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Destruction and Appropriation of Palestinian History and Cultural Property: The Responsibilities of Historians

Joel Beinin
January 15, 2015

Israel as a state and society is premised on the destruction of the history and living society of the Palestinian Arab people and the effacement of the multiple histories of the land between the Jordan River and the Mediterranean Sea for most of the last 1,400 years -since the Muslim conquest of the Byzantine province of Palæstina in 640. This is not because all Zionist ideologues and politico-military leaders intended to destroy Palestinian society. Many did not; only a small minority understood that this would be the likely outcome of mass Jewish settlement in Palestine.

Thoughtful historians may reasonably debate: who intended what, how this process occurred, whether or not ethnic cleansing is the best term to describe it, whether or not Zionist leaders had a preconceived plan for expelling Palestinian Arabs during the 1948 war, how many were directly expelled, how many fled out of fear, and similar questions. Amateur historians like Joan Peters (*From Time Immemorial*), Alan Dershowitz (*The Case for Israel*), and most recently, the deputy managing editor of the *Jerusalem Post*, Caroline Glick (*The Israeli Solution: A One-State Plan*) have worked overtime (sometimes using nearly the same words) attempting to obfuscate the matter. But while their books have received outsized attention in the U. S. mass media, their arguments have been thoroughly refuted, often by Israeli scholars (for example, Yehoshua Porath's scathing critique of Peters in the *New York Review of Books*, January 16, 1986). There is no legitimate debate about whether or not some 700,000 indigenous inhabitants were expelled or fled from the territories that became the State of Israel after the 1948 War and that Palestinian Arab society was devastated in the process.

Important currents in Israeli politics and culture have never denied this. An outstanding example is S. Yizhar, whose iconic novella, *Khirbet Khizeh*, describes one of several expulsions he personally witnessed during the last phases of the 1948 war, when he was serving as the

education officer of a Palmach (elite forces) unit. These expulsions are perhaps more egregious than others, because they occurred at a stage in the fighting when Israel's victory was certain. Although Yizhar is indisputably the leading Hebrew novelist of the 1948 generation (perhaps even of the second half of the 20th century), he was nearly unknown among English speakers until a tiny Israeli press translated *Khirbet Khizeh* in 2008. Farrar, Straus & Giroux republished it in December 2014.

In 1969 the much better known Moshe Dayan told students at the Technion (Israel's MIT):

Jewish villages were built in the place of Arab villages. You do not even know the names of these Arab villages, and I don't blame you because these geography books no longer exist. Not only do the books not exist, the Arab villages are not there either. Nahlal arose in the place of Mahlul; Kibbutz Gvat in the place of Jibta; Kibbutz Sarid in the place of Huneifis; and Kfar Yehoshu'a in the place of Tal al-Shuman. There is not one single place built in this country that did not have a former Arab population.

Dayan's speech was reported in Israel's most prestigious daily *Ha'aretz* (April 4, 1969). *The New York Times* did not consider it news "fit to print."

Shira Robinson's award-winning book, *Citizen Strangers* recounts the fate of those Palestinian Arabs who remained on their lands and became citizens of Israel. They were subjected to military rule until 1966 and although they received citizenship and the right to vote, they were effectively excluded from the polity because nationality rather than citizenship is the key category in Israeli public life. The popular Israeli terms "Israeli Arabs," and in official parlance often simply, "minorities," efface their national identity, which is rendered simply as "Arab" on their national identity cards. Palestinian Arab citizens of Israel still suffer from dozens of discriminatory laws and structural inequalities.

The destruction of Palestinian Arab society includes many instances of destruction of cultural property and patrimony. Historians have long been concerned about such matters, and properly so. For example, AHA Perspectives published an important essay on the destruction of Iraqi's cultural heritage in the wake of the 2003 American invasion (<http://www.historians.org/publications-and-directories/perspectives-on-history/september-2003/iraqs-lost-culturalheritage>).

The Palestinian cultural patrimony has been subjected to similar perils.

Dr. Gish Amit, a lecturer at Ben Gurion University, discovered in the course of the research for his Ph.D. thesis that during the 1948 War Israeli military forces looted approximately 30,000 books and documents from Jerusalem, mostly the western parts of the city where the wealthier and better educated Arab population lived. Another 40-50,000 books were collected in the post-war years, mainly from Jaffa and Haifa, which had large Arab populations before 1948, but only several thousand after the war. About 26,000 of the looted books were shredded because Israeli officials objected to their contents; about 6,000 were "loaned" to the Near Eastern Studies Department of the National Library in Jerusalem, where they remain; others were sold to Arab schools.

Settlers masquerading as archaeologists (in the Elad organization, an acronym for "To the City of David) have seized important sections of the Israeli-annexed Silwan neighborhood of East Jerusalem. With funding from American Jewish physician and bingo magnate Irving Moskowitz, they have been conducting excavations literally under Palestinian homes endeavoring to prove that Silwan is the site of the biblical City of David. No archaeological or other historical evidence has been found that would confirm the existence of King David's palace or of Solomon's temple on a scale described in the Bible. But the unprofessional and ideologically motivated settler-excavators have destroyed evidence of the presence of many other peoples and cultures in Silwan – 21 strata from the Canaanites, who established the first permanent settlement in Silwan some 5,000 years ago to the Muslims who ruled it from the mid-7th to the early 20th centuries. In 2008 settler-excavators uncovered human bones from the 8th-9th centuries – the Muslim 'Abbasid era. They were disposed of without notifying Israel's Ministry of Religious Affairs and halting the excavations, as the regulations of Israel's Antiquities Authority require.

The Israeli army occupied Beirut during its 1982 invasion of Lebanon. Before its evacuation it looted the Palestine Liberation Organization's Research Center, seizing the entire library of 25,000 books, microfilms, manuscripts, and archives. Israeli soldiers also broke into the offices of the Institute for Palestine Studies, a private research center, and removed items and destroyed property.

In 2001 the Israeli army closed the unofficial PLO office in Jerusalem, known as Orient House, and stole the entire archive. The papers were handed over to the Research Department of Israel's Foreign Ministry. After intelligence officers studied them, those deemed to have no political or security implications were deposited in the Israel State

Archive, where they are labeled “abandoned documents.” We do not know what proportion, if any, of the original archive remains intact but inaccessible or if any of it was lost or destroyed.

In 2004, the Simon Wiesenthal Center announced plans to build a Center for Human Dignity over part of the Muslim Mamilla cemetery in West Jerusalem, used as a burial site since the 7th century. The center ignored a 2006 court order by Israel's shari'a court (which, like rabbinical courts, is an official part of Israel's judicial system) to stop construction due to the discovery of skeletons. Final permission for construction was granted in 2011. According to Prof. Rashid Khalidi of Columbia University, a “parking lot was built over [part of the] cemetery [in 1964]....so, the Israeli authorities are basically pushing ahead with the desecration of a cemetery that they have been, unfortunately, slowly nibbling away at for over three decades....What they have now done is to dig down and disinter four layers, according to the chief archaeologist for the Israeli Archaeological Authority” (Democracy Now, February 10, 2010). The cemetery is located across the street from the U.S. Consulate in West Jerusalem.

In the same way that linguists and anthropologists are committed to preserving endangered languages and cultures, historians are committed to retrieving endangered histories. In doing so we should be careful not to claim the capacity to speak for the subjects of those histories. Our obligations in this respect are to engage in historical reconstruction and debate so that suppressed or marginalized, even if for some uncomfortable, narratives and experiences are preserved as part of the historical record. They also entail defending the freedom of speech and academic freedom of scholars and students who study, teach, and speak publicly about subaltern narratives, no matter how unpopular their views may be, and even if some deem them “offensive.” Prof. Steven Salaita was recently “unhired” by the University of Illinois Urbana-Champaign for his allegedly “uncivil” tweets about Israel/Palestine during Israel's assault on the Gaza Strip last summer. Emails among those responsible for the decision suggest that the actual problem was that the tweets were politically offensive and might negatively affect fundraising.

This is hardly a unique case. Norman Finkelstein's *Beyond Chutzpah* thoroughly debunked Alan Dershowitz's *The Case for Israel* – a quite possibly plagiarized and scholarly incompetent book. In 2007, under pressure from Dershowitz, De Paul University denied Finkelstein tenure in highly irregular circumstances. Unlike in the case of Prof. Salaita, AAUP's Committee A did not initiate a investigation of DePaul. So there has been some progress on this front.

Much current discussion of Israel/Palestine in academia is focused on the Palestinian call for an academic and cultural boycott of Israeli institutions. I do not think historians have any particular professional competence on whether or not this is an appropriate measure. We do have an obligation, like all scholars, to point out that advocating an academic and cultural boycott of Israeli institutions has nothing to do with anti-Semitism and does not violate the academic freedom of any individual scholars, who remain free to meet, collaborate, and discuss anything they wish.

Some oppose an academic boycott because they believe (or hope) that scholarly or other forms of "dialogue" contribute to peace. An absolute faith in the efficacy of dialogue often relies on historical amnesia and category errors. Dialogue between slaves and slave-holders or between abolitionists and slaveholders did not (and could not) bring about emancipation. Dialogue between French colonial settlers and Algerian Muslims did not lead to independence. Dialogue can be meaningful only when conducted among parties of equal status. In the case of Israel/Palestine, dialogue has most often served to perpetuate the status quo. Israeli scholars and institutions are generally pleased to regard Western scholars as their colleagues. Relatively few are willing to consider Palestinian scholars their peers, an expression of the underlying inequality that lies at the heart of any relationship between occupiers and occupied.

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International forces overseeing the evacuation of Iraq al-Manshiyya, near today's Kiryat Gat, in March, 1949. Credit: Collection of Benno Rothenberg/Israel State Archives

Burying the Nakba: How Israel Systematically Hides Evidence of 1948 Expulsion of Arabs

Since early last decade, Defense Ministry teams have scoured local archives and removed troves of historic documents to conceal proof of the Nakba

By **Hagar Shezaf** | Jul 05, 2019

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Haviva. The document, which seemed to describe events that took place during the 1948 war, began:

“Safsaf [former Palestinian village near Safed] – 52 men were caught, tied them to one another, dug a pit and shot them. 10 were still twitching. Women came, begged for mercy. Found bodies of 6 elderly men. There were 61 bodies. 3 cases of rape, one east of from Safed, girl of 14, 4 men shot and killed. From one they cut off his fingers with a knife to take the ring.”

The writer goes on to describe additional [massacres, looting and abuse](#) perpetrated by Israeli forces in Israel’s War of Independence. “There’s no name on the document and it’s not clear who’s behind it,” Dr. Novick tells Haaretz. “It also breaks off in the middle. I found it very disturbing. I knew that finding a document like this made me responsible for clarifying what happened.”

The Upper Galilee village of Safsaf was captured by the Israel Defense Forces in Operation Hiram toward the end of 1948. Moshav Safsufa was established on its ruins. Allegations were made over the years that the Seventh Brigade committed war crimes in the village. Those charges are supported by the document Novick found, which was not previously known to scholars. It could also constitute additional evidence that the Israeli top brass knew about what was going on in real time.

Novick decided to consult with other historians about the document. [Benny Morris](#), whose books are basic texts in the study of the Nakba – the “calamity,” as the Palestinians refer to the mass emigration of Arabs from the country during the 1948 war – told her that he, too, had come across similar documentation in the past. He was referring to notes made by Mapam Central Committee member Aharon Cohen on the basis of a briefing given in November 1948 by Israel Galili, the former chief of staff of the Haganah militia, which became the IDF. Cohen’s notes in this instance, which Morris published, stated: “Safsaf 52 men tied with a rope. Dropped into a pit and shot. 10 were killed. Women pleaded for mercy. [There

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MORRIS FOOTNOTE (in his seminal "The Birth of the Palestinian Refugee Problem, 1947-1949") states that this document was also found in the Yad Yaari Archive. But when Novick returned to examine the document, she was surprised to discover that it was no longer there.



Palestine refugees initially displaced to Gaza board boats to Lebanon or Egypt, in 1949. Credit: Hrant Nakashian/1949 UN Archives

“At first I thought that maybe Morris hadn’t been accurate in his footnote, that perhaps he had made a mistake,” Novick recalls. “It took me time to consider the possibility that the document had simply disappeared.” When she asked those in charge where the document was, she was told that it had been placed behind lock and key at Yad Yaari – by order of the Ministry of Defense.

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Israel's secret plan to expel Arabs

- **Palestinians uncover history of the Nakba, even as Israel cuts them off from their sources**

Since the start of the last decade, Defense Ministry teams have been scouring Israel's archives and removing historic documents. But it's not just [papers relating to Israel's nuclear project](#) or to the country's foreign relations that are being transferred to vaults: Hundreds of documents have been concealed as part of a systematic effort to hide evidence of the Nakba.

The phenomenon was first detected by the Akevot Institute for Israeli-Palestinian Conflict Research. According to a report drawn up by the institute, the operation is being spearheaded by Malmab, the Defense Ministry's secretive security department (the name is a Hebrew acronym for "director of security of the defense establishment"), whose activities and budget are classified. The report asserts that Malmab removed historical documentation illegally and with no authority, and at least in some cases has sealed documents that had previously been cleared for publication by the military censor. Some of the documents that were placed in vaults had already been published.

An investigative report by Haaretz found that Malmab has concealed testimony from IDF generals about the killing of civilians and the demolition of villages, as well as documentation of the expulsion of Bedouin during the first decade of statehood. Conversations conducted by Haaretz with directors of public and private archives alike revealed that staff of the security department had treated the archives as their property, in some cases threatening the directors themselves.

Yehiel Horev, who headed Malmab for two decades, until 2007, acknowledged to Haaretz that he launched the project, which is still ongoing. He maintains that it makes sense to conceal the events of 1948, because uncovering them could generate unrest among the country's Arab population. Asked what the point is of removing documents that have already been published, he explained that the

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as an allegation that cannot be proved or refuted.

According to a document from '48, 70 percent of the Arabs left as a result of Jewish military operations.

The document Novick was looking for might have reinforced Morris' work. During the investigation, Haaretz was in fact able to find the Aharon Cohen memo, which sums up a meeting of Mapam's Political Committee on the subject of massacres and expulsions in 1948. Participants in the meeting called for cooperation with a commission of inquiry that would investigate the events. One case the committee discussed concerned "grave actions" carried out in the village of Al-Dawayima, east of Kiryat Gat. One participant mentioned the then-disbanded Lehi underground militia in this connection. Acts of looting were also reported: "Lod and Ramle, Be'er Sheva, there isn't [an Arab] store that hasn't been broken into. 9th Brigade says 7, 7th Brigade says 8."

"The party," the document states near the end, "is against expulsion if there is no military necessity for it. There are different approaches concerning the evaluation of necessity. And further clarification is best. What happened in Galilee – those are Nazi acts! Every one of our members must report what he knows."

The Israeli version

One of the most fascinating documents about the origin of the Palestinian refugee problem was written by an officer in Shai, the precursor to the Shin Bet security service. It discusses why the country was emptied of so many of its Arab inhabitants, dwelling on the circumstances of each village. Compiled in late June 1948, it was titled "The Emigration of the Arabs of Palestine."

[Read a translation of the document here](#)

This document was the basis for an article that Benny Morris published in 1986. After the article appeared, the document was

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few years later researchers from Akevot would find a copy of the text and run it past the military censors – who authorized its publication unconditionally. Now, after years of concealment, the gist of the document is being revealed here.

The 25-page document begins with an introduction that unabashedly approves of the evacuation of the Arab villages. According to the author, the month of April “excelled in an increase of emigration,” while May “was blessed with the evacuation of maximum places.” The report then addresses “the causes of the Arab emigration.” According to the Israeli narrative that was disseminated over the years, responsibility for the exodus from Israel rests with Arab politicians who encouraged the population to leave. However, according to the document, 70 percent of the Arabs left as a result of Jewish military operations.

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Palestinian children awaiting distribution of milk by UNICEF at the Nazareth Franciscan Sisters' convent, on January 1, 1950. Credit: AW / UN Photo

The unnamed author of the text ranks the reasons for the Arabs' departure in order of importance. The first reason: "Direct Jewish acts of hostility against Arab places of settlement." The second reason was the impact of those actions on neighboring villages. Third in importance came "operations by the breakaways," namely the Irgun and Lehi undergrounds. The fourth reason for the Arab exodus was orders issued by Arab institutions and "gangs" (as the document refers to all Arab fighting groups); fifth was "Jewish 'whispering operations' to induce the Arab inhabitants to flee"; and the sixth factor was "evacuation ultimatums."

The author asserts that, "without a doubt, the hostile operations were the main cause of the movement of the population." In

villages of central Galilee started to flee following the abduction of the notables of Sheikh Muwannis [a village north of Tel Aviv]. The Arab learned that it is not enough to forge an agreement with the Haganah and that there are other Jews [i.e., the breakaway militias] to beware of.”

The author notes that ultimatums to leave were especially employed in central Galilee, less so in the Mount Gilboa region. “Naturally, the act of this ultimatum, like the effect of the 'friendly advice,' came after a certain preparing of the ground by means of hostile actions in the area.”

An appendix to the document describes the specific causes of the exodus from each of scores of Arab locales: Ein Zeitun – “our destruction of the village”; Qeitiya – “harassment, threat of action”; Almaniya – “our action, many killed”; Tira – “friendly Jewish advice”; Al’Amarir – “after robbery and murder carried out by the breakaways”; Sumsum – “our ultimatum”; Bir Salim – “attack on the orphanage”; and Zarnuga – “conquest and expulsion.”

Short fuse

In the early 2000s, the Yitzhak Rabin Center conducted a series of interviews with former public and military figures as part of a project to document their activity in the service of the state. The long arm of Malmab seized on these interviews, too. Haaretz, which obtained the original texts of several of the interviews, compared them to the versions that are now available to the public, after large swaths of them were declared classified.

These included, for example, sections of the testimony of Brig. Gen. (res.) Aryeh Shalev about the expulsion across the border of the residents of a village he called “Sabra.” Later in the interview, the following sentences were deleted: “There was a very serious problem in the valley. There were refugees who wanted to return to the valley, to the Triangle [a concentration of Arab towns and villages in eastern Israel]. We expelled them. I met with them to persuade them not to want that. I have papers about it.”

Lev Tov: “We’re talking about a population – women and children?”

Peled: “All, all. Yes.”

Lev Tov: “Don’t you distinguish between them?”

Peled: “The problem is very simple. The war is between two populations. They come out of their home.”

Lev Tov: “If the home exists, they have somewhere to return to?”

Peled: “It’s not armies yet, it’s gangs. We’re also actually gangs. We come out of the house and return to the house. They come out of the house and return to the house. It’s either their house or our house.”

Lev Tov: “Qualms belong to the more recent generation?”

Peled: “Yes, today. When I sit in an armchair here and think about what happened, all kinds of thoughts come to mind.”

Lev Tov: “Wasn’t that the case then?”

Peled: “Look, let me tell you something even less nice and cruel, about the big raid in Sasa [Palestinian village in Upper Galilee]. The goal was actually to deter them, to tell them, ‘Dear friends, the Palmach [the Haganah “shock troops”] can reach every place, you are not immune.’ That was the heart of the Arab settlement. But what did we do? My platoon blew up 20 homes with everything that was there.”

Lev Tov: “While people were sleeping there?”

Peled: “I suppose so. What happened there, we came, we entered the village, planted a bomb next to every house, and afterward Homesh blew on a trumpet, because we didn’t have radios, and that was the signal [for our forces] to leave. We’re running in reverse, the sappers stay, they pull, it’s all primitive. They light the fuse or pull the detonator and all those houses are gone.”

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IDF soldiers guarding Palestinians in Ramle, in 1948. Credit: Collection of Benno Rothenberg/The IDF and Defense Establishment Archives

Another passage that the Defense Ministry wanted to keep from the public came from Dr. Lev Tov's conversation with Maj. Gen. Avraham Tamir:

Tamir: "I was under Chera [Maj. Gen. Tzvi Tzur, later IDF chief of staff], and I had excellent working relations with him. He gave me freedom of action – don't ask – and I happened to be in charge of staff and operations work during two developments deriving from [Prime Minister David] Ben-Gurion's policy. One development was when reports arrived about marches of refugees from Jordan toward the abandoned villages [in Israel]. And then Ben-Gurion lays down as policy that we have to demolish [the villages] so they won't have anywhere to return to. That is, all the Arab villages, most of which were in [the area covered by] Central Command, most of them."

Lev Tov: "The ones that were still standing?"

Tamir: "The ones that weren't yet inhabited by Israelis. There were places where we had already settled Israelis, like Zakariyya and others. But most of them were still abandoned villages."

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to return to, so I mobilized all the engineering battalions of Central Command, and within 48 hours I knocked all those villages to the ground. Period. There's no place to return to."

Lev Tov: "Without hesitation, I imagine."

Tamir: "Without hesitation. That was the policy. I mobilized, I carried it out and I did it."

Crates in vaults

The vault of the Yad Yaari Research and Documentation Center is one floor below ground level. In the vault, which is actually a small, well-secured room, are stacks of crates containing classified documents. The archive houses the materials of the Hashomer Hatzair movement, the Kibbutz Ha'artzi kibbutz movement, Mapam, Meretz and other bodies, such as Peace Now.

