

5-2018

## **Palestinians in the Israeli Prison System: Racism and Injustice**

Areen Ali Shehk  
*California State University, Monterey Bay*

Follow this and additional works at: [https://digitalcommons.csumb.edu/caps\\_thes\\_all](https://digitalcommons.csumb.edu/caps_thes_all)

---

### **Recommended Citation**

Shehk, Areen Ali, "Palestinians in the Israeli Prison System: Racism and Injustice" (2018). *Capstone Projects and Master's Theses*. 326.

[https://digitalcommons.csumb.edu/caps\\_thes\\_all/326](https://digitalcommons.csumb.edu/caps_thes_all/326)

This Capstone Project (Open Access) is brought to you for free and open access by the Capstone Projects and Master's Theses at Digital Commons @ CSUMB. It has been accepted for inclusion in Capstone Projects and Master's Theses by an authorized administrator of Digital Commons @ CSUMB. For more information, please contact [digitalcommons@csumb.edu](mailto:digitalcommons@csumb.edu).

# Palestinians in the Israeli Prison System: Racism and Injustice

Areen Shehk

Advisors: Ajit Abraham and Richard Harris

Social Behavioral and Global Studies Department

California State University Monterey Bay

May 9, 2018

**Table of contents**

Abstract .....3

Introduction .....4

Literature review.....6

Theoretical framework.....14

Methodology .....17

Findings and Analysis .....18

Conclusion.....20

Works Cited .....22

**Abstract**

There are thousands of Palestinians held in Israeli prisons. Unlike Jewish settlers in the West Bank who are tried in civilian courts, Palestinians are tried in Israeli military courts where the conviction rate is 99.7%. Since Israel's illegal occupation of the West Bank and Gaza Strip in 1967, over 800,000 Palestinians, or 20% of the population in the Occupied Territories, have been imprisoned. Prisoners are kept in conditions that violate their human rights and international humanitarian conventions. Individuals confined in Israeli prisons are abused, tortured, and, in many instances, they are confined indefinitely without due process, charge, or conviction under what is called "administrative detention." Using critical race and international legal theory and drawing from the work on mass incarceration in the U.S., this report explores why the Israeli government's use of imprisonment against Palestinians is so large and disproportionate, and how Israel is able to regularly break international human rights law without consequence. I also look into specific cases of human rights violations against Palestinian prisoners that vividly illustrate the destructive nature of Israeli prisons. I find that Palestinians struggling for national sovereignty and self-determination is deemed as threatening to Israeli's power, and is therefore criminalized at all costs.

## Introduction

Over the past 50 years, approximately 800,000 Palestinians have been imprisoned by Israel. This makes up 20% of the Palestinian population in the Occupied Territories, meaning that one in every five Palestinians has been incarcerated. (Addameer, 2017). While Palestinian children, women, and men are detained without charges or convictions, Israeli settlers are protected by the Israeli army as they attack Palestinians and destroy their belongings, and very rarely face repercussions. The context for this reality is Israel's illegal military occupation of Palestinian land, an occupation that despite international opposition has been able to exist and continue due to the full political and economic support of the United States. International laws and the Geneva Conventions are violated daily by Israel and its inhumane treatment of the Palestinians. Palestine's approval as a non-member state of the United Nations (UN) places Israel as a state occupying another state, instead of other territories, therefore allowing Palestinians to call on international organizations to execute sanctions for the occupation of an internationally recognized State. (Info-Prod Research (Middle East), 2012).

Imprisonment is one of the primary ways that Israel is able to maintain its domination over Palestine. Palestinians and all people fighting against illegal occupation have an internationally recognized right to resist upheld by the United Nations (UN). In 1978, the UN passed a resolution stating that it "Reaffirms the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination and foreign occupation by all available means, particularly armed struggle." Even further, the resolution "strongly condemns all Governments which do not recognize the right to self-determination and independence of peoples under the colonial and foreign domination and

alien subjugation, notably the peoples of Africa and the Palestinian people” (UN General Assembly Resolution A/RES/33/24 of 29 November 1978). Despite the right to resist, Israel has cracked down on and criminalized Palestinians’ resistance, let alone their existence, which has resulted in the incarceration of one-fifth of the Palestinian population since 1967. This essay will discuss the deplorable Israeli prison system and the trauma that sticks with each prisoner. This paper will also discuss how racism is clear and normalized against the Palestinians.

