THE CONSEQUENCES OF PUNITIVE HOME DEMOLITION IN THE OCCUPIED PALESTINIAN TERRITORIES

A case study in the West Bank.

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Master thesis International Crimes and Criminology

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“It is a collective punishment. Maybe [name of respondent 12’s brother] shot the settler, he is an adult, and he is more than 18 years old so you can punish him for what he did. But you didn’t punish him, you killed him, without giving him the right to defend himself or to tell what happened, or what didn’t happen. Now you want us to carry the responsibility of what happened by demolishing my house. Again, he is an adult, you killed him’.

Respondent 12, about his home demolition as a punishment.
Since I can remember, I have been specifically interested in how hate and anger shapes people’s lives. Not only in conflict situations, but furthermore in our country, the Netherlands, this has led to inhumane crimes and inconceivable deeds by ‘normal’ people. After my exchange period in South Africa, where I experienced the post-apartheid society, these mechanisms caught my interests more and more. This has led me to the Master program International Crimes and Criminology at the VU University. This study focuses on the criminology of international crimes, specifically war crimes, genocide and crimes against humanity. In this master I got the amazing opportunity to study the causes, the impacts and the consequences of these crimes and critically evaluate the importance or shortcomings of international prosecution, in which is tried to stop impunity.

My motivation for this thesis is not describable shortly. Since my first visit to Palestine and Israel, I have been shocked about several things happening in the area. One of most outstanding things was the loss of a private sphere, and seeing how houses were included in conflict. As a consequence, there seemed no place where people could be safe. Even though Palestine has a different culture, and different beliefs, everyone understands what a house means for a child, for his or her parents, and their state of well-being. For this reason was decided to write about the consequences of the loss of this house, specifically by a punishment of a crime committed by someone else.

This thesis is the last assignment I will hand in for my Master, which has been both a sad and happy journey for me. Sad, because I now know what people are capable of and how ‘bad’ some people can be. Happy, because it has been a very instructive period, which I would not have missed for anything. Especially, the intern period in Beirut and conducting my own empirical research in Palestine has been of a great addition to my academic career, because experiencing things yourself might – in my eyes - be the only way to fully understand them. Even though this process has had ups and downs, it was the perfect ending of an important period. For now, this thesis is the beginning of the future, and I am looking forward to what will come.
ACKNOWLEDGEMENTS

There are a few people I would like to mention. Most importantly, I would like to thank my Palestinian friends. You not only made my research period a period full of life lessons and instructive knowledge, you were able to make me smile, despite the sometimes sad situations if been in. Thank you for making sure I had everything I needed, for protecting me, and for being my friends.

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CHAPTER 1.
INTRODUCTION.

On the 8th of June 2016, allegedly two Palestinians dressed in reportedly Orthodox Jewish clothes open fire in the centre of Tel Aviv, killing four Israelis and leaving seven injured. This attack is the most recent attack in a wave of violence in Israel and Palestine. Since the beginning of October 2015, tensions in Jerusalem and the West Bank are rising. In half a year 207 Palestinians and 32 Israeli’s were killed as a consequence of this violence (Al Jazeera, 2016). The reaction of Israeli officials on these attacks is by asking the Israeli army to demolish the houses of the (alleged) attackers. In November 2015, the Israel Ministry of Foreign Affairs published an official statement, indicating:

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In the face of the growing wave of terrorism, Israel has been forced to take certain measures in order to protect the lives of innocent civilians. One such measure is the demolition of structures connected to particularly dangerous terrorists (Israel Ministry of Foreign affairs, 2015, p.1).

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This is also asked for concerning the latest attack, indicated by the army on the 9th of June 2016 (Volkskrant, 2016). Estimations on how many homes since the beginning of October 2015 are demolished differs, between twelve and 36 houses are claimed to be demolished as a punishment. Moreover, reportedly 53 houses have been ordered for demolition (Times of Israel, 2016; B’tselem, 2016a, 2016b).

These home demolitions in Israel/Palestine can be ordered legally according to article 119 of the Emergency Defence Regulation (hereinafter article 119 EDR) (B’tselem, 2015; Darcy, 2003; Dinstein (2009); Kretzmer, 2012; Reicin, 1986; Simon, 1994). This regulation allows the destruction of the house or structure as a punishment for allegedly having committed a crime (B'tselem, 2015; Kretzmer, 2012; Simon, 1994), leaving all of the inhabitants without a house. This policy of punitive home demolition has gathered international attention because it is argued that punitive home demolition breaches important human rights, such as the prohibition of collective punishment and the right to housing. For instance, the United Nations Office of the High Commissioner of Human Rights(2013) (hereinafter OHCHR), called on the Israeli
government to stop punishment through home demolition. Despite these critiques, home demolition as a form of punishment continues to be carried out frequently. Non-governmental organizations (hereinafter NGO’s), such as Amnesty International (2004), Human Right Watch (2010c) and many others, further claim that homes are also demolished as a punishment without a legal basis in International Law (Darcy, 2003; Reicin, 1986; Simon, 1994).

Palestine\(^1\)/Israel has a disputed history, and tensions rise frequently. This has led to several wars and many deaths. One of the reactions to this violence is the demolition of houses, because Israeli politicians argue that it establishes a deterrent effect to the perpetration of attacks. However, research into what this tactic achieves and what the short and long-term consequences of these punishments are is lacking. Some scholars, such as Darcy (2003), Reicin (1986) and Simon (1994) argue it leads to severe consequences for the family members of the intended target, and in some cases even builds more resistance against Israel.

For that reason, this thesis will investigate what punitive home demolitions are, how these are carried out and what the consequences for the uninvolved inhabitants of the houses are. The central question in this thesis has been formulated as following:

\[\text{What are the consequences for the victims of punitive home demolitions in the} \]
\[\text{Palestinian Occupied Territories?}\]

In this thesis home demolition as a punishment is defined as following: “The destruction of a house, carried out by Israeli security forces as a punishment for the behaviour of an individual, where uninvolved and innocent people endure consequences, because their home is (partially) destroyed”. In this thesis home demolition as a punishment is defined in this way to include both the official home demolition and unofficial home demolition. The official home demolition is ordered according to the Israeli law, whereas the unofficial home demolition is carried out without legal basis.

\(^1\) In this thesis referring to Palestine is meant as referring to the current Palestinian Occupied Territories, the West Bank and Gaza.
This thesis is divided into two parts. The first part consists of chapters two, three and four, and will be based on a literature study. Chapter two will give a short introduction into the context of the Palestinian/Israel context. Chapter three will describe what punitive home demolitions are, and how these are justified and/or opposed. Moreover it will discuss the legitimacy of home demolition as a punishment under International law and its critiques. Chapter four examines what literature says about the consequences on home demolition. It will investigate what scholars, researchers, and several NGO’s have said about the consequences a punitive home demolition has on the victims.

Part two, consists of chapters five and six, these chapters will elaborate on the empirical research conducted for this thesis. Chapter five presents the methodology of this thesis, and will describe the methodological choices that are made. Chapter six will elaborate on the research conducted for this thesis in the West Bank. It will elaborate on what respondents said during interviews and will analyse if and how this is comparable with the literature. The thesis will end with a conclusion and discussion.
CHAPTER 2.
THE HISTORY OF PALESTINE/ISRAEL.

Home demolition as a form of punishment cannot be investigated without researching the context and the history of the area. Israel and Palestine have a conflicted and complicated history and both Israelis and Palestinians assume different narratives. The Israeli’s have mainly claimed their rights to the territory of Israel on the writings of the Torah, in which God promises the land to the Jews (Pape, 2007; Troen, 2013). Meanwhile, Palestinians have mainly based their right to the land of Palestine on previous settlement by their ancestors. Palestinians argue that they should be seen as the indigenous Arab population (Pape, 2007). It is claimed that Jewish and Arab populations lived in the former Palestinian areas before the Second World War, but that indigenous Jews were a minority and Palestinian groups owned 90 percent of the land (Khalidi, 2006; Pape, 2007).

Until World War II, the former Palestine was under British mandate. Following the Holocaust, the League of Nations accepted a resolution in 1947 that called for the creation of a Jewish homeland in the ancient Palestine. Even though Arab states rejected the establishment of a Jewish state, the creation of the state of Israel was announced in 1948. A violent period followed, in which both Palestinian and Jewish groups fought to conquer territory. This period is an illustration for the different narratives used in this conflict: while Israelis call this period the Liberation, the Palestinians call this period the Nakba, which means catastrophe (Khalidi, 2006).

According to Palestinian sources, hundreds of thousands of Palestinians have fled the Israeli violence during the Nakba. They claim thousands of Palestinians were brutally murdered, and their villages were demolished and ethnically cleansed by Israeli groups in order to conquer territory (Khalidi, 2006). Contradictory to these assertions, several Jewish scholars claim that Israelis legally purchased the Arab lands before the establishment of the State of Israel (Curtis, 2012; Daoudi and Barakat, 2013). Other Israeli scholars argue that during the Liberation, Palestinians had left willingly, because they did not want to live in a state with Jewish people, and/or because their Arab leaders asked them to (Pape, 2007; Troen, 2013). What is undisputed is that thousands of Palestinians sought refuge in the West Bank, Gaza and neighbouring Arab states, such as Syria, Lebanon, Jordan and Iraq. Figure 1.1 shows how the United
Nations divided the former Palestinian territories into Jewish parts and Arab parts, with Jerusalem as an international zone. After the *Nakba or Liberation*, the territories were de facto dived by the Rhodes Armistice Line.


In the early years of the state of Israel, relations between neighbouring Arab countries and Israel remained hostile, while these countries did not recognize the state of Israel. In 1967 the Six-Day War started, in which Arab states (Egypt, Syria and Jordan) fought against Israeli forces. After six days Israel won the war and a substantial turning point was reached. Israel took control over the Palestinian territories: the West Bank and the Gaza Strip (Bisharat, 1994; Jiryis, 1988). After this, Palestine was officially occupied by Israel.

In the early years of this occupation, Palestinian politicians tried to regain territory through mainly diplomatic measures. These political measures were led by The Palestinian Liberation Organization (hereinafter: PLO), which consisted mainly of the Fatah and their leader Yasser Arafat (Rotberg, 2006).
However, violence erupted in 1987 when the Palestinians started a violent revolt against Israel. This first Palestinian uprising, also known as the First intifada, created a political revolution and more violent groups, for example Hamas,\(^2\) were established (Khalidi, 2006; Pape, 2007; Troen, 2013). The international community ended the First Intifada in 1991 through an attempt to revive peace talks between Israel and Palestine. These talks lead to the Oslo – Peace negotiations, and in 1995 an agreement was signed (Shlaim, 1994). Both sides were deeply disappointed in the aftermath of the peace process, and blamed the other for the failure of the peace process. Violence continued and hundreds of Palestinians and Israelis were killed in the years after the peace talks (Pressman, 2006).

This violence escalated in 2000, the Al Aqsa Intifada, or Second Intifada erupted. The majority of attacks by Palestinians were committed through suicide attacks (Moghadam, 2003; Pressman, 2006). In the Palestinian territories, Israeli forces demolished houses, and established curfews and roadblocks. Several Palestinians were placed under administrative detention or killed (Moghadam, 2003; Pape, 2006; Pressman, 2006). While this was happening, Israel started building a wall separating the West bank from Israel, which complicated passage from one side to the other (Cohen, 2006). Most scholars consider the Second Intifada to officially end in 2004, when Yasser Arafat became sick and later died (Pressman, 2006). After Arafat’s death, momentum was lost and internal discrepancies between Palestinian groups lead to the ending of the Second intifada. After the Second Intifada a relatively quiet period came.