Revealing the events of '48 could generate unrest among Israel's Arabs, says Yehiel Horev, the ex-official who launched the project.

The archive's director is Dudu Amitai, who is also chairman of the Association of Israel Archivists. According to Amitai, Malmab personnel visited the archive regularly between 2009 and 2011. Staff of the archive relate that security department teams – two Defense Ministry retirees with no archival training – would show up two or three times a week. They searched for documents according to such keywords as "nuclear," "security" and "censorship," and also devoted considerable time to the War of Independence and the fate of the pre-1948 Arab villages.

"In the end, they submitted a summary to us, saying that they had located a few dozen sensitive documents," Amitai says. "We don't usually take apart files, so dozens of files, in their entirety, found their way into our vault and were removed from the public catalog." A file might contain more than 100 documents.

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inaccessible to scholars. Recently, in the wake of a request by Prof. Gadi Algazi, a historian from Tel Aviv University, Amitai examined the file himself and ruled that there was no reason not to unseal it, Malmab's opinion notwithstanding.

According to Algazi, there could be several reasons for Malmab's decision to keep the file classified. One of them has to do with a secret annex it contains to a report by a committee that examined the operation of the military government. The report deals almost entirely with land-ownership battles between the state and Arab citizens, and barely touches on security matters.

Another possibility is a 1958 report by the ministerial committee that oversaw the military government. In one of the report's secret appendixes, Col. Mishael Shaham, a senior officer in the military government, explains that one reason for not dismantling the martial law apparatus is the need to restrict Arab citizens' access to the labor market and to prevent the reestablishment of destroyed villages.

A third possible explanation for hiding the file concerns previously unpublished historical testimony about the expulsion of Bedouin. On the eve of Israel's establishment, nearly 100,000 Bedouin lived in the Negev. Three years later, their number was down to 13,000. In the years during and after the independence war, a number of expulsion operations were carried out in the country's south. In one case, United Nations observers reported that Israel had expelled 400 Bedouin from the Azazma tribe and cited testimonies of tents being burned. The letter that appears in the classified file describes a similar expulsion carried out as late as 1956, as related by geologist Avraham Parnes:

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The evacuation of Iraq al-Manshiyya, near today's Kiryat Gat, in March, 1949. Credit: Collection of Benno Rothenberg/The IDF and Defense Establishment Archives

“A month ago we toured Ramon [crater]. The Bedouin in the Mohila area came to us with their flocks and their families and asked us to break bread with them. I replied that we had a great deal of work to

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We learned that three days earlier the IDF had ‘screwed’ the Bedouin, and their flocks were destroyed – the camels by shooting, the sheep with grenades. One of the Bedouin, who started to complain, was killed, the rest fled.”

The testimony continued, “Two weeks earlier, they’d been ordered to stay where they were for the time being, afterward they were ordered to leave, and to speed things up 500 head were slaughtered.... The expulsion was executed ‘efficiently.’” The letter goes on to quote what one of the soldiers said to Parnes, according to his testimony: “They won’t go unless we’ve screwed their flocks. A young girl of about 16 approached us. She had a beaded necklace of brass snakes. We tore the necklace and each of us took a bead for a souvenir.”

The letter was originally sent to MK Yaakov Uri, from Mapai (forerunner of Labor), who passed it on to Development Minister Mordechai Bentov (Mapam). “His letter shocked me,” Uri wrote Bentov. The latter circulated the letter among all the cabinet ministers, writing, “It is my opinion that the government cannot simply ignore the facts related in the letter.” Bentov added that, in light of the appalling contents of the letter, he asked security experts to check its credibility. They had confirmed that the contents “do in fact generally conform to the truth.”

Nuclear excuse

It was during the tenure of historian Tuvia Friling as Israel’s chief archivist, from 2001 to 2004, that Malmab carried out its first archival incursions. What began as an operation to prevent the leakage of nuclear secrets, he says, became, in time, a large-scale censorship project.

“I resigned after three years, and that was one of the reasons,” Prof. Friling says. “The classification placed on the document about the Arabs’ emigration in 1948 is precisely an example of what I was apprehensive about. The storage and archival system is not an arm of the state’s public relations. If there’s something you don’t like – well, that’s life. A healthy society also learns from its mistakes.”

implications of digitizing the material, concern was expressed that references in the documents to a “certain topic” would be made public by mistake. The topic, of course, is Israel’s nuclear project. Friling insists that the only authorization Malmab received was to search for documents on that subject.

But Malmab’s activity is only one example of a broader problem, Friling notes: “In 1998, the confidentiality of the [oldest documents in the] Shin Bet and Mossad archives expired. For years those two institutions disdained the chief archivist. When I took over, they requested that the confidentiality of all the material be extended [from 50] to 70 years, which is ridiculous – most of the material can be opened.”

In 2010, the confidentiality period was extended to 70 years; last February it was extended again, to 90 years, despite the opposition of the Supreme Council of Archives. “The state may impose confidentiality on some of its documentation,” Friling says. “The question is whether the issue of security doesn’t act as a kind of cover. In many cases, it’s already become a joke.”

In the view of Yad Yaari’s Dudu Amitai, the confidentiality imposed by the Defense Ministry must be challenged. In his period at the helm, he says, one of the documents placed in the vault was an order issued by an IDF general, during a truce in the War of Independence, for his troops to refrain from rape and looting. Amitai now intends to go over the documents that were deposited in the vault, especially 1948 documents, and open whatever is possible. “We’ll do it cautiously and responsibly, but recognizing that the State of Israel has to learn how to cope with the less pleasant aspects of its history.”

In contrast to Yad Yaari, where ministry personnel no longer visit, they are continuing to peruse documents at Yad Tabenkin, the research and documentation center of the United Kibbutz Movement. The director, Aharon Azati, reached an agreement with the Malmab teams under which documents will be transferred to the vault only if he is convinced that this is justified. But in Yad

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perused material about the history of the settlements in the occupied territories.

Malmab has, for example, shown interest in the Hebrew-language book “A Decade of Discretion: Settlement Policy in the Territories 1967-1977,” published by Yad Tabenkin in 1992, and written by Yehiel Admoni, director of the Jewish Agency’s Settlement Department during the decade he writes about. The book mentions a plan to settle Palestinian refugees in the Jordan Valley and to the uprooting of 1,540 Bedouin families from the Rafah area of the Gaza Strip in 1972, including an operation that included the sealing of wells by the IDF. Ironically, in the case of the Bedouin, Admoni quotes former Justice Minister Yaakov Shimshon Shapira as saying, “It is not necessary to stretch the security rationale too far. The whole Bedouin episode is not a glorious chapter of the State of Israel.”



Palestinian refugees leaving their village, unknown location, 1948. Credit: UNRWA

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direction.”

Unauthorized secrecy

About a year ago, the legal adviser to the State Archives, attorney Naomi Aldouby, wrote an opinion titled “Files Closed Without Authorization in Public Archives.” According to her, the accessibility policy of public archives is the exclusive purview of the director of each institution.

Despite Aldouby’s opinion, however, in the vast majority of cases, archivists who encountered unreasonable decisions by Malmab did not raise objections – that is, until 2014, when Defense Ministry personnel arrived at the archive of the Harry S. Truman Research Institute at the Hebrew University of Jerusalem. To the visitors’ surprise, their request to examine the archive – which contains collections of former minister and diplomat Abba Eban and Maj. Gen. (res.) Shlomo Gazit – was turned down by its then director, Menahem Blondheim.

According to Blondheim, “I told them that the documents in question were decades old, and that I could not imagine that there was any security problem that would warrant restricting their access to researchers. In response, they said, ‘And let’s say there is testimony here that wells were poisoned in the War of Independence?’ I replied, ‘Fine, those people should be brought to trial.’”

Blondheim’s refusal led to a meeting with a more senior ministry official, only this time the attitude he encountered was different and explicit threats were made. Finally the two sides reached an accommodation.

'3 cases of rape, one east of from Safed, girl of 14, 4 men shot and killed. From one they cut off his fingers with a knife to take the ring.'

sealed. There were documents from the IDF Archive that I used for an article about [Deir Yassin, and which are now sealed](#). When I came to the archive, I was no longer allowed to see the original, so I pointed out in a footnote [in the article] that the State Archive had denied access to documents that I had published 15 years earlier.”

The Malmab case is only one example of the battle being waged for access to archives in Israel. According to the executive director of the Akevot Institute, Lior Yavne, “The IDF Archive, which is the largest archive in Israel, is sealed almost hermetically. About 1 percent of the material is open. The Shin Bet archive, which contains materials of immense importance [to scholars], is totally closed apart from a handful of documents.”

A report written by Yaacov Lozowick, the previous chief archivist at the State Archives, upon his retirement, refers to the defense establishment’s grip on the country’s archival materials. In it, he writes, “A democracy must not conceal information because it is liable to embarrass the state. In practice, the security establishment in Israel, and to a certain extent that of foreign relations as well, are interfering with the [public] discussion.”

Advocates of concealment put forward several arguments, Lozowick notes: “The uncovering of the facts could provide our enemies with a battering ram against us and weaken the determination of our friends; it’s liable to stir up the Arab population; it could enfeeble the state’s arguments in courts of law; and what is revealed could be interpreted as Israeli war crimes.” However, he says, “All these arguments must be rejected. This is an attempt to hide part of the historical truth in order to construct a more convenient version.”

What Malmab says

Yehiel Horev was the keeper of the security establishment’s secrets for more than two decades. He headed the Defense Ministry’s security department from 1986 until 2007 and naturally kept out of the limelight. To his credit, he now agreed to talk forthrightly to Haaretz about the archives project.

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examine all outgoing material.”

From conversations with archive directors, it's clear that a good deal of the documents on which confidentiality was imposed relate to the War of Independence. Is concealing the events of 1948 part of the purpose of Malmab?



Palestinian refugees in the Ramle area, 1948. Credit: Boris Carmi / The IDF and Defense Establishment Archives

“What does ‘part of the purpose’ mean? The subject is examined based on an approach of whether it could harm Israel’s foreign relations and the defense establishment. Those are the criteria. I think it’s still relevant. There has not been peace since 1948. I may be wrong, but to the best of my knowledge the Arab-Israeli conflict has not been resolved. So yes, it could be that problematic subjects remain.”

Asked in what way such documents might be problematic, Horev speaks of the possibility of agitation among the country’s Arab

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If the events of 1948 weren't known, we could argue about whether this approach is the right one. That is not the case. Many testimonies and studies have appeared about the history of the refugee problem. What's the point of hiding things?

“The question is whether it can do harm or not. It's a very sensitive matter. Not everything has been published about the refugee issue, and there are all kinds of narratives. Some say there was no flight at all, only expulsion. Others say there was flight. It's not black-and-white. There's a difference between flight and those who say they were forcibly expelled. It's a different picture. I can't say now if it merits total confidentiality, but it's a subject that definitely has to be discussed before a decision is made about what to publish.”

For years, the Defense Ministry has imposed confidentiality on a detailed document that describes the reasons for the departure of those who became refugees. Benny Morris has already written about the document, so what's the logic of keeping it hidden?

“I don't remember the document you're referring to, but if he quoted from it and the document itself is not there [i.e., where Morris says it is], then his facts aren't strong. If he says, ‘Yes, I have the document,’ I can't argue with that. But if he says that it's written there, that could be right and it could be wrong. If the document were already outside and were sealed in the archive, I would say that that's folly. But if someone quoted from it – there's a difference of day and night in terms of the validity of the evidence he cited.”

In this case, we're talking about the most quoted scholar when it comes to the Palestinian refugees.

“The fact that you say ‘scholar’ makes no impression on me. I know people in academia who spout nonsense about subjects that I know from A to Z. When the state imposes confidentiality, the published work is weakened, because he doesn't have the document.”

But isn't concealing documents based on footnotes in books an attempt to lock the barn door after the horses have bolted?

SILENCING

DSDE's Concealment of Documents in Archives

Akevot Institute Report, July 2019

"Even if somebody writes the horse is black, if the horse is not outside the stable, it cannot be proven it is actually black"

Yehiel Horev, former Director of Security of the Defense Establishment¹

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Introduction

The online catalogue for one of the major labor movement archives in Israel² contains a comment regarding one of its documents: "Booklet stored in vault [...]. Not to be provided to researchers (Order of State Archive, June 2004). The booklet in question is a document from 1948 entitled "Migration of Eretz Yisrael Arabs between December 1, 1947, and June 1, 1948". Penned during the first truce in 1948 war, the document provides an analysis of data concerning the depopulation of Arab villages during the war. Its content is discussed in the research literature about the time. Despite its historical importance, the document has been locked in a vault under orders from officials who had no legal authority to issue them and has remained in the vault until now. This report addresses the illegal practice of secretly denying public access to archival materials kept in private and public archives.

¹ In an interview to Hagar Shezaf, "Security Establishment conceals Nakba documents in vaults", **Haaretz**, 5 July 2019.

² Hashomer Hatzair (Yad Ya'ari) archives in Givat Haviva.

A team, usually of two, periodically visits various archives in Israel. Archive staff know them as “State Archive declassifiers” or “IDF Archive Officials”. Others know their true organizational affiliation. The team instructs the archive director to give them certain files, sometimes large batches of files (deposits) stored in the archives. The team then goes through the materials and orders the director to place entire files, or individual documents, in a vault and deny archive users access to these materials.

Our research indicates that the materials put away by this team fall into three major categories: materials connected to nuclear issues; materials regarding the 1948 war, particularly those concerning the uprooting of Palestinian population during and after the war, and materials relating to Israel’s foreign relations. These materials usually date back decades, and, in some cases, had been accessible to the public for years, and have been discussed in books, newspapers and academic papers. One archive director related that the team tends to put away documents in his archive after they are referenced in the footnotes of academic articles or books.

The members of these teams do not work for or on behalf of the Israel State Archive (ISA), but for the Director of Security of the Defense Establishment (DSDE), a department within the Ministry of Defense that has no legal powers outside the defense establishment. DSDE teams order to put away documents stored in both public and private archives based on their discretion, without legal basis or legal powers and usually without archive users being aware that materials stored in the archive are inaccessible to them. There is also no option to appeal these unlawful concealment decisions.

This report summarizes the findings of research conducted by Akevot Institute researchers between 2017 and 2019, which shows the DSDE operates without legal authority in private and public archives to deny public access to archival materials, including materials there is no legal or security grounds to conceal. Akevot Institute spent two years researching the work of the DSDE “declassification teams” in the various archives. The report provides the findings of this research, based on interviews and conversations with 15 archive employees and directors, information received under Freedom of Information applications and the contents of several dozen files the ISA declassified and cleared for access at our request.

Several years ago, following dissent at one archive against the instructions of DSDE personnel, former Chief State Archivist Dr. Yaakov Lozowick looked into the matter and concluded that the law makes no provision for DSDE powers to operate in archives. Despite this finding, the DSDE continues this work and its officials still conceal files and documents in various archives with no legal power to do so and in contravention of the law.

As the research the findings of which are published in this report drew to a close, Akevot Institute contacted the DSDE asking to interview the department official in charge of archive work. The response we received read: “The DSDE does not normally provide details about its operations”.³

³ Email from Dina Polyak, Head of Public Liaison and Complaints, Ministry of Defense to Akevot Institute, April 15, 2019.

Section 1: The work of DSDE “declassification teams”

DSDE teams periodically visit various archives, both public⁴ and private, throughout the country. In some cases, they arrive once every few years, in others, once a week.

Our research indicates that the DSDE has several teams working in archives under the moniker “declassification team”. The teams normally comprise of two individuals, senior retired officials from various security agencies, the IDF Information Security Department, the Israeli Military Censor, the Israel Atomic Energy Commission and others. They hold permanent, paid, most likely part-time positions performing this function.

After the team sets up in the archive, its members ask to see the catalogue. In other cases, they arrive with lists, prepared in advance, of materials they wish to examine. Sometimes the team soon realizes the archive has no records of interest to it. Other times, they examine entire deposits - hundreds of files and other documentary items, according to a prepared plan. In the latter case, the team arrives at the archive several times a week and systematically goes through the materials, document by document, looking at everything from political party internal meeting minutes to the personal files of past senior government officials, politician interviews and oral history accounts, collections of press clippings, street posters and copies of public speeches.

The accounts given by archivists with whom we spoke during this research indicate the team is mainly interested in three topics:

- a. Documentation connected to nuclear issues.
- b. Documentation regarding the depopulation of Palestinian villages through 1948 and 1949, and events that occurred during the 1948 war.
- c. Documentation relating to Israel’s foreign relations.

The teams instruct archive directors to place some of the materials examined, files, documents, even posters, in a vault and deny the public access to them. They occasionally instruct to restore from the vault materials to which, according to their assessment, the public may regain access. Our research indicates there is no procedure in place that allows archivists or researchers who use the archives’ services to challenge the decision made by the DSDE teams. In at least one archive, Akevot Institute was informed the team removes the materials it wishes to examine from the premises and does not return the items it wishes to keep the public from accessing.

DSDE teams devote a great deal of attention to the nuclear issue, which seems to be the main focus of their archive operations. One archive director said a DSDE team arrived at his archive with a recently published academic paper and demanded access to the documents cited in it. The DSDE team later instructed the removal of specific files and documents cited by the paper’s author, which

⁴ The status of a Public Archive (non-governmental) was created by the 1955 Archives Law. At the time the law was enacted more than a few archives had already been operating in the country, including some with extensive collections. These and other archives which were not government run but were considered publicly important were given the status of “public archive”. Section 1 of the Archive Law defines a public archive as “an Archive that is owned or operated by a non-profit organization and has been certified by the government as a ‘public archive’ in a notice published in the official gazette”. There are currently 22 public archives, including the Central Zionist Archives, the Weizmann Archive in Rehovot, the Yad Vashem Archives and others. The Archive Law stipulates that archival materials stored in public archives will not be subject to ‘foreclosure or encumbrance’ and can only be transferred to the ISA or another public archive. According to a current memorandum issued by the ISA legal advisor, decisions regarding public access to records stored in public archives rest with public archive directors. See letter from Adv. Naomi Aldobi to Chief State Archivist to Dr. Yaakov Lazovik, **Files closed without legal authority in public archives**, August 12, 2018.

had been available for public access for many years. Another archive director told Akevot Institute that the DSDE team instructed the removal of files containing newspaper clippings about nuclear issues from the 1960s. Posters that were put up throughout the country during the same era, inviting the public to conferences on “nuclear non-proliferation” were removed from one of the files. The DSDE has, on more than one occasion, removed a document from a specific file, with no records kept of the removal. At least in one case uncovered by Akevot Institute, archive staff were unable to find out what happened to the document.

As a rule, archive users are not aware that materials stored in the archive have been removed from access (using an unlawful procedure) on the instructions of DSDE personnel. In a small number of cases, the archive catalogue contains an annotation that certain records have been banned from access, alluding to the practice addressed in this report. So, for instance, in the catalogue of Yad Ya’ari Research & Documentation Center, the archive of Hashomer Hatzair and the United Workers Party (MAPAM) in Givat Haviva, the annotation “deposited in the vault per instructions of State Archive declassifiers,” or a similar phrase, appears in connection to certain files or documents. The catalogue of the Labor Party archive in Beit Berl notes “temporarily confidential” with respect to files removed from public access by DSDE teams. These annotations sometimes pave the way for a review of the confidentiality decision. For instance, a DSDE team instructed the director of the Labor Party archive in Beit Berl to remove a file containing the transcript of a talk David Ben Gurion gave at a Workers' Party of the Land of Israel (MAPAI) conference in Kibbutz Tel Yosef on January 19, 1965, in which he addressed the Lavon Affair. The archive’s online catalogue notes that the file is a copy of a file kept at the Ben-Gurion Heritage Institute Archive, Akevot has learnt this file is accessible to the public at the Ben Gurion Archive. A review of the 63-page transcript uncovers no reason for confidentiality. Ahead of the publication of this report, we submitted the document to the Israeli Military Censor, which unconditionally cleared it for publication.

A director of a public archive believes DSDE teams provide convenient and gainful “job opportunities” for security establishment retirees. The director shared with Akevot that he was under the impression team members are idle for much of the time they spend at his archive, since they had looked through the records held there numerous times in the past. This being the case, he has them assist in routine archive tasks. He says he also seeks their professional advice on various issues pertaining to the opening of archival records for public access in areas outside their usual subject matter, such as privacy protection as they relate to opening archival records for public access.

Another public archive director told Akevot Institute that while he was aware there was no legal basis for the work performed by the DSDE in the archive, he benefits from the current arrangement. The director said that when he feels unqualified to judge how sensitive opening certain materials for public access may be, he asks DSDE staff he knows from their work in his archive to review them. He noted the fact that this service requires no monetary contribution on the part of the archive, which he views as an advantage.