This topic was chosen because of the experiences I have endured of being a Palestinian visiting my home country that is occupied by Israel. Although my family and I have Israeli passports, we are in no way treated any different than a Palestinian who does hold one. When I was 14 years old, my family and I took a trip to Palestine during the summer. During this trip, we visited Bethlehem, a Palestinian city located in the West Bank. Bethlehem is separated from Jerusalem by a 25-foot wall, which has been widely described as a form of apartheid. This wall has cut off thousands of Palestinians from agriculture, schools, social services, jobs, and the ability to move freely. Going into Bethlehem I was saddened at how different life was on the other side of the wall. This was the first time I was exposed to “ad-diffah” which is the Arabic term for the West Bank. Prior to entering Bethlehem, we went through a checkpoint run by the Israeli government. The process of entry was very difficult even though my family and I carried both American and Israeli passports. We were asked to get out of our cars, searched, and questioned. Upon leaving Bethlehem after our three days stay, I experienced something I never imagined experiencing. My mother was taking a photo of me by the wall while we waited in line at the checkpoint. My mother and I were approached by an Israeli soldier, who was holding his gun and yelling at us in Hebrew. I let him know that I do not speak Hebrew and my mother let him know that her Hebrew is not strong. He proceeded to yell in Hebrew while keeping a grip on

his gun. My mother was able to understand a bit of what he was saying, which was, “delete any pictures you have taken or I will break your camera”. Confused I asked him “are you going to shoot me, I am a Palestinian American tourist simply taking a picture.” His response was translated by my mother from Hebrew to English, “you are breaking our Israeli law by taking pictures of military installations and I will arrest you if you do not delete the pictures.” What confused me is that this soldier did not care that I was a young girl nor did he care that I held both an American and Israeli passport. During my research, I was able to study cases and recall how I was treated, and how afraid and small I felt. I felt dehumanized and began to imagine how the Israeli prison system regularly dehumanizes and violates the rights of Palestinian prisoners.

## **Literature Review**

In what has been referred to as "corrupt", "dangerous" and a "filthy system", the prison conditions in Israel and the processes that undergird it are evidence of a true human rights violation. From the moment a Palestinian is arrested to their last moments of prison time, Israel's legal system is a display of brute force, psychological abuse, and systematic harassment. In the following literature review, I examine the many forms of cases of human right violations against Palestinians in Israeli prisons. Secondly, I review different cases of mistreatment used against Palestinian prisoners by Israeli prison guards. I then, analyze the psychological disorders that form from both the occupation and imprisonment. In order to understand the cases to come, it should be understood that Israel is a state that uses their power as a mechanism in order to criminalize Palestinians. I will offer a philosophical examination of the prison institution and show how Israel is using its power to undermine and deny Palestinians their right to national sovereignty. Through this literature, we are able to see how Israel uses their prison system as a

crucial and central way to uphold and perpetuate racism as a tool for racial control. This framework will allow us to examine these practices with a critical race methodology. (Vaught, 2008).

Mass imprisonment is a part of a punishment. The fairness and unfairness of the punishment rely on examining the relationship between the one who performs some infraction of the law, and the state represented both in the justice system and the penal system. (Paris, 2007, p. 324). Determining injustice using these agents is seeing if the convicted is mistreated either in due process or in the prison system, or if the state inappropriately uses its resources to discriminate against a particular group of convicted criminals. (p.324). With this, the cases discussed in this literature review will provide an understanding that a philosophy of the prison systems does not focus on the kind of crimes but rather on how crimes play no role in determining the forms of punishments.

The *Journal of Palestine Studies* includes a report that was published in the London Sunday Times in 1984 which investigated claims by prisoners in Israeli jails that said they were locked in their cells and gas was used against them. (Malley, 1984). Naama el-Hiln a convicted Palestinian, along with 34 other Palestinian women made these claims. Naama stated, “The gas caused fainting, vomiting, severe pains to the eyes and chest, muscle convulsions and acute burning on the skin.” (Malley, 1984). This gas attack came after the women were protesting inside the prison in the Israeli city of Ramla. The use of gas was denied by the spokesman for the Ministry of the prison. However, official reports proved otherwise. According to Malley, members of the Israeli parliamentary committee visited the prison and confirmed that many of the prisoners had after-effects from the gas attacks. The inhumane acts and use of gas is one

aspect that proves the terrible conditions the Palestinian prisoners face while incarcerated. The use of gas is “simply monstrous” according to Israel Shahak, a professor of organic chemistry. (Malley, 1984).

The increase of Palestinian prisoners results in the increase in these individuals being exposed to life-threatening conditions due to the mistreatment in the prisons. Eleven female Palestinian prisoners in Al Ramleh Prison were interviewed by LAW Society’s attorney, Safwat Younis. The prisoners in this report include Sumayya Abed, Nisreen Taha, Iman Ghizawi, Maha Al Ak, Suna Al Ra’I, Sawsan Abu Turki, Wijdan Bujiyeh, Rab’a Hamayel, Su’ad Ghazal, Abeer Amru, and Sana’ Amru. The age range of these Palestinian detainees ranges from 14-33 years old. Each of these women made complaints of lack of clothes, sheets, towels, and stationery. (Younis, 2001). Iman Ghizawi, one of the prisoners, has been tortured, chained by her arms and legs twice, and forbidden from using the toilet for eight consecutive days. Each prisoner has been refused family visits for over a year. Rab’a Hamayel is a 14-year-old child who was in solitary confinement for 27 days. The torture and use of force against children in prison is a violation of all humanitarian and international regulation. Being put in solitary confinement alone can cause psychological damage. Hamayel is a child who has been exposed to war and occupation her whole life. After a child’s release from prison, they display sign of post-traumatic stress disorder, suffer from nightmares and bedwetting, show aggressive behavior, and a lack of concentration which leads to dropping out of school. (Younis, 2001). These children and women are put through cruel forms of punishment which leads to a life of disorder and distress.

