rights organization, who alerted villagers nearby. A group arrived at the scene after 10 minutes, causing the attackers to flee. Since then, Mustapha has refused to go out with his father to farm the land. "I was so scared," he says. "I don't want to go there anymore."<sup>10</sup>

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<sup>10</sup> Djallal Malti, Agence France Presse, 11 June 2009



- Since the Israeli Human rights group B'Tselem launched their 'shoot back' campaign aimed at gathering photographic evidence of the violence, settlers have begun to carry out masked attacks.

### **Systematic theft of land**

- Palestinian land is systematically either stolen from them by settlers or expropriated by the government before being handed over to the settlers. The government uses two devices to acquire land. The first is through quasi legal means and the invocation of an 1858 Ottoman law stating that land which is uncultivated for seven years becomes state property. Since they began using this law in 1980, it has been applied to 16% of the West bank. The government also seizes land for "security purposes" before handing it over to settlements. 30% of the land settlements are built on is privately owned Palestinian land. Mohammed Hussein Abu Bakr, 66, can no longer cultivate a plot near his village of Jit, and is assaulted whenever he tries. "The settlers say that the land belongs to them, that it is the land of Eretz Israel (Greater Israel)," he says. "This territory is Jewish territory," says Rabbi Yaakov Savir, who runs a religious school in the Havat Gilad outpost. "Arabs should find another place to live."<sup>11</sup>

### **Vigilantism**

- In what has come to be known as the 'price tag campaign' settler 'activists' have mounted a coordinated and large scale crusade of virtual pogroms, arson attacks, the setting up of road blocks, demonstrations and rampages through Palestinian villages. The purpose of these activities is to put pressure on the government and thus prevent the dismantling of illegal outposts. The message is that any such actions will incur a heavy price. The campaign began in June 2008. Since then, UNOCHA indicated an increase in reported incidences of 46% between June and July.

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<sup>11</sup> Ibid



- Settler terror has also been directed at foreign aid workers and Israeli-Jewish society. Last month, a bomb was placed on the doorstep of a prominent supporter of the centre-left group "Peace Now". 73-year-old Zeev Sternhell, a political science professor at the Hebrew University in West Jerusalem and an expert on the evolution of European fascism warned that the attack could herald the "collapse of democracy" in Israel.

### **Handling of complaints**

- The authorities in the occupied territories show extremely limited concern for stopping or preventing the widespread violence against its Arab inhabitants while it is happening. They operate an unofficial policy of non-intervention and seldom investigate or apprehend settlers who perpetrate even the most heinous of crimes. Rather, several reports indicate that settler soldiers actively participate in attacks.
- In the few situations where investigations into settler violence are begun, they are lengthy and almost invariably closed without any action being taken or convictions being made. In the extremely rare cases that are taken to court, punishment is lenient. In reality, Palestinians have no real legal recourse against settlers who are allowed to act with impunity. In failing to prevent the lawless behavior of settlers, the authorities are in effect sanctioning it.

### **Conclusion**

- A UNOCHA report stated in December 2008 that "the root cause of the phenomenon (settler violence) is Israel's decades-long policy of facilitating and encouraging the settling of its citizens inside occupied Palestinian territory (oPt), defined as transfer of population and prohibited by international humanitarian law (IHL)." It goes on to say "the relevant Israeli authorities have failed to adequately enforce the rule of law when it comes to Israeli settlers carrying out acts of violence against Palestinians and their property in the West Bank." In cataloging accounts of settler violence, they concluded



that, "settler violence is not random criminal activity; in most cases, it is ideology-driven, organized violence, the goal of which is to assert settler dominance over an area."

- Settlements contravene international law which establishes the legal principles and codes applicable during war and occupation. Based on the fact that they swallow up more than 50% of the West Bank, they make it difficult to envisage a viable Palestinian state and greatly hinder the peace process.
- A graphic analogy of the settlements was made by Amos Alon, the Israeli writer who wrote: "Imagine the effects on the peace process in Northern Ireland if the British government continued moving thousands of Protestants from Scotland into Ulster and settling them, at government expense, on land confiscated from Irish Catholics..."