The work of the DSDE in ISA branches

In addition to their work in public and private archives, DSDE teams also work in the archives of the heritage centers commemorating former prime ministers of Israel, David Ben Gurion, Menachem Begin and Yitzhak Rabin. These archives operate under laws enacted to commemorate their heritage, and unlike public or private archives, they are formally considered branches of the ISA and subject to

the provisions of the Archive Law 1955 (hereinafter: Archive Law) and the Archive Regulations (Access to Archival Materials Deposited in the Archive) 2010 (hereinafter: Access Regulations).⁵

As part of its work in these archives, the DSDE has ordered the closure of a large collection of records at the Rabin Center Archives and demanded the center pay a sizeable amount of money to have the records reviewed. The center refused to pay, and more than a decade went by before the removed records were finally cleared for access (with certain sections redacted), several months ago, after a DSDE review.

At the David Ben Gurion Heritage Institute Archives, the DSDE often removes archival records for review and simply does not return records to which it had decided to deny access. This has led, among other things, to the removal of public access to materials researchers had copied in various archives abroad for the purpose of their work and subsequently deposited in the archive. These records remain open to the public in archives abroad.

The Begin Archive, located in the Begin Heritage Center, was established in 2000. Most of the records in the archive were transferred to it at its inception from the Jabotinsky Institute, and the majority of them are personal and political. In past years, the archive ran an extensive oral history project, holding interviews with more than 150 different public figures. The Begin Archive told Akevot Institute that a "Ministry of Defense staffer" would go over the transcripts of interviews conducted as part of the project and disqualify sections in them, according to his discretion. Archive staff are under the impression that the process is a requirement given that the archive is subject to the provisions of the Archive Law.

Involvement of IDF and Defense Establishment Archive

Though the classification teams operate under the DSDE, it appears the IDF and Defense Establishment Archive (also part of the Ministry of Defense)⁶ has played a role in their operation until recently. IDF Archive documents entitled "Staff Task Plan" for the years 2010 to 2015 include an entry entitled "Special declassification tasks in public archives" and the description "coordination with the Archivist and DSDE" (for 2013 to 2015, the entry also includes the remark "including B.G. [Ben Gurion] Archive"). The 2010 document mentions the "130 files, 1,200 photocopies". The documents from 2013 to 2015 note that operations for each of those years would also include roughly 50 files in the Begin [Heritage Center] Archive.⁷ Special Declassification Tasks are not included in the Staff Task Plan document for 2016, perhaps following the ISA determination that these activities have no legal basis. In any event, DSDE teams have continued their archive operations.

⁵ David Ben Gurion Law 1976, Section 20; Rabin Memorial Center Law 1997; Section 33; Menachem Begin Memorial Law 1988, Section 33.

⁶ Although officially considered a branch of the ISA, the IDEA is subject to the Head of the Computer and Information Systems Department at the Ministry of Defense and its funding is part of the Ministry of Defense budget.

⁷ The documents were provided to Akevot Institute in response to a Freedom of Information Application to receive copies of the archive's work plan.

Section 2: The origins of DSDE operations in public and private archives

In late May 2015, in preparation for a talk entitled “Resistance through the Collection of Information: From Yosef Vashitz’ documents”, Dr. Tamar Novick approached the Hashomer Hatzair (Yad Ya’ari) Archive and asked for access to one of its records, a document from the files of MAPAM member Aharon Cohen. The document in question was handwritten notes from a briefing likely given by Israel Galili to the MAPAM political committee on November 11, 1948, regarding crimes committed by Israeli combatants during Operation Hiram and Operation Yoav. Historian Benny Morris quoted from this document in his books (noting, according to convention, the name of the archive where the document is stored and the file number).⁸ Dr. Novick had a copy of a printed document, similar in content to the one quoted by Morris, but with different wording. The day before her lecture, she rushed to the archive in Givat Haviva to see the original document Morris had quoted. “To my surprise”, Novick told the audience who came to hear the talk, “I discovered the document was not [in the accessible archive folder], but somewhere called ‘the vault’”. Despite her efforts, Dr. Novick did not see the document quoted in academic literature.⁹

Similarly, when historian Yair Oron attempted to find the transcripts of a government plenum meeting from November 17, 1948, from which Tom Segev and Benny Morris quoted harsh remarks made by Minister of Agriculture Aharon Zisling (from MAPAM) regarding the expulsions and massacres carried out by IDF soldiers in Lod (al-Ludd) and al-Dawayima, the document could no longer be found at the locations cited in the two historians’ books.¹⁰

Disappearing archival materials, including records already used in published research, is the product of a longstanding policy of removing archival records believed to be sensitive with no legal basis or clear criteria. The practice originated in self-censorship exercised by archive directors in the 1980s, in response to demands and threats made by the Chief State Archivist at the time and has morphed into the current archive work of the DSDE which has been in place since at least 2002.

Pressure from the Chief State Archivist

In 1986, historian Benny Morris published an article entitled “The Causes and Character of the Arab Exodus from Palestine: The Israel Defence Forces Intelligence Branch Analysis of June 1948”.¹¹ The article contains a lengthy discussion of a document produced by the IDF Intelligence Service entitled

⁸ Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949* (Am Oved: 1991), p. 307 (Hebrew); Benny Morris, *Correction* (Am Oved: 2000), p. 139.

⁹ Tamar Novick, *Resistance through the Collection of Information: From Yosef Vashitz’ documents*, given at a conference hosted by Minerva Humanities Center, University of Tel Aviv, entitled “Jewish/Zionist Resistance to the Nakba”, June 1, 2015. A video of the talk (in Hebrew): <https://vimeo.com/132300242>

¹⁰ Yair Auran, “The Poem That Exposed Israeli War Crimes in 1948”, *Haaretz*, February 7, 2016. <https://www.haaretz.com/israel-news/.premium-the-poem-that-exposed-atrocities-perpetrated-by-israel-in-48-1.5418995>. In 2018, the ISA uploaded the transcripts of this government session as part of a series of government session publications from 1948 to 1967. Zisling’s statements on this subject are absent from the uploaded transcripts. The pages documenting the final stage of the government session were removed from the document. Portions of government meeting transcripts were likely deleted in 1994-1995, based on criteria put in place following Government Resolution No. 3649 (PUB/37) of July 25, 1994. The criteria for declassification and classification of archival materials listed in the resolution included: “Information that may damage relations between the state and minority groups [...]” (meaning Palestinian citizens of Israel). The deleted portions were not restored in the versions published in the past year.

¹¹ *Middle Eastern Studies*, Vol. No 22. 1 (Jan., 1986), pp. 5-19.

"Migration of Eretz Yisrael Arabs between December 1, 1947, and June 1, 1948",* which contains data and analysis on the causes of Palestinian migration from their villages in the referenced period of time. Morris found the document in the collection of documents that had been in the possession of a member of MAPAM's Arab department, Aharon Cohen, which had been deposited in the Hashomer Hatzair archive in Givat Haviva.¹²

Following the publication of the article, then Chief State Archivist Avraham Alsberg wrote a letter to the director of the Hashomer Hatzair archive, Pnina Doron, in which he decried the "political harm" and the "harm to the archivist community".¹³ Alsberg threatened to remove government materials and personal collections belonging to government officials that were stored in the Hashomer Hatzair archives and transfer them to the ISA. He asked Doron to tend to the matter discreetly so as not to cause a dispute "between the relevant parties".¹⁴ While Doron replied she believed they "were not to blame", she did order the closure of the Aharon Cohen collection (which contained the document) until further notice and placed some of the documents from this collection in the archive's vault.¹⁵ On Alsberg's demand, parts of former Minister Israel Barzilai's personal archive were handed over for review by an ISA staff member.

The issue preoccupying the Chief State Archivist at the time was public access to records deposited in public archives by public figures and state officials, copies of which stored in the ISA and other government archives were inaccessible to the public. During a meeting of the Higher Council on Archives held shortly after the correspondence between Alsberg and Doron, Alsberg mentioned this case and another case of a newspaper report concerning the "issue of determining the borders in 1967/9 and the government's position on it", which relied on letters written by Minister Israel Galili to Prime Ministers Levy Eshkol and Golda Meir (the director of the Yad Tabenkin Archive, where Galili's collection had been deposited, later clarified his archive was not the source for the story).¹⁶ Alsberg demanded to apply the Access Regulations, which at the time provided no possibility of declassifying materials during the Restricted Access Periods, to public archives as well. The directors of several archives who were in attendance expressed willingness to remove access to the materials voluntarily.¹⁷

* In the paper by Benny Morris the title of the document is translated as: The Emigration of the Arabs of Palestine in the Period 1/12/1948-1/6/1948

¹² Yad Ya'ari archive, File (7)95-10.10.

¹³ Even earlier, in 1983, Chief State Archivist Alsberg reprimanded the directors of the Yad Tabenkin and Hashomer Hatzair archives for allowing researchers to access transcripts of government meetings stored in their archives, saying: "Access to incomplete materials and potential citations from questions and speeches by one minister or another during a government meeting could harm the state even if the full transcripts of the discussion remain confidential. I consider this a most grievous matter and I ask you to ensure archival records belonging to former ministers is not made available to archive users without our approval". Letter of Chief State Archivist to the directors of the Hashomer Hatzair and Hakibutz Hameuhad archives, December 14, 1983. ISA File G-7295/2.

¹⁴ Letter from Chief State Archivist Avraham Alsberg to Director of Hashomer Hatzair Documentation and Research Center in Givat Haviva, March 6, 1986. A copy of the letter is located in ISA File G-7978/7. That same day, Chief Archivist Alsberg forwarded a copy of this letter to Ze'ev Tzur, Director of the Hakibutz Hameuhad archive (Yad Tabenkin) in Efat, repeating the request to "make the arrangements" for closing archival records to the public "discreetly, so as not to provoke unnecessary argument". Letter from Alsberg to Ze'ev Tzur, March 6, 1986. ISA File G-7978/11.

¹⁵ Letter from Pnina Doron to Avraham Alsberg, March 18, 1986. ISA File G-7978/7.

¹⁶ Letter from Ze'ev Tzur to Avraham Alsberg, June 4, 1986. ISA File G-7978/11.

¹⁷ Transcript (with hand written corrections) of Higher Council on Archives meeting of May 29, 1986, pp. 34-43. ISA File G-7326/3.

The Higher Council on Archives revisited the issue five years later, in 1991. Chief State Archivist at the time, Reuven Yaron, noted the issue had not been “exhausted” in the previous discussion, and once again, cautioned against public access to records stored in public archives which are closed in government archives. Yaron noted that he was “aware of the limits of [his] powers” and said he was seeking dialogue “so that the various public archives won’t provide an opportunity, a back door for those who find the doors of the large state archives locked”.¹⁸ Several months later, he convened a committee of Higher Council on Archives members to discuss the issue. However, the discussion focused on other issues.¹⁹ The Higher Council on Archives never discussed the topic again.

DSDE operations in the archives

Our research indicates the DSDE began its operations in archives in 2002. One archive director told Akevot Institute that the first communication in the matter was received from the director of the IDF Archive at the time. The situation presented to this archive director was a need to prevent public access to records stored in non-government archives that could be damaging to Israel’s national security and foreign relations. Halfway through 2002, representatives from the DSDE, the ISA and the IDF Archive held a series of meetings with public archive directors in their archives. Akevot Institute located minutes of three of these meetings (containing identical language),²⁰ indicating that DSDE operations in archives was presented as the work of “IDF Archive declassification teams”:

Whereas [archive name] may contain archival records access to which is restricted under the Archive Regulations 1966, pursuant to the Archive Law, the following decisions have been made:

1. The ISA, in concert with the IDF Archive, will conduct a screening of archival records stored in [archive name] for the purpose of identifying sensitive materials in terms of security and foreign relations to which the public should not be given access or which must be assessed prior to declassification.

2. Funding for screening operations will be presently provided by the IDF Archive and executed by a team working on its behalf. The Chief State Archivist will take action to secure further funding and personnel for this purpose.

[...]

5. Archival records deemed to warrant confidentiality for reasons related to threats to national security or foreign relations shall be stored in [name of archive] according to security directions on the care of classified materials.²¹

DSDE head in 2002 was Yehiel Horev. "I do not remember when it started," he said to Haaretz journalist Hagar Shezaf for an investigative feature released with this report, "but I know I started it. If I am not mistaking, it started when they wanted to publish archival documents." Chief State Archivist at that time was Prof. Tuvia Friling. He told Shezaf a stated purpose for DSDE activity in the archives was avoid information leaks of Israeli nuclear project, and that the concealment was

¹⁸ Transcript of Higher Council on Archives meeting of April 21, 1991, pp. 33-40. ISA File G-7977/1.

¹⁹ Transcripts of The Committee for Review of Declassification of State Documents in Public Archives, November 4, 1991. ISA File G-7974/13.

²⁰ "Meeting minutes: Screening of Archival Records at Yad Tabenkin Archive", July 10, 2002; "Meeting minutes: Screening of Archival Records at Hashomer Hatzair Archive", July 17, 2002; "Meeting minutes: Screening of Archival Records at the Labor Party Archive", July 30, 2002.

²¹ "Meeting minutes: Screening of Archival Records at the Labor Party Archive", July 30, 2002.

expanded to other topics, including records on Palestinian refugees and events of the 1948 Independence War. Friling claims this concealment activity was one of the reasons for his resignation shortly later. Horev himself confirms concealing of records on 1948 events was intended to harm public debate and academic research: if the original documentation is hidden, research findings are weakened and the potential harm of a fact-based public debate is reduced.

"The issue is very sensitive. On the issue of [Palestinian] refugees not everything was released, and there are all sorts of narratives. Some say there was no flight, that there was only expulsion; others say there was a flight. This is not black and white. There's difference between a flight and those who say they were forcefully expelled. It's a different story."

Horev addressed the benefits, from his perspective, to concealing historical documents, including those quoted in academic literature:

"I do not remember [the Migration Movement] document, but if [historian Benny Morris] quoted from it, and he has no hold of the document itself, then his facts are not strong. If he says, 'yes, I have the document' I cannot argue, but if all he says is that something is written there, it may be true or not true. If the document was already out there, and they would close it down, I would say this is stupid. But if somebody quotes something, it is a difference of night and day in terms of the evidentiary value. [...] when the state conceals [archival records] publication becomes weaker, as the [the researcher] does not hold the document."

Up until several years ago, DSDE teams had a document signed by the Chief State Archivist empowering them to take action on his behalf. Former Chief State Archivist Dr. Yaakov Lozowick told Akevot Institute:

This work began before my time. I don't know for how long, but before my time. When I took office, and there were many things I did not know, they told me... They came to me and said that because there was a new state archivist, they needed me to sign instead of my predecessor. There was no one in the room who told me not to sign [...] I was told they go around archives all over Israel and find materials that are of interest to the DSDE, which, in my humble opinion, is very very specific material and nothing else [...], and when they see these materials, they tell whoever has them: "Take note of what you have. Put it in a vault, or hand it over to the ISA". No one hands anything over to the ISA. They put it in the vault and exercise caution. So, I signed, why not. And they... I'm not their manager. They don't give me a work plan or anything like that. I know they go around the country and do all sorts of things. I've heard rumors that they close things that are not just connected to the "core issue", but I admit I haven't looked into it".²²

Questions regarding the legality of DSDE operations in archives emerged only in recent years, after a DSDE team attempted to remove records kept at the archives of the Harry S. Truman Institute at the Hebrew University, which is a private archive. A DSDE team arrived at the archive and demanded accessible records be removed, citing the Archive Law as a source for its instructions. Prof. Menahem Blondheim, until recently the head of the Truman Institute, told the DSDE men they had no authority

²² Conversation between Dr. Noam Hofstadter of Akevot Institute and Dr. Yaakov Lozowick, then Chief State Archivist, June 8, 2017.

to do so and that the records stored in the archive are private and should not be concealed. “This is history”, he explained. The DSDE team insisted it had the right to render historical documents kept by the institute confidential. At the end of one of these conversations, Prof. Blondheim says he “booted” the DSDE men out of the institute. Another discussion, attended by a more senior DSDE staffer, escalated to threats that the DSDE “can confiscate the archive”, and even what Blondheim describes as unveiled personal threats against him.²³

Prof. Blondheim contacted then Chief State Archivist Dr. Yaakov Lozowick, prompting Dr. Lozowick and the ISA legal department to look into the legal questions surrounding the operations of DSDE teams. They reached the conclusion the DSDE operations are not legally sanctioned and that the Chief State Archivist has no legal power to delegate DSDE staff to work in public and private archives.²⁴ In conversation with Akevot Institute, the Chief State Archivist offered the following conclusion:

If I had been asked to extend the letter of authorization, I would not have done it. When I leave this position, I will advise my successor to look into the matter very carefully before doing so.²⁵

Even after it emerged that the DSDE operated in the archives without legal authority, the Chief State Archivist did not undertake to contact the various archives and warn them regarding the lack of legal basis for the work of the DSDE, nor did he instruct archive directors how to respond to the work of the DSDE in their archives. And so, DSDE teams continue to operate in archives to this day, and materials unlawfully removed from public access long ago remain inaccessible to the public today.

The “Arab Migration” document from the collection of Aharon Cohen at Yad Ya’ari is one of these documents. According to an annotation on the Yad Ya’ari digital catalogue, the DSDE team instructed the document remain in the vault on June 20, 2004 (“Not to be provided to researchers - Order of State Archive”). However, Akevot Institute researchers found an identical copy of this document in another file stored at Yad Ya’ari, the collection of Yosef Vashitz, also a member of MAPAM’s Arab department.²⁶ Akevot Institute forwarded the document to the Israeli Military Censor, which unconditionally cleared it for publication. The full document has been posted to the Akevot Institute website in tandem with the publication of this report.

²³ Conversation between Adam Raz, Akevot Institute Researcher and Prof. Menahem Blondheim, January 25, 2019. After Prof. Blondheim stood his ground and refused to allow the DSDE to render records confidential and they did not back down, a “pragmatic arrangement” was reached: A. The DSDE could review the records stored in the archive and make a list of documents it believes should be rendered confidential. B. These documents would be reviewed by a “committee” headed by Carmi Gilon, former Head of the General Security Service (1995-1996) and current Hebrew University Vice-President of External Relations. Gilon would decide whether the documents should be made confidential. Blondheim stressed that the documents would remain accessible until Gilon makes a decision.

²⁴ An internal Ministry of Defense protocol instructs that a DSDE delegate would serve on a committee entrusted with making decisions in applications made by the public to declassify records stored in the IDEA. **Ministry of Defense Directive 59.14: Processing of applications from the public to access restricted archival records**, Section 9.

²⁵ Conversation between Akevot Institute and then Chief State Archivist, June 8, 2017.

²⁶ Yad Ya’ari Archive, File (3)35.27-95.

Section 3: Acting without legal authority

The duties of the Director of Security of the Defense Establishment (DSDE) include overseeing the physical safety of security installations in Israel and preventing security information leaks. The very fact that the DSDE existed was kept secret for many years, and in its early decades, its work revolved around Israel's nuclear program. Its size and budget are not released to the public. Some consider it an independent security agency. Dan Meridor, a former minister, has recently said of the DSDE that it is charged with "protecting state secrets on highly sensitive issues".²⁷ The DSDE is a department within the Ministry of Defense, and its operations are governed not by law but by internal Ministry of Defense directives.

Illegal operations in public and private archives

The work of the DSDE described in this report is carried out in archives that do not belong to the defense establishment or the State of Israel, but rather private and public archives.²⁸ Neither the Archive Law nor its regulations grant any powers to the Chief State Archivist, the DSDE or any other party to deny public access to materials stored in public or private archives.

This position was recently clarified in a memorandum authored by the ISA's legal advisor, Adv. Naomi Aldobi following a communication from the director of the Hashomer Hatzair archive to former Chief State Archivist Dr. Yaakov Lozowick. In the memorandum Adv. Aldobi wrote at the request of the Chief State Archivist, she highlighted that while the conditions for public access included in the bylaws of public archives should emulate the conditions stipulated in the Access Regulations (which apply only to government archives - the ISA and its branches), a "public archive does not come under the provisions of the Access Regulations and the powers to determine access policies for records stored in any public archive rests with the director of the archive, provided that it is commensurate with the bylaws of said public archive which received the approval of the Chief State Archivist".²⁹ Nevertheless, Adv. Aldobi clarified that the only sanction the Archive Law and its regulations provide against an archive whose bylaws do not contain provisions similar to the Access Regulations is the revocation of its status as a "public archive", a sanction which, as noted by the Chief State Archivist, carries little weight.

With respect to private archives, Adv. Aldobi found "the Chief State Archivist has no powers under the Archive Law with respect to the public access to archival materials in private hands". As in public archives, decisions on which records will be accessible to the public and which will not be the sole purview of the private archive's management.

²⁷ Interview on TV talk show "London and Kirschenbaum", Channel 10, June 27, 2017. Available online (in Hebrew): <http://10tv.nana10.co.il/Article/?ArticleID=1253094>

²⁸ See supra note 3.

²⁹ Memorandum by Adv. Naomi Aldobi, ISA Legal Advisor, forwarded to Chief State Archivist, "Files closed without legal authority in public archives", August 12, 2018. The memorandum was attached as an appendix to the letter sent by the Chief State Archivist to members of the Higher Council on Archives on August 22, 2018. It is worth noting that in the final paragraph of her memorandum Adv. Aldobi added that "inasmuch as a public archive has state archival materials, it must deposit these in the ISA in keeping with the provisions of Section 4(a) of the Archive Law". However, a review of the legislative history of this particular section conducted by Akevot Institute revealed that Section 4(a) of the Archive Law and the background for it do not refer to the transfer of materials from various archives to the ISA. The section addresses the obligation of government bodies to deposit their documents with the ISA.