The conditions and mistreatment in the Israeli Prisons do not stop at the formation of possible psychological disorders. On October 21, 1988, Ibrahim al-Umtur, was found dead in his

cell, hanging from a cloth looped over a pipe. (Hiltermann, 1990). His death was investigated and it was revealed that Ibrahim al-Umtur was beaten by soldiers, given a valium injection, and had tear gas sprayed into his cell. Dr. Derrick Ponder stated that al-Umtur's suicide is a result of physical and mental abuse although he did not reject the possibility of homicide. (Hiltermann, 1990). In August 1988, five prisoners died in one week alone. On December 19, 1989, Khaled Shaykh Ali, died during interrogation in the Gaza Prison. Israeli Authorities claimed his death was caused by a heart attack, but his autopsy showed that his death was caused by internal bleeding in his abdomen which was caused by physical impact. (Hitlermann, 1990). This is why Palestinians usually never believe the official Israeli version of a prisoner or citizen's death. All deaths should be investigated and each person suspected of causing the death, whether physically or mentally, should be prosecuted.

In 2013, there were 4,900 Palestinian Prisoners including 168 that were detained without trial and 236 children. Since 1967, 800,000 Palestinians in the West Bank and Gaza were detained by Israel. This represents 20 percent of the population, and about 40 percent of the male population, according to Addameer, Palestinian prisoner rights, and legal support group. (Parry, 2013). Each prisoner has a right to health, the international law states that the occupying power which is Israel in this case to provide the right treatment for ill prisoners. As stated earlier in my essay, all prison doctors are Israeli which goes against Article 91 and 92 of the Fourth Geneva Convention. Articles 91 and 92 states that prisoners have the right to be administered by physicians of their own nationality. According to the Palestinian prisoners and regional human rights group, Israel fails to meet these obligations and goes against international Law.

Mohammed al-Taj, a Palestinian prisoner suffers from pulmonary fibrosis and heart hypertrophy and has not received treatment for years. Al-Taj was tortured which worsened his illness. Al-Taj needed a lung transplant but had an early release, having served 10 of a 15-year sentence. His release was due to the fact that Israel did not want to pay for the transplant, nor did they want another death on their hands due to medical neglect.

Mohammed, a 15-year-old Palestinian child, was arrested and detained for three weeks in 2010 for allegedly starting a fire near the Yitzar settlement. Mohammed was kept in solitary confinement for a whole week. Upon his release, Mohammed stated, “I was constantly afraid that they would kill me and that no one would find me. I begged the guards to talk to me. I couldn't sleep, I was anxious and extremely afraid. I was constantly worried, thinking about my parents and what they were thinking.” With the number of arrests of Palestinian children, it is clear that Israel is hoping to instill fear into the children’s hearts with the aim of crushing any desire to challenge the status quo.

The indiscriminate use of imprisonment even goes beyond the traditional boundaries of age and gender. “In January 1991 a U.N. official charged that a 9-year-old boy had been hung by his heels by Israeli soldiers and beaten for three hours, suffering two broken bones and welts all over his body.” (Rachelle, 1993). A bill was passed in 2016 in Israel called the “Youth Bill”. This bill allows Israel to imprison minors even if he or she is under the age of 14. (Al Jazeera America, 2016). The passing of this bill has not only opened doors for Israel to continue taking illegal actions against the Palestinians, but it allows them to now take away the future of each child they see as a “threat.” As of July 2016, 414 Palestinian children were in Israeli prisons, according to the West Bank-based Addameer Prisoner Support Network. Israel's Justice Minister

Ayelet Shaked posted an unpublished article on facebook, by the late Israeli writer Uri Elitzur, that referred to Palestinian children as "little snakes" and promoted deadly violence against Palestinians. (Al Jazeera America, 2016). There will not be peace nor justice when the head of the governments are anti-Palestinians and promote such violence. Israeli forces and settlers continuously kill unarmed protestors and civilians. In two months alone (August –October 2016) 219 Palestinians were killed by Israel and its people, and 34 Israelis were killed by Palestinians. (Al Jazeera America, 2016).

