

# Israeli Persecution in Occupied Jerusalem: Physical and Structural Violence Employed to Change Jerusalemites' Identity

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**ABSTRACT** *Israeli authorities have committed a wide range of human rights violations, including direct violence, land annexation and settlement building, home eviction and arbitrary arrest and detention. Such practices have been carried out with political cover from the Israeli government. In addition to the direct confiscation of Palestinian homes and other property, Israeli authorities and organizations such as settlement associations frequently use subterfuge or bribes to transfer ownership to Jewish residents and interests. Through historical review and analysis, this paper documents the most common types of direct and structural violence practiced by Israel, along with their effect on Palestinians, and highlights the roles of the various players in Israeli society.*

**Keywords:** Israel, Occupation, Jerusalem, Structural Violence

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## Introduction

**D**espite being annexed by the Israeli government following the Six-Day war of 1967, Palestinians who manage to continue living in East Jerusalem (despite policies that pressure them to leave), are treated as second-class, ‘less-than’ citizens. Among the many indignities, they experience a wide variety of human rights violations, perpetrated by virtually all sectors of the Israeli government. These violations are not limited to direct violence<sup>1</sup> committed by Israeli authorities; they also include structural or ‘indirect’ abuses, such as discrimination and exploitation.

The direct violence practiced by Israelis includes murder, arbitrary detention, and the destruction (including bulldozing) of homes. Structural violence takes the form of procedures and laws that discriminate, enforce racial apartheid, and sow fear.

Documentation of these violations shows that the Israeli authorities employ the two types of violence in a distinctive manner designed to fragment Palestinian society, obliterate the Arab character of occupied Jerusalem, and create a new identity for the city that reflects that of the settlers transplanted there from all over the world. Israel’s goal is clear: Erase the Palestinian presence through demographic replacement, in parallel with geographical and cultural change via the establishment of settlements, and Judaization.

This paper reviews the most promi-

nent patterns of direct and structural violence practiced by Israel, and their effect on Palestinians, from a human rights perspective, and highlights the roles of the various components of Israeli society in perpetrating this violence.

## Background

In June 1967, following the Six-Day war and Israel’s seizure of the West Bank from Jordan, Israel held a census in the annexed area of East Jerusalem. Palestinians who happened to be absent at the time lost their right to return to their homes. Those who were present were given the status of ‘permanent resident’ of Israel – a legal status accorded to foreign nationals living in the country. Yet, most Palestinians were born there, along with their ancestors.

Permanent residency confers fewer rights than citizenship. While those with this status can live and work in Israel and receive social (such as health) benefits, they cannot participate in national elections or run for the office of mayor, although they may vote in local elections and compete for a seat on the city council.

When permanent residents marry someone who lives outside the annexed area, they must request permission for their spouses to live with them. That permission is rarely granted; in July 2003, the *Knesset* passed a law barring such spouses from receiving permanent residency, except in extreme circumstances.

Meanwhile, Israel designated huge swathes of Palestinian land within the municipal boundaries as 'open scenic areas' where development is forbidden. Only about 15 percent of the land area in East Jerusalem is zoned for residential use for Palestinian residents, although in 2016 they accounted for an estimated 40 percent of the city's population.

The remaining portions of this report focus on the methods used by the Israeli government and its allies to force Palestinians to leave East Jerusalem.

### **Direct (Physical) Israeli Violence**

There are many forms of direct, physical violence practiced by Israeli authorities against the Palestinians in Jerusalem. In fact, there isn't any form of violence that the Israeli authorities have *not* perpetrated. The most common and pronounced forms of violence will be discussed below.

#### ***Occupation of Jerusalem***

Jerusalem is the largest Palestinian city and is situated in the West Bank in the center of Palestine. It is about 60 km East of the Mediterranean, about 35 km West of the Dead Sea, and 250 km North of the Red Sea.