Illegal operations in ISA branches (Ben Gurion, Begin, Rabin archives)

The operation of the DSDE in the archives established to commemorate the heritage of the late prime ministers Ben Gurion, Begin and Rabin, which formally constitute part of the ISA is also carried out without legal authority.

Public access to archival records stored in government archives in Israel is regulated by the Archive Law and its regulations. The Access Regulations stipulate Restricted Access Periods for records based on the type and source of record (ranging from 15 to 70 years). They also stipulate rules on the declassification of records and the grant of public access to them either on the initiative of the archive or by request. The law and the regulations list three major interests the protection of which could mandate preventing the declassification of archival records or their rendering confidential: security (national security, public safety and the safety of a particular person), Israel's foreign relations and privacy protection.

Only three parties may participate in declassification and confidentiality proceedings pertaining to archival records according to the law and regulations: the depositors of the materials (may participate in the examination of deposited materials for the purpose of declassification); the Chief State Archivist (empowered to declare certain documents as "secret" or "confidential", thereby denying public access to them even after the Restricted Access Period stipulated for these materials in the Access Regulations expires) and a designated committee of three ministers - the Ministerial Committee for Permission to Access Classified Archival Records, which has the power to approve the decisions made by the Chief State Archivist on this matter.³⁰

Should the need arise to deny public access to records stored in the Ben Gurion, Rabin or Begin center archives, the correct course of action is under Section 10c of the Archive Law - a decision by the Chief State Archivist approved by the ministerial committee. Any other measure taken to deny public access to archival records that are past the Restricted Access Period, such as the work of the DSDE teams, is conducted without legal authority. According to Dr. Lozowick's account, during his tenure as Chief State Archivist, he had no involvement in the activities of the DSDE and was not briefed on them. The DSDE has no authority to operate in the ISA or its branches at the Ben Gurion, Begin and Rabin archives.

³⁰ For a concise discussion of the provisions of the Archive Law and Access Regulations on access to archival materials, see Chapter 1 of Akevot Institute report **Point of Access: Barriers for Public Access to Israeli Government Archives** (April 2016) (hereinafter: Point of Access).

Conclusion

Public access to historical records in Israel is subject to close monitoring by the security establishment. The IDF and Security Establishment Archive, the largest archive in the country, has so far opened only one percent of its records to public access.³¹ The General Security Service (*Shin Beth*) archive, which contains highly valuable historical records is completely closed to the public and does not allow any research of its materials.³² The Israeli Military Censor has recently posted an officer to the ISA, as part of what was presented as a pilot program, to review archival records before they are made accessible to researchers and the public at large.³³ The findings of this research show that the security establishment bars public access to records kept in non-state archives, with no transparency or legal authorization to do so. The meager access to archival records kept in government archives results in private and public archives being a major source for historical research of the State of Israel. The work of the DSDE in these archives impedes access to records, which is the foundation of reliable, independent research. The cumulative effect of this is distortion and misrepresentation in public and political discourse about major chapters and events in the history of the country. In the few cases in which we were able to review the content of documents removed by the DSDE, their publication proved to pose no threat to security, as evidenced also in the clearance given by the Israeli Military Censor.

The fact that much of the DSDE's work is focused on hiding historical records of the Nakba is particularly disturbing as it denies Jewish citizens of the country access to records of a controversial chapter in Israel's history. It also robs Palestinian refugees and citizens of Israel of recognition for the crisis they experience, and of familiarity with historical facts as recorded and kept in various archives.³⁴ These activities must stop immediately.

Archives do contain sensitive records on security and other matters. Several archive directors with whom we spoke highlighted the need for a consulting official who could provide instruction on this issue. The Association of Israeli Archivists, the archivists' professional association, would do well to respond to fill this gap identified by archivists.

Recommendations

To the DSDE:

End operations in public and private archives immediately.

To the Deputy Chief State Archivist:

³¹ See **State of Access to Israeli Government Archives** (September 2017: Akevot Institute); **Point of Access: Barriers for Public Access to Israeli Government Archives** (April 2016: Akevot Institute).

³² In response to questions posed by Akevot Institute under the Freedom of Information Act, the GSS refused to provide figures on the scope of records in its archive. In response to a request for figures and details regarding archival materials the GSS has opened for public access so far, it was stated that these records are available on the GSS website. There are a handful of documents and photographs on the website. E-mail response of Shaked Friedrich Levov, Prime Minister's Office Freedom of Information Unit to Lior Yavne, Akevot Institute, April 11, 2019.

³³ Ofer Aderet, "Israeli Military Censor to Post Officer in State Archive Office, Worrying Historians", **Haaretz**, December 27, 2018. <https://www.haaretz.com/israel-news/.premium-israeli-military-censor-to-post-officer-in-state-archive-office-worrying-historians-1.6787264>.

³⁴ With respect to access to records concerning human rights violations in government archives see Chapter 5 of Akevot report **Point of Access** (pp. 71-76).

- a. Contact the head of the DSDE at the Ministry of Defense. Stress that the work of DSDE teams in the various archives is carried out without legal authority and order its cessation.
- b. Contact public and private archive directors in Israel. Clarify that the instructions to deny public access to archival records kept in them had been given without legal authority and instruct them not to cooperate with DSDE teams or follow their instructions.

To the Association of Israeli Archivists:

Appoint a professional authorized by the association to advise public and private archives on issues related to providing public access to records kept in their archives while maintaining a proper balance of the different relevant interests.

To the directors of public and private archives where public access to records has been denied on the instructions of DSDE teams:

- a. Inform archive users of the fact that certain records have been made inaccessible on the instructions of the DSDE, citing the scope of said records and, if possible, the titles.
- b. Provide public access, as per their professional assessment, to records closed on orders of the DSDE in their archives, where such access does not pose a threat to security, foreign relations or privacy protection.

By Shay Hazkani

‘OF THEIR OWN FREE WILL’

To win international sympathy for the newborn Jewish state, David Ben-Gurion ordered the preparation of an Israeli version of the Palestinian Nakba to blur the fact that many Arabs were expelled

The Israeli censor's observant eye had missed file number GL-18/17028 in the State Archives. Most files relating to the 1948 Palestinian exodus remain sealed in the Israeli archives, despite the fact that their period as classified files – according to Israeli law – expired long ago. Even files that were previously declassified are no longer available to researchers. In the past two decades, following the powerful reverberations triggered by the publication of books written by those dubbed the “New Historians,” the Israeli archives revoked access to much of the explosive material. Archived Israeli documents that reported the expulsion of Palestinians, massacres or rapes perpetrated by Israeli soldiers, along with other events considered embarrassing by the establishment, were reclassified as “top secret.” Researchers who sought to track down the files cited in books by Benny Morris, Avi Shlaim or Tom Segev often hit a dead end. Hence the surprise that file GL-18/17028, titled “The Flight in 1948” is still available today.

The documents in the file, which date from 1960 to 1964, describe the evolution of the Israeli version of the Palestinian Nakba (“The Catastrophe”) of 1948. Under the leadership of Prime Minister David Ben-Gurion, top Middle East scholars in the Civil Service were assigned the task of providing evidence supporting Israel's position – which was that, rather than being expelled in 1948, the Palestinians had fled of their own volition.

Ben-Gurion probably never heard the word “Nakba,” but early on, at the end of the 1950s, Israel's first prime minister grasped the importance of the historical narrative. Just as Zionism had forged a new narrative for the Jewish people within a few decades, he understood that the other nation that had resided in the country before the advent of Zionism would also strive to formulate a narrative of its own. For the Palestinians, the national narrative grew to revolve around the Nakba, the calamity that befell them following Israel's establishment in 1948, when about 700,000 Palestinians became refugees.

By the end of the 1950s, Ben-Gurion had reached the conclusion that the events of 1948 would be at the forefront of Israel's diplomatic struggle, in particular the struggle against the Palestinian national movement. If the Palestinians had been expelled from their land, as they had maintained already in 1948, the international community would view their claim to return to their homeland as justified. However, Ben-Gurion believed, if it turned out that they had left “by choice,” having been persuaded by their leaders that it was best to depart temporarily and return after the Arab victory, the world community would be less supportive of their claim.

Most historians today – Zionists, post-Zionists and non-Zionists – agree that in at least 120 of 530 villages, the Palestinian inhabitants were expelled by Jewish military forces, and that in half the villages the inhabitants fled because of the battles and were not allowed to return. Only in a handful of cases did villagers leave at the instructions of their leaders or *mukhtars* (headmen).

Ben-Gurion appeared to have known the facts well. Even though much material about the Palestinian refugees in Israeli archives is still classified, what has been uncovered ►



◀ provides enough information to establish that in many cases senior commanders of the Israel Defense Forces ordered Palestinians to be expelled and their homes blown up. The Israeli military not only updated Ben-Gurion about these events but also apparently received his prior authorization, in written or oral form, notably in Lod and Ramle, and in several villages in the north. Documents available for perusal on the Israeli side do not provide an unequivocal answer to the question of whether an orderly plan to expel Palestinians existed. In fact, fierce debate on the issue continues to this day. For example, in an interview with Haaretz the historian Benny Morris argued that Ben-Gurion delineated a plan to transfer the Palestinians forcibly out of Israel, though there is no documentation that proves this incontrovertibly.

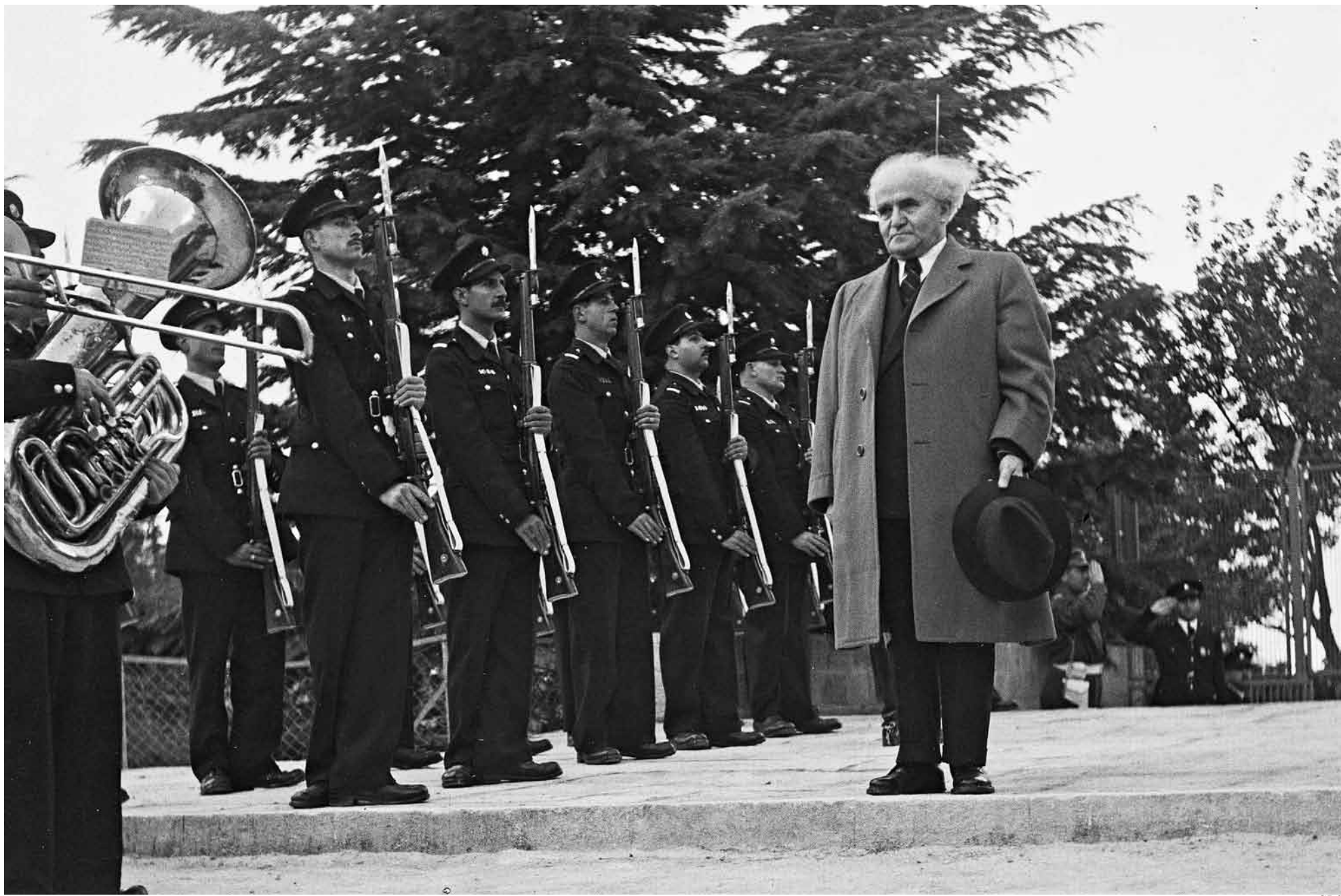
Even before the war of 1948 ended, Israeli public diplomacy sought to hide the cases in which Palestinians were expelled from their villages. In his study of the early historiography of the 1948 war, “Memory in a Book” (Hebrew), Mordechai Bar-On quotes Aharon Zisling, who would become an MK on behalf of Ahdut Ha’avoda and was the agriculture minister in Ben-Gurion’s provisional government in 1948. At the height of the expulsion of the Arabs from Lod and Ramle, Zisling wrote in the left-wing newspaper Al Hamishmar, “We did not expel Arabs from the Land of Israel ... After they remained in our area of control, not one Arab was expelled by us.” In Davar, the newspaper of the ruling Mapai party, the journalist A. Ophir went one step further, explaining, “In vain did we cry out to the Arabs who were streaming across the borders: Stay here with us!”

Contemporaries who had ties to the government or the armed forces obviously knew that hundreds of thousands of Palestinians had been expelled and their return was blocked already during the war. They understood that this must be kept a closely guarded secret. In 1961, after John F. Kennedy assumed office as president of the United States, calls for the return of some of the Palestinian refugees increased. Under the guidance of the new president, the U.S. State Department tried to force Israel to allow several hundred thousand refugees to return. In 1949, Israel had agreed to consider allowing about 100,000 refugees to return, in exchange for a comprehensive peace agreement with the Arab states, but by the early 1960s that was no longer on the agenda as far as Israel was concerned. Israel was willing to discuss the return of some 20,000-30,000 refugees at most.

Under increasing pressure from Kennedy and amid preparations at the United Nations General Assembly to address the Palestinian refugee issue, Ben-Gurion convened a special meeting on the subject. Held in his office in the Kirya, the defense establishment compound in Tel Aviv, the meeting was attended by the top ranks of Mapai, including Foreign Minister Golda Meir, Agriculture Minister Moshe Dayan and Jewish Agency Chairman Moshe Sharett. Ben-Gurion was convinced that the refugee problem was primarily one of public image (*hasbara*). Israel, he believed, would be able to persuade the international community that the refugees had not been expelled, but had

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Prime Minister David Ben-Gurion during the playing of the “Hatikva” national anthem, marking the Knesset’s first session in Jerusalem.



at the United Nations – *S.H.*], concerning the flight, [showing] that this was of their own free will, because they were told the country would soon be conquered and you will return to be its lord and masters and not just return to your homes.”

In 1961, against the backdrop of what Ben-Gurion described as the need for “a serious operation, both in written form and in oral *hasbara*,” the Shiloah Institute was asked to collect material for the government about “the flight of the Arabs from the Land of Israel in 1948.”

Nakba between the lines

The Shiloah Institute was an odd bird in Israel of the 1950s and 1960s. The idea of establishing a research institute akin to an Israeli version of Britain’s Chatham House was conceived by Reuven Shiloah, a Foreign Ministry official and former Mossad man. Shiloah died shortly after he finished planning the new institute. At the ceremony marking the 30th day after his death, the director general of the Prime Minister’s Office, Teddy Kollek, announced that the institute would bear Shiloah’s name and explained, “The institute’s purpose will be to study current problems at a scientific level ... The in-

stitute will also make known to the world at large Israel’s views concerning the region.” The institute was established in conjunction with the Hebrew University of Jerusalem, the Ministry of Foreign Affairs, the Ministry of Defense and the Israel Oriental Society (the umbrella organization of the Middle East scholars). It was managed by Yitzhak Oron, a major in the Intelligence Corps. A study by Prof. Gil Eyal of Columbia University, proved that the institute worked closely with the IDF’s Intelligence Corps, which regularly provided it with intelligence documents. As a result, most of the papers written in the Shiloah Institute’s first years were classified and not accessible to the general public. Researchers who worked in the institute in the 1950s described their activities as largely secret and considered themselves civil servants in every respect. The institute’s studies had a reputation for thoroughness and quasi-academic quality. In 1965, the institute came under the auspices of Tel Aviv University, though its clandestine ties with the intelligence community continued for many years thereafter, ending in recent decades. In 1983, the institute changed its name to the Moshe Dayan Center for Middle Eastern and African Studies.

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For Ben-Gurion, the Shiloah Institute was the perfect place to conduct the type of study he wished to arm himself with. Still, his request to the institute to collect material about “the flight of the Arabs” seemed a bit unusual. Since the end of the 1948 War, Israel had dealt with the issue of the Palestinian refugees almost exclusively as part of the diplomatic struggle in the international arena; hardly any attempt had been made to investigate this aspect of the war. But there was at least one person in the Shiloah Institute who knew something about the Palestinian exodus of 1948.

Rony Gabbay immigrated to Israel from Iraq in 1950. After four years in a transit camp he obtained a B.A. and subsequently earned a doctoral degree in political science in Switzerland, completing his dissertation on the Arab refugee issue in 1959. However, on his return to Israel he found himself involved in a fierce controversy with the Ashkenazi academic establishment after he accused a well-known political science professor of racism.

“At that time, many like me, of Mizrahi origin, who were ambitious, saw that the door was almost closed to us, so many left for Canada and America,” he says in an interview from his home in Perth,

Australia, where he has lived for more than 40 years. “I ended up here and I do not regret it in the least.” Before leaving Israel, Gabbay spent a few years at the Shiloah Institute as deputy director. He was there at the time Ben-Gurion’s request had arrived.

It is quite unlikely that Ben-Gurion knew the topic of Gabbay’s doctoral dissertation, since it had not gained much publicity in Israel. Had he known, he might have looked for an alternative candidate to write this study, which was to serve as the linchpin of Israeli public diplomacy. A perusal of the book Gabbay published based on his dissertation shows that, three decades before Benny Morris published his groundbreaking book, “The Birth of the Palestinian Refugee Problem, 1947-1949,” Gabbay’s study confirmed what Palestinian refugees had been claiming since 1948. “In many cases,” Gabbay wrote, “such as during the battle to open the road to Jerusalem, Jewish forces took Arab villages, expelled the inhabitants and blew up places which they did not want to occupy themselves, so that they could not be reoccupied by their enemies and used as strongholds against them.”

Writing in the late 1950s, Gabbay drew on British statistics, UN documents, the Arab press and a number of Israeli documents he was able to obtain. He had no access to official IDF documents or to the minutes of cabinet meetings, of which Morris availed himself in the 1980s. Gabbay became convinced that there had not been a policy of systematic expulsion of Palestinians coming from the top, but rather that Palestinians were evacuated at the direction of local commanders (such as Yigal Allon and Yitzhak Rabin), although this occurred in “many cases.”

Fifty-four years later, Gabbay is astonished to find that he was able to depict the events accurately with so few Israeli documents. “To this day I am still amazed that a researcher who was very methodical and very objective was able to read between the lines of open sources,” he says.

Ben-Gurion’s unusual request to the Shiloah Institute was accompanied by rare authorization to examine Israeli archives that were closed to the public. The institute’s researchers were allowed to peruse captured documents that had been collected by the Intelligence Corps and, more important material compiled on the subject by the Shin Bet security service, some of which had been transferred from the Haganah after 1948. Gabbay: “We were told, ‘We don’t know what to do with all this material, with this crate.’ So I went to Shin Bet headquarters for three or four days and went through all the material. After that they burned it, of course they didn’t give it to us.”

But there was one stack of documents that not even the Shiloah Institute team was allowed to read through. It consisted of the transcripts of the cabinet sessions during the war, in which the ministers discussed the Palestinians’ flight and, in some cases, their expulsion by IDF units.

‘Pure research’

The file in the State Archives contains a letter Gabbay had written on his research project after he completed the work, dated August 26, 1961, and ad-



Ori Stendel. “No [organized] expulsion activity.”

dressed to the director general of the Foreign Ministry. Gabbay writes: “With the exception of isolated cases, the flight of the Arabs was due to the cumulative effect of a number of elements in the political, military, economic, social and psychological realms ... Chapters 1-6 present documents, quotations and other material which prove the ‘contribution’ of this or that cause among the causes of the flight and underscore the blame of the Arabs. Thus, for example, there is a clear proof that the Arab states encouraged [Palestine’s] Arabs to flee, that the leaders fled [first], that atrocity stories were made up, and that Arab military leaders pressured to have villages evacuated from their inhabitants etc. The seventh and last chapter cites the documents which prove the efforts of the Jews to stop the flight.” Gabbay concludes the letter by expressing “my hope that this booklet will faithfully serve Israeli foreign policy.”