However, tensions between Israel and Palestine escalated again, and in July 2014 the latest war started in the Gaza Strip (Dailytimes, 2014; Ochaopt.org, 2015). The United Nations Office for the Coordination of Humanitarian Affairs of the Occupied Palestinian Territory (hereinafter: OCHAOPT) estimates that 18.000 homes have been demolished in the Gaza strip by air strikes and shelling. Besides this, it is estimated that half a million people have been displaced because of the conflict (ONCHR.org, 2015, pg. 153). Moreover, it is estimated that 2251 Palestinians and 71 Israelis have been killed (ONCHR.org, 2015, pg. 153).

At the time of writing this thesis, frustrations are rising again. On a daily basis, both Israelis and Palestinians commit attacks, and demonstrations routinely end in violence. Since October 2015, reportedly 207 Palestinians and 32 Israeli’s were killed as a consequence of this rising violence (Al Jazeera, 2016).

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\(^2\) For a short explanation what Hamas is, see chapter five.
CHAPTER 3.

HOME DEMOLITION AS A PUNISHMENT IN PALESTINE/ISRAEL

The origin of home demolition as a tool for punishment in Israel remains unknown. Several scholars, NGO’s and human right organizations claim it has been used for decades. Simon (1994) indicates that the policy and laws for home demolition as a punitive measure stem from the British South African Boer war. The British army had drawn legal authority for punitive home demolition in Palestine in 1931, when Palestine was under British Mandate. However, it is claimed that this authority was never applied. The practice started to be commonly used only after 1967, and had a peak during the first Intifada (B’tselem, 2014; Simon, 1994). Estimations on how many houses are demolished as a punitive measure differ. While B’tselem (2014) estimated that 854 houses were - partially - demolished as a punitive measure between 1981 and 2003 (Darcy, 2003). The Israeli Committee against House Demolitions (hereinafter: Icahd) argued that 1543 houses were demolished as a punishment between 1990 and 2012 (Halper, 2014).

According to several scholars, other types of home demolitions have been carried out by the Israeli security forces (Amnesty, 2004; Benmelech, Berrebi & Klor ., 2010; B’tselem; 2004 & 2011 & 2014; Halper, 2014). For instance, Benmelech, et al. (2010) state that home demolitions can be ordered for what they define as clearing operations. This type of home demolition is used to fulfil military needs. For example, houses that are close to borders or army posts are ordered for demolition because the territory will be used for security issues. For instance, this is applied in order to build the wall separating the West Bank and Israel. Besides this, houses are demolished when a house is built without a proper license (Amnesty 2004; Kaminker, 1997). A lot of houses are built illegally, because getting official, legal licenses to build houses is argued to be difficult in the Palestinian territories. On top of that, some Palestinian families are not allowed to build on their property (B'tselem, 2004; Halper, 2014; Human Right Watch, 2014b, 2014,c; Kaminker, 1997). Regularly, these houses deemed illegal by Israeli officials are demolished for that reason.

3.1 Legal framework of home demolition as a punishment

An official home demolition as a form of punishment in Israel/Palestine is ordered according to article 119 EDR (B’tselem, 2004; B’tselem, 2007; Darcy, 2003; Dinstei, 2009; Kretzmer, 2012). This says the following:
A military commander may by order direct the forfeiture to the Government of Palestine of (...) any house, structure or land situated in any area, town, village, quarter or street the inhabitants or some of the inhabitants of which he is satisfied have committed, or attempted to commit, or abetted the commission of, or been accessories after the fact to the commission of, any offence against these Regulations. (...).

A military commander orders a home demolition, when he or she is convinced that one or more house members are involved in a crime (B’tselem, 2004; Darcy, 2002; Kretzmer, 2012). When a family receives the order for demolition, that family has the possibility to file a complaint. Then, the court assesses the proportionality and legality of the order. If the order is assumed legal, or no complaint is filed, the army can employ various methods to demolish the house. This can include, for instance, demolition by explosions or bulldozer. Frequently, the Israeli army poses a curfew in the neighbourhood. Then they surround the neighbourhood with tanks and other armed personnel carriers (Amnesty, 2014; Darcy, 2003; HCJ 8024/14; HCJ 8025/14; HCJ 5300/14; HCJ 5290/14).

The Israeli court authorities justify punishment by home demolition as a fundamental counter-guerrilla activity, which encompasses a deterrent effect (B’tselem, 2004; Darcy, 2003; HCJ 8024/14; HCJ 8025/14; HCJ 5300/14; HCJ 5290/14; Kydd and Walter, 2006). Scholars in favour of home demolition as a punishment have argued that home demolition must be seen as a warning to those contemplating attacks as well as to people who might help or encourage perpetrators of those attacks. As the court explained in HCJ 8024/14 - Hijazi et al. v. GOC Home Front Command Response:

The underlying premise is that a terrorist who knows that his family members may be harmed if he carries out his plan – may consequently refrain from carrying out his planned terror attack. The deterrence is also directed at the family members of the terrorist, who may be aware of his plans, and is intended to cause them to take action to prevent the terror attack in view of the concern that their home would be damaged should they fail to do so (Point 26, HCJ 8024/14).
According to the Court, the home demolition should be weighted by the gravity of the act and the residential ties to the house. Moreover, the effect the home demolition can have on other inhabitants of the house should be considered (B’tselem, 2004; Darcy, 2003; HCJ 8024/14; HCJ 8025/14; HCJ 5300/14; HCJ 5290/14; Kydd and Walter, 2006).

### 3.2 Punitive home demolition as an international crime

At the moment of writing, the Palestinian territories remain occupied by Israel. By international law, an occupying power may repeal penal laws or enact its own provisions. This is allowed when the existing laws constitute either a security threat to the occupation or when the occupier has to maintain law and order (Dinstein, 2009; Kretzmer, 2012; Quigley, 1992; Reicin, 1986). Pursuant to the laws of occupation, Israel has exhaustive control over the Gaza-Strip and the West Bank (Darcy, 2003; Reicin, 1986). As a consequence, Israeli laws are applicable on the Palestinian territories and home demolition as a punishment in Israel/Palestine can legally be carried out according to article 119 EDR. Even though article 119 EDR is Israeli law, several scholars, international organizations and legal professionals have challenged the lawfulness of article 119 EDR under International Law (Amnesty, 2014; Carroll, 1989; Darcy, 2003; Halper, 2004; Reicin, 1986).

In some instances scholars have argued that home demolition as a punishment can constitute a war crime. In 2002 the International Criminal Court (hereinafter: ICC) was established to set an example to end impunity of perpetrators who breach certain laws, such as the Geneva Conventions (Smeulers & Grunfeld, 2011). This law is laid down in the Statute of the International Criminal Court. The punishable crimes are distinguished as War Crimes, Crimes against Humanity and Genocide. The use of home demolition as a punishment is argued to be a possible War Crime under the ICC Statute. Article 8 of the ICC Statute criminalizes: “**Grave breaches of the Geneva Conventions of 12 August 1949** (...).

The element IV of Article 8 ICC statute is applicable to home demolition, which says:

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*(IV) Extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly*

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In earlier case law, also the International Criminal Tribunal for the former Yugoslavia (hereinafter ICTY) dealt with illegality of the destruction of property, namely in the case of Blaskic. The ICTY found that:

‘An occupying Power is prohibited from destroying movable and non-movable property except where such destruction is made absolutely necessary by military operations’ (ICTY, Blaskic case, point 157).

Also other treaties and law define the only exception to destruct property as necessities of war (ICC Statute, article 8(2)(a)(iv); The Hague Regulations 1899, Article 23(g); the Hague Regulations 1907, Article 23 (g); 1949 Geneva Convention IV Article 53). If property is destructed without this necessity, it can be punished as a war crime before the ICC.

The military necessity in punitive home demolition is questioned by several scholars. For instance, Darcy (2003) and Simon (1994) indicate that home demolition as a punishment are frequently not a necessity of war because they are an additional punishment added to, for example, the punishment of imprisonment. Besides this, in many cases, the perpetrators of the crimes committed are often dead or already imprisoned. As a consequence there is no violent threat is coming from the building or the family. Simon (1994) argues that this direct military necessity is subsequently not applicable because other security measures, such as curfews, are often also taken to prevent further attacks (Carroll, 1989; Darcy, 2003). Contradictory, Israeli scholars claim that in most cases, the houses are used as a military bunker, where operations against the state of Israel were planned or carried out. As a result the house is no longer protected under International Law. Moreover is argued that Israel only uses this policy in extreme acts of terrorism, when there is necessity of war (Halabi, 1991).

Another element to constitute a war crime is that the destruction was extensive and carried out wantonly. Carroll (1989) claims that extensive demolition is only applicable if there are demolitions on a large scale. According to their analysis there is a policy that over years demolished hundreds of houses that were not justified by military necessity. Darcy (2003) argues that demolition is carried out extensively, because thousands of Palestinian homes are deliberately demolished. It could be argued that an individual house will fall short of the element of extensive.
Another argument given by scholars that oppose home demolition as a punishment is that article 33 of the Geneva conventions entails a prohibition of collective penalties. Sanctions on the basis of a collective rather than on individuals are not allowed by this law. Carrol (1989) argues that if a person is not involved in terrorist activities but is deprived as consequence of a punishment, this order can be seen as illegal, because innocent people are punished by their home demolition. In reaction to this claim, the Supreme Court stated that home demolition does not amount to a collective punishment, because the punishment of innocent civilians is unintended and unavoidable. The demolition is argued to not be different than the consequences of imprisoning a father, because then he is leaving the family behind without support, and also uninvolved family members endure consequences (Halabi, 1991).

Besides these legal critiques, several scholars have claimed that demolition of houses is unnecessary. This is because the policy has been carried out systematically and still no deterrent effect has been seen (Carroll, 1989; Darcy, 2003). Other scholars argue that it increases anger and the dedication to fight Israeli oppression (Darcy, 2003; Simon, 1994; Yusof, Hashim, Raihanah, 2012). Further consequences of home demolition on the families involved will be discussed in chapter four.

3.3 Conclusion
Home demolition as a punishment is laid down in article 119 EDR. A military official can order a home demolition when there is military necessity to demolish the house. Israeli scholars claim that the policy of punitive home demolition is lawful because of its deterrent effect, and it should be seen as a counter-guerrilla measure. Hence, the policy has gained some critique and scholars argue that in several cases the demolitions as a form of punishment could be seen as unlawful under International Law. Besides the official punitive home demolition, several NGO’s claim that cases of non-official home demolition exists. In these cases, houses get demolished without an order or a possibility to file a complaint at a Court.

In the last paragraph is evaluated if the demolition could be seen as a War Crime under the ICC Statute. Article 8 ICC Statute, prohibits an occupying power to destroy private property when it is not carried out because of military necessity. If a house is demolished without military necessity, and home demolitions are carried out extensively and wantonly, the ICC can persecute the individuals responsible. Punishable are those who ordered or carried out the demolition of houses for war crimes. If a home demolition can constitute a war crime, people whose house is demolished are victims of a war crime. As indicated in this chapter, home demolition is carried out frequently, and thousands of individuals have lost their house as
a punishment for an inhabitant of their house. The next chapter will look into what scholars have written about the consequences of home demolition.
CHAPTER 4.

LITERATURE RESEARCH: CONSEQUENCES OF PUNITIVE HOME DEMOLITIONS.

Home demolition as a punishment is a topic that gains a lot of attention by Israeli, Palestinian and international organizations (Israeli: B’tselem, 2014; Halper, 2014; Palestinian: Al-Maqdese, 2011; Al Haq, 2016; International: Amnesty, 2014; Human Right Watch, 2014b, 2014; Save the Children, 2009). Several scholars researched the legal framework of house demolition in the OPT and the relation to international law (Carroll, 1989; Darcy, 2003; Reicin, 1986). Even though most of these organizations and scholars emphasise the illegality of punitive home demolition, these articles do not substantively assess the consequences of individuals and/or their family. As a result, literature on the consequences of punitive home demolition is lacking. Because home demolition as a punishment are carried out frequently, and in some instances can constitute a war crime, research into the impact of the crime and the consequences for its victim can be significant for the understanding the harms caused by these crimes. Therefore this chapter researches the consequences victims endure. This chapter will evaluate the little existing literature on consequences of several types of home demolition, for example home demolition because insufficient licenses, while research into the specifically punitive form of home demolition is lacking.