Palestinians are not the only ones who deal with the discrimination, torture and false convictions by the Israeli government. In the article, *Three Arab-Americans Describe Torture, False Convictions in Israeli Custody*, Richard H. Curtiss talks about two Palestinian-Americans and a Lebanese-American who endured life-threatening torture at the hands of Israeli interrogators attempting to have them sign false confessions of working for a “terrorist” organization. One victim was Yousif Marei, a Lebanese-American, was with his wife traveling from Jordan to Israeli-occupied West Bank. Marei was held at the checkpoint for 14 hours, without being able to contact his wife or family. After 14 hours at the checkpoint, Marei was thrown into a police car and taken to the Kishon Israeli prison. Marei was detained for 36 days without being charged, and in those 36 days, he lost 25 pounds due to not eating the spoiled food he was served. Marei was interrogated and tortured, during his interrogation, “with his feet manacled, and a urine- and vomit-soaked hood placed over his head, he was tied into the "Sheba," a child-size chair with front legs shorter than the rear legs.” (Curtiss, 1999). “One of the interrogators cursed with very profane language my father, my mother, my family and my American citizenship... Besides knowing almost everything about my life, the interrogators tried to force me to say that I had done something that I never did." Marei stated when presenting at

an Aug. 26 press conference at the National Press Club sponsored by Partners for Peace (PFP). Even as an American citizen, Yousid Marei, was detained, tortured, and not given his rights as an American citizen. Two days into his arrest, Marei was visited by Todd Haskell of the American Embassy in Tel Aviv, Haskell gave him some food and two magazines. After his release, Marei was transported back to Jordan and not charged with anything. Israel's legal system is inhumane and lacks respect to international law on all grounds. There are many Arab-Americans who have been and are currently held in Israeli prisons without being charged. The role Haskell played in Marei's worst nightmare, shows the lack of deliberation from not only Israel but from the American consulate.

Going on hunger strike is one of the oldest non-violent forms of protest. On December 5, 1998, 260 Palestinians started a hunger strike to protest their imprisonment. (Maureen, 1999). For Palestinian prisoners, going on hunger strike is the only way they are able to spread a message and fight. Eighteen years later, Marwan Barghouti started his hunger strike in April 2017. He was joined by 1,500 other Palestinians who were being held in Israeli prisons. (Gibaldi, 2017). Barghouti has been in prison for 15 years and is risking his own life to obtain better conditions for the 6,500 Palestinians that are imprisoned as well. Barghouti, an activist, was convicted of five counts of murder and given the maximum sentence and 40 additional years for attempted murder. During his trial, Barghouti denied everything and had no evidence against him for the crimes he was accused of, no one was able to prove he actually killed anyone. Gibaldi stated, "It should be noted that the trial was a political rather than a criminal event and completely illegal, as he was a Palestinian living in Ramallah who was being tried in an Israeli court and sentenced to prison in Israel." Barghouti's rights were violated and international legal agreements were disobeyed by Israel. According to international law, prisoners must be tried

where they reside. Instead, Palestinians living in the Palestinian territories are convicted by military courts while their homes are demolished in order to punish the family. If anyone protests or is involved in political activities opposing Israel, they are held accountable. Palestinian sociologist Zureik (1988) suggests a framework that combines concepts from colonization and economic dependency theories in order to understand the context of the national and territorial conflict between Palestinians and Israelis. (Korn, 2003).

Being detained in Israeli prisons is torture enough but being released is not easy. Upon release, many former prisoners lose themselves and forget who they used to be prior to being detained. They no longer know how to fit into society and lose any social skills they had; they have a constant fear instilled in them from the moment they are arrested. Muhammed Nasrun spent 5 weeks in solitary confinement and two and a half years in Israeli prison. Upon his release, he fidgets as he speaks and his right leg is constantly shaking. "I'm not normal now, I know that. I remember every step I took and every person I met from when I was arrested until I was released, and that's mostly what I think about, even now. That can't be normal," Nasrun states in the same Al Jazeera America article.

The effect of being imprisoned doesn't only affect the prisoner, it involves anyone involved with that person. Wives, husbands, mothers, fathers, siblings, brothers, sisters and cousins of those who are detained live in occupation while experiencing the absence of their loved ones. Difficulties within the community grow during the sentence of the prisoner. For example, a Palestinian wife whose husband is detained has a hard time raising and supporting the kids which cause stress and anxiety. The constant worry about the prisoner does not go away, each family member or loved one will hear stories about what happens in the Israeli prisons and

imagine that happening to their loved one. Each person must come up with coping strategies in order to survive and fight the occupation.

Around the world, tragic things are happening in some places and human rights are being celebrated in another, but Palestinians in occupied territories continue to be exposed to Israeli violence racism while their human rights are constantly being violated. The Israeli prison system is corrupt and violates international law with no consequence. The release of prisoners should be the main result of whatever peace process is actually respected by Israel. The hope and fight for freedom of the Palestinian people should be the concern of not only the Palestinians but the global nation.