More than half a century later, Gabbay recalls the conclusions differently. As part of his research, Gabbay read Intelligence Corps transcripts of local radio broadcasts of propaganda aimed at the local population by the Arab armies that operated in Palestine. The broadcasts, Gabbay says, did not support the Israeli claim about the part played by the Arab and Palestinian leaders in the flight. “There was no mention of the local Arab leaders urging the Arabs to flee, that they ‘pushed them,’ as we claimed in our *hasbara*. I saw nothing like that.” It is noteworthy that Benny Morris, who researched the subject 20 years later, also found no directives by Palestinian leaders or Arab rulers calling on the villagers to leave.

In the conversation from Australia, Gabbay finds it difficult to explain the disparity between his letter of 1961 stating that the Arabs were to blame, and his account today. Only in Haifa, he says, did the local leadership urge the Palestinians to leave, even though the Jewish leaders there urged them to stay. That, though, was a singular case and even there, the calls to stay were undercut by the Haganah’s shelling of the Arab market, in which civilians were killed. Gabbay denies that his work ►

◀ at the Shiloah Institute prompted him to change the opinion he arrived at when he wrote his doctoral dissertation. He insists that he and the others on the research team (Yitzhak Oron and Aryeh Shmuelevich) were asked only to collect and summarize material.

“What we did at the Shiloah Institute was pure research. In other words, what we submitted, what we got our hands on and examined was what we wrote. There was no fear. We didn’t know, we didn’t think about public opinion, we didn’t consider anything like that.”

Prof. Gil Eyal, who has studied the connection between Israeli Middle East experts and the intelligence community, explained in a phone interview from New York that the research study on the refugees could in no way be viewed as an academic text. “Without going into the motives of those who were involved, it is clear to me that this study falls into the general category of public diplomacy (hasbara). Public diplomacy, even when academics engage in it and make use of documents according to the research methods of historians, is still very different from academic research or from other forms of objective research. That is because in public diplomacy, what to look for in the files and what to prove is set forth in advance. Naturally, then, if there are other things in the file [that do not concur with the goals], they are simply not inserted into the study, because that is not what the authors wanted to find.”

Second try

Ben-Gurion, though, was not pleased with Gabbay’s report. Immediately after its completion he ordered his Arab affairs adviser, Uri Lubrani, to write a new study. Lubrani assigned the project to Moshe Ma’oz, now a professor of history specializing in Syria, then a student at the Hebrew University and an employee of the adviser’s unit. “I went into Middle East studies with the mind-set of ‘Know the enemy.’ It wasn’t until I did a Ph.D. at Oxford that things changed for me and I started to discover the Arab side, too,” Ma’oz says by telephone.

Ma’oz was assigned a number of researchers to assist him with the study, and received a budget. He started to collect dozens of documents, in Israel and from around the world. He interviewed Israeli and British officers as well as Palestinians who remained in Israel. The 150 documents and interview transcripts were cataloged meticulously and prepared as a file of evidence. Ma’oz notes that his findings were very similar to those of Benny Morris and pointed clearly to cases of expulsion, particularly in Lod and Ramle. “I don’t think I was biased or influenced by the boss,” he says, “but it is possible that I over-emphasized the issue of the flight. The dosage was different, because I was still under the influence of the nationalist conception in which we were educated at school and in the army.”

In fact, the documents in the file of the State Archives demonstrate the exact opposite. According to Ma’oz’s own telling of the documents, they ostensibly prove, without exception, that the Arabs fled of their own volition at their leaders’ orders. In December 1961, before embarking on the project, Ma’oz wrote to David Kimche, a senior Mossad of-

THE FILE IN THE STATE ARCHIVES CONTAINS CLEAR EVIDENCE THAT THE RESEARCHERS AT THE TIME DID NOT PAINT A FULL PICTURE OF ISRAEL’S ROLE IN CREATING THE REFUGEE PROBLEM.

Arab refugees from villages near Tulkarm. Most historians say Ben-Gurion knew in real time about the expulsion of Palestinians.

ficial (and years later director general of the Foreign Ministry), to ask for help in compiling the documents. “Our intention is to prove that the flight was caused at the encouragement of the local Arab leaders and the Arab governments and was abetted by the British and by the pressure of the Arab armies (the Iraqi army and the Arab Liberation Army) on the local Arab population.”

In a letter of summation dated September 1962, which Ma’oz wrote to Lubrani after he had completed the task of collecting the documents, he noted that he had fulfilled the assignment, and proved what he had been asked to prove: “You assigned me to gather material on the flight of Palestine’s Arabs in 1948 which attests to and proves that: “A. Arab leaders and institutions in Palestine and elsewhere encouraged Palestine’s Arabs to flee, and the local notables, by being the first to flee, prompted the people to flee.

“B. The foreign Arab armies and the ‘volunteers’ abetted the flight both by evacuating villages and by their harsh attitude toward the local population.

“C. In a number of places, the British Army assisted the Arabs to flee.

“D. Jewish institutions and organizations made an effort to prevent the flight.”

Immediately after submitting the summary report, Ma’oz left the office of the Arab affairs adviser and went to Oxford to begin his Ph.D. studies. He was replaced by another M.A. student, Ori Stendel, who continued to write the study of the Palestinian exodus. Shortly after taking over from Ma’oz, Stendel met with Ben-Gurion, who described the



Bettmann/CORBIS

project as a “White Paper,” referring to the reports by British commissions of inquiry in Palestine and elsewhere in the empire. “I remember Ben-Gurion saying something like, ‘We need this White Paper, because people are saying that the Arabs were expelled and did not flee,’” Stendel recalls. “As far as I remember, Ben-Gurion said, ‘They did flee, but the truth has to be told. Write the truth.’ That’s what he said.”

Stendel continued to collect material for a short time. He is convinced that the study he and Ma’oz wrote is a scientific work that proves Arab leaders called on the Palestinians to leave, though it does not avoid uncovering the cases in which expulsion occurred. After all the material had been collected, Stendel was again summoned to a meeting with Ben-Gurion, who wanted a summary of the findings. “I told him that it is impossible to speak in terms

of uniformity. There was no [organized] expulsion activity, on the one hand, but on the other hand it is impossible to say that we tried to prevent the Arabs from fleeing in all parts of the country. I told him that I had no doubt, for example, that there was an expulsion in Lod and Ramle, pure and simple. He asked me, and I remember being surprised by this, ‘Are you sure?’ I replied, ‘I wasn’t there, I can’t tell you, but according to everything we read and collected, an expulsion took place there.’

As we saw, the documents in the archive make no mention of Stendel’s assertion that the research project included documents attesting to expulsion. Stendel does not rule out the possibility that an attempt was made to play down such documents, but rejects the possibility that they were deliberately hidden. “There was no guideline to the effect that this would be a propaganda study, that

things would be filtered in order to help with hasbara. In practice, that might be what happened ... Obviously, we worked in the Prime Minister’s Office and we wanted to help Israel in its struggle, so it was natural that we would look for the truth to prove that we did not expel people. It’s definitely possible that that was the motive, but I don’t remember that Ben-Gurion or Lubrani said, ‘You should do this and that.’”

Stendel remains convinced that Ben-Gurion really did not know how the refugee problem of 1948 was caused, because he was busy with strategic affairs and did not take the time to deal with the refugees. The proof of this, he says, is that he asked a number of organizations to research the subject, so he would get a full picture. “If Ben-Gurion had decided on a policy, then there would have been a policy, and then also, let’s put it like this: I think the Arab minority in Israel

today would be a lot smaller. That is why I think that Ben-Gurion did not exactly know. It’s possible that he authorized an expulsion in one case or another, when he was told it was important for security reasons; but my conclusion is that Ben-Gurion did not authorize a policy of expulsion, and so he wanted to know exactly what had happened.”

Most historians who have researched the subject paint a radically different picture. They present evidence that Ben-Gurion knew in real time about the expulsion of Palestinians and apparently authorized expulsions in a number of cases. In the absence of reliable information from the period, it is difficult to determine with certainty whether Ben-Gurion had actually persuaded himself that the majority of Palestine’s Arabs had left of their own volition, or did not even believe this himself but wanted history to believe it.

In the meeting about the refugees at the end of 1961, Moshe Sharett, then the chairman of the Jewish Agency, suggested a modern spin: to leak the material that would be collected to foreign correspondents so that they would publish it as “objective” investigative reports without revealing their sources. “We need to see to it that articles appear in the major newspapers,” Sharett said. “That means we need to draw up a plan for each [foreign] capital, decide on a ‘victim,’ who the man will be, provide him with all the required information and all the arguments, and ensure that extensive articles appear ahead of the General Assembly session, because this issue is again becoming one of the more urgent ones.”

Ben-Gurion apparently adopted this idea. In the office of the Arab affairs adviser, Stendel did as he was asked and approached Aviad Yafeh, who headed

the Foreign Ministry’s information (hasbara) unit. According to a letter from May 1964, the two agreed to make available the material that had been collected to a correspondent of one of the major foreign magazines, so he could write a series of articles about the “flight.” According to Stendel, the plan was never implemented.

Rose-tinted history

Even though the Ma’oz-Stendel report on “the flight of the Arabs” appears to be lost for all time, the file in the State Archives contains clear evidence that the researchers at the time did not paint a full picture of Israel’s role in creating the refugee problem. The story of how the study came to be written, juxtaposed to the way the authors see it today, reflects the evolution of Israeli society’s relationship with the Palestinian narrative of the Nakba. In the 1960s, no one dared to admit publicly that Israel had expelled Palestinians, whereas today, in the post-Oslo period and following the research by the “new historians,” the subject of Israel’s culpability is no longer taboo.

After rereading the file in the State Archives, containing summaries he himself wrote in the 1960s, Moshe Ma’oz sent me the following email: “At that juncture I basically shared the views of most Israeli Jews, and that of the establishment, that most Arabs fled because their leaders escaped first and that other Arab leaders instructed them to do so. On the other hand, I did mention that Jewish organizations requested Arabs to stay and not to leave, but I did not mention that many Arabs fled for [reasons of] panic, war, massacres, etc. and that in certain places they were deported by the army. Perhaps these facts did not appear in the materials or were not known or appreciated.”

Ma’oz, then, underwent a conceptual shift at Oxford. After returning to Israel he worked for the military government in the occupied territories, but says he identified more closely with the Palestinians than with the Israeli government. Finally, he was booted out of the military government by the chief of staff, Rafael Eitan, after stating in a television interview in the early 1980s that Israel should hold talks with West Bank leaders affiliated with the Palestine Liberation Organization.

Most historians in Israel and abroad no longer dispute the fact that IDF soldiers expelled large numbers of Palestinians from their homes during the 1948 war, and banned their return after the war. However, the debate over whether this was a preconceived plan authorized by Ben-Gurion continues. File GL-18/17028 shows that throughout Israel’s 65 years of existence, the answer to the question of “What really happened?” varied according to who was responding. Still, it is unlikely that Gabbay, Ma’oz, Stendel and Lubrani lied knowingly. More likely, they wanted to deceive themselves and create a slightly rosier picture of 1948, a formative year that changed the history of both the Jewish people and of the Arab Middle East for all time. ■

Shay Hazkani is a doctoral student in history at the Taub Center for Israel Studies at New York University.

*** Attack on Palestinian Universities**

*** Arrests of Students and Faculty**

*** Preventing access to Higher Education**

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Israel has cracked down on Palestinian education, criminalising hundreds of students



Birzeit University students stage a protest after Israeli forces take 3 students into custody on 27 March 2019. [Issam Rimawi/Anadolu Agency]

Megan Giovannetti

November 15, 2019 at 10:19 am

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SHARES

Khaleel Shaheen is a senior at Birzeit University in Ramallah. When he heard that four close friends and fellow students were arrested by the Israeli authorities, he didn't go to the campus for five days.

As a volunteer with Birzeit's Right to Education Campaign — a student-led group which monitors Israeli violations against students — Shaheen is finding it difficult to continue his work as normally as possible while this latest crackdown against students unfolds.

"I feel so angry," he told me. "I feel so helpless. "I cannot just go to school. I cannot focus. I cannot function to go to class."

According to the Right to Education Campaign, 20 students have been detained by the Israeli authorities since the beginning of the current academic year. This is nothing new. Since 2004, more than 1,000 students enrolled at Birzeit have been arrested, 80 of whom are still in Israeli prisons. Seventeen of these are currently held under **administrative detention**, a process which Israel uses systematically to hold Palestinians indefinitely with neither charge nor trial.

Students are often denied access to a lawyer for up to 60 days and subjected to harsh interrogation and treatment in Israeli custody. Most are taken from their homes in the middle of the night or even kidnapped directly from campus.

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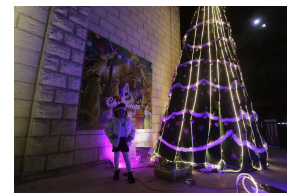
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Addameer, a Palestinian prisoner support and human rights association, told me that a total of 250 students across various Palestinian universities are currently in Israeli prisons. “There are also around 190 Palestinian children detained and imprisoned in Israeli jails, of whom 20 are under 16 years old,” Addameer’s advocacy officer pointed out. “Those children are all students in primary or secondary schools.”

In an exclusive statement to *MEMO*, Birzeit University described this escalation of arrests as an ongoing Israeli policy targeting students who have political affiliations and activism. “They are targeting students who are very active in the student movement in the university,” Shaheen explained. “They are not just going after people at random.”

Birzeit University is the only West Bank higher education institution which holds student body elections, with representation from all Palestinian political parties. In a society that has not held a General Election since 2007 — hence the deadlocked political system and a president whose own term ended 10 years ago — Birzeit University’s elections are one of the only ways to gauge public opinion.

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55 Teachers and education institute administrators were shot by Israeli occupation forces

311 Students, teachers and staff members were detained

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“These elections are very, very important for both the [Palestinian] government and the [Israeli] occupation [because] it depicts the streets... and what the new generations are voting for,” said Shaheen. He confirmed that no particular political party’s members appear to be targeted; arrests occur across the spectrum of political affiliation.

Birzeit seems to be targeted because of its reputation for producing politically active students. “The students care so much about politics,” added Shaheen. “They care about what is happening on the streets.” He told me about the weekly demonstrations that students arrange in support of prisoners, refugees and martyrs; or simply demanding their right to education.

The student body council has the power to gather students together and give them a voice. “For the Israelis, this is dangerous. It’s dangerous for them [to have] active students who have a voice and opinions, and influence the opinions of others.”

Last year, a **video** went viral of undercover Israeli forces kidnapping the president of the student body council, Omar Kiswani, directly from Birzeit’s campus. The video and various reports show six plain-clothed officers beating Kiswani and firing their guns in broad daylight.

READ: Israel students forced to pass government propaganda course before overseas school trips

Birzeit University faculty member and Professor of Media Dr Widad Bargouthi was **swept** up in the latest round of Israeli arrests based on a military law of “incitement”. According to Addameer, the indictment was based on social media posts made by Dr Bargouthi, despite them being a part of a class regarding the basic journalistic principles of freedom of expression.

“I believe that most of those arrests [are carried out] to create an atmosphere of fear inside the university,” Shaheen said. This has drawn students away from making social media posts or even simply attending classes. “They want to make students fearful of everything.”

When asked for a comment, the office of the Israel Defence Forces spokesperson indicated that the cases are under investigation by Shin Bet, the internal security agency, and no information could be shared. “The students that are in custody have been suspected of terrorist attacks in which Israeli

citizens were killed,” is all that the spokesperson would say. No details of the specific “terrorist attacks” in question were provided.

A public gag order on all student cases was issued on 10 September and has been renewed twice. The current order will expire on 7 December. This limits Addameer’s ability for advocacy. The order — requested by Shin Bet — was not issued by a military court, but a civil court in Jerusalem. “The session was one-sided, without the prisoners or their lawyers [present],” said Addameer’s advocacy officer.

Birzeit University told *MEMO* that Israel’s policy of arresting students and teachers is a “grave violation” of basic rights to education and academic freedom. “The reality now is turning higher education in Palestine from safe spaces where students can grow, excel and express themselves freely, into zones where students are in grave danger both on and off campus.”

Israel’s crackdown on Palestinian education is criminalising hundreds of young people. This is not the act of a genuine democracy.

UN official: Need to invest in education in Palestine

The views expressed in this article belong to the author and do not necessarily reflect the editorial policy of Middle East Monitor.

Categories Article Israel Middle East Opinion

Palestine

Israel is turning Palestinian students into criminals

Israeli authorities have arrested at least 64 Palestinian university students since the start of 2019. That number is only growing.

By Jaclynn Ashly | October 31, 2019

Illustrative photo of Israeli soldiers arresting a Palestinian man in the West Bank, on December 8, 2015. (Nati Shohat/Flash90)

Earlier this month, Mais Abu Ghosh, a student at Birzeit University in the West Bank, sent a [letter](#) to her family from Damon Prison in northern Israel.

"I love you so much," Abu Ghosh wrote. "I am fine as long as you and those whom I love are fine [...] You are in my mind and my spirit." She asked her family to send greetings to her university friends and to her professors, "with no exceptions." She added: "I am with another family now. All difficulties will pass."

Israeli forces arrested Abu Ghosh in late August. She is one of dozens of Palestinian students who have been detained over the past three months, in a heightened crackdown on students across the occupied West Bank.



According to data collected by Right to Education, a grassroots campaign aimed at defending education in Palestine, Israeli forces have detained at least 64 university students since the start of this year. Eighteen of the detainees are [students](#) at Birzeit — the second-largest university in the occupied West Bank.

Israeli authorities routinely arrest politically active Palestinian students, but rights groups say the numbers have increased with the current crackdown.

Escalation in arrests

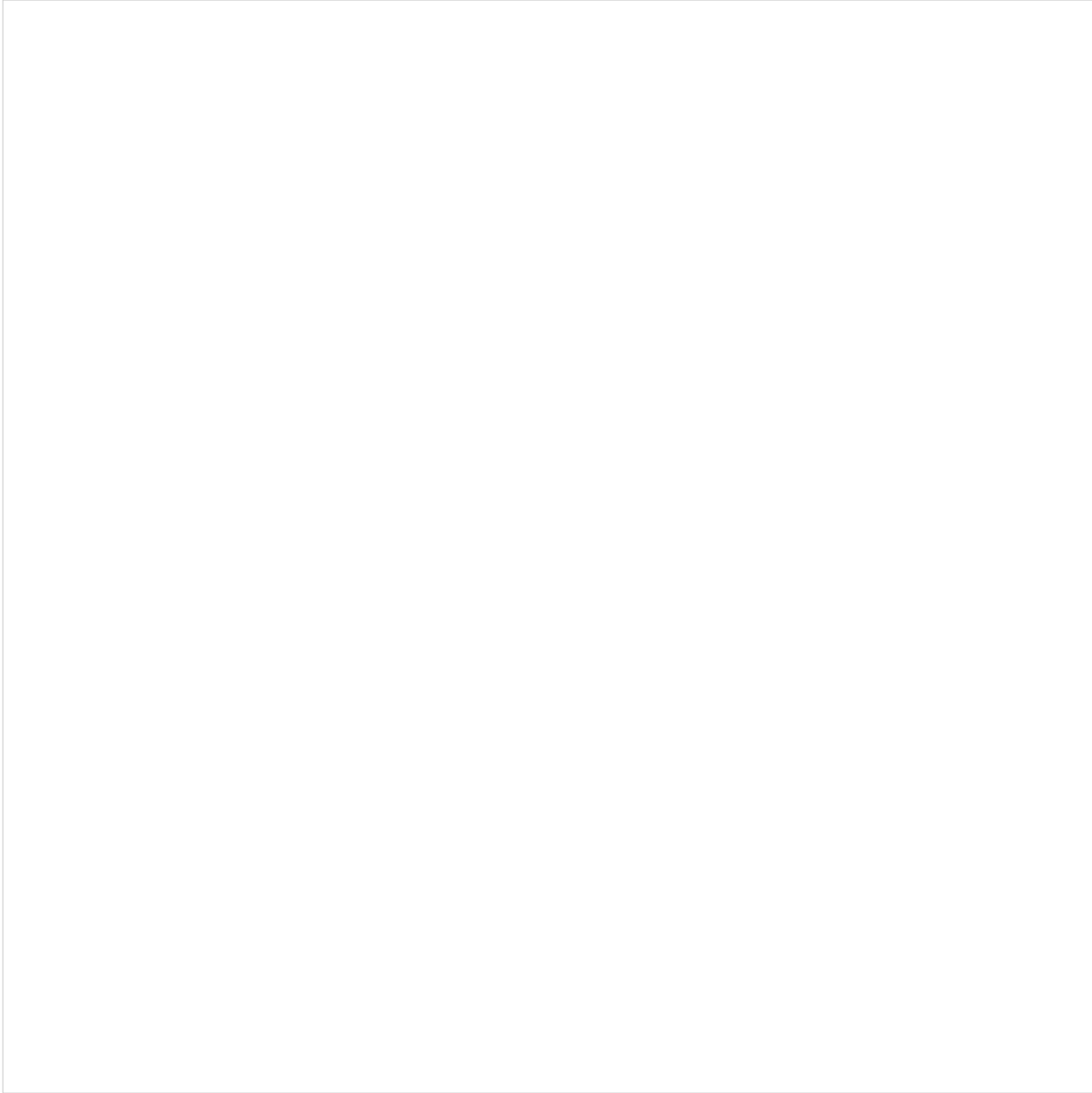
A spokesperson at [Addameer](#), a Palestinian prisoners' rights organization, told +972 that Israel has been targeting an increasing number of Palestinian students since the start of 2019. There are currently 260 Palestinian high school and university students in Israeli prisons.