4.1 The meaning of housing and the Palestinian culture.

In order to understand home demolition as a punishment, the cultural context of housing are explained, because this can influence the consequences of home demolition on Palestinians. Neighbourhoods in Palestine are seen as a fundamental cornerstone of society (Harker, 2009; Meade, 2011). Neighbourhoods consist of a lot of family members and being a ‘good’ neighbour is seen as an important duty. Because most Palestinian families are big, and housing is expensive, parents build houses for their children on top of the parental apartments (Meade, 2011). This means that, each floor of a house can be inhabited by a different son and his family (Harker, 2009; Meade, 2011). In some cases, parents build houses close to the parental house. Frequently, neighbourhoods exist of more – extended - family members. The majority of Palestinians live in the same house and neighbourhood their entire life, and moving to another house or neighbourhood is not done regularly (Harker, 2009; Meade, 2011). Besides this, housing is important in the Palestinian patriarchal culture. For instance, the traditional Palestinian culture requires that you establish a home before you start a family (Meade, 2011; Harker, 2009). A husband is traditionally seen
as a provider for the family, and marriage is culturally acceptable when a man can support and protect his wife (Meade, 2011). For that reason, a husband needs to own a house, otherwise getting married is almost impossible. The traditional role for a wife and/or mother is taking care of the house and children. Therefore, a lot of women do not frequently leave the house and do not have a job (Al-Maqdese, 2011). In most cases, women leave the parental house to live with their husband’s family (Al-Maqdese, 2011; Harker, 2009; Meade, 2011). Harker (2009) investigated the importance of housing in relation to identity in Palestine, and interviewed Palestinians about what their home was for them. One of the interviewed Palestinian answered: ‘the home is the family, which is the core of the Palestinian society’ (Harker, 2009, pg. 14).

4.2. Punitive home demolition and the individual
Since a home has such a central meaning in Palestinian culture, it can be argued that losing a house might lead to severe consequences (Meade, 2011; Harker, 2009). In this thesis, the consequences are divided in psychological, physical and economic consequences. But, these are not separate elements and they are not mutually exclusionary, but might in fact influence each other, as is displayed in Graph 3.1.

![Graph 4.1 Individual consequences of home demolition.](image-url)
4.2.1. Psychological consequences.

Research into the consequences of the loss of homes is conducted by several researchers (Al-Maqdese, 2011; Haker, 2009; Karim & Ghosn, 2003; Lavi & Solomon, 2005; Thabet, Abed & Vostanis). Save the Children (2009) interviewed 59 families and asked what their home demolition did to them. The study found that 97 percent - 92 out of 95 - of people whose homes were demolished suffer from trauma-related symptoms, such as sleeping problems and depression. Similar results are found by Al – Maqdese (2011). This NGO interviewed Palestinian victims of all types of home demolition in Jerusalem. Once people lose their home, they are more depressed (Al-Maqdese, 2011; Save the Children, 2009). For instance, respondents claim to have lost energy and want to lie in bed all day (Al-Maqdese, 2011). Additionally, victims suffered from sleep disturbances or had distressing dreams (Al-Maqdese, 2011; Save the Children, 2009). Moreover, victims reported to be scared. Women described the home demolition using words such as: distressing, scary, frightening and horrifying. After the home demolition, victims remained scared of soldiers, loud sounds and going outside. Besides this, it was found that people had feelings of anger. Respondents were frustrated and therefore had more negative attitudes towards peace (Al-Maqdese, 2011). This negative attitude and discouragement led to feelings of helplessness, which on itself again leads to other psychological problems, such as depression (Al-Maqdese, 2011). Fear and/or depression had left some of the interviewees to remain home (Al-Maqdese, 2011).

Moreover, losing a house, might lead to the loss of a part of your identity (Al–Maqdese, 2011; Harker, 2009; Meade, 2011; Porteous & Smith, 2001). For many Palestinians, a house is a part of their identity, where family is attached and rooted in memories (Harker, 2009; Meade, 2011). Al-Maqdese (2011) had similar findings, they found that male victims of home demolition reported a loss of the ability to be a protector, whereas women argue they lost the ability to take care of a safe domestic sphere, which can be seen as a part of their identity (Al–Maqdese, 2011). This loss of identity can lead to more psychological problems (Al-Maqdese, 2011; Harker, 2009).

Furthermore, children endure consequences of losing their home (Save the Children, 2009; Thabet, Abed and Vostanis, 2002). Thabet, Abed and Vostanis (2002) interviewed 91 children who had lost their home due to home bombardment and/or home demolition during the First Intifada in Palestine. They found that 59 percent of the children reported post-traumatic stress (hereinafter PTSD) reactions. This is high when compared to the control group, which consisted of victims of other traumatic events, where only 25 percent reported PTSD. Save the Children (2009) had coherent findings, they found that young victims
of home demolition showed more mental health problems, when compared with a control group. Losing a house results in long-term trauma for children (Al Maqdese, 2011; Thabet et al., 2002). Children become more withdrawn and quiet in the presence of others (Thabet, et al, 2002; Save the Children, 2009). Children also become frightened, cry more and are afraid to go to school. Frequently, children deteriorated in their educational achievements, because of attention difficulties. Furthermore, children whose house was demolished tend to be more delinquent. For example, these children show more violent behaviour, drop out of school more often, show less remorse, and steal more often than the control group (Save the children, 2009).

4.2.2. Physical consequences
Next to psychological problems, literature indicates that victims of home demolition suffer physical health consequences (Al-Maqdese, 2011; Karim & Ghosn, 2003; Save the Children, 2009). In some demolition cases the family was removed from their homes with force, which sometimes lead to physical injuries, such as broken bones and wounds (Al-Maqdese, 2011). For instance, people were shot at and/or had broken bones. Besides this, other diseases as a consequence of stress are mentioned. For instance high blood pressure, tiredness and problems in malnutrition are reported (Al-Maqdese, 2011; Save the Children, 2009).

4.2.3. Economic consequences
Once the demolition takes place, possessions are often lost in the destruction and the costs have to be paid by the family, (Al-Maqdese, 2011; Save the Children, 2009). Frequently the families cannot afford to pay for new accommodation, because building a house and furnishing it is expensive (Al-Maqdese, 2011; Save the Children, 2009). Moreover, costs after the home demolition can be high, because when a family files a complaint against their home demolition, legal costs have to be paid by the families (Al-Maqdese, 2011). Save the Children (2009) asked people about their financial situation before and after the home demolition and estimated that on average, the total losses by each family sum up to $150,000 per family. Save the Children found that the average monthly income of the families whose house was demolished was $335, which is lower than Palestinian families that did not endure a home demolition (Save the Children, 2009).
4.2.4. Relation between individual consequences

Save the children (2009) and Al-Maqdese (2011) indicate that psychological, physical and economic consequences influence each other. For instance, school grades of children can be lower because of psychological consequences, such as lesser concentration as well as physical consequences, such as an injury. Because of the economic, physical and psychological consequences of their home demolition, some family members are not able to work, which lowered their income (Save the Children, 2009). Having to help rebuild the house can have influences on both parents and children’s daily life, and thus access to school or work (Al-Maqdese, 2011; Save the Children, 2009). Therefore, can be said that these separate consequences are related to each other and should not be seen as loose components (Save the Children, 2009).

4.3 Consequences of punitive home demolition in families and neighbourhoods

As is displayed in graph 3.2, individual consequences are endured within the context of a family and neighbourhood that endures consequences. Therefore, problems on the individual, family and neighbourhood level can increase or decrease problems on multiple levels.

![Venn diagram showing intersections of Individual, Family, and Neighbourhood consequences]

Figure 4.2. Consequences of home demolition in the larger context

As a consequence of the loss of their house, and high rebuilding costs, a lot of families move frequently and time passes before the family settles in a definite place of residence (Save the Children, 2009). Often, families move in with relatives, which can lead to uncomfortable and overcrowded situations because houses are full with other family members (Al-Maqdese, 2011). The period of displacement is conceived as an instable period, which influences the psychological state of family members (Al-Maqdese, 2011; Save the Children, 2009). Research pointed out that the stress that comes after a home demolition could lead to a more hostile family environment. This in combination with anger and frustration generated by
the demolition of the home leads to a high level of stress. This is again reinforced by other family members’ stress (Save the Children, 2009). In the worst cases, this can lead to violence, which is occasionally perpetrated against other family members (Al-Maqdese, 2011).

Children, who are normally protected and cared for by their parents, lose their stable family environment as a consequence of the home demolition (Save the children, 2009). As elaborated upon before, in Palestinian society, the mother is frequently the guardian of the children and her psychological and/or physical health has a major influx on her child’s health (Save the children, 2009). Several studies have discussed the impact of parental psychological problems on children (Low & Stocker, 2005; Qouta & Punamäki & Sarraj, 1998). For instance, Low and Stocker (2005) claim that parental depression and/or other emotional disturbances influences the children’s mental health. Save the Children (2009) found that children reported a loss of tenderness from their parents, and as a consequence, a lot of children had the feeling that their parents neglected them (Save the Children, 2009). On the other hand, for parents, the loss of belief in the competence to protect children leads to more frustrations. The level of familial support, cohesiveness and communication can change as a result of these frustrations (Al-Maqdese, 2009). The loss of a stable physical house can aggravate the existing problems for the family and lead to a vicious circle of problems.

Harker (2009) emphasised that home demolition should be considered with not only the social and affective relation changes within families, but also their social and cultural network. When a family has to move because of the home demolition, people lose their social network in their neighbourhood. Additionally, neighbourhoods are frequently affected with the home demolition of one of their neighbours’ houses. Neighbourhoods are regularly closed when a house is demolished, and in a minority of cases, surrounding houses are affected by the home demolition, because these houses are also damaged (B’tselem, 2014; Human Right Watch, 2014b; Halper, 2014). Frequently, frustrations rise in neighbourhoods because of the home demolitions (Al-Maqdese, 2011). Sometimes the demolition is seen as unjust and in a few cases violence against Israeli forces erupts in the neighbourhoods. This leads to violent uprisings, sometimes including shootings, and occasionally deaths. Regularly, young people react with throwing stones at Israeli militaries (Al-Maqdese, 2011). Because of the close relations in the neighbourhood, violent reactions of neighbours can increase the anger on the family and individual levels.
However, positive social support can play a crucial role in lowering psychological consequences (Braun-Lewensohn & Sagy & Said, 2014). In a few cases, neighbourhoods helped both financially and socially. For instance, by opening their house or taking care of children (Al-Maqdese, 2011). In some cases, the social support of both families and neighbourhoods helps individuals to cope with some of the problems. A tight and stable network and/or family situation can mitigate the consequences of the loss of the home demolition (Braun-Lewensohn & Sagy & Said, 2014; Low and Stocker, 2005).

Distinguishing the exact causes of the consequences mentioned in the researches is challenging, while home demolition frequently takes place in the context of conflict (Btselem, 2014; Darcy, 2003; Halper, 2014). Frequently, Palestinian families have endured multiple traumatic events and distinguishing effects from solely the home demolition might be challenging (Al Maqdese, 2011; Save the Children, 2009). Therefore, this research should be considered in the context of multiple traumatic events, which should be taken into account when distinguishing consequences of punitive home demolition.