**Research question:** *Why does the Israeli prison system arbitrarily imprison Palestinians and how their incarceration leads to their human rights being violated? Why do they incarcerate so many Palestinians and harass them in their daily life's?*

### **Theoretical framework**

Critical race theory is a theory that examines societies as a whole, these aspects are categorized by race, law, and power. This theory is able to allow theorists to examine racism within societies. This theory combines political struggles for racial justice and the norms that need to be changed by the unlawful hierarchies. Critical theorists such as Angela Davis devote their works to build movements to eliminate racial oppression. Davis' theory shows that just as many communities of color are criminalized in the United States which is parallel to how Israel oppresses and marginalizes Palestinians because of their race to maintain power. Davis's critical

theory was framed from early Frankfurt School critical theory but has broadened due to her being an African American woman who has faced injustices and imprisonment herself. Her theory is used to provide a way of approaching the issue of systemic racism in a society.

Davis uses this interdisciplinary approach to study and challenge social inequalities based on race. Davis is a great example of a theorist that interconnects her interests in many issues creating works about oppressed people including Palestinians. In her critical theory, Davis talks about the use of imprisonment against people of color in the United States. Davis' explanation for the prison system of locking people up is that on the one hand, it is a failed way to address social, political, and economic problems. On the other, Davis also locates the origins of mass incarceration and the prison industrial complex in the U.S. in the 1970's as a response to mass protests and radical movements. Ultimately, Davis views the prison industrial complex as a racial tool for those in power to control populations - in the U.S., the communities most affected and disproportionately targeted are Black, Native American, and Latino. A critical race framework allows us to see that while racism runs deep in mass incarceration, it is made possible because it exists in all aspects of a society that allows prisons to exist in this way. Further, with this theory, it is clear that prisons are less about addressing crime to improve society and more about controlling certain communities for white supremacy and control to continue.

In this sense, governments such as Israel's use prisons as a "solution" to Palestinians that are viewed as problems and seen as a disposable population. This theory clarifies how prison is a question of maintaining Israeli power. It is the military occupation in general that feeds the prisons with Palestinians. Just as Davis' critical theory analyzes social movements in the US and views prisons as an attack on them, this understanding can also be applied to the Israeli

occupation. Because Israel is imposing a racial hierarchy through its military occupation on Palestinian land, the whole Palestinian population being oppressed must be kept in line and controlled. Prisons are one of the main ways that Israel attempts to keep Palestinians from fighting back against their oppression. This theory addresses my research question because of the need for Israel to widely lock up people and movements it views as threats, and this means that Palestinians as a whole are subject. For example, during a speech at the Washington Center for the Performing Arts in Olympia, Washington, Davis stated: “nothing was as bad as what I witnessed in occupied Palestine on a delegation”. (Davis, *Mass Incarceration in the U.S. & Palestine: A Conversation with Angela Davis and Noura Erakat*). Davis explains how every Palestinian she had met on that trip has been to prison, knows someone in prison, or knows someone who has been to prison.

During a speech at the University of Chicago in 2013, Davis stated that “the State of Israel uses the carcereal technologies developed in relation to U.S. prisons, not only to control the more than 8 thousand Palestinian political prisoners in Israel but also to control the Palestinian population.” (Davis, 2013). Here, Davis is pointing to the fact that Israel’s occupation is a form of the prison itself. Similar to the systemic racism that provides the context for mass incarceration in the U.S., Israel’s occupation is what allows it to impose violence and imprisonment on the Palestinian population. Unlike the U.S., the racism and brutality of the Israeli occupation are much more visible. For example, the wall separating the West Bank from the State of Israel are physical constructs of Israeli Apartheid.

Davis’ theory also provides a foundation to understand how one struggle can be connected to another. The wall along the West Bank and the militarization on the U.S/Mexico

border are both controlled and funded by the same security company, G4S. (Davis, 2013). Through Davis' critical race theory, it is evident that the Palestinians in Israel and the immigrants migrating from South America share the same liberation struggle and interconnect in the fight for justice. With critical race theory, these struggles are bound with the cruelty of global power structures such as the United States and Israel. Israel and the United States work hand in hand causing a growth of the Zionist movement and increased militarization of police in the U.S. Without U.S aid, the ability for Israel to incarcerate 20% of the Palestinian population would not be possible, and it would almost certainly mean an end the occupation more generally.

The U.S aids Israel 3 billion dollars a year and provides most of Israel's military budget. In Davis' book, *Freedom is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement*, Davis compares how the United States collaborated with the South African apartheid government and states "it continues to support the Israeli occupation of Palestine, currently in the form of \$8.5 million a day in military aid." (Davis, 2016, p. 54). Davis' theory promotes movements in order to inspire solidarity and fight against oppression.