Of the 18 Birzeit students who were arrested in August, Israel has released only three. All of them were taken from their homes during overnight army raids, with Israeli soldiers using "excessive force" in the course of making the arrests, according to Addameer.

Most of the detained Birzeit students are still under interrogation, which could last up to 75 days or be extended to another 90 days. Three of the students have been placed under [administrative detention](#) – a policy inherited from the British Mandate, by which Israel holds detainees indefinitely, without charge. It is used almost exclusively against Palestinians.

Addameer has expressed "serious concern for the well-being and health" of the student detainees, noting that many have been prohibited from seeing lawyers and have been subjected to "torture and ill-treatment."

According to Right to Education, 80 Birzeit students are currently imprisoned by Israel, including 17 who are under administrative detention.



Palestinian students raise their diploma during their graduation ceremony at the end of the academic year on May 20, 2016 at Birzeit University in the West Bank town of Birzeit, near Ramallah. (Flash90)

Last month, an Israeli military court imposed a gag order on the cases of several Palestinian student detainees who are undergoing interrogations. The gag order is expected to be lifted on Nov. 10.

Addameer said the gag order was a violation of the "basic rights of the prisoner, their family and their lawyer" and an "attempt to cover up grave human rights violations" inflicted on Palestinian prisoners during interrogations.

An Israeli army spokesperson told +972 that the students recently arrested at Birzeit are "suspected of involvement in terror attacks that

occurred over the last few months in which Israeli citizens were murdered.” The spokesperson added that they could not provide further information while the cases were being investigated by the Shin Bet — Israel’s internal security agency.

The army spokesperson is most likely referring to an attack that occurred in August, when a 17 year-old Israeli girl named Rina Shnerb was killed by an improvised explosive near Dolev, a settlement located northeast of Ramallah.

Samer Arbeed, 44, has been accused of heading a Popular Front for the Liberation of Palestine (PFLP) cell that allegedly carried out the attack. He was hospitalized in critical condition last month, with broken ribs and kidney failure [after torture](#) and severe beatings before and during interrogations carried out by the Shin Bet at the Russian Compound in Jerusalem.

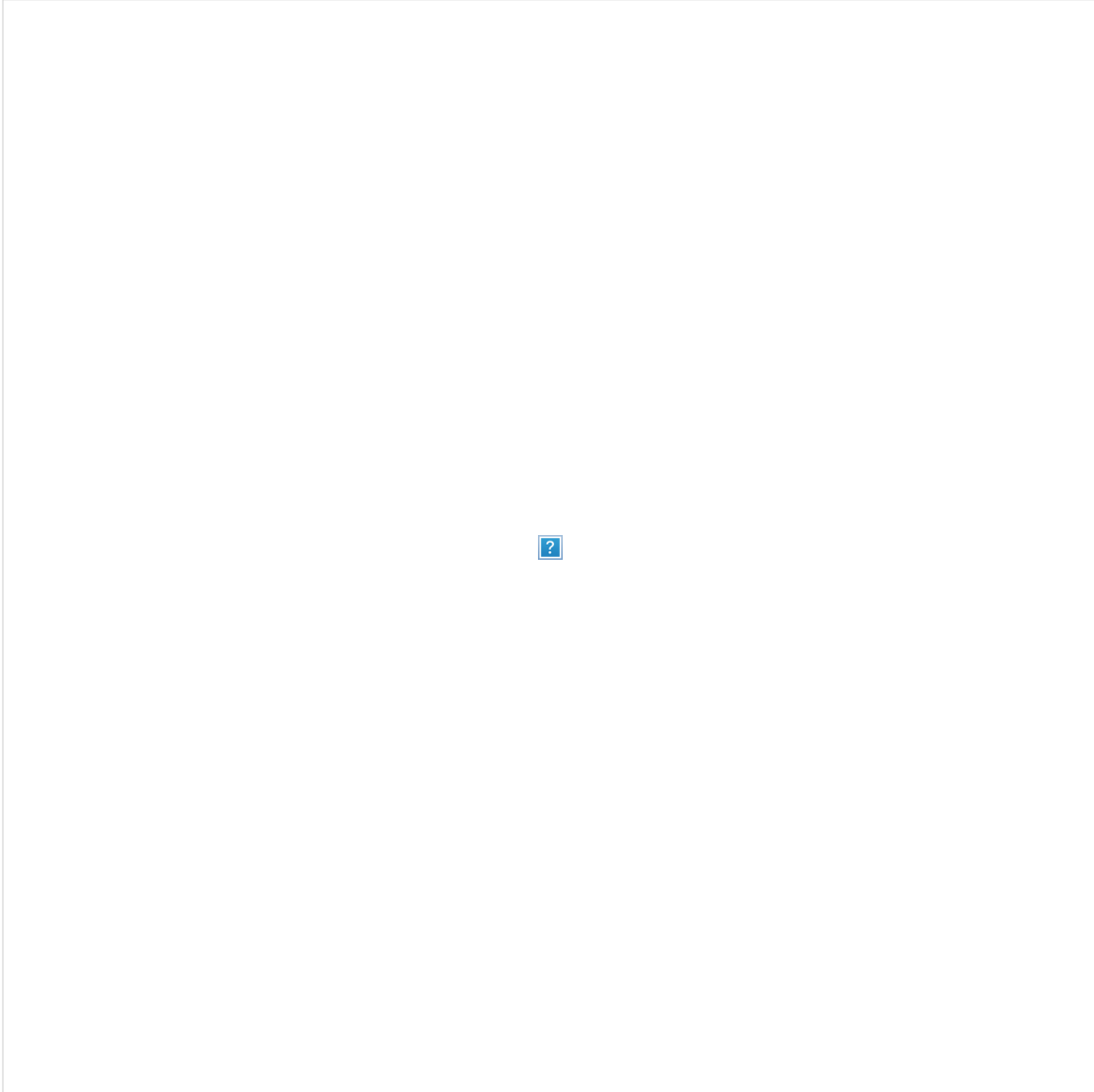
At Hadassah Hospital, Arbeed slipped into a coma and was put on a respirator. Israeli media reported that the Shin Bet had been given legal permission to use “extraordinary measures” during Arbeed’s interrogation.

In a [report](#) released last year, Addameer documented Israeli authorities’ systematic use of torture at the Russian Compound, which Palestinians refer to as al-Mascobiyya. Among the types of torture: placing the detainee in solitary confinement and exposing them to sounds of torture from neighboring cells. The cells, according to the report, do not “meet the minimum standards of adequate human living.”

‘Continuous and systematic attacks’

“Palestinian students have faced continuous and systematic attacks” by the Israeli army – particularly at Birzeit, said Yara Hawari, a fellow at the Palestinian think tank Al-Shabaka. A student who is politically active will, she said, “inevitably” have “some kind of encounter with Israeli occupation forces.”

Birzeit has served as a [center](#) for Palestinian political, cultural and academic life in the West Bank for decades. Its graduates include prominent Palestinian figures such as Marwan Barghouti, now serving a life sentence in an Israeli jail.



Israeli soldiers patrol Birzeit University, on the outskirts of the city of Ramallah in the West Bank during an operation on June 19, 2014. (Issam Rimawi/Flash90)

Since the 1970s, the university has been subject to numerous Israeli army closures, the longest of which lasted for nearly five years, from 1988-82, during the first Palestinian intifada. Students and teachers resisted the closures, holding classes in their homes or outside the closed gates of the university.

"That legacy means that Birzeit has remained a very politically active space," Hawari said. "It's a hub of student organizing."

According to Tahseen Elayyan, who heads the monitoring and documentation department at the Palestinian human rights NGO al-Haq, Birzeit students represent the entire Palestinian political spectrum – both within and outside the Palestine Liberation Organization (PLO).

The Palestinian Authority has not held a general election since 2005, which means that residents of the West Bank and Gaza have been prevented from expressing their political views through the democratic process. Student elections at Birzeit have served as an important barometer for the political zeitgeist.

"Birzeit represents a vibrant political Palestinian space that represents the society," Elayyan said. "This is one of the reasons that make the university the subject of frequent Israeli attacks."

According to Right to Education, Israeli forces have killed 26 Birzeit University students since 1984, while around 1,000 Birzeit students have been arrested since 2004. Almost invariably, the charge is involvement in terror activities.

Israeli forces have also sent in [mista'revim](#) – undercover special forces – onto the Birzeit campus to detain individual students.

In March 2018 Omar Kiswani, the head of Birzeit's student council and a member of the Islamic Bloc on campus, was detained by mista'revim who gained access to the university campus by [posing as journalists](#). The arrest made international news because students recorded videos of the violent incident on their phones, and these were broadcast by various media outlets. Two students and a university employee were wounded by the arresting forces.

Israeli authorities later said Kiswani was arrested over "suspected

involvement in terror activity," most likely owing to the Islamic Bloc's association with Hamas, which Israel considers a terrorist organization.

Yara Hawari of Al-Shabaka explained that Israel targets politically active students regardless of any specific affiliation. Arrest campaigns usually come in waves, she said. An arrest of one student is followed by arrests of all the students in their network and their political circle. The recent wave seems to be targeting students suspected of affiliation with the left-wing PFLP. Arrests campaigns are an effective technique to break Palestinian youth, she added.

Targeting the agents of change

Israel's occupying forces target Palestinian students because they are the voice of change in Palestinian society, said Hawari. At Birzeit, students are active for both political and civil rights, which the occupation tries to criminalize. The purpose of the arrest campaigns, explained Hawari, is to weaken the academic life of Palestinian students. The Shin Bet and the army know that by targeting Palestinian educational institutions they are undermining Palestinian society as a whole, she added.

Palestinian academia suffers greatly from the occupation, said Hawari. Israel has terminated or turned down visas for foreign and Palestinian academics who teach at the universities. None of the international faculty at Birzeit was issued a visa for the 2018-19 academic year; the only exceptions are those who teach or do research under the auspices of programs sponsored by foreign governments.

Israel frequently denies visas to students who wish to study abroad, or attend academic conferences. The intended result of these policies is to isolate Palestinian academia from the outside world.

Nor can Palestinian prisoners complete their education inside Israel's prisons. Students arrested by Israeli forces typically miss a minimum of one academic semester, while others can wait years in detention. Post-

release, trying to pick up where they left off can present immense challenges. Their peers have moved on, or graduated, while they are forced to re-take classes with students who are much younger and who have not had the same life experiences.

The Palestinian Authority uses the same tactic as Israel, arresting politically engaged students to [crack down on dissent](#) — especially in cases where it challenges Fatah domination of the political landscape in Palestine. Since the beginning of this academic year the PA arrested 12 students; all of them have since been released. The Voice of Palestinian Students, a student-run Facebook [group](#), has documented five additional arrests by PA forces in October.

Fatah, said al-Haq's Elayyan, wants "to create an atmosphere in which Fatah always win the elections."

Jaclynn Ashly is a freelance journalist. Her work centers on politics, human rights and culture in Israel and the occupied Palestinian territory.

*The Voice of Palestinian Students | Right to Education | Samer Arbeed | Al-Shabaka |
Birzeit University | Palestinian students | Administrative Detention | Addameer | Shin Bet*

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Recent Israeli Arrests of Palestinian Students and Professor

SEPTEMBER 24, 2019 · COMMITTEE ON ACADEMIC FREEDOM

☰ Interventions ☉ Israel, Palestine ☞ Mais Abu Gush, Samah Jaradat, Widad al-Barghouthy

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Dear Prime Minister, Ministers, and Major,

We write to you on behalf of the Committee on Academic Freedom of the Middle East Studies Association of North America (MESA) to urge a halt to the Israeli army and security forces' practice of carrying out arbitrary arrests of Palestinian students and faculty. These arrests not only affect the individuals themselves, but also significantly obstruct academic life for thousands of students. We condemn in the strongest possible terms the harm the Israeli Army inflicts upon students at all levels of education through these arrests.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, MESA publishes the *International Journal of Middle East Studies* and has over 2,500 members worldwide. MESA is committed to ensuring academic freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

Over the past three weeks, a Birzeit University professor, a student, as well as a recent graduate, have been arrested. All three were interrogated and denied access to legal representation. Dr. Widad al-Barghouthy, a media and journalism professor at Birzeit University, was arrested at her home on 1 September 2019 and

taken to Ofer prison. After repeated legal efforts, she was released conditionally to house arrest on 15 September (after paying bail of over \$11,000). Mais Abu Gush, a Birzeit University media and journalism student, and a member of the university's media club, was arrested on 29 August 2019. She was interrogated and denied the right to meet with or consult an attorney. Her arrest has since been extended without access to legal representation. A recent graduate of Birzeit University, Samah Jaradat, was arrested on 7 September 2019. She, too, was interrogated and denied the right to see an attorney.

According to Palestinian sources, there are currently sixty Birzeit University students and another 240 students from other Palestinian universities who have been arrested and are imprisoned. These recent arrests are a continuation of an undeclared but indisputable Israeli policy of targeting and disrupting Palestinian higher education. Our committee has written to you in the past to protest the repeated arbitrary arrests of Palestinian scholars and students (most recently, see letters dated 11 April 2019; 22 January 2018; 8 August 2019), and we condemn these unconscionable and unwarranted actions in the strongest possible terms.

The detentions described above are grave violations of Palestinians' basic rights to education and academic freedom. The detention of faculty disrupts the educational process in the universities, and student detentions extend the time spent working toward the completion of academic degrees. Furthermore, these arbitrary arrests are clear violations of the right to education enshrined in Article 26 of the 1948 Universal Declaration of Human Rights and Article 13 of the 1966 International Covenant on Economic, Social, and Cultural Rights. As a party to the UDHR and a signatory to the ICESCR, Israel is obligated to uphold these conventions. Hence, it must ensure the rights of the Palestinian people to education. We call upon you to immediately cease these arbitrary arrests unconditionally, to release Dr. Widad al-Barghouthy, Mais Abu-Ghosh and Samah Jaradat from detention, and to protect Palestinian students' right to education.

We look forward to your response.

Sincerely,

Judith E. Tucker
MESA President
Professor, Georgetown University

Laurie Brand
Chair, Committee on Academic Freedom
Professor, University of Southern California

Arbitrary arrests of Birzeit University students

APRIL 11, 2019 · COMMITTEE ON ACADEMIC FREEDOM

☰ Interventions 🌐 Israel

📍 Birzeit University, Hamza Abu Qare', Odai Nakhleh, Omar al-Kiswani, Tawfiq Abu Arqoub, Yehya Rabie

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Dear Prime Minister, Ministers, and Major General,

We once again write to you on behalf of the Committee on Academic Freedom of the Middle East Studies Association of North America (MESA) to urge a halt to the Israeli army and security forces' incursions into and arbitrary arrests at Palestinian universities, assaulting of students, faculty and staff, and obstructing the education of thousands of students. We also condemn in the strongest possible terms the harm inflicted by the Israeli Army on students at all levels of education through these incursions and arrests.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, MESA publishes the *International Journal of Middle East Studies* and has over 2,500 members worldwide. MESA is committed to ensuring academic freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

On 26 March 2019, undercover Israeli operatives stormed the campus of Birzeit University, raided the offices of the Student Council, and arrested three students: Hamza Abu Qare', Tawfiq Abu Arqoub and Odai Nakhleh. This is not the first time the Israeli Army and its operatives have conducted such arbitrary arrests. This past fall semester, on 19 November 2018, the Israeli Army arrested Yehya Rabie, the President of Birzeit University's Student Council and a third-year student of business and economics. The Israeli Army raided Rabie's home in a dawn arrest. In March 2018, five Israeli soldiers disguised as journalists

entered the same university and arrested the previous President of Birzeit University's Student Council, Omar al-Kiswani. Both men remain in detention without trial. We are very concerned that the three students detained on 16 March will face similar fates.

We noted similar attacks on higher education and education more broadly in the occupied Palestinian territories in letters sent to you on 22 January 2019 and 13 March 2018. For example, on 18 December 2018, Israeli forces entered Al-Quds University's Abu Dis campus, raided several faculties and offices, searched offices of student activists, damaged personal belongings, and seized surveillance footage. On 14 July 2018, Israeli forces raided the Hind Al-Husseini College in Jerusalem and banned a planned conference there. The college remains closed. Israeli forces have also used excessive force on campuses, including firing rubber-coated bullets and tear gas canisters at students at the Palestine Technical University in Hebron on 4 March 2018.

We reiterate: the attacks, assaults, and detentions described above are grave violations of basic rights to education and academic freedom. In our view, they are a part of a larger assault on the Palestinian right to education in the West Bank, which has been especially brutal during the past year. Detentions of students increase the time spent toward the attainment of academic degrees, while arrests of faculty members disrupt instruction. The new measures, in which students, including student leaders, faculty members, and administrators are detained, turn campuses from safe spaces into zones where the students' and staff members' politics put them in grave danger both on and off the campus.

These arbitrary arrests and detention of students are also a clear violation of the right to education enshrined in Article 26 of the 1948 Universal Declaration of Human Rights and Article 13 of the 1966 International Covenant on Economic, Social, and Cultural Rights. Israel is a party to the UDHR and a signatory to the ICESCR and is therefore obligated to uphold them. We call upon you to cease these attacks on Palestinian universities and ensure the rights of Palestinian students to education unobstructed.


We look forward to your response.

Sincerely,

Judith E. Tucker
MESA President
Professor, Georgetown University

Laurie Brand
Chair, Committee on Academic Freedom
Professor, University of Southern California

Documents & Links

 Israel20190411
PDF 508 KB

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Safe haven of freedom: a university under occupation in Palestine

Birzeit University in the West Bank has had to become versatile and agile in the face of adversity, according to its vice-president

January 27, 2019

By [Anna McKie \(/author/anna-mckie\)](#)

Twitter: [@annamckie \(https://twitter.com/annamckie\)](#)



The difficulties that universities face globally are well documented – financial pressures, marketisation and growing hostility towards experts, to name a few – but in the case of Birzeit University (<https://www.timeshighereducation.com/world-university-rankings/birzeit-university>), located in the West Bank, hostility is inescapable and the simplest aspects of university life can prove the most difficult.

Having started life as a girls' school in 1924, the Palestinian institution became a university in 1972, after the Israeli occupation of the West Bank and the Gaza Strip in 1967.

Mirvat Bulbul, Birzeit's vice-president for administrative and financial affairs, told *Times Higher Education* that under occupation there were "many oppressive measures" but the ones that presented the "most challenges" related to academic and student mobility.



Source: Getty

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Israeli restrictions on overseas academics are holding Palestinian universities back (/opinion/israeli-restrictions-overseas-academics-are-holding-palestinian-universities-back)

Israel continuously denied work permits to overseas academics who wished to work in Palestinian universities, Dr Bulbul explained. "We are denied the diversity that this brings," she said. "You cannot come to Palestine on anything other than a tourist visa – and even then, that does not guarantee you entry."

Meanwhile, the blockade of Gaza and other restrictions on mobility have meant that the pool of Palestinian students from which Birzeit can recruit has shrunk considerably. "There are road closures, check points...we have no continuity within the area. As a result, most [Palestinian] universities have become extremely local," Dr Bulbul said.

Unlike some other conflict-ridden parts of the Middle East where technology has played an important role in supporting higher education and developing international links, global technological advances have been little help in Palestine, Dr Bulbul continued. For example, broadband and 3G communications were not allowed into the Palestinian territories until last year.

"Telecommunication companies invested in infrastructure that they were not allowed to use for 10 years. These are very basic conveniences that Palestinians are denied," she said.

These constraints, combined with a paucity of financial resources, leave the university heavily reliant on tuition fees.

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"We see Israel's occupation as a colonial hegemony of every aspect of Palestinian life. It's not just a territorial conflict; it's more than that. We are talking about resources, culture and identity," Dr Bulbul said.

However, these challenges mean that higher education is even more valued and valuable in the West Bank, Dr Bulbul argued. "The university is a safe haven. It is a place where students and faculty and staff practise a lot of democratic values, in contrast to our surroundings," she said. "By keeping that momentum, it allows a lot of creativity, freedom of expression, student and faculty collaboration. It's a really bright spot."

“We believe we are leading on resistance and liberation – and we are paying the price for that – but they are essential.” ✕

To continue operating despite the repressive measures, the university has become more versatile, according to Dr Bulbul. There have to be adjustments to the academic calendar, “and people accept that, it has become the normal practice”, she explained. For example, because Israel denies both staff and students long-stay visas to come to the university, they must visit on three-month tourist visas. “We often have to adapt teaching and student learning to three-month blocks,” she said.