4.4 Conclusion

Studies into the victimhood of home demolition show that home demolition can have several consequences on its victims (Al-Maqdese, 2011; Braun-Lewensohn, et al., 2014; Harker, 2009; Low & Stocker, 2005; Meade, 2011; Porteous & Smith, 2001; Qouta, et al., 1998; Thabet, et al., 2002; Save the Children, 2009). Individually, people that have lost their homes because of home demolition endure psychological problems, such as stress-reactions and depression. People have the feeling they lose a part of their identity. Moreover, people endure physical consequences, such as injuries and a lower level of health. Furthermore, people endure severe economic consequences, because the costs of rebuilding a house are high. Some people lose the ability to go to work. Researchers emphasise the relation between these consequences, because psychological, physical, and economic consequences influence each other. The individual consequences are also influenced by the problems of other family members and neighbours. For instance, depression and frustrations are sometimes verbally or physically taken out on other family members. A loss of parental support influences children’s ability to cope with traumas and other problems. Individuals and families can end up in a vicious circle. On the other hand, stable and tight networks in the family and/or neighbourhood can render negative consequences and lead to a better coping process.
The central question in this thesis focuses on punitive home demolition. After literature research, it is clear that the consequences of home demolition are understudied, especially the punitive form of home demolition. Two NGO’s did research on non-punitive types of home demolitions in the OPT; Save the Children conducted research throughout the West-Bank focusing on all types of home demolition, whereas Al-Maqdese focused solely on Jerusalem. Other scholars have researched the influence that the loss of a house can have on individuals. Hence, the literature researched will be the basis for the empirical research in this thesis, on which chapter six will elaborate. The next chapter will elaborate on the methodology of this thesis.
CHAPTER FIVE
METHODOLOGY

5.1 The start of the fieldwork
The process of writing this thesis started with analysing several sources, which is elaborated upon in the previous chapters. By searching in the University library, google scholar and other internet sources, literature on home demolition as a punishment was found and researched. More than one hundred sources were studied to get thorough knowledge about punitive home demolitions. Three types of sources were analysed, namely: academic articles, NGO reports and court documents. Studies into the victimhood of home demolition showed that victims experienced multiple consequences. However, because literature into the victimhood of specifically punitive home demolition was lacking was decided to conduct an empirical research in the West Bank.

5.2 Sampling of respondents.
Several NGO’s were contacted, one of the NGO’s that helped with the research was Al Haq. This NGO based in Ramallah calls themselves an independent Palestinian human right organization. Al Haq documents all types of human rights abuses in the Palestinian Territories and has several fieldworkers in the West Bank. Palestinian families that have been a victim of human rights abuses can request their help (Alhaq.org, 2016). The sampling of respondents was done using the database of Al Haq. Al Haq gave access to their database and by using search strings respondents were selected. Search strings in the data base were:

<table>
<thead>
<tr>
<th>Variable</th>
<th>Search String</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of delict:</strong></td>
<td>Home demolition</td>
</tr>
<tr>
<td><strong>Reason of demolition:</strong></td>
<td>Punitive</td>
</tr>
<tr>
<td><strong>Order given:</strong></td>
<td>Yes and No</td>
</tr>
<tr>
<td><strong>Year:</strong></td>
<td>2000 – 2015</td>
</tr>
<tr>
<td><strong>Territory:</strong></td>
<td>West Bank.</td>
</tr>
</tbody>
</table>

*Figure 5.1 Search strings respondents.*
The twenty matching families had signed written statements explaining what happened when their home was demolished. These statements were made by researchers of Al Haq, on the basis of interviews with the families directly after their house was demolished. These statements were written in Arabic, and translation was needed, which was done with the help of a Palestinian acquaintance. Eventually, fifteen families were selected.

The Al Haq fieldworker of the specific area called the respondents that were selected. Twelve families agreed to the interview. With the help of the fieldworker a suitable time and place was decided, which was in all but one case the house of the respondent. One interview took place in a restaurant. After each interview, the respondent was asked if they knew other people with the same type of home demolition, which lead to one extra respondent (respondent 8).

Table 5.2 gives an overview of the respondents and shows per respondent: the case number, the respondent numbers, the date of the interview, the year of the demolition, and if an order was given to the family. In multiple cases the researcher spoke to more family members, these are indicated in the third column, moreover the relation to the alleged perpetrator is displayed.

<table>
<thead>
<tr>
<th>Case number</th>
<th>Date of interview</th>
<th>Respondent number (family-member, in relation to ‘perpetrator’)</th>
<th>Year of demolition</th>
<th>Order given yes/no</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>16-05-2015</td>
<td>1 (mom) + 2 (brother)</td>
<td>2008</td>
<td>No</td>
</tr>
<tr>
<td>2</td>
<td>16-05-2015</td>
<td>3 (alleged perpetrator) + 4 (wife) + 5 (daughter)</td>
<td>2008</td>
<td>No</td>
</tr>
<tr>
<td>3</td>
<td>17-05-2015</td>
<td>6 (mom) + 7 (brother)</td>
<td>2014</td>
<td>No</td>
</tr>
<tr>
<td>4</td>
<td>17-05-2015</td>
<td>8 (mom)</td>
<td>2002</td>
<td>No</td>
</tr>
<tr>
<td>5</td>
<td>19-05-2015</td>
<td>9 (mom) + 10 (brother)</td>
<td>2012</td>
<td>No</td>
</tr>
<tr>
<td>6</td>
<td>19-05-2015</td>
<td>11 (aunt)</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>7</td>
<td>19-05-2015</td>
<td>12 (oldest nephew), 13 (younger nephew) + 14 (youngest nephew)</td>
<td>2008</td>
<td>No</td>
</tr>
</tbody>
</table>
| No | Date       | Respondent       | Year | Demolition
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>19-05-2015</td>
<td>15 (mother) + 16 (father)</td>
<td>2007</td>
<td>No</td>
</tr>
<tr>
<td>9</td>
<td>20-05-2015</td>
<td>17 (mother) + 18 (father)</td>
<td>2014</td>
<td>Yes</td>
</tr>
<tr>
<td>10</td>
<td>20-05-2015</td>
<td>19 (mother) + 20 (brother)</td>
<td>2014</td>
<td>Yes</td>
</tr>
<tr>
<td>11</td>
<td>27-05-2015</td>
<td>21 (wife) + 22 (brother)</td>
<td>Demolition Order, demolished in 2015 (after interview)</td>
<td>Yes</td>
</tr>
<tr>
<td>12</td>
<td>27-05-2015</td>
<td>23 (brother)</td>
<td>Demolition Order (demolished in 2015 after interview)</td>
<td>Yes</td>
</tr>
<tr>
<td>13</td>
<td>28-05-2015</td>
<td>24 (father)</td>
<td>2004</td>
<td>Yes (given during the home demolition)</td>
</tr>
</tbody>
</table>

*Figure 5.2: Respondents.*

The data provided throughout this thesis is collected by interviews conducted in the West Bank from the 16th of May until the 28th of May 2015. The families were distributed in different cities: Al – Far’aa refugee camp, south of Janin (1), Aida Refugee camp, near Bethlehem (1), Bethlehem (1), Hebron (3), Janin refugee camp (2), Jerusalem (2), Kufr Qaddum, between Nablus and Qalqilya (1), Nablus (1), and Qalqilya (1).
Two of the families (three respondents) were still under the threat of a home demolition at the time of the interview and do thus not fall under the definition of this thesis. Hence these are included, because these families have a home demolition order and can give some information about the process before the home demolition. Besides this, consequences because of the threat of a home demolition might be interesting. After the interview, on the sixth of October 2015, respondent number 23’s house was demolished according to Al Jazeera (2015d), whereas the house of respondent number 21 and 22, was demolished the third of December 2015 (B’tslem, 2015; Timesofisrael, 2015b). These demolitions are confirmed by employees of Al Haq.

Besides these interviews, more informal conversations were held with people that worked for Al Haq and were familiar with the cases and the context. The information gathered in interviews was verified with the fieldworkers. Conversations took place with the translator about politics and organizations such as Hamas and Islamic Jihad, which gave useful background information on the cases. Several employees from Al Haq gave additional insight into the cases, for example, earlier interviews conducted by Al Haq were read and compared to the information gathered in conversations for this thesis.
Besides the interviews and the people working for Al Haq, information was gathered by talking to local people about the cases. Moreover, articles, NGO’s, and news sites were consulted to verify information given by all sources.

5.3 Interviews

In-depth semi-structured interviews were held with thirteen families. The respondents were interviewed according to a topic list. This was done to let the respondents talk as freely and as much as possible. However, the interviewer decided the direction of the interview. The interviewer tried to not intervene, and the respondent was only interrupted when the conversation drifted off-topic.

The topic list was divided into five sections. The interview started with an introduction of the interviewer, translator and fieldworker. Besides this, the aim and a short introduction of the research were given. After asking for the consent of the respondents, anonymity was guaranteed. If agreed to, the recording was started. At the beginning of the interview it was asked if anyone in the family had a question, to counter obscurities. After that, questions about personal information were asked and the respondents were asked to introduce themselves and their family. The third part of the interview focused on what happened before and during the home demolition. This part focused on when the demolition happened and what the reason for this demolition was. In the fourth part, questions about the aftermath and the consequences of the home demolitions were asked. The consequences were divided into two levels, namely the personal consequences, and consequences in the bigger context, which includes the family and neighbourhood. This division was based on the literature research that is elaborated upon in the previous chapter. The last part of the interview focused on how the respondents saw the future and what their plans for the family were. After that, the family was thanked and asked if there was anything related that was forgotten.

The interviews took place with the help of a translator. The local language in Palestine is Arabic, and English is not commonly used. Because of this, questions were asked in English and then translated. Different translators were used, because the translators could not visit all areas because of insufficient licenses to travel to certain areas. This translation has led to inconveniencies, because not all translation could be done precisely. Some of the translators were scared to interrupt respondents and as a consequence could not precisely translate every single thing that the respondents said. Sometimes translation was misunderstood. Moreover, a lot of time during interview was lost to translation which
influenced the quality of the interview. However, without translation, an interview would not have been possible.

All of the interviews except for one were recorded in order to listen to the statements again. Respondent seven did not agree to recording and therefore the interview was done without recording it. In all interviews, notes were made during the interview. Each interview, except for one, was conducted in the houses of the families.

5.4 Research ethics.

When conducting criminological research concerning international crimes, every researcher faces some ethical dilemmas. Interviewing people about traumatic events might lead to additional problems (Bijleveld, 2013). For instance, respondents can endure extra stress because of retelling traumatic events. For this reason, it was explained that respondents should not feel pressured to tell about specific details. However, avoiding sensitive issues was unavoidable because of the nature of this research.

Most of the respondents were religious people. For some Palestinians it is unusual to speak to foreign people, let alone speak to a woman with a different cultural background. For a lot of respondents speaking with the opposite sex alone was considered inappropriate. For this reason we allowed a person to talk with us with other family members present, which is considered more appropriate in the Palestinian culture. This might have influenced respondents’ answers because the respondents made certain statements that could have influenced other family members. However, separating them seemed inappropriate. Besides this, most respondents asked if the interview could be done in their house. This was approved in order to avoid travel and security problems for the respondents, and to make the people feel at ease. This setting might have influenced the answers of the respondents, but the house also gave additional important information that could be observed. Observation of the houses and neighbourhoods gave the researcher the possibility to gain contextual information.

The Palestinian culture is very hospitable and sometimes all family members had to be greeted. In some cases, children were present and drew attention from the parents away from the interview. This led to some distractions and unnecessary breaks. Other cultural habits, such as, picking up phones during interviews and regular breaks for coffee or food have also taken place. These cultural issues were prevented as much as possible by explaining the respondents what was expected from them. The
researcher became more acquainted with the cultural differences through living with Palestinians, who taught a lot of lessons about what was appropriate or not.
CHAPTER SIX.
EMPIRICAL RESEARCH: CONSEQUENCES OF PUNITIVE HOME DEMOLITION.

On the basis of the methodology elaborated upon in the previous chapter thirteen interviews were held. The topic list of the interviews will be the common thread of this chapter. This chapter will elaborate on the findings of the interviews conducted in the West Bank.