In December 1917, Jerusalem (until then governed by the Ottoman Empire) fell to the British army. The League of Nations granted all of Palestine to Britain under a special mandate, with Jerusalem as the capital (1920-1948). Ever since, the number

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of Jewish immigrants moving into the city has soared.

Following the termination of the British Mandate in Palestine and the withdrawal of the UK forces, Jewish forces announced the establishment of the Israeli state on the Palestinian territories. On December 3, 1948, David Ben-Gurion, the first Prime Minister of Israel, declared West Jerusalem the capital of the nascent state. The eastern side of Jerusalem was designated Jordanian. That did not change until the Six-Day war resulted in the entire city falling under Israeli occupation in June 1967. It was then that the Israeli government adopted a number of measures to unify the two parts of the city, extending Israeli civil law to East Jerusalem.

In 1980, Israel passed its Basic Law, which –although it didn't officially declare the annexation of East Jerusalem– de facto annexed it. The law declared the united city the capital of Israel and established it as headquarters for state institutions.

## Several times, Israel has declared that the goal of its policies in occupied East Jerusalem is to maintain a Jewish majority

On December 6, 2017, the U.S. President Donald Trump endorsed that move by officially recognizing Jerusalem as the capital of Israel. The following year, on May 14, the American embassy was moved from Tel Aviv to Jerusalem, despite Palestinian rejection and opposition.

It is this occupation that is the most significant form of direct physical violence, implemented with force supported by international parties and resulting in the expulsion and displacement of many indigenous residents. Such violence occurred despite several United Nations resolutions that label the city of Jerusalem as occupied. For example, Resolution No. 252 (1968) states that the Security Council “considers all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem, [as] invalid...”<sup>2</sup>

Likewise, Resolution No. 476 (1980) states that the Security Council “re-confirms that all legislative and administrative measures and actions taken by Israel, the occupying power, which purport to alter the character and status of the holy city of Jerusa-

lem, have no legal validity [...] and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.”<sup>3</sup>

Among the most prominent, recent UN decisions is the resolution adopted on December 18, 2017, rejecting U.S. President Donald Trump’s recognition of Jerusalem as the capital of Israel. The resolution was approved by all members of the Security Council –except for the United States, which vetoed it.

To consolidate its occupation of the city, Israel has implemented a number of systematic policies that are in themselves violent.

### ***Settlement Building***

Israel has continuously established and expanded illegal settlements within and on the borders of Jerusalem. Today, there are at least 41 settlements that act as a belt surrounding the entire eastern sector of Jerusalem, separating it from the rest of the West Bank. More than 210,000 Jewish settlers reside in East Jerusalem, while 350,000 Palestinians live there under Israeli occupation.

### ***Cancelation of Residents’ Rights***

Several times, Israel has declared that the goal of its policies in occupied East Jerusalem is to maintain a Jewish majority. For example, a 1973 report issued by the Joint Ministerial Committee for the Study of Development Rates in Jerusalem (the Gafni Committee) stated that a “demographic balance of Jews and Arabs must be maintained as it was at the



Photos of children, who lost their lives in Israel's attacks on Gaza, are exhibited amongst the debris of the Es-Sekka family home in Khan Yunis, Palestine, June 19, 2021.

ASHRAF AMRA / AA

end of 1972.”<sup>4</sup> To maintain this ‘demographic balance,’ Israel prevented thousands of Palestinians from residing in the city of Jerusalem by canceling their residency rights.

### **Land Confiscation and Home Demolitions**

Palestinian areas in occupied Jerusalem suffer from an acute and chronic shortage of houses, which causes overcrowding. Israeli occupation authorities impose restrictions that prevent construction and other forms of expansion. During 2020, Israel demolished 148 homes, displacing 450 people. Due to overcrowding resulting from high demand, lack of housing, and high rents, many Palestinians have been forced to move to other cities in the West Bank.