## **Methodology**

My methodology contains a review of the literature that formed my research. The methods used in this report include using online databases such a JSTOR and the California State University Monterey Bay library OneSearch. The use of reports and research included was done by organizations who specialize in human rights. This report includes personal experiences my family and I have faced while visiting Palestine, our home country. I have seen first-hand what it is like to be a Palestinian in Israel. It is important to understand why Israel makes inhumane

actions against the Palestinians and how racism is not only a product of the past but also ongoing in the present. The method I used to understand how racism plays a role in the Israeli prison system was by understanding Angela Davis' critical race theory.

The laws that govern modern armed conflicts throughout the world are called the international humanitarian law (IHL) and have been analyzed for this report in order to understand how the Israeli prison system does not act lawfully. The most influential of these laws are contained in the Geneva laws. In relation to this report, I studied The Four Geneva Conventions of 1949. This, in particular, introduced four new concepts and rules regarding war, namely, civilian immunity, the distinction between combatants and civilians, proportionality, necessity, and humane treatment (Hajjar, 2006). While most countries have signed the protocols of the Geneva Conventions, Israel has refused to sign Protocol I, which states that occupied populations have the right to wage war, because they do not believe that Palestine is a country, and thus have no right as civilians to be immune to Israel's aggressive actions (Hajjar, 2006). This sets a dangerous precedent for the rest of the world and how they choose to engage in war.

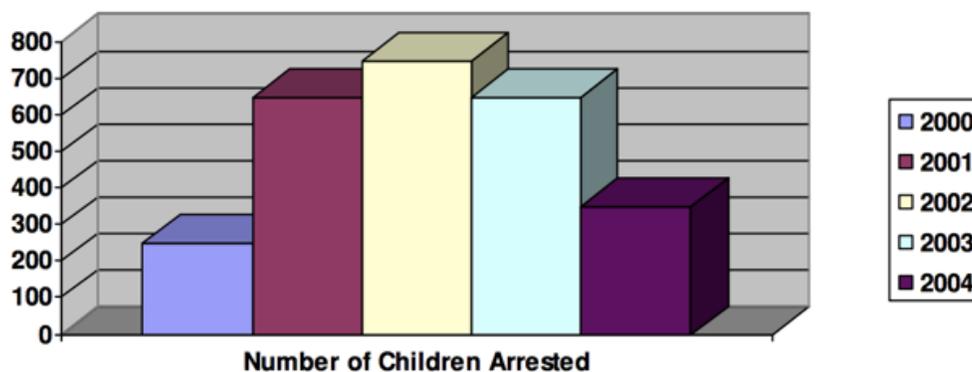
## **Findings and Analysis**

Critical Race Theory views racism and the routine discrimination against an ethnic minority as systemic in society. After analyzing Israel's imprisonment system through Critical Race Theory, I was able to frame the perspective that Israeli society continues to allow the mistreatment and targeting of Palestinians because of its need for racial control to maintain its power and illegal occupation. The concepts of ethnicity and racism and politicization of policing sensitize us to this distinction and, ironically, are essential for understanding the policing of an

indigenous/ethnic minority. (Shalhoub-Kevorkian, 2004, p. 172). The rates of incarceration have revealed how Israeli police officers use ethnic identity to dictate the way they treat Palestinians. Racism and the idea to dehumanize Palestinians is both perpetuated by and goes beyond, the prison system. “Every 71 seconds there is an inciting post uploaded against Palestinians. A total of 445,000 calls for violence hate speech posts and curses against Palestinians. One out of nine posts about Palestinians contains a call for violence or a curse. 50,000 Israeli social media users wrote at least one inciting post against Palestinians.” (7amleh Center, 2018). Through this report, we see that racism is rooted in Israel’s society and for the Palestinians, this is an everyday problem.

As stated above, the racism and mistreatment in Israel have no age. Since 2000 around 8,000 Palestinian kids, ages 12 to 17, have been arrested in the West Bank by the Israeli army and charged in the military courts-500 to 700 children each year. (Hanley, 2003). The chart below shows that from 2000-2004 about 2,650 Palestinian children were arrested.

**Estimated Number of Child Arrests, 29 September 2000 – 30 June 2004**



Source: DCI/PS Legal Unit

With the amount of child prisoners, it is significant to know that rock throwing is now an offense punishable under Israeli law by up to 20 years in prison. This is something I was not aware about prior to my research. Muhammed Nasrullah, a 19-year-old Palestinian, is a victim of this draconian law. Nasrullah was arrested in the middle of the night by Israeli soldiers who forced entry into his home. He was imprisoned for 2 years but is left with a lifetime of trauma. "When I am walking around at night, any noise makes me jump; I am always looking over my shoulder. Even when I am at home alone, I will get up and check every time I hear something even though there's never anything there, I don't actually feel safe anywhere." Nasrullah stated in an article by Al Jazeera America in 2015 after his release.