Dr Bulbul was also adamant that the challenges faced by Birzeit and other Palestinian institutions should not be used as an excuse for poor standards among staff or students.

“Students and faculty, even administrative staff, apply rigorous standards to make sure we are doing the job we ought to do, in spite of the adversity all around us,” she said.

Dr Bulbul pointed to the high level of citations gained by research from the university. “This is related to the relevance of the themes we work on,” she said. The university’s institutes focus on policy-oriented research on the economic, social and human development of Palestine. Its research into conflict zone issues – such as water, environment, public health, law, democracy and human rights – also has global relevance.

Birzeit has recently launched its first PhD programme, in social sciences, in an attempt to boost the voice of Palestinian researchers in these fields.

“We do a lot in social sciences that go undetected because it’s in Arabic language, and Arabic journals do not get the same exposure. But we believe that we have a great contribution to make in this area,” Dr Bulbul said.

She concluded: “It’s a struggle and challenges change, but we have been doing this for 40 years. We are agile, we adapt. Our predicament attests to the advantages that higher education can bring. I think people take it for granted that these things are there, but for us, every little thing we have is a blessing.”

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POSTSCRIPT:

Israeli Arrests of Palestinian Students and Professors, Israeli Assaults on Palestinian Campuses

JANUARY 22, 2019 · COMMITTEE ON ACADEMIC FREEDOM

≡ Interventions ⓘ Israel, Palestine

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Dear Prime Minister, Ministers, and Major,

We write to you on behalf of the Committee on Academic Freedom of the Middle East Studies Association of North America (MESA) to urge a halt to the Israeli army and security forces conducting arbitrary arrests at and incursions into Palestinian universities, assaulting students, faculty, and staff, and obstructing the education of thousands of students. We also condemn in the strongest possible terms the Israeli Army's harm to students at all levels of education through these arrests and incursions.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, MESA publishes the *International Journal of Middle East Studies* and has nearly 2,500 members worldwide. MESA is committed to ensuring academic freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

On 19 November 2018, the Israeli Army arrested Yehya Rabie, the President of Birzeit University's Student Council and a third-year student of business and economics. The Israeli Army raided Rabie's home in a dawn arrest. In March 2018, five Israeli soldiers disguised as journalists entered the same university and arrested the previous President of Birzeit University's Student Council, Omar al-Kiswani (about whom we wrote to you (see letter dated 13 March 2018) . While the Israeli army accused Rabie and al-Kiswani of "suspected involvement in terror activity," both men remain in detention without trial. These arbitrary arrests and detentions without trial are not the exception but the rule.

Birzeit University's Right to Education Campaign estimates that from 2012 to 2018, twenty students from Birzeit University's Student Council have been detained by Israeli forces. Students are not the only targets of arrests. Mahmoud Hammad, the Dean of Students at Bethlehem University, was arrested in April 2018 and Ghassan Thouqan, a lecturer at Najah National University in Nablus, was arrested in July 2018.

These arrests follow a pattern of Israeli forces' aggression on Palestinian campuses. On 13 December 2018, for example, the Israeli Army entered Al-Quds University's Abu Dis campus, raided several faculties and offices, searched student bloc offices, damaged personal belongings, and seized surveillance footage. On 15 July 2018, Israeli forces raided the Hind Al-Husseini College in Jerusalem and banned a planned conference there. The college remains closed. Israeli forces have also used excessive force on campuses, including firing rubber-coated bullets and tear gas canisters at students at the Palestine Technical University in Hebron on 4 March 2018.

The attacks, assaults, and detentions described above are grave violations of basic rights to education and academic freedom. In our view, they are a part of a larger assault on the Palestinian right to education in the West Bank, which has been especially virulent during the past year. As we noted in our letter to you dated 6 August 2018, a number of foreign faculty members at Palestinian universities have been denied re-entry visas while others have faced lengthy processing periods that forced them to overstay valid visas or leave the country. Now, Palestinian faculty and students, who hold US or other passports, face detentions that affect their academic careers. Detentions of students increase the time spent toward the attainment of academic degrees, while arrests of faculty members disrupt instruction at their universities. The new measures, in which students, including student leaders, faculty members, and administrators are detained, turn campuses from safe spaces into zones where the students' and staff members' politics put them in grave danger both on and off the campus.

The arbitrary arrests and detention of students is a clear violation of the right to education enshrined in Article 26 of the 1948 Universal Declaration of Human Rights and Article 13 of the 1966 International Covenant on Economic, Social, and Cultural Rights. Israel is a signatory to these conventions and is therefore obligated to enforce their stipulations. We call on the Israeli government to cease these attacks on Palestinian universities and ensure the rights of Palestinian students to unfettered education.


We look forward to your response.

Sincerely,

Judith E. Tucker
MESA President
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Documents & Links

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Education Under Attack 2018 - Israel/Palestine

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In the West Bank, military operations by Israeli security forces and attacks by Israeli settlers harmed Palestinian students, education personnel, schools, and universities. In Gaza, air strikes and mortar shells damaged or destroyed hundreds of Palestinian schools and universities, most of them in 2014. Several Israeli schools and buses transporting Israeli students were also damaged. Multiple parties used dozens of schools and universities as bases, for weapons storage, or for military training in the West Bank and Gaza.

Context

Conflict in Israel/Palestine varied by region from 2013 to 2017. Tension in the West Bank was largely related to Israeli settlements and administrative policies. Israeli authorities exercised exclusive jurisdiction over civil and security issues in Area C, which encompassed approximately 60 percent of the West Bank, and full jurisdiction over East Jerusalem. Israeli authorities rarely issued building permits for Palestinians in Area C and frequently demolished Palestinian property there, including schools.^[1131] Furthermore, according to the human rights group Yesh Din, there was limited accountability for ideologically motivated crimes against Palestinians, such as physical violence, damage to property, or takeover of land. In 2016, Yesh Din found that 85 percent of the investigations into this type of crime were closed because of failed police investigations.^[1132] Violence and tensions also arose in areas close to Israeli settlements in the West Bank and East Jerusalem, and to checkpoints established and run by Israeli security forces (ISF).^[1133]

Violence intensified in the West Bank in June 2014, after two Israeli children and one Israeli youth were abducted and killed.^[1134] In response, Israeli extremists abducted and burned a Palestinian child to death.^[1135] ISF initiated Operation Brother's Keeper during the search for the three abducted Israelis, conducting searches across the West Bank, including at schools and universities. At least four Palestinians were killed and more than 470 arrested between June 12 and June 24, 2014.^[1136] Israel convicted a Palestinian man with ties to Hamas for the three deaths, but there was no evidence that Hamas leadership was involved. Tensions continued to spike in the West Bank and East Jerusalem throughout the remainder of the reporting period.^[1137]

Israel's closure of Gaza's border crossings and limits on sea and air access, which was supported by Egypt, restricted the movement of goods and people in and out of Gaza and shaped conflict in the Gaza Strip, which was de facto controlled by Hamas.^[1138] During the reporting period, there were periods of intense fighting between ISF and Palestinian armed groups, including rockets launched by Palestinian groups into Israel and Israeli air strikes and ground incursions into Gaza.^[1139] The most intense damage to schools in Gaza occurred during fighting between ISF and de facto Hamas authorities in July and August 2014, during an Israeli military operation called "Operation Protective Edge" that damaged many schools and destroyed others.^[1140]

Intensification of fighting on the Israel-Gaza border also affected education in southern Israel, with children staying home from school during periods of increased rocket attacks.^[1141]

The UN reported that tactics of the occupation in the West Bank, including checkpoints, road closures, raids, and the blockade in Gaza, hindered girls' and women's access to education.^[1142]

Attacks on education reflected this overall intensification of violence, all forms of which occurred more frequently in the current reporting period than in the period documented in *Education under Attack 2014*. There were at least 1,147 incidents related to pre-tertiary education in the West Bank, Gaza Strip, and Israel between 2013 and 2017, which affected tens of thousands of students.^[1143]

Palestine endorsed the Safe Schools Declaration in May 2015.

Attacks on schools

Attacks on schools took several forms in the West Bank, East Jerusalem, Gaza, and southern Israel. In all areas, safe access to education was restricted. In the West Bank and East Jerusalem, there were reports of Israeli settlers attacking schools. In Gaza, Israeli air strikes and ground force operations destroyed or damaged hundreds of Palestinian schools; Palestinian armed groups launched rockets and fired mortar shells that damaged schools in Israel but also in Gaza. The more frequent presence of Israeli forces near schools also affected educational opportunities in the West Bank and East Jerusalem, where Israeli forces entered and searched and fired teargas canisters into Palestinian schools and schoolyards. Finally, demolitions and stop-work orders at schools lacking building permits contributed to a lack of adequate educational facilities and a severe shortage of schools. According to Save the Children, at the end of 2017, there were pending demolition orders on 46 schools in the West Bank, affecting children's access to education.^[1144]

The overall level of reported attacks was higher than in the period covered in *Education under Attack 2014*, largely due a sustained Israeli military operation, called "Protective Edge," in Gaza during July and August 2014, and generally heightened tensions between the Israeli and Palestinian populations throughout the reporting period.

In the West Bank during 2013, attacks by Israeli settlers inhibited safe access to schools for Palestinian children in the West Bank, as did the presence of Israeli forces in school areas. Israeli settlers vandalized schools, and Israeli forces fired on or near schools using teargas and sound bombs, which explode with a bright flash and loud noise intended to disorient the people targeted. In 2013, according to the UN, there were 41 cases of ISF conducting operations inside or near schools, forcing entry into schools, firing teargas and sound bombs into schools, or causing structural damage to schools on the West Bank.^[1145] In 15 cases, teargas and sound bombs affected UNRWA schools, sometimes during class.^[1146] Cases of vandalism or abuse by armed forces at schools included:

- UNICEF reported that Israeli settlers attacked schools in the West Bank in five instances during 2013.^[1147] Israeli settlers from Yitzhar settlement near 'Urif village in Nablus and settlers living near Jalud village, also in Nablus, were responsible for surrounding and breaking into or hurling stones at schools in at least three cases during the first half of the year, as documented by the UN sources.^[1148]
- On September 24, 2013, Israeli forces fired teargas canisters into a group of Palestinian protesters who were allegedly throwing stones near the Zeita Secondary School in Tulkarem. The school evacuated its 350 students.^[1149]

Two schools were affected in an attack in Gaza in 2013. On December 25, 2013, rockets fired by Israeli forces into the Gaza Strip damaged the windows of Deir Al Balah Vocational School and Abdallah Ben Rawaha Mixed School.^[1150]

There was at least one attack that damaged a school in Israel reported in 2013. On January 26, 2013, unknown assailants reportedly targeted a kindergarten in Tuba-Zangariya, a Bedouin village in northern Israel, with an explosive device. The attack did not cause any casualties or damage, according to media sources.^[1151]

The number of attacks on both Palestinian and Israeli schools peaked in 2014, rising significantly over the previous year. In the West Bank, an Israeli military operation, called "Brother's Keeper," contributed to an increased presence of armed forces around schools. ISF were responsible for 117 attacks on West Bank schools in 2014, including responding to clashes with Palestinians by entering schools or firing teargas and sound bombs into schools and schoolyards, according to UNICEF. These attacks injured students and teachers.^[1152] UNICEF also reported that Israeli settlers and extremists attacked West Bank schools in 12 cases during 2014.^[1153] Cases of attacks on schools by Israeli settlers or of military presence affecting schools included:

- In early March 2014, ISF fired teargas and sound bombs into and near Ya'bad Secondary School in Jenin and al-Sawiya Secondary School in Nablus, after students allegedly threw stones or Molotov cocktails at the soldiers. At the latter school, Israeli forces assaulted teachers and arrested one student.^[1154]
- According to the UN, Israeli settlers allegedly living in the Yizhar settlement in the West Bank attacked 'Urif Secondary School for Boys near Nablus four times in 2014.^[1155] In one of these cases, on April 18, 2014, ISF shielded the settlers as they attacked the school with stones, bullets, and a gas canister, injuring 12 students.^[1156]
- On September 24, 2014, ISF fired rubber bullets toward Dar al-Aytam School in Jerusalem's Old City, allegedly after Palestinian students had thrown stones. The rubber bullets injured three children.^[1157]

One Israeli school in East Jerusalem was also attacked in 2014. Members of the right-wing group Lahava, whose main goal was to prevent interfaith marriages, vandalized the integrated Arab-Israeli school in Jerusalem in November, writing hate slogans such as "Death to Arabs" on the walls and burning books. The incident prompted Israel's President Rivlin to hold a solidarity meeting with children from the school a few days later.^[1158]

Attacks on schools peaked in Gaza in 2014 during Israeli Operation Protective Edge. According to the UN, at least 262 schools and 274 kindergartens in Gaza were damaged or destroyed during the operation between July 8 and August 26, 2014.^[1159] The UN reported that, during the operation, Israeli artillery, mortar shells, and missiles damaged seven UN-run schools, six of which were being used by the UNRWA as temporary shelters. These attacks killed or injured hundreds of civilians, including children.^[1160] Israeli forces reportedly carried out these strikes despite repeated notifications of the schools' locations and use as shelters by the UN.^[1161] Human Rights Watch determined that the attacks in Beit Hanoun and Jabalya did not appear to target military objectives "or were otherwise unlawfully indiscriminate." Human Rights Watch considered the third attack in Rafah to be unlawfully disproportionate if not indiscriminate.^[1162]

As Operation Protective Edge continued, rockets launched from inside Gaza struck two Israeli schools and two Israeli kindergartens, injuring one civilian in one of the kindergartens.^[1163] According to UNICEF and local media sources, the affected schools included the following:

- A special education school in Rishon LeZion in southern Israel on July 15, 2014.^[1164]
- A kindergarten in Sha'ar Hanegev Regional Council, Sderot city, on July 21, 2014.^[1165]
- A school in Ashdod in southern Israel on July 21, 2014.^[1166]
- A kindergarten in Eshkol region on August 21, 2014, where one adult was injured.^[1167]

Attacks on schools declined for much of 2015, before becoming more common again toward the end of the year.^[1168] Military operations around schools in the West Bank were responsible for the majority of attacks on schools in 2015. The UN reported 96 incidents in which schools came under fire during military-led operations.^[1169] At least 4,752 students were harmed by attacks on schools and military activity around schools, primarily due to teargas inhalation.^[1170] In addition, Israeli settlers were also responsible for attacks on four schools, all during the first quarter of 2015, according to UNICEF – two in Hebron, one in Nablus, and one in Bethlehem.^[1171] There was one demolition order issued against a school in the West Bank in 2015.^[1172] Examples of attacks related to military operations, settler violence, or demolitions included:

- During the first quarter of 2015, settlers threw rocks at students at the al-Ibrahimiyye School in Hebron's Old City and later vandalized the school gate.^[1173]
- Also during the first quarter of 2015, another group of Israeli settlers vandalized 'Urif Secondary Boys School, writing "Death to Arabs" on its walls.^[1174]
- During search operations, Israeli force munitions broke the windows of the UNRWA Jalazone Camp Basic Girls' School during the first quarter of 2015.^[1175]
- The Shab Albotom School in Massafer Yatta received a demolition order during the third quarter of 2015.^[1176]

In 2015, armed clashes also affected two schools in Gaza, which had to be evacuated on October 18, 2015, according to OCHA.^[1177]

In 2016, attacks on schools continued to occur in the West Bank but were reported slightly less frequently. The UN documented 74 attacks on schools or protected education personnel in the West Bank in 2016 but did not disaggregate these numbers.^[1178] Information from UNICEF indicated that there were approximately 83 incidents in 2016.^[1179] As during previous years, most attacks occurred in the context of Israeli military operations near Palestinian schools, resulting in the firing of teargas or sound bombs and ISF searches on school premises. However, there was also at least one case in which Israeli settlers attacked a school and nine cases of either demolition orders issued against schools or actual demolitions of school structures.^[1180] According to the Palestinian Ministry of Education, there were 162 attacks on schools in the West Bank in 2016, including searches by ISF in which they used live fire and rubber bullets, as well as gas and sound bombs.^[1181] It was not clear whether these different tallies overlapped or whether the different sources used the same criteria to define attacks on schools. Examples of attacks on schools, including military presence, vandalism, and demolitions, included:

- In March 2016, ISF demolished an elementary school in the Khirbet Tana herding community. The school had been constructed in 2011 after the original school was demolished by ISF. The second demolition affected nine children, according to OCHA.^[1182]
- On June 5, 2016, Israeli forces demolished a donor-funded kindergarten in the Sateh al-Bahar Bedouin community in the West Bank. The kindergarten had been constructed in early May, according to OCHA.^[1183]
- On August 31, 2016, UNICEF reported that a group of Israeli settlers damaged a school in Nablus at night, when they attacked it by throwing stones, mud, and glass bottles.^[1184]
- In October 2016, ISF entered Dar al-Aytam School, where they arrested 14 students and the school director, according to OCHA.^[1185]

In one case, a rocket fired from Gaza damaged an educational institution in Israel. On July 1, 2016, a rocket fired from Gaza landed on a preschool in Sderot, Southern district. No one was injured in the blast.^[1186]

During 2017, there were 95 reported cases of attacks on schools in the West Bank, which affected 12,380 children.^[1187] These incidents included cases of military activity inside and around schools, including 66 cases in which the Israeli military fired tear gas canisters, sound grenades and live ammunition at or nearby schools, or at students commuting to or from school, as well as 24 cases in which the Israeli military entered and searched schools.^[1188] In addition, there were several demolitions and demolition orders issued against schools.^[1189] Examples of these different types of attacks included:

- OCHA reported that nine school-related structures in three Area C communities were confiscated by Israeli forces at the start of the school year in August 2017.^[1190]
- According to Save the Children, tear gas fired by Israeli forces at the Al-Sharika School in Qalqilya city resulted in multiple students and staff suffering from suffocation.^[1191]
- OCHA reported that on November 9, 2017, Israeli forces fired teargas canisters into a school yard in Hebron city, injuring five children. According to Israeli sources, this incident took place after unidentified individuals threw stones at Israeli settler vehicles from the school compound.^[1192]

In addition, at least four schools in Gaza and one kindergarten in Israel were damaged in fighting between Israeli armed forces and Palestinian fighters in 2017. For example:

- An air strike by Israeli forces on August 9, 2017, damaged two schools located northwest of Gaza City, according to OCHA.^[1193]
- OCHA reported that, during fighting in early December 2017, Israeli air strikes hit two schools, causing minor damage, and a Palestinian projectile damaged Ghazi al-Shawa public school in Beit Hanoun, Gaza, when it fell short of Israel.^[1194]
- OCHA also reported that a rocket launched from Gaza into Israel damaged a kindergarten in Sderot, Israel, on December 10, 2017.^[1195]

Attacks on school students, teachers, and other education personnel

There were more than 100 reported attacks on students, teachers, and other education personnel in the West Bank during the reporting period. Reports indicated that ISF detained and harassed students and teachers on their way to school, at checkpoints, and on school premises, and that Israeli settlers threatened and harassed students and teachers. Clashes that injured students were concentrated in areas of Jerusalem, Nablus, Jenin, and Hebron, and cases of settler intimidation were particularly common in areas of Hebron, such as al-Tuwani. There were also two attacks on Israeli school buses.