There are four types of home demolitions:

- (i) Military: This is when homes are demolished by the Israeli occupation army under the pretext of protecting soldiers and settlements.
- (ii) Punitive: Palestinian families’ homes are often demolished by the Israeli army under the pretext that their children are guilty of carrying out operations against the occupation government. Article 33 of the Fourth Geneva Convention, as well as Article 50 of the Hague Regulations, condemn such acts as ‘collective punishment,’ stating that, “No protected person may be punished for any offense he or she has not personally committed.”<sup>5</sup>
- (iii) Administrative: This is the most common form of home demolition, implemented under the pretext that the destruction is in the public interest or that the targeted building was constructed without the required license. Since 2004,

Israel has destroyed 1,116 homes in Jerusalem under this pretext, displacing 3,608 Palestinians— including 1,917 children.

- (iv) **Judicial:** As of this writing, dozens of homes are threatened with demolition via judicial order, especially in the Sheikh Jarrah and Silwan neighborhoods.

### ***Military Closure of Jerusalem and Construction of the Apartheid Wall***

The military cordon around occupied Jerusalem prevents Palestinian citizens from entering the city. This system of permits and bans began in March 1993. With the continuation of the construction of the wall around occupied Jerusalem and the surrounding areas, the rights of Palestinians to access and live in the city have essentially been eliminated. In essence, the closure of the city via the separation wall (although declared illegal by international bodies and not internationally recognized) defines the current borders of occupied Jerusalem. One of the direct consequences is the inability of 3 million Christian and Muslim Palestinians to visit their holy places, including churches and mosques.

This closure has separated approximately 90,000 Palestinians from Shuafat camp, Ras Khamis, Dahiyat al-Salam, Kafr Aqab, and Semiramis neighbourhoods from the city of Jerusalem because their residential areas fall outside the wall. This results in ruinous limitations on commercial activities in occupied Jerusalem (the economic center of Palestine), including the movement of merchants into

and out of the city. In addition, the separation wall has eroded social cohesion and rent the fabric of social life for Palestinians living on both sides.

## **Other Direct Violations**

### ***Right to Life and Physical Integrity***

Israeli occupation forces commit systematic violations of the right to life and physical integrity by shooting live bullets that kill and injure many, as well as beating and torturing Palestinians during arrests and the storming of homes.

During 2020, Israeli occupation forces killed seven Palestinian residents of Jerusalem, including a child and a person with disabilities. In 2021, five civilians, including two women and a child, were killed in the first six months.

The occupation forces employ a variety of weapons and ammunition during their incursions into Palestinian neighborhoods, causing multiple casualties. The most common are live bullets, rubber-coated steel bullets, and gas, and sound bombs.

Eighty-six injuries were recorded in 2020. That contrasts with 1,894 in the first six months of 2021 –indicative of an increase in Israeli repression and an escalation of incursions by settlers.<sup>6</sup>

### ***Arbitrary Arrest and Detention***

Israeli occupation forces, police, and intelligence units carry out continuous raids on Palestinian neighborhoods and homes, arresting citizens

in routine operations that often take place at night or at dawn. These arrest campaigns do not differentiate between women, children, the elderly or religious figures.

### ***Eviction from Jerusalem and the al-Aqsa Mosque***

Israeli authorities pursue a clear and systematic policy to reduce Palestinian presence in Jerusalem and al-Aqsa specifically.

### ***Infringement of Religious Freedom***

Israeli authorities repeatedly attack al-Aqsa and other mosques in Jerusalem and impose restrictions on worshippers' access.

### ***Infringement on Freedom of Information***

Israeli authorities target and arrest journalists and bar the efforts of many media outlets, thus preventing the dissemination of Palestinian narratives. The operations also target freedom of expression on social media platforms.

## **Indirect, Structural Violence**

Israel works to consolidate its sovereignty in Jerusalem in many ways.