### **Conclusion**

This report sought to examine the racism in the Israeli prison system and analyze the mistreatment of the Palestinians. The use of Angela Davis' Critical Race Theory helped me examine how Israel criminalizes Palestinians in order to maintain power.

There is great number of Palestinians in a justice system deemed as parallel and reserved for people who have been accused of committing offenses against the state, contrary to entering the Palestine's legal system, has created much attention relating to its violation to basic human rights. Palestinians are subjected to trials by the military courts, are held within Israel, and subjected to conditions violating the international humanitarian as well as human rights conventions. International laws regulate and try to harmonize the conditions of prisons across the world. These laws have contributed to the enhancement of prison conditions but some countries still lag behind. Many of the Palestinians who have been arrested since 1967 have been tried

based on evidence that cannot be corroborated thereby violating their individual rights to fair hearing and determination of criminal acts.

In essence, the Israel government have continued to enforce severe and discriminatory restrictions on the human rights of Palestine's. The Israel authority has incarcerated hundreds of thousands of Palestinians since 1967 whereby most of the prisoners are placed in administrative detentions without charge or trial. Notably, some of the prisoners are incarcerated for participating in non-violent activism. The West Bank and Gaza prisoners are detained with heavy restrictions on family visits which is a violation of international law. Relatively, children who are detained face harsh conditions and mistreatment. My findings throughout this report have proved that In Israel that fact that the prison system disproportionately targets Palestinians illustrates how it is an institution functioning as a tool for racial control and power.

The Israeli prison system violating the rights of prisoners is a major global issue because the lives of human beings are being violated on a large scale. Israel is clearly violating international law because of United States support. This has implications globally because international law is supposed to apply regardless of countries or borders. Israel is the exception and doesn't face consequences. If Israel is allowed to continue in violation of international law with no consequence, there is nothing stopping other oppressive regimes from doing the same.

## Works Cited

- Bird, Eugene. "An American Citizen: The 40 Days of U.S. Citizen Anwar Mohamed Under Israeli Interrogation and Torture." *The Washington Report on Middle East Affairs* XVIII.3 (1999): 68. ProQuest. Web. 6 April 2018
- Curtiss, Richard H. "Three Arab-Americans Describe Torture, False Convictions in Israeli Custody." *The Washington Report on Middle East Affairs* XVIII.7 (1999): 113. ProQuest. Web. 6 April 2018
- Davis, Angela Y. *Freedom Is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement*. Haymarket Books, 2016.
- Davis, Angela. "Mass Incarceration in the U.S. & Palestine: A Conversation with Angela Davis and Noura Erakat." YOUTUBE. PEACEWORKS 2014 , 2 Apr. 2018, Olympia, Washington Center for the Performing Arts, [www.youtube.com/watch?v=fw\\_LbMopPzk](http://www.youtube.com/watch?v=fw_LbMopPzk).
- Falgiano, Lisa, and Kerstin LeMaire. "The Prison Project Publications." *Human Rights Quarterly*, vol. 14, no. 4, 1992, pp. 647–651. JSTOR, JSTOR, [www.jstor.org/stable/762338](http://www.jstor.org/stable/762338).
- "Gas Used in Israeli Prisons?" *Journal of Palestine Studies*, vol. 14, no. 1, 1984, pp. 183–186. JSTOR, JSTOR, [www.jstor.org/stable/2537076](http://www.jstor.org/stable/2537076).
- Giacaman, R. & Johnson, P. "'Our Life is Prison': The Triple Captivity of Wives and Mothers of Palestinian Political Prisoners." *Journal of Middle East Women's Studies*, vol. 9 no. 3, 2013, pp. 54-80. Project MUSE, [muse.jhu.edu/article/517382](http://muse.jhu.edu/article/517382).
- Giraldi, Philip. "Hunger striking for Palestinian rights." *Washington Report on Middle East Affairs*, June-July 2017, p. 11+. Academic OneFile, [http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A497730577/AONE?u=csumb\\_main&sid=AONE&xid=bda6ac9f](http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A497730577/AONE?u=csumb_main&sid=AONE&xid=bda6ac9f). Accessed 6 April 2018.
- Hanley, Delinda C. "Palestinian child prisoners." *Washington Report on Middle East Affairs*, Dec. 2013, p. 68+. Academic OneFile, [http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A350979792/AONE?u=csumb\\_main&sid=AONE&xid=e7c5ee59](http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A350979792/AONE?u=csumb_main&sid=AONE&xid=e7c5ee59). Accessed 6 April 2018.
- Hiltermann, Joost R. "Deaths in Israeli Prisons." *Journal of Palestine Studies*, vol. 19, no. 3, 1990, pp. 101–110. JSTOR, JSTOR, [www.jstor.org/stable/2537714](http://www.jstor.org/stable/2537714).
- "Israel imprisonment of Palestinian children decried." *Al Jazeera America*, 3 Aug. 2016. Academic OneFile, Accessed 6 April 2018. [http://link.galegroup.com/apps/doc/A459833703/AONE?u=csumb\\_main&sid=AONE&xid=0ea24bc7](http://link.galegroup.com/apps/doc/A459833703/AONE?u=csumb_main&sid=AONE&xid=0ea24bc7).