6.1 The occurrences before and during the home demolition

A home demolition should officially be ordered by an Israeli military commander, in relation to an – alleged - crime. The family receives an order that their house will be demolished and the family can file a complaint. Thereafter, the court considers the legality and proportionality of the case and decides if and how the home demolition will be carried out. With this in mind, the family was asked what the reason of the home demolition was according to them. Moreover, respondents were asked to describe what happened during the home demolition to investigate if home demolitions in these cases were carried out according to the legal framework of article 119 EDR.

6.1.1. The reason for the home demolition.

Out of the thirteen researched cases, four houses were ordered to be demolished according to article 119 EDR. In these cases, the demolitions of the entire houses were ordered because a person that allegedly was involved in an attack lived in that house. All four families filed a complaint, and the court found that demolishing the entire house was inappropriate and that the order should focus solely on the attacker’s apartments. In two of these cases, the home demolition was carried out in 2014, these cases were related, because a family member from each family committed a crime simultaneously. In the other cases, the demolitions were carried out after the interview. A slightly different demolition order was given to respondent 24. His house was demolished in 2004, because one of his sons was involved in an...

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3 HCJ 8024/14; HCJ 8025/14; HCJ 5300/14; HCJ 5290/14; Family 9 (R17, R18); Family 10 (R19, R20); Family 11 (R21, R22); Family 12 (R23); Family 13 (R24).
4 Court files: HCJ 5300/14; HCJ 5290/14, HCJ 8024/14, HCJ 8025/14
5 See appendix for a home demolition order.
6 News: fe. See Mondoweiss (2014b); www.poica.org(2014); Family 9 (R17, R18), Family 10 (R19, R20); HCJ 5300/14; HCJ 5290/14
7 Carried out: Family 12 (R23) & Family 11 (R21, R22) ; fe see: AlJazeera(2015d); B'tselem (2015); Fieldworker Al Haq; thetimesofisrael (2015c).
After his son was detained for two years, soldiers appeared at the house, and gave him a demolition order. However, his house was demolished immediately after he received the order. As a consequence, he did not have the possibility to file a complaint.

As indicated in chapter three, NGO’s reported that home demolition as a punishment was frequently carried out unofficially (for example: Israeli: Halper, 2014; B’tselem 2011, Palestinian: Al-Maqdese, 2011; Al Haq, 201; International: Human Right Watch, 2010b, 2014 Amnesty, 2014; Save the Children, 2009). These NGO’s claim that home demolition is done deliberately, without an order, and is later covered by Israeli forces as a military necessity (Amnesty, 2014, B’tselem, 2004, 2011 and 2014; Darcy, 2003). Similar results are found in the cases of the interviewed families. In seven cases, respondents told that their homes were demolished without an official order. Several respondents explained that their houses were demolished because a family member was a fugitive. In these cases, the home demolition was reported to have been carried out with the knowledge that the fugitive family member was not in the house, or after the family member was found in the house, arrested and taken to prison. Frequently, these persons were affiliated with political movements, such as Hamas or Islamic Jihad.

Respondent one claimed that her and her neighbour’s houses were demolished because her husband was a fugitive. She explained that the soldiers entered the neighbourhood and demolished several houses despite the knowledge that her fugitive husband was not in one of the houses. Whereas, respondent eight reported that her house was demolished because she would not call her fugitive husband so that he could be arrested, which she described as following:

‘(The Israeli soldiers said) If you tell me where [name of respond eight’s husband] is, we will not destroy your house (...). The Israeli soldiers gave me a mobile, and said again: ‘call your husband’. (...) I said: ‘no I will not’. Then they said: ‘I will destroy your house if you don’t’. And I said: ‘I don’t mind, destroy the house. My husband will rebuild it. I will not call him’.

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8 R24.
9 Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 4 (R8); Family 5 (R9, R10); Family 6 (R11); Family 7 (R12, R13, R14); Family 8 (R15, R16).
10 Hamas is a national Palestinian movement that tries to establish a sovereign Palestinian State, the group is on the European blacklist as a terrorist group, however Hamas is the government in Gaza. For more info see: http://hamas.ps/en/page/2/. Islamic Jihad is a militant armed organization that is known as Saraya al Quds. This is a national militant movement that aims to establish a Palestinian state. Official site (Arabic): http://www.saraya.ps/
11 R2; Fieldworker Al Haq.
In the case of families five and six, the houses were claimed to be demolished after the fugitive person was found and arrested. \(^{12}\) Also these families did not receive an order. Moreover, respondent three explained that his house was demolished because he rented the upper apartment to an acquaintance who was involved in Hamas.

A different form of an unordered demolition is seen in other cases. Respondent twelve explained that his house was demolished because an uncle was a fugitive, who had previously lived in the house. \(^{13}\) However, in this case, it remains unknown whether the Israeli Defence Forces (Hereinafter IDF) knew that the person was not in the house, or if they demolished the house searching for him. Another more conflicting story is the story of respondent fifteen, because he explained that house was demolished for unknown reasons. Respondent fifteen said that Israeli forces tried to demolish the house they were living in first. However, because of the density and clashes in the area, the IDF demolished their other house that was still under construction. \(^{14}\) The family claimed that they had not received an order, or an alleged reason. However, respondent fifteen told there were rumours in the area that weapons or a person hid in their house. However, they never received a confirmation if something was found.

The case of family three is excluded from this thesis. Their house was demolished because a person was attacking Israeli forces from the house. In this case, a direct threat was coming from the house, because a person was shooting at Israeli soldiers. For this reason this case is excluded from the next paragraphs because it does not fall under the definition of this thesis.

6.1.2. The way home demolitions are carried out.

Frequently, raids were carried out before the official home demolition, when militaries came to search for weapons or individuals. \(^{15}\) The respondents pointed out that a considerable number of adult male family members were imprisoned during these raids. Frequently, adult male family members were arrested weeks before the home demolition, and put under administrative detention. \(^{16}\) For example, respondent 18’s house was officially demolished the first of July; however he describes that his house was illegally demolished before the official home demolition. One of his sons committed a crime, and after

\(^{12}\) R10; R11
\(^{13}\) Family 7 (R12, R13, R14).
\(^{14}\) Family 8 (R15, R16).
\(^{15}\) Family 4 (R8); Family 5 (R9, R10); Family 7 (R12, R13, R14); Family 9 (R17, R18); Family 10 (R19, R20); Family 11 (R21, R22); Family 12 (R23); Family 13 (R24).
\(^{16}\) Family 4: all adult males, Family 8: one adult male before, one adult male during, Family 9: all adult males except one before, Family 10, all adult males.
that the house was raided frequently, and family members were imprisoned. This he described as following:

‘At the 12th of June 2014, [the son committed the crime], and our suffering was renewed, our house got raided, sometimes two times at night. There were no barriers for their behaviour. They used to come every night and raided some houses of the neighbourhood. At the 14th of June, they arrested my son [name of son], they took him for interrogation. (...). At the 16th of June they arrested my son [name of son]. At the 20th of June they arrested me. When I was in prison, they blew my house for the first time, above the car. They destroyed a big part of the furniture, they destroyed the sinks, the baths, everything.’

These were search raids before the official demolition took place. All families that received an official home demolition order claimed that their house was entered and partially demolished before the official home demolition as well.\(^\text{17}\)

The families indicated that the Israeli forces appear mostly after midnight, to demolish the house.\(^\text{18}\) In all cases the soldiers closed and surrounded the area, not letting anyone in or out of the neighbourhood. The people that were inside the house were asked to come outside.\(^\text{19}\) In other cases, soldiers entered the house without a warning and forced the family members out the house.\(^\text{20}\) Frequently, the family members described they were taken to the street by soldiers, and kept there.\(^\text{21}\) Besides the family members, neighbours were evicted from their houses and had to stay in the street as well. Some respondents described they had to stand in big groups in the street, not able to move.\(^\text{22}\) Whereas other respondents described they were taken to an emptied neighbour’s house, where they were interrogated on the spot.\(^\text{23}\) The family members that were interrogated described they were questioned about their arrested or fugitive family members.\(^\text{24}\) For instance, people were asked what they knew about their fugitive family

\(^{17}\) Family 9 (R18, R19); Family 10 (R20, R21); Family 12 (R23); Family 13 (R24).

\(^{18}\) Family 2 (R3, R4, R5); Family 4 (R8); Family 5 (R9, R10); Family 6 (R11); Family 9 (R17, R18); Family 10 (R19, R20); Family 13 (R24).

\(^{19}\) Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 4 (R8); Family 7 (R12, R13, R14); Family 8 (R15, R16); Family 13 (R24)

\(^{20}\) Family 5 (R9, R10); Family 6 (R11); Family 9 (R17, R18); Family 10 (R19, R20).

\(^{21}\) Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 4 (R8); Family 5 (R9, R10); Family 6 (R11); Family 9 (R17, R18); Family 10 (R19, R20).

\(^{22}\) R4; R5; R8; R9; R10; R17; R18; R23.

\(^{23}\) R1; R2; R4; R5; R8; R9; R10; R12; R13; R14; R19; R23.

\(^{24}\) R1; R2; R4; R5; R8; R9; R10; R12; R13; R14; R17; R18; R19; R23.
members or what they knew about their family member’s affiliation with politics. In most cases, family members were separated and moved from one place to another to be interrogated by several Israeli soldiers. Some respondents reported that their children were separated from their parents. Several respondents emphasized the poor way the soldiers treated them. Frequently, respondents reported that they were handcuffed and blindfolded. During the interrogation respondents indicated that soldiers used violence. For instance, respondent one describes how her son, who was thirteen years old, was hit with a table after she refused that he answered questions. Respondent 20 explained the way he was treated as following:

‘They beat us badly, (...) the soldiers would beat [name of respondent 20’s brother], and then they beat me. Everybody went to a different room and was interrogated. After three hours inside the house they grabbed us out and threw us on the ground and handcuffed and blindfolded us. After that, they forced me to stay in the staircase and they put a dog next to me. The soldiers came and touched the dog, he started barking to horrify me. I stayed in this situation for hours and then I was taken to a military jeep, where I was for like thirty minutes, and then another jeep, maybe another half hour. And then the jeep started moving and took me to jail.’

More respondents claimed soldiers behaved violently. For instance, respondents reported to be threatened, and described they were blinded with lights, or that jeeps drove into crowds. Moreover, respondents felt deliberately humiliated, for instance women and men were put in the same room, and invectives/slang words were used, which is seen as inappropriate in Palestinian culture. Another example given by respondent eleven was that when she had to grab a sweater for her nephews, she saw female and male Israeli soldiers dancing and laughing in her house. Likewise, respondent 24 explained he felt offended because religious rules were ridiculed by saying bad things about the religion Islam. Besides this, respondent eight and 24 reported that they were forced to watch their home explode, which respondent 24 experienced as following:

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25 Family 2 (R3, R4, R5); Family 4 (R8); Family 5 (R9, R10); Family 6 (R11); Family 9 (R17, R18); Family 10 (R19, R20); Family 13 (R24).
26 R2; R3; R12; R13; R14; R17.
27 Blinded with lights: R4; driving into crowds: R4; R8; R20.
28 Family 2 (R3, R4, R5); Family 5 (R9, R10); Family 7 (R12,R13,R14); Family 9 (R17, R18); Family 10 (R19, R20).
29 R2; R8; R20; R21.
30 Ridiculing Islam: R24. woman and men put in same room: R4; R5; R19; R20. invectives: R4; R5; R24. Laughing: R11.
‘The senior came to the house where we were. He said: ‘[name of respondent], now you will come back and see what will happen! ‘He pressed a button but the house didn’t explode. Then, the senior put more dynamite in the house. A little later, the senior came back. He said: ‘Now I will destroy your house’. He pressed the button and the house exploded.’