In 2013, the UN reported 32 attacks on students and teachers, most of whom were detained, arrested, or harmed in clashes with Israeli forces on their way to or from school. The UN also reported 15 cases of settler violence that targeted school children and teachers with physical assaults and other means.^[1196] For example:

- On April 25, 2013, 8 students between the ages of 6 and 16 were injured when they inhaled teargas as they left school in the midst of clashes between Palestinians and Israeli forces during a search-and-arrest operation in Abu Dis, Jerusalem, according to OCHA.^[1197]
- UNICEF reported that Israeli settlers were responsible for injuring 30 students and 6 teachers on April 30, 2013, when they attacked a Palestinian school bus near Nablus city.^[1198]

- On December 9, 2013, 15-year-old Palestinian Wajih al-Ramahi was shot and killed by Israeli forces as he left the UNRWA school in Jalazone refugee camp. Human Rights Watch reported that a group of boys and men had gathered, and some were throwing stones at the soldiers. It was not clear whether al-Ramahi threw stones and, according to Human Rights Watch, there was no clear justification for the soldiers' use of live ammunition.^[1199]

According to media sources, in 2013, unknown individuals were responsible for two attacks on Israeli school children riding or waiting for school buses, including one in the West Bank and one near the Gaza border:

- Unknown individuals reportedly threw a Molotov cocktail at a bus full of Israeli students on November 19, 2013, in the West Bank.^[1200]
- A rocket fired by unknown attackers landed near a school bus stop near Ashkelon city in the Southern district of Israel on December 23, 2013. No one was harmed.^[1201]

A similar number of attacks on students and educators occurred in 2014, despite the escalation of violence. As in previous years, these attacks were concentrated in the West Bank. UNICEF reported 36 attacks on Palestinian students and teachers by Israeli forces and 10 attacks by Israeli settlers in 2014.^[1202] The majority of these incidents included the arrest and detention of individuals on their way to or from school. These types of attacks described by the UN or media sources included the following:

- On January 4, 2014, an Israeli settler physically attacked and injured a 12-year-old Palestinian girl on her back and stomach while she was on her way to school in Silwan, Jerusalem, according to OCHA.^[1203]
- A similar attack occurred on April 12, 2014, when settlers assaulted and injured two girls, one age 12 and one 13, while they were on their way to school in al-Tuwani village, Hebron.^[1204]
- Israeli police detained an 11-year-old boy outside his school on November 24, 2014, a second 11-year-old boy as he was leaving school on December 21, 2014, and a 12-year-old boy as he waited for the bus to go home from school on December 8, 2014. In each case the police alleged that the students had thrown stones at them. They detained, interrogated, and mistreated the boys, denying them access to family members, humiliating them, shouting abusive language, and denying them food, before finally releasing them.^[1205]

According to the UN, violence by Israeli settlers and Israeli forces that targeted Palestinian students and school staff was slightly more common in 2015 and continued in forms similar to previous years. The UN documented 46 attacks and threats of violence against students and teachers, which included the following:¹²⁰⁶

- OCHA reported that in mid-April 2015, during clashes with Palestinians, Israeli forces shot and injured a 13-year-old girl with rubber bullets as she was on her way home from school in East Jerusalem.^[1207]
- UNICEF reported that, during the second quarter of 2015, a 10-year-old boy from al-Razi School in Shu'fat in East Jerusalem was on his way home from school when Israeli forces shot him with a rubber bullet, causing him to lose his left eye.^[1208]
- Israeli forces chased school boys from Taqu Secondary School in Bethlehem and fired teargas canisters at them, according to UNICEF.^[1209]
- UNICEF reported that on at least three occasions, on September 7, 9, and 17, 2015, Israeli forces threatened school personnel and students in Nablus in order to elicit information from them on stone throwers.^[1210]

- In October 2015, Israeli settlers reportedly harassed and intimidated protective-presence volunteers who were stationed in locations around Hebron, including near schools, to monitor violations against the civilian population. On October 22, 2015, in Hebron's Old City, an unidentified person hung posters with photos of the education volunteers, which requested that settlers and Israeli forces act against them and stated that "the persons in these photos are here to harm Israelis for anti-Semitic reasons. DEAL WITH THEM."^[1211]

Attacks on students and education personnel followed similar patterns in 2016. UNICEF reported 118 incidents in 2016 that met GCPEA's definition of attacks on students and education personnel.^[1212] The Palestinian Ministry of Education reported that Israeli forces killed 26 students and one teacher, injured 1,810 students and 101 teachers, and arrested 198 students and education personnel.^[1213] Examples included the following:

- According to OCHA, clashes between Palestinians and ISF injured 10 Palestinian students in Hebron in late January 2016; 19 female Palestinian students in Hebron and Jaba' village in Jenin in mid-April 2016; and 40 Palestinian students at al-Khalil School in Hebron, all due to teargas inhalation.^[1214]
- On March 16, 2016, a group of settlers assaulted six students who were returning from school in Yatta, West Bank, according to UNICEF.^[1215]
- UNICEF reported that on August 29, 2016, Israeli forces assaulted and temporarily detained four students from 'Urif Secondary School for Boys as they were on their way home from school.^[1216]
- In late October, Israeli settlers injured a boy who was on his way to school in the occupied area of Hebron city.^[1217]

Also in the West Bank, media reports indicated that unidentified individuals attacked two school buses carrying Israeli school children in 2016:

- On May 21, 2016, an unidentified person fired shots at a school bus full of Israeli teenagers near Gush Etzion, a settlement south of Jerusalem. ¹²¹⁸
- On June 5, 2016, an unidentified assailant threw iron projectiles at a bus full of Israeli school children near the Palestinian town of Huwara.^[1219]

In 2017, Save the Children reported eight attacks on Palestinian students and education personnel, 39 incidents in which Israeli forces arrested or detained students or education personnel at school, and 114 cases in which students or teachers were delayed at checkpoints on the way to schools or because of military presence in or around schools.^[1220] Examples of the different types of violations included the following:

- In one incident on an unknown date in 2017, Israeli soldiers reportedly assaulted and detained a student for an hour at Abu Al-Reesh checkpoint in Hebron.^[1221]
- In mid-February 2017, two clashes near schools in Qalqiliya city and Bizzariya village in Nablus injured five students, according to OCHA.^[1222]
- OCHA also reported that Israeli settlers assaulted and injured a 14-year-old Palestinian girl on her way to school in Hebron in mid-April 2017, and the headmaster of Qurtuba School in Hebron in mid-May 2017.^[1223]

Military use of schools and universities

Israeli forces and unidentified armed groups used dozens of schools as bases, to store weaponry, and for a variety of other purposes, including in several cases as strategic points from which to protect Israeli settlers.^[1224] This

represented a higher number of incidents than were reported between 2009 and mid-2013, when six cases of military use were documented. Most cases of military use of schools were reported in the West Bank during 2014.

During 2013, UNICEF reported 12 cases of military use. Among these, Israeli security personnel forcibly entered the Haj Ma'zoz Al Masri School in Nablus, in the northern West Bank, six times, reportedly to protect Israeli settlers as they visited a nearby religious site. They damaged the building each time, breaking the locks and doors.^[1225]

According to the UN and a report by Scholars at Risk, there were 22 cases of military use of schools and universities in the West Bank during 2014, and Israeli forces entered five UNRWA schools without permission.^[1226] UNICEF reported that, in the West Bank, Israeli forces declared schools to be closed military zones and used them as detention and interrogation centers, and in 15 cases as locations from which to protect Israeli settlers as they visited religious sites.^[1227] In three cases, Palestinian groups used UNRWA schools in Gaza to store rockets, and Israeli forces used one government school in Gaza for military purposes, according to UNICEF.^[1228] Cases of military use included the following:

- During the first quarter of the year, Israeli forces used al-Tabaqa Basic Mixed School in Hebron as an overnight detention center.^[1229]
- Human Rights Watch found that military forces had used three schools for military operations in mid-June 2014, after a Palestinian kidnapped and killed three Israeli teenagers. The soldiers slept in the schools and left behind live bullets and unsanitary facilities.^[1230]
- According to Scholars at Risk, Israeli troops converted academic buildings on the campus of Birzeit University in Ramallah into barracks on June 19-22, 2014, as they searched the university and confiscated student property.^[1231]
- The UN Security Council reported that in Gaza during July 2014, unspecified parties used three UNRWA schools to store weaponry: Gaza Beach Elementary Co-educational "B" School, Jabalya Elementary "C" and Ayyobiya Boys School (considered one school), and Nuseirat Preparatory Coeducational "B" School.^[1232] The UN found weaponry at all three schools, as well as military plans written on chalkboards and boards used as beds at the Nuseirat Preparatory Coeducational "B" School.^[1233]

Reported military use of schools declined after 2014. UNICEF documented three cases of military use of schools in the West Bank during 2015 and 2016 – one by armed Palestinians and two by Israeli forces – and media reported Israeli military use of one university. These incidents included the following:

- On March 11, 2015, armed Palestinians forcibly entered Balata Boys School in the West Bank, took over, and demanded that students evacuate.^[1234]
- In Jenin, Israeli security forces entered Zebdeh Secondary School for Boys and used its rooftop to monitor the Israeli checkpoint near the school during the first quarter of the year.^[1235]
- According to OCHA, Israeli forces used the roof of the 'Awarta Village Secondary School for several hours to protect settlers while they visited a religious site in late January 2016. This use damaged the school's doors.^[1236]

Attacks on higher education

Israeli forces, unidentified assailants, and Palestinian Authority security forces entered and searched universities, injured and killed university students during clashes, and threatened, harassed, and detained Palestinian students in dozens of incidents that affected hundreds of students. The number of such attacks, which were concentrated

in Gaza and the West Bank, increased in 2014, after which several dozen incidents reportedly affected higher education each year. The attacks occurred at higher rates than those reported in *Education under Attack 2014*.

In 2013 there was at least one attack on higher education, which occurred during clashes between Palestinian students and Israeli forces. OCHA reported that on November 17, 2013, a group of Palestinians, including students from al-Quds University in Jerusalem, threw stones at Israeli soldiers who were guarding Israeli workers conducting maintenance on the separation barrier next to the university. During the clashes that followed, Israeli forces fired teargas and sound bombs toward the university, injuring 32 people and damaging university property.^[1237]

The number of attacks on higher education rose significantly in 2014 from previous years. The UN, NGOs, and media reported four instances in which Israeli forces entered West Bank universities during 2014, and the damage or destruction of 14 universities in Gaza during Operation Protective Edge.^[1238] GCPEA also identified one report of an attack on a professor of higher education, who was shot at by unidentified assailants. For example:

- In June 2014, according to Scholars at Risk, Israeli forces entered four Palestinian universities in their search for three missing Israeli teenagers, damaging buildings and property, destroying education materials, and confiscating personal student data.^[1239] The universities included the following:
 - Birzeit University in Ramallah on June 19-22, 2014, also mentioned above in the section on military use
 - The Arab American University in Jenin on June 20, 2014
 - Palestine Polytechnic University in Hebron on June 22, 2014
 - al-Quds University in Jerusalem, also on June 22, 2014
- According to local news sources, unidentified assailants shot at Abd al-Sattar Qasim, a professor at al-Najah National University in the northern West Bank, in August 2014, as he left his home. He was reportedly unharmed in the incident.^[1240]
- Among the universities damaged or destroyed during Operation Protective Edge, Scholars at Risk reported that the Islamic University suffered considerable damage on August 2, 2014, when Israeli forces fired a missile at the campus. The Israelis contended that Hamas was using the institution for military purposes, although the university denied allegations of military use. The attack significantly damaged the facilities.^[1241]

In 2015, both Palestinian security forces and ISF entered Palestinian universities in the West Bank in several dozen instances, where they threatened, harassed, or detained several hundred Palestinian university students, according to the UN, Human Rights Watch, and media reports.^[1242] These threats and instances of harassment represented an increase in the reported number of students and professors affected by attacks on higher education, which had previously affected mainly infrastructure. Arrests by Palestinian security forces came in response to participation in student political parties and elections.^[1243] In addition, the US State Department and other sources reported several instances of Israeli forces targeting students with live fire, rubber bullets, teargas, and other means. Examples included the following:

- Palestinian security forces arrested 25 students from several universities, including Birzeit University in Ramallah, after student council elections on April 22, 2015.^[1244] Among those arrested was Jihad Salim, a student representative of a Hamas-affiliated group at Birzeit University, who reported that Palestinian security forces arrested, beat, interrogated, and denied him access to basic necessities for 24 hours on April 25, 2015.^[1245]

- Israeli forces reportedly entered and searched Palestine Technical University-Kadoorie in Tulkarim multiple times in October, November, and December 2015, in addition to occupying the university.^[1246] For example, Israeli forces reportedly injured 87 students when they attempted to dispel protests at the university using live fire, rubber bullets, and teargas between December 16 and 20, 2015.^[1247]
- Israeli forces also injured dozens of students using teargas, rubber bullets, and sound bombs at al-Quds University in Jerusalem on October 28 and November 2, 2015.^[1248]

Incursions by Israeli forces on Palestinian universities occurred with similar frequency during 2016, with more than a dozen reported instances that harmed approximately 100 people. Throughout the year, OCHA and media reports documented incidents of Israeli forces entering and searching Birzeit University in Ramallah, the Arab American University of Jenin, Palestine Technical University-Kadoorie in Tulkarim, and al-Quds University, which was searched at least four times.^[1249] Palestinian security forces were responsible for arresting a Palestinian professor in one incident. For example:

- On November 17, 2016, Israeli forces entered and searched Palestine Technical University-Kadoorie, breaking the doors of a computer lab, damaging several computers, and stealing recordings from university security cameras.^[1250]
- On November 19, 2016, Israeli forces spent three hours on the campus of al-Quds University. During the operation, they damaged or stole all the books, magazines, and stationery being sold at a book fair to benefit low-income students.^[1251] OCHA reported that there was at least one additional incident at al-Quds University in November 2016.^[1252]
- Palestinian security forces arrested at least one professor, political science scholar Abdul Sattar Qassem, in response to remarks he made in a television interview about limits on presidential terms in February 2016.^[1253]

Similar patterns of violence continued in 2017, including searches by Israeli forces on Palestinian university campuses and the arrest of at least one Palestinian professor. These incidents included the following:

- *Ma'an News Agency* reported that on April 13, 2017, ISF searched the town of Abu Dis in Jerusalem, clashing with Palestinian students at al-Quds University. Rubber-coated steel bullets fired by Israeli forces injured six students, and 18 other Palestinians inhaled teargas.^[1254]
- On May 14, 2017, according to Amnesty International, Israeli forces arrested Ahmad Qatamesh, a professor of political science, at his home in Ramallah. He was detained without charges for three months until his release on August 13.^[1255]
- *Ma'an News Agency* reported that Israeli forces detained Tareq Rabie, a former member of the Hamas-affiliated Islamic bloc student group. The search and Rabie's detention led to clashes outside of Birzeit University, and Israeli forces opened fire, injuring 11 Palestinian youths.^[1256]
- On December 14, 2017, Israeli forces entered and searched Birzeit University in Ramallah. They detained the university's security personnel, smashed the door to the student council building, and confiscated computers, flags, banners, microphones, speakers, leaflets, and brochures, according to media sources.^[1257] *Ma'an News Agency* reported that Israeli forces had previously searched the campus on January 11, 2016.^[1258]

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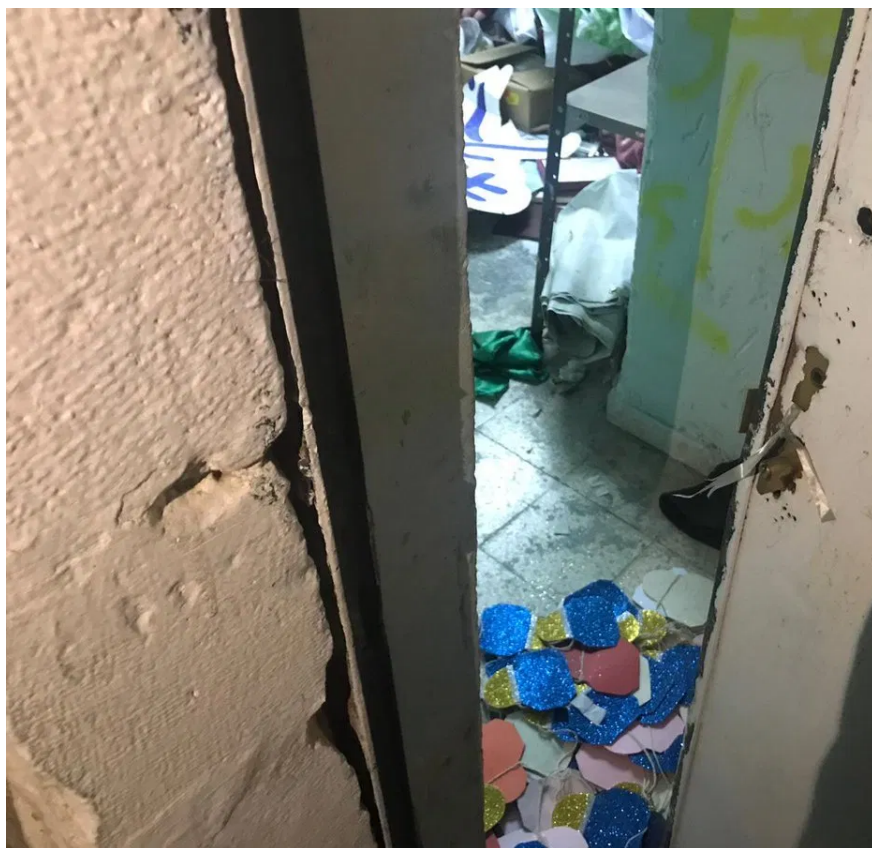
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Israel attacks Palestinian university in Jerusalem

Israeli forces searched student bloc offices, damaged the students' personal belongings and seized surveillance footage.

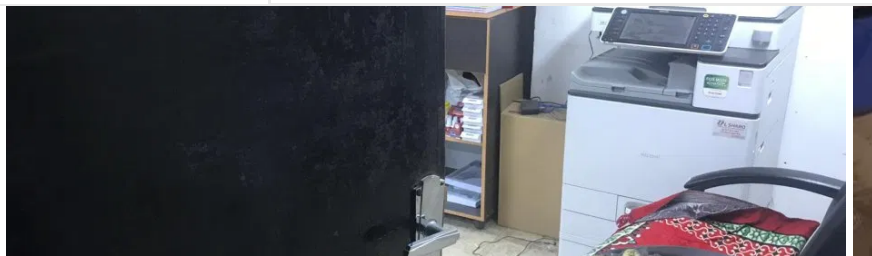
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Al-Quds University yesterday condemned an Israeli occupation attack on its campus in Abu Dis stressing “this is an attack on academic freedoms”, *Quds Press* reported.

In a statement, the university said that Israeli occupation forces stormed its Abu Dis campus “intentionally causing much havoc.”

“This attack is a flagrant violation of the local and international laws and conventions and shows much disrespect to the simplest human and individual rights,” the statement said.

“What happened in Abu Dis campus is considered a violation on academic freedoms in all the campuses of all universities around the world,” the statement added.

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“This proves how necessary the need to afford protection for organisations working in Jerusalem and Palestine is,” the statement pointed out, stressing on the importance of taking “diplomatic and political measures to guarantee that such attacks are not repeated.”

Israeli forces raided Al-Quds University yesterday when a large number of heavily armed member of

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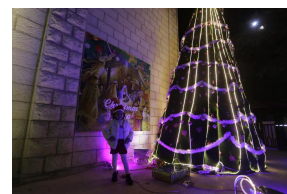
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December 30, 2018

The Attack on Palestinian Universities

BY

NICK RIEMER

The brutality of Israeli occupation isn't limited to wars. It also includes constant assault on Palestinians' access to basic necessities like higher education.

Israel's efforts to cripple higher education in occupied Palestine continued relentlessly in 2018, with Israeli universities acting as key tools of the occupation. The systematic punishment inflicted on Palestinian academics and students didn't attract anything like the global attention of Gazans' March of Return, but it deserves to be documented and organized against for what it is: a slow, sadistic crushing of learning, and a stifling of the life opportunities it provides. A selection of the manifestations of this "scholasticide," all drawn from local reports, is cataloged in this article, along with some brief indications of Israeli universities' collaboration in it. This suggests the full violence of Israel's siege on higher education in Palestine — and the urgent necessity of an effective response on the part of people of good conscience around the world, including those who work in universities.

Universities in the West Bank and Gaza are key incubators and hubs of resistance, and major channels of Palestinians' aspirations for freedom and justice. As such, they are methodically obstructed by Israel. Israel's entire post-1967 regime can, in fact, be reasonably considered as a massive, militarized attack on Palestinians' access to education: the low average age in the West Bank and Gaza — 46 and 61 percent of people respectively are under eighteen — means that young people who should be in school or further study disproportionately pay the price of Israeli oppression.

Students are also in the front line of Palestinian resistance: prominent in 2018's Great Return March, whether as originators or casualties; and accounting for more than a quarter of civilian deaths during Israel's 2014 war on Gaza. Gazans have still not recovered from that war, in which numerous university buildings were damaged or destroyed, and almost four thousand students (66 percent) at one university — Al Azhar — lost their homes. The scars left on Gazan students are a graphic illustration of the deeper reality of Palestine as a whole: the progressive amputation of universities is central to Israel's intentions.

Engulfed as they are by a hostile military power, education throws Palestinians a lifeline: despite Israel's efforts to sever it, it is one of the few things the populations of Gaza and the West Bank have left. Learning can be disrupted, but it can't be stolen, demolished, or imprisoned — so it's no surprise that despite Israel's ongoing blockade of universities, Palestine has, by international standards, a high rate of participation in tertiary education.

In 2018, universities were raided and closed, and their buildings were ransacked; staff and students were regularly tear-gassed, shot with live ammunition, and summarily arrested. Students were killed. When police rounded up French high school students in December and forced them to kneel with their hands behind their necks, there was a public outcry. For Palestinian students, confrontations with heavily armed IDF troops are regular, and often deadly.

2018: A Year of Scholasticide

2017 had ended violently in Palestinian higher education. In December, students were repeatedly attacked by Israeli soldiers with teargas and rubber-coated steel rounds while protesting at the Tulkarm campus of the Palestine Technical University against the US decision to move its embassy to Jerusalem (the Palestine Technical University's campus in the al-Arroub refugee camp north of Hebron was also attacked). The IDF raided the Abu Dis campus of Al-Quds University east of Jerusalem, prompting clashes with local residents. Three hundred exhibits being prepared for an exhibition at a campus museum presenting the experiences of Palestinian prisoners were destroyed, removed, or damaged, along with hundreds of books. The same day (December 14), the Birzeit campus north of Ramallah was also raided, with banners and other student material seized.

2018 opened in the same key. On January 15, the Al-Quds Open University student Ahmad Abd al-Jaber Muhammad Salim, secretary of the Democratic Front for the Liberation of Palestine (DFLP) student bloc, was killed by the IDF in Jayyous. On March 4, Israeli forces fired rubber-coated steel bullets and teargas canisters on students of the Palestine Technical University in Hebron