Korn, Alina. "Rates of Incarceration and Main Trends in Israeli Prisons." *Criminal Justice*, vol. 3, no. 1, 2003, pp. 29–55., doi:10.1177/1466802503003001454.  
<http://journals.sagepub.com/doi/pdf/10.1177/1466802503003001454>

"LAW Report: 11 Female Palestinian Detainees in Israel, Three Under 15, Suffer Appalling Conditions in Neve Tirza Prison, Al Ramleh." *Washington Report on Middle East Affairs*, Dec. 2001, p. 25. Academic OneFile,  
[http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A80803936/AONE?u=csumb\\_main&sid=AONE&xid=3f3c3b50](http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A80803936/AONE?u=csumb_main&sid=AONE&xid=3f3c3b50). Web. 6 April 2018

Marshall, Rachelle. "Special Report: Sowing Dragonseed; Israel's Torment of Children Under Occupation." *The Washington Report on Middle East Affairs* 11.9 (1993): 29. ProQuest. Web. 6 April 2018

McNeely, C., Barber, B. K., Spellings, C., Belli, R., Giacaman, R., Arafat, C., Daher, M., El Sarraj, E. and Mallouh, M. A. (2015), Political Imprisonment and Adult Functioning: A Life Event History Analysis of Palestinians. *JOURNAL OF TRAUMATIC STRESS*, 28: 223–231. doi:10.1002/jts.22015

Meehan, Maureen. "Some 2,700 Palestinian Prisoners Join Hunger Strike in all Israeli Jails." *The Washington Report on Middle East Affairs* XVII.8 (1999): 8. ProQuest. Web. 6 April 2018

"Palestinians tackle the trauma of imprisonment." *Al Jazeera America*, 3 Oct. 2015. Academic OneFile,  
[http://link.galegroup.com/apps/doc/A430564290/AONE?u=csumb\\_main&sid=AONE&xid=e51b6f21](http://link.galegroup.com/apps/doc/A430564290/AONE?u=csumb_main&sid=AONE&xid=e51b6f21). Accessed 6 April 2018.

Paris, Jeffrey. "Decarceration and the Philosophies of Mass Imprisonment." *Human Studies*, vol. 30, no. 4, 2007, pp. 323–343. JSTOR, JSTOR, [www.jstor.org/stable/27642806](http://www.jstor.org/stable/27642806).

Parry, William. "Palestinian prisoners: broken heroes, broken generations." *Washington Report on Middle East Affairs*, June-July 2013, p. 22+. Academic OneFile,  
[http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A333616711/AONE?u=csumb\\_main&sid=AONE&xid=a55da198](http://link.galegroup.com.library2.csumb.edu:2048/apps/doc/A333616711/AONE?u=csumb_main&sid=AONE&xid=a55da198). Accessed 6 April 2018.

Project, The Bridge. "Critical Race Theory." Berkman Klein Center,  
[cyber.harvard.edu/bridge/CriticalTheory/critical4.htm](http://cyber.harvard.edu/bridge/CriticalTheory/critical4.htm).

Ratner, Scott. "Young Palestinian Prisoners from East Jerusalem: Agitators or Community Activists?" *Palestine-Israel Journal of Politics, Economics & Culture*, vol. 21, no. 2, Nov. 2015, pp. 60-66. EBSCOhost. Web. 6 April 2018

Shehadeh, Amer, et al. "Imprisoned Husbands: Palestinian Wives and Experiences of Difficulties." *Community Mental Health Journal*, vol. 52, no. 1, 2015, pp. 118–125., doi:10.1007/s10597-015-9962-5.

Tayeh, Raed N. "Chicago Palestinian-American Describes 36 Days of Israeli Detention After He Tried to Visit West Bank." *The Washington Report on Middle East Affairs* XVIII.6 (1999): 86. ProQuest. Web. Web. 6 April 2018

"UN RULING STRENGTHENS PALESTINE." *Info - Prod Research (Middle East)*, Dec 03, 2012, ProQuest. Web. 6 April 2018.

Vaught, Sabina E. "Writing Against Racism." *Qualitative Inquiry*, vol. 14, no. 4, June 2008, pp. 566–589., doi:10.1177/1077800408314355.

7amleh. "7amleh Releases New Racism Index Exposing Heightened Israeli Online Incitement against Palestinians." 7amleh – Arab Center for Social Media Advancement, 6 April. 2018.