In seven cases, the families were told that their house will be demolished and were given a reason for that. In only a few cases, the family received a few minutes to collect their important belongings before their house was demolished. In the other interviews, respondents claimed to have no idea about what was happening to their house. These respondents described that they were not informed about their home demolition and suddenly found that the house was demolished, while they were taken away for interrogation. Respondents indicated that the Israeli soldiers were at the houses for a long time with an average of 4.5 hours. In most cases, the demolition was carried out by explosives. During three home demolitions, a bulldozer was used, sometimes combined with explosions.

6.2 Consequences of punitive home demolition

A few organizations provide basic knowledge on the consequences of losing a house. Save the Children (2009) found that victims of home demolition suffer from psychological problems. For instance, trauma, depression, anxiety, anger and sleep disturbances were found. Al – Maqdesi (2011), found similar results, people are scared, feel discouraged, and helpless. Several scholars emphasized the consequences that it could have children. Thabet et. Al. (2002), claimed children reported PTSD reactions. Save the Children (2009) found that children showed more mental health problems. Children were more withdrawn, quiet and afraid after their home demolition. Another consequence mentioned in literature is that people were chronically injured after the home demolition. The family frequently pays for their own home demolition costs. Research pointed out that people endure severe economic consequences. Besides their house, people also lost possessions. With this in mind, the respondents were asked what happened after their house was demolished.

31 Family 6 (R11); Family 10 (R19, R20); Family 13 (R24).
32 Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 4 (R8); Family 5 (R9, R10); Family 7 (R12,R13,R14); Family 13 (R24).
34 Bulldozer: Family 2 (R3, R4, R5), bulldozer and explosions: Family 7 (R12,R13,R14); Family 8 (R15, R16). explosions: Family 1 (R1, R2); Family 4 (R8); Family 5 (R9, R10); Family 6 (R11); Family 9 (R17, R18); Family 10 (R19, R20), Family 13 (R24).
6.2.1. The house after the demolition.

In six cases, the entire building was destroyed, leaving them with no place to stay. As respondent three described:

'We went the steep way up from the main road to here (their house) and we found out that the house was destroyed. They destroyed the house and all the furniture, we had only the clothes that we had on left. (...) The bigger question was: where should we go. The ICRC gave us in a tent, we set the tent in the neighbours demolished land, at the daytime we stayed there, and at night we stayed at a house of a brother in law, another night at another brother in law, the other night at my fathers in law. I spend weeks in this situation, from houses of relatives to others. ‘

In two cases, only one apartment in the building was demolished, leaving only the alleged perpetrators’ direct family homeless. In another case, a house under construction which was uninhabited was demolished, whereas respondent eleven’s house was partially demolished. As a consequence, what the family did after the demolition differed. Two of the families rented a flat, whereas three stayed in families’ houses. Four families stayed in their house, rebuilding it at the same time. One family left their house and built a new one.

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35 Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 4 (R8); Family 5 (R9, R10); Family 7 (R12, R13, R14); Family 13 (R24).
36 Family 9 (R17, R18), Family 10 (R19, R20).
37 Under construction: Family 8 (R15, R16), Partially demolished: Family 6 (R11)
38 Family 1 (R1, R2); Family 5 (R9, R10).
39 Family 2 (R3, R4, R5); Family 4 (R8); Family 10 (R19, R20).
40 Family 8 (R15, R16); Family 9 (R17, R18); Family 13 (R24).
41 Family 7 (R12, R13, R14).
Figure 6.1. Photos of the demolished houses of respondents, taken by researcher [Family numbers excluded because of anonymity]. Left: photo taken just after the demolition (photo of a photo), middle and right: the house during the interview.

6.2.2. Psychological consequences

Most respondents in this research explained that the home demolition made them anxious, and put a high level of stress on the families. The period after the home demolition was perceived stressful. People explained they were uncertain of the safety of their home, scared that at any time the soldiers would come back. This affected the ability to sleep. Some respondents claimed they lost energy and were depressed. Respondent four and eight explained how their home demolition made them afraid of soldiers, sounds, and to go to bed, because they were afraid soldiers would come and demolish their house again. Respondent eleven described how she had the feeling her heart stopped, every time she heard a sound at night. On a daily basis, respondents were reminded of their home demolition, and this was described by respondent 19 as the following.

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‘Always, when we talk to the little kids, they say: the soldiers destroyed this, the soldiers destroyed that. The toilet was broken, that is a basic need, mainly for the little kids. If the children want to wash their hands, we do not have sinks. Even if we install a new sink, they will come and destroy it, we are not allowed to renovate in the house.’

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\textsuperscript{42} R9; R10; R11.
Because of this fear and daily reminder, respondents feel that the home demolition affects their daily lives, and ability to go to school or work. Respondents dropped out of school, or had concentration problems. For instance, respondent fourteen explained how the daily raids in their house and in the neighbourhood made him stay home, in order to protect his wife and children against violence by the soldiers. As a consequence, he lost his job.

Especially the punitive context of the home demolition let to extra frustrations, respondents had a feeling of injustice, which led to more anger. Respondent 19 explains how everyone around her was punished, and how she felt punished for no reason. Respondent 19 described that many houses were entered and damaged, without giving any of these families an official charge. Noteworthy is that some people’s anger was not only focused on the specific home demolition, but generally on the occupation. In some of the cases, the home demolition seemed to lead to anger against everything in relation to the occupation or Israel. Some respondents even claimed that after the home demolition, they adopted a more violent lifestyle. Respondent 18 described how after her first home demolition, she became angrier, and how after her second home demolition, she became empowered, as following:

‘The first intifada, when they destroyed my house the first time I was a normal housewife. If you pushed me a little bit I would have fallen. I used to be afraid of anything. Now, praise the lord, I got empowered. I have a stronger will and am much more patient. I am a mother of 2 martyrs, and I have problems continuously, they keep on arresting my sons. I praise the lord and accept it as my faith and I will never be weak. Never kneel to them. ‘

Resistance against the occupation and Israel in general, was frequently accepted in the families. As is displayed below, many families have martyrs, these family members were killed by Israeli forces after they committed or attempted a life taking attack. The families proudly indicated that their family members’ behaviour was for a good cause. Other families had family members who committed similar

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43 Dropped out of school/concentration problems: R12; R13; R14; R3; daughter of R8; niece of R11; daughter R15.
44 R1; R3; R4; R7; R10; R11; R12; R14; R15; R16; R17; R18; R19; R20; R23
45 R2; R8; R11; R15; R17; R18; R19; R20; R22.
46 R17; R18; R19; R20.
attacks, and were imprisoned for life taking attacks, sometimes without a process. All the families were proud of the attacks of their family members, because in their eyes it was committed out of necessity.

These ideas were endorsed because the families had the idea that they do not have access to a legal process based on justice. Some respondents claimed they were deprived of their basic human rights, and cannot go to any organization for help and the only way out of their injustice was to attack their occupiers, to force them to ensure legal rights and self-determination for the Palestinians. In one case the family members called their relative who committed the attack a soldier, because the Palestinians have no army and the only people who were able to fight the injustices were young Palestinians.

He [son who committed the attack] is my soldier, he is the one protecting us. Only our children are protecting us, our sons, our hero’s. When he was killed, I love the sons of Palestine, all of them sung to me: Mama don’t cry, mama don’t cry, all the sons of

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47 Martyrs in family: Family 1; Family 4; Family 9; Family 10; Family 11; Family 12. Someone imprisoned for life taking crime: Family 4; Family 5; Family 7; Family 8; Family 13.
48 Martyrs pamphlets: normal pamphlets: Quran verse, name of the movement, name of martyr, cause of death. For instance left: Of the believers are men who are true to the covenant which they made with Allah: so proud of them is he who accomplished his vow, and of them is he who yet waits, and they have not changed in the least. Verse: Al ‘Ahzab 23. "The National Palestinian movement- Fatah in [City] " mourns the death of her martyr [name of martyr]. Who did the assassination attempt to kill the Jewish Rabbi [name]. He climbed to eternal paradises in the morning of Thursday [date]. Martyr because of armed clash in Jerusalem. May Allah have mercy on him. Elevate Right: Verse ‘Ahzav 23. The Islamic Resistance movement- Hamas " mourns the death of her martyr [name of martyr]. The son of [name of city]. Who performed the run over attempt in Jerusalem. And his Jihad, either victory or martyrdom May Allah have mercy on him. Elevated.
49 R8; R18; R22
50 R8
Palestine are your son, we are your son and we won’t let you down. Thousands.

Thousands! These are the true people, the ones with morals, the ones that protect us from massive genocide. That’s why they are scared of us, the Israelis. Otherwise we would be like Sabra, in Lebanon, you know. They killed thousands of innocents, there was no one to protect them, the poor families, raped and killed. Now, we protect ourselves, we attack out of protection, we need to do this in order to survive, it’s who we are.

Noteworthy is the language that the respondents used, sometimes respondents used degrading names when referring to Israel or Israeli forces or people. Moreover, respondents became angry about what happened to them, telling that this was the way they were always treated. In a few cases, respondents asked for a break because the conversation was too emotional, explaining they felt so helpless. Also, respondents explained that they had the feeling their lives were useless for the international community, indicating that the deaths of their family members and their home demolition received no international attention.

Research by Harker (2009) indicated that losing one’s house can lead to a loss of identity, because the physical home is an important part of an individual’s identity. Contradictory, in the research for this thesis, respondents described the Palestinian identity as a survivor identity, and resisting the occupation was what Palestinians should do. Surviving the home demolition is seen as making the Palestinian identity stronger. For instance, respondent nineteen described the following:

‘I want to keep the house because it is a challenge to the occupation. If a stone is shaking I will go and fix it with a screwdriver, and keep it. It is the sweat, my family.'

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51 Sabra & Chatilla massacre: Palestinian refugee camps in Lebanon in which a massacre was committed in September 1982. Just after the Palestinian militants were forced out Beirut and laid down their arms. Estimations on how many unarmed Palestinian refugees and Lebanese citizens were killed differ between 700 and 3500. Allegedly, Christians committed the attacks helped by the Israelis who occupied Lebanon and ensured protection. Source: Fisk (2001)
52 R3; R8; R11,R18; R22; R24
53 Family 1 (R1,R2); Family 4 (R8); Family 9 (R17, R18); Family 10 (R19 R20); Family 12 (R23).
54 Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 4 (R8); Family 6 (R11); Family 7 (R12,R13,R14); Family 8 (R15,R16); Family 9 (R17, R18); Family 10 (R19, R20); Family 12 (R23) Family 13 (R24).
55 R1; R3; R12; R13; R14; R16; R17; R18; R19; R20; R23.
56 R16; R18; R19; R20; R23.
To give them the pride of destroying the house. (...) I will not change, I will not exchange that with my external wall. Because this is Palestine.’

When asked about the consequences, many family members referred to God, explaining Allah would reward their suffering.\(^{57}\) Most respondents were very religious and many claimed to accept the suffering and to be waiting for the rewards, for instance respondent eight explained:

> ”We consider it as our faith, we accept it. It did not affect me. We hope we will be rewarded by god. Whatever we suffer, god will reward us. If we have a little suffering, he will reward. If the furniture will go god will compensate, if our house will be destroyed, god will compensate.’

### 6.2.3. Consequences on children

Five respondents were below the age of 18 during the demolition,\(^ {58}\) however when asked about the consequences, most of them seemed reluctant to answer. Frequently, they gave short answers or the researcher had to ask the question multiple times. The minor respondents indicated mainly that the home atmosphere changed while some of their family members moved or were killed. Respondent two answered he forgot most of the home demolition, but he remembered that he and his family suffered. While only a few respondents were minors, also parents were asked about how the children reacted to the demolition. For instance respondent fifteen explained:

> ”\[Name of respondent 15’s son\] was only seven years old. Started refraining from everything. The teacher said: your son is starting hitting other boys, in the past he was polite’’.