### ***Discrimination***

While Israel grants privileges to its Jewish citizens, it severely oppresses Palestinians. Discrimination comes in the form of many laws and regulations. Such discrimination is evident in how the right to residence and housing is administered. While full access and support are provided

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to Jewish Israelis, the homes of Palestinians are frequently demolished under the pretext of a lack of proper permits. Yet obtaining a permit is almost impossible for Palestinians.

Likewise, a Palestinian who throws stones at Israeli soldiers is often imprisoned for several years, while an Israeli who murders a Palestinian either receives no punishment at all or is detained for a mere several weeks or months. When reviewing the performance of the Israeli authorities from a human rights perspective, we find blatant discrimination in their treatment of Palestinians.

### ***Intimidation***

The Israeli regime is continually intimidating and terrorizing Palestinians, with the abuse seemingly designed to deter through fear and collective punishment.

## **Challenges to Daily Life**

Israel makes simply living in Jerusalem almost impossible, leading many

## Israeli municipal employees in Jerusalem are responsible for some of the most serious forms of repression, including demolition orders and their implementation and denial of building permits, despite natural population growth

Palestinians to emigrate or at least consider it. In fact, thousands already have been forced to leave due to persecution, displacement, lack of job opportunities and restrictions on religious freedom, as described in this report. Christian Palestinians are affected along with Muslims.

### ***Cultural Obliteration***

Israeli authorities frequently change the names of streets from Arabic to Hebrew, at the expense of the centuries-old Palestinian culture. Likewise, school curricula have been revised to incorporate the Israeli version of history.

### **Financial Scams**

In addition to the direct confiscation of Palestinian homes and property, Israeli authorities and organizations such as settlement associations frequently use subterfuge or bribes to transfer property to Jewish residents and interests. These associations have succeeded in obtaining control of thousands of properties.

These tactics begin with making life so difficult for Jerusalemites via financial restrictions and stiff fines that purchase offers are almost impossible to refuse. Israeli authorities also target those who are morally and financially corrupt to lure them into cooperating by selling their properties to Israeli Jews.

### **Cultivation of Vice**

The Israeli 'system' encourages vice by facilitating drug trafficking among Palestinian youth, diverting their energies away from cultural and identity-focused activities. Likewise, Israeli agents search for and recruit fragile individuals to become informants who will report on Palestinian activists, further fragmenting the social fabric as residents lose trust in each other.

### **Responsible Israeli Parties**

Most members of the Israeli Jewish community engage in some degree of violence –both direct and structural– against Palestinians in East Jerusalem. In fact, the various political segments compete in this endeavor to win the votes of right-wing parties and voters.

### **Israeli Government**

Discrimination against Palestinians in Jerusalem is carried out with official political cover from the Israeli government. Most policies enabling the widespread violence, demoli-



tions, settlement-building, etc., are approved by the different branches of the government.

### ***Knesset***

This body is charged with approving laws that enshrine Israel’s annexation of Jerusalem and the practice of apartheid. Among the most prominent laws adopted by the occupation authorities affecting Jerusalem are:

- December 3, 1949: Prime Minister David Ben-Gurion declares West Jerusalem the capital of Israel. He and several ministers move their offices to the occupied West Bank a year later.<sup>7</sup>
- June 29, 1967: The Israeli army issues an order disbanding the elected Arab city council, empowering the Minister of Interior to announce the expansion

of the Jerusalem municipality.<sup>8</sup> In the aftermath, the *Knesset* adopts legislation authorizing the Israeli government to annex the eastern part of Jerusalem and its adjacent villages, covering an area of 70 square kilometers.<sup>9</sup>

- July 30, 1980: The Israeli *Knesset* enacts the Organic Law, declaring the entire city of Jerusalem the capital of the state.<sup>10</sup>
- 1993: Israeli authorities delineate the borders of ‘greater Jerusalem’ as extending over 600 square kilometers and equal to 10 percent of the West Bank. They authorize the construction of settlements and accompanying infrastructure.<sup>11</sup>
- June 23, 2002: The government of Israeli Prime Minister Ariel Sharon authorizes a plan to build the apartheid separation wall in the heart of the West Bank, dividing many neighborhoods.<sup>12</sup>

Israeli air strikes pounded the Gaza Strip, killing 10 members of a family and demolishing a key media building, in retaliation to Palestinian militants launching of rockets following Israeli violence in the West Bank, Palestine, May 15, 2021.