Overall, it seemed that children were heavily affected by the home demolition. Parents reported behaviour changes and children deteriorated in school.\(^ {59}\) Children started sucking thumbs, wetting their

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\(^{57}\) R1; R3; R4; R8; R9; R10; R11; R15; R16; R17; R18; R23.

\(^{58}\) R2; R5; R13; R14; R20.

\(^{59}\) R2; R15.
beds or stopped allowing breastfeeding. Respondent 21 told the following:

They started to fear that any action from the army or police is against us as a family. They don't feel protected anymore. (…) They weight was less than this, they started to eat a lot. For example, [name of respondent 21’s son] weights 10KG more now.

In two families, respondents told that their children tend to act more delinquent as a consequence of the home demolition. Respondent 18 claimed that her son, who was involved in a crime killing Israeli citizens at a later age, was shaped by his home demolition in his youth, and the imprisonment of his father.

When [name of respondent 18’s son] was a child they destroyed our house, during the first intifada, my husband was in prison two years. When [name of respondent 18’s son] grew up, the Israelis killed his brother. It is the occupiers, under the occupation, we live in imprisonment.

Similarly when respondent 19 was asked why she thought her son committed a crime killing Israeli citizens, she claimed that her son, was incited by the Israeli forces.

6.2.3. Physical consequences

Besides this, respondents indicated that several family members were injured, due to the violence used during the demolition. Family members were wounded or had broken bones. However, in only a few cases, this lead to chronic injuries. Only respondent 18 endured a mental breakdown after her first home demolition, which made half of her body chronically paralyzed. However, other long-term health consequences were not found.

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60 R2; R15.
61 R3; R12; R15; R17.
62 Broken bones: R2. Wounded family member: Family 1; Family 3; Family 5; Family 7, Family 10.
6.2.4 Economic consequences

All families stressed that the home demolition had a great negative impact on their economic situation. Families had to buy new furniture and rebuild their house. The rebuilding and the purchase of furniture can cost a lot. As respondent 16 explained:

“\(I \text{ worked all my life in Israel, as many Palestinians. Just to build the house, and when I build it, it got demolished. All the money I earned in my life I lost.”}\\n\)

On top of these costs, a lot of male family members were imprisoned. As a consequence, a big part of the income of the families was lost, because male family members took care of most of the income.\(^63\) Also, in Palestine houses are normally built by the male family members. \(^64\) Besides this, family members who would normally rebuild the house were imprisoned. In some cases, the family was legally not allowed to rebuild the house. As a consequence, it took many family’s months to rebuild.

In some cases, the families’ claimed that their car was demolished as well. Other respondents reported that during the home demolition, the Israeli forces stole money and gold, or it was confiscated. \(^65\) Other families said that because of their economic problems, they lost other ways of earning, such as their shops or their farmlands. \(^66\) A lot of families endured long term economic consequences because of the home demolition, as respondent 15 explains as the following:

\[\text{We are still suffering, we still want to build a new house. And to get my eldest sons to get married, we can’t rebuild and we can’t get our sons to get married.}\]

\(^{63}\) Still rebuilding: Family 2 (R3, R4, R5); Family 5 (R9, R10), Family 6 (R11). Done rebuilding: Family 1(R1, R2): 2 years, Family 4(R8): 6 months, Family 13 (R23): 4 months. Left house and built new house: Family 7(R12, R13, R14). Not allowed to rebuild: Family 9 (R17, R18); Family 10 (R19, R20). House was not inhabited that was demolished: Family 8 (R15,R16). Not demolished during interview: Family 11 (R21, R22); Family 12 (R23).

\(^{64}\) Car: Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 9 (R17, R18); Family 13 (R24). Stole money/gold: Family 5 (R9, R10); Family 13 (R24). Confiscated money: Family 9 (R17, R18).

\(^{66}\) Family 5 (R9, R10); Family 9 (R17, R18).
Two families indicated the loss of their house lead to an inability to build a house for their sons. Because marrying in Palestine is only culturally acceptable when someone owns a house, and as a consequence, home demolition in these cases lead to the inability to marry.

6.3 Home demolition in the larger context.

Besides personal consequences, respondents indicated that on a higher level, namely family level, and neighbourhood level, consequences were endured.

6.3.1 Consequences on the family level

Some families explained that they were suffering because they were not only mourning the loss of their house, but also some their family members who were killed or imprisoned. As a consequence of their home demolition, they lost contact with their family members and had to move frequently, which lead to extra anger and stress. Respondent two described this as the following:

\[ \text{Mom was very stressed. I don't know everything anymore. Only that she was crying all the time. Our house was always full, everyone wanted to help. I just wanted my dad. And I wanted my house, it never returned to normal.} \]

Most families reported that the relationships changed because they did not see each other as much as before the home demolition, because they had to stay in different houses and/or family members were in prison. On the other hand, no anger, fights or other family problems were reported.

6.3.2 Consequences in the neighbourhood

Respondents indicated that the neighbourhood was a great support system after the home demolition. Respondents explained they received help with rebuilding and/or support by other families and neighbours financially. For instance, respondent two explained that the brothers of her husbands

\[67\text{ Family 2 (R3, R4, R5); Family 8 (R15, R16).} \]
\[68\text{ R1, R2, R8, R10, R11, R13, R18, R19, R24} \]
\[69\text{ Family 1 (R1, R2); Family 2 (R3, R4, R5); Family 6 (R11); Family 8 (R15, R16); Family 9 (R17, R18); Family 10 (R19, R20); Family 13 (R24).} \]
helped rebuild the house, whereas her sisters helped with cleaning and repairing furniture. For this reason, help of their neighbours and family lowered the family’s economic consequences. Furthermore, friends and family helped the families emotionally. Respondents explained how they would not have survived without their friends and how they felt supported by their peers and families, which is claimed to have lowered the psychological consequences.

In some of the cases, other parties helped the families as well, which were in three cases the UN, and in one case a local NGO. Some families were financially helped by the Palestinian Authority (hereinafter PA). These parties gave money and/or basic necessaries such as tents, blankets and food. A few families indicated that they received a salary for their imprisoned husbands, which was argued to be around 1000 shekel per month (200€). This bettered the financial situation to a certain extent.

Several respondents explained that their homes were demolished at the same time as their neighbours. As a consequence their neighbours also endured stress and anger, which might aggravate the respondents’ consequences. Frequently neighbours came to the demolition sites and started to scream ‘Allah Akbar’ (meaning: Allah is the greatest). This uproar sometimes ended in clashes between neighbours and the Israeli forces, which included stone throwing. Many times people that were present during the home demolition were imprisoned.

A lot of the families live in violent areas, where clashes happen frequently. Some also lived in refugee camps that are less developed. For instance, Jenin- and Shu ‘fat refugee camp are areas that are mainly ruled by groups such as Hamas and Islamic Jihad. The PA is not welcome in these camps.
consequence, both Palestinian and Israeli forces see it as a dangerous and violent area and enter frequently, which often leads to clashes. Hebron (International name), or Al Khalil (Palestinian name) is a holy city for both Jews and Arabs, and is an area where clashes happen frequently. This city is divided into different Jewish and Palestinian parts by checkpoints and military posts which lead to a lot of frustrations.

![Figure 6.3. Pictures taken by researcher in Jenin - and Al Far’aa refugee camp.](image)

Violence could be normalized or supported by peers and relatives. At least, it can be said that violence occurs frequently in most of the researched neighbourhoods. An example of this is, when respondent eight was asked about what happened in the neighbourhood, she answered:

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**As usual, we don’t like soldiers. Always we will fight. We should and we will.**

*Interviewer: What do you mean with that?*

**8: This is [name of area], they are afraid of us. No Israeli wants to come here. We will fight, we always will.***

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This might mean that a lot of the social support was expressed by anger against the home demolition and the occupation in general, which might have aggravated the anger and violence for individuals.
6.4 Conclusion

The results show that home demolition affected all respondents in several ways. For instance, similarly as indicated in literature, family members had psychological problems, such as stress, frustration and anger. Respondents endured sleeping problems and claimed that the home demolition influenced their daily life. Besides this, many times, family members were imprisoned, which has a big impact on families. Literature pointed out that consequences on children might be more severe. However, through this study, the consequences on children seemed to be similar to the consequences on their parents. Both were affected psychologically, because they were scared and angry. Besides this, this psychological state influenced their behaviour, for instance, children had lower educational achievements whereas parents were reluctant to work. Intensity differences between parents and children of the consequences and the long term consequences were not assessed. It might be possible that on the long term, children endure more problems.

A lot of the respondents explained they had to leave their house in order to rebuild it. These families had to endure a stressful period, in which they had to move frequently. Respondents indicated that they lost a lot of money because of the home demolition, and had severe rebuilding problems. In only a few cases home demolition has led to physical consequences, which were only – except for one case - temporarily injuries.

Families elaborated on the behaviour of soldiers, describing the home demolition as a traumatic and violent event. Because of this, respondents seemed angrier, while they had the feeling Israeli soldiers deliberately humiliated them. Families described that they felt collectively punished. The respondents had the feeling there were no laws that protected them and many family members felt alone, scared and frustrated. Because of that and many other consequences, some of the respondents indicated that their home demolition made them change their behaviour to act in a more violent way. In a few cases, violence against the occupation was seen as just, while families claimed it was the only way to do something about the injustice they endured. A lot of families had martyrs, of whom some were also victims of a home demolition in their youth. This violence against Israeli soldiers and in some cases citizens was frequently accepted and supported.

Palestinian cities are frequently seen as violent and because of the frequent escalations and/or wars, some of the neighbourhoods can be seen as a source of more violence. Many times, home demolitions
were carried out simultaneously with other houses, which were inhabited by extended family members. Many families explained that the context of the situation in Palestine/Israel had a severe impact on their lives, and most families claimed to have endured several traumatic events, not only their home demolition. Because of the anger in families and neighbourhoods, events like a home demolition seemed to make them more and more angry. This could lead to more and more violence, which seemed to be happening in the researched cases.

However, on the other hand, some families seemed to be better in going on with their lives and letting go of their anger. Several factors seemed to lower the consequences of home demolition and seemed to work as a type of a coping mechanism. For instance, religion seemed to be a great support to cope with the consequences. People indicated that they would be rewarded and were able to find peace with their home demolition. Besides this, neighbourhoods and NGO’s supported both financially and emotionally.
CHAPTER 7
CONCLUSION

Israeli forces can order the demolition of a house as a punishment when an inhabitant of the house is suspected of a crime. This can leave an alleged perpetrator and his family without their house. According to article 119 EDR, a military commander has full authority to order the demolition of a families’ home. Hereafter, the family can file a complaint and the court decides, weighing both the proportionality and the severity of the consequences for the family members, to determine if the home demolition is legal. Home demolition as a form of punishment is carried out frequently and widespread in Israel and Palestine, and thousands of houses are demolished because of this policy.

Besides the official home demolition as a form of punishment, homes are demolished for other reasons. In some cases, homes are demolished because of an affiliation with certain political groups, for example Hamas and Islamic Jihad, or because fugitive family members cannot be arrested. In these cases, home demolitions are allegedly carried out without an official order, and as a consequence, the families have no possibility to file for legal consideration from any organization.

Israeli scholars and officials claim that the aim of the policy is to deter potential attackers from carrying out crimes. Because of the possible consequences the crime has for the family of the perpetrator, it is argued that perpetrators will reconsider committing crimes. However, several scholars have disputed the effectiveness and legality of this policy. The critique on home demolitions as a punishment is that it does not amount to the desired deterrence, because the policy is used frequently and widespread, and has shown no decline in attacks since the beginning of the policy. Besides this, is argued that home demolition is against international law, as well as human rights such as the prohibition of collective punishment and the prohibition of the destruction of private property.

Before analyzing the consequences of punitive home demolition, it should be noted that home demolition as a punishment takes place in a highly sensitive context. The Palestinian/Israeli history is complicated, and Israeli and Palestinian scholars have divergent ideas concerning the territory of the area and the inhabitants. Several wars, uprisings, and intifada’s have led to many casualties, and a high level of violence
in the area. The international community frequently tried to tone down the violence between both sides. However, the situation remained tense throughout the years. Especially in times of rising tensions, Israeli politicians have called on severe measures against Palestinian attacks, and have asked for the home demolition of the alleged perpetrators of these attacks as punishment.

This study specifically focused on the consequences that the people who endured home demolitions as a punishment faced. The findings were based on a literature review and empirical research that was conducted in the West Bank. Ultimately, this thesis aimed to give an answer to the following research question:

What are the consequences for the victims of punitive home demolitions in the Palestinian Occupied Territories?

Several studies pointed out that home demolition has severe effects on the inhabitants of the houses demolished. Based on the available literature, it was decided to focus the research in this thesis on three groups of consequences, namely psychological, physical and economic consequences.

The results of this study show comparable results with existing research, namely that home demolitions has left individuals with a lot of psychological consequences. Respondents indicated they endured stress and sleeping problems, which affected their daily life and their ability to go to work or school. Moreover, they endured severe economic consequences, and many families had problems rebuilding their house. After the home demolition, respondents had to move, which brought an insecure and stressful period for them. Sometimes, family members moved to the home of a relative, whereas others stayed in their demolished house out of necessity or a lack of other options.

Most of the respondents interviewed lived in refugee camps, or areas governed by militant groups. Many of these areas are considered dangerous, where youth and Israeli militaries frequently and violently clash. The empirical research indicated that an individual that endures severe consequences on each of the personal, familial, and neighbourhood levels seemed to endure the most severe consequences. This is because these victims have to manage a personal trauma, in which several feelings of loss and anger haunt them and their family, in the context of a violent and angry neighborhood. In this research, it seemed that
feelings of frustration and loss were aggravated by peers and family members. Moreover, while home demolition as a punishment is frequently carried out in a way that several other houses in the neighborhood are affected, frustrations in the neighborhood make the already traumatized respondents even more frustrated.

Moreover, many respondents emphasized the way home demolition as a punishment was carried out, explaining that the home demolition was carried out with extensive violence. They claimed how Israeli soldiers suddenly appeared at their houses, threatening both them and their neighbors. Soldiers ridiculed Palestinian traditions, such as the religion Islam. Due to the behavior of the soldiers during the demolition, people felt deliberately and unnecessarily humiliated. Respondents explained they did not understand why they were punished and felt disrespected because of the behavior of Israeli forces during their home demolition.

Besides this, this research indicates that home demolition as a punishment is frequently carried out unofficially. In these cases, houses are demolished without any official criminal process or charges. As a consequence, many respondents had the feeling that the Israeli forces were above the law and have impunity. The lack of a judicial protection for home demolition led to more frustrations for the respondents. The policy of punitive home demolition seemed to precipitate violence rather than respect for the rule of law. It seems to inflame the defiance rather than deterrence, because the home demolition is perceived as an injustice, and the respondents had the feeling they are punished even though they are innocent. Respondents explained they had the feeling that their lives were not important to the international community, because their home demolition or loss of family members received little to no attention.

This field research shows that in some cases, some of the negative consequences of the home demolition were reported to be lower because of social support given by family members and neighbors. Family members felt supported because they were helped. An example for this is that sisters, uncles and other family members helped improving the economic situation, because they helped in the rebuilding of the houses. The PA and local NGO’s supported some of the families financially as well. Besides this, many respondents indicated they found support in the Islamic religion, explaining that Allah would reward them after all of the struggles they experienced, which was claimed to lower frustrations and anger.
The findings of this study highlight the need for a revision of the use of home demolition. As many NGO’s have argued, and respondents in this research endorsed, there is a high chance that home demolition is a counterproductive measure that leads to more violence. Especially in the light of the martyr idealization in Palestine, the deterrent effect of home demolition as a punishment – which is the Israeli aim of the policy - should be questioned.

At the time of writing, Palestinian resistance against Israeli occupation is rising. As a consequence, more than 240 people are currently estimated to be dead as a consequence of violence, in a little more than seven months. In reaction to the violence, home demolitions have been carried out. Many of the individuals who commit crimes during the current violence knew their house could be demolished, and still committed the crime anyway. Respondents in this research claimed the home demolition ‘forced’ their relatives to use violence, because there was no other way to stop the perceived injustice. Resistance against the Israeli occupation, by committing violent attacks, was in perceived just by most of the respondents, and in some cases encouraged. The demolition of their house was, in their eyes, another indication that resistance with violence was necessary. It can be argued that home demolition as a punishment could lead to radicalization.
CHAPTER 8
DISCUSSION

In general, criminological research into victims can lead to specific methodological issues. In many international crime research projects, the investigation has to be done with thin, incomplete and biased data. As a consequence, collecting data in these settings is difficult. This thesis aims to provide background knowledge into punitive home demolition and its consequences. However, this thesis has some weaknesses, which will be discussed in this chapter.

Methodological issues
The sampling of this research was based on the accessibility of respondents, which makes the sampling method a convenience sampling. Because of the small sampling size, the generalizability of this research is limited. In the end, twenty-three respondents were interviewed from nine areas, which were spread across the West Bank. A more detailed research into the legal and social differences between areas could be an interesting addition to this research. The regions in Palestine are under different mandates. Some are governed by Israel, others by the PA, whereas some are governed by both Palestinian and Israeli officials. This might influence the consequences of home demolition because the context of the occupation is in some areas more present. Besides this, home demolition in ungoverned districts, such as refugee camps, might have an extensive influence on individuals in neighbourhoods, frustrations in these areas are again endorsed by peers and neighbours.

Most of the families that were part of the research have experienced several traumatic events, frequently more events than only their home demolition. Many respondents experienced several wars, have been imprisoned or have lost family members because of violence. As a consequence, distinguishing and making general conclusions on the consequences from solely the home demolition is difficult. Some of the consequences family members reported were related to other events, or to the occupation in general. However, when doing qualitative research, assessing causality might always be hard. Due to the complexity of the cases and the area, this might be even harder. Dismantling the precise consequences of the home demolition can only be done by further, more extensive research, in which causality is precisely assessed.
Weaknesses concerning the data.

In general, research into international crimes is conducted in a ‘politically’ environment. One might question the authenticity of some of the statements made. For instance, respondents might have felt obliged to give a socially desirable answer or try to prove their innocence, or the innocence of their family members. Moreover, the objectivity of the people that helped me has to be questioned. It can be that Al Haq, the fieldworkers, or the translators were biased because they live under the occupation as well. By using triangulation, an attempt was made to counter subjectivity as much as possible. The researcher tried to contact not only parties that experienced a home demolition as a punishment, but also parties that carried out the demolitions, however the contacted Israeli NGO’s, ex-militaries and Israeli legal professionals were not interested in an interview. For this thesis is decided that not all sides and opinions can be heard, and focusing on one group makes it easier to understand the emotions and opinions of a specific group. However, for future research, it might be interesting to include interviews and information from Israelis about their views on home demolition as a form of punishment in order to gain complete knowledge on the policy and motives.

Besides this, the objectivity of the researcher might have influenced the research. Remaining objective in interviews that were very emotional can be hard, but the influence of emotions and feelings were excluded as much as possible. In many interviews, respondents asked the researcher questions about religion, political affiliation and what was thought about the Palestinian cause. Speaking about these issues is avoided as much as possible or discussed after the interview had ended, to prevent influencing the answers of respondents. Researching in the Israeli-Palestinian contexts requires the researcher to adapt to different types of situations. In a few cases, respondents became emotional or angry about what they experienced, which has led to some inconvenient situations. However, because in this research people were interviewed about sensitive and traumatic events this was expected. Besides this, these emotions were of a great addition to the research, because it showed the respondents’ honest opinions on the home demolition.

Security issues

The context of the Palestinian/Israeli issue led to several security challenges. For instance, the Israeli intelligence service is considered strict, and at checkpoints, borders, and the airport, several questions were asked and data were checked. For this reason, it was decided not to disclose anything to Israeli officials about the research, because this could lead to complicated situations. The necessary steps to be
safe were taken, for instance, travelling and interviewing was never done without acquaintances. If anything dangerous were to happen, safety would have been considered the most important. Luckily, in the researcher’s eyes, no dangerous events occurred. Besides this, the safety of respondents had to be ensured. Respondents might be at risk of facing prosecution or stigmatization, especially because of the nature of this research. Most of the respondents came from well-known families and are easily traceable for people who are familiar with cases linked to attacks on Israeli citizens. Therefore, was tried to not leave traces to the identities of the families to the best of my ability. Expected was that respondents could have a high level of mistrust. However, the fieldworkers were familiar to the families, which might have lowered these feelings of mistrust. All respondents were informed about the purpose and risks of this research. Most of the people seemed not afraid to talk about their home demolition and declared I could use their name and data. Despite this, it was promised to the respondents that their names or the names of the cities that they lived in were not used.

*Strengths of the research*

Even though some of the methodological choices can be criticised, and other researches can give an insightful addition to this research, this thesis provides a necessary and actual assessment of one of the policies that are used by Israeli officials. As indicated before, the consequences the policy has on it victims was understudied. With the current risings of violence, and the continuation of the use of home demolition, this research provides a critical assessment of what the policy does to the people who are involved. Even though many factors influence the risings of violence, the systematic use of home demolition seems to influence frustrated individuals to a great extent.

This research provides a clear indication that the current Israeli legal system allows far-reaching measures to punish individuals who allegedly use violence. Impartial research is needed in order to make sure that the human rights of victims of punitive home demolition are respected. This is also endorsed by several organizations, such as the UN, that has called on the Israeli government to stop the use of punitive home demolition. Many respondents in this research received no impartial consideration into the legality of their home demolition. Most of the families claimed their home demolition was unnecessary, and intended to harm the family, instead of countering threats. It can be argued that fundamental human rights are breached by the use of home demolition and if so, the perpetrators of home demolition should be brought to justice.
Many people have argued the situation in Palestine and Israel is hopeless, but a start to build a peaceful future should be made. A sustainable and long term solution for the frustrations in the area is needed, which should consider the feelings of the inhabitants. By using punitive home demolition, vulnerable groups, such as children, endure severe consequences. This might shape or have influence over their future lives, and protection for these groups is necessary. These children are the future generation and will be the future leaders of the country. Mutual respect and long-term solutions can only be established if all of the inhabitants have human rights and can live without frustrations and fear.

A last point that needs to be made is that the cases researched are very sensitive to many people. In many of the investigated families, family members have committed severe crimes. Despite the aim of this thesis, shedding light on the person experiences of the interviewed, it should be noted that violence has led to many unjustifiable victims. The researcher is fully aware of this fact and does not approve violence in any case, from any side.
EPILOGUE

I would like to end this thesis with a personal message one of my respondents gave to me. He asked me to read a poem by a famous Palestinian Poet, Mahmoud Darwish, which is named: Pride and Fury (Arabicnadwah, year unknown).

O Homeland! O Eagle,
Plunging, through the bars of my cell,
Your fiery beak in my eyes!
All I possess in the presence of death
Is pride and fury.
I have willed that my heart be planted as a tree,
That my forehead become an abode for skylarks.
O eagle,
I am unworthy of your lofty wing,
I prefer a crown of flame.
O homeland!
We were born and raised in your wound,
And ate the fruit of your trees,
To witness the birth of your daybreak.
O eagle unjustly languishing in chains,
O legendary death which once was sought,
Your fiery beak is still plunged in my eye. (Arabicnadwa, year unknown).

The respondent then added: ‘How much suffering, hopelessness, and loss of loved ones can a heart take before it bursts? All I will possess in the presence of death is pride and fury (respondent 18).
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