MAHMUD HAMS / AFP via Getty Images

## The objective of this violence is clear: to eliminate the Palestinian presence and bring about their demographic replacement in parallel with geographical and cultural change

- May 2016: The Israeli government announces a five-year plan extending until 2021 to 'Judaize' Jerusalem, including settlement projects, transportation, and a cable car system.<sup>13</sup>
- December 6, 2017: The U.S. President Donald Trump announces U.S. recognition of Jerusalem as the capital of Israel, and orders the State Department to move the country's embassy from Tel Aviv to Jerusalem, sparking a wave of protests in Arab and Islamic countries.<sup>14</sup>
- January 2, 2018: The *Knesset* approves the Unified Jerusalem Act, stipulating that any reduction in the scope of Jewish Jerusalem requires the approval of a parliamentary majority of no less than 80 of 120 members. The act was approved by a vote of 64 to 52.<sup>15</sup>

### **Military**

Israeli forces carry out direct and daily attacks on occupied Jerusalem. These forces include the police, border patrol, army, intelligence (*Shabak*), and *Mista'arvim* (special forces that operate undercover and are spe-

cifically trained to assimilate into local Arab communities).

### **Municipal Employees**

Israeli municipal employees in Jerusalem are responsible for some of the most serious forms of repression, including demolition orders and their implementation and denial of building permits, despite natural population growth. The latter practice gives Palestinians no other choice but to build without a permit, thus placing their homes at risk of demolition.

Municipal employees also impose fines and taxes on shop owners and residents. For instance, the *Arnona* property tax is imposed on Palestinians to push them to leave the city, thus increasing its Jewish character.

Most of these fines are racist, since they are imposed only on Palestinians. At the same time, Israeli settlers are granted significant freedoms and privileges.

### **Ministerial Authorities**

Many Israeli ministries and government agencies adopt discriminatory resolutions that penalize Palestinians in Jerusalem. For example, the Israel Nature and Parks Authority, and Israel Antiquities Authority restrict attempts to reconstruct the al-Aqsa Mosque and other holy sites in the occupied city.

### **Settler Attacks**

Settlers carry out continuous attacks against Palestinians and their

holy sites. For example, in 2014, the child Muhammad Abu Khdeir was kidnapped and burned to death. Mosques and churches are burned or desecrated with racist slogans. Palestinian houses are seized for use as settlement outposts.

## Conclusion

Palestinians in the occupied city of East Jerusalem are subjected to many forms of violations perpetrated by most sectors of Israeli society. Attacks against Palestinians include both physical and structural violence, enacted as part of a systematic policy in which many forms of violence are implemented in an intensive and planned manner to break up the structure of Palestinian society, change the demographic reality of the region and create a new identity that represents the settlers.

Violence against Palestinians occurs under the cover of political sanction by the government, including legislation passed by the *Knesset* and support from various institutions (municipalities, ministries, agencies, the army, police, and intelligence). The objective of this violence is clear: to eliminate the Palestinian presence and bring about their demographic replacement in parallel with geographical and cultural change. The outcome: the Judaization of Jerusalem. Physical and structural violence involve gross violations of human rights, amounting to war crimes, and crimes against humanity. ■

## Endnotes

1. The phenomenon of violence has two main trends: 'direct violence,' such as killing, persecution, torture, repression, physical harm, siege, economic sanctions, etc., and 'structural' or 'indirect' violence, such as discrimination, exploitation, fear, etc., according to Sami al-Khaznadar, *Conflict Management and Dispute Resolution: Theoretical Framework*, (Al Jazeera Centre for Studies, 2015), p. 72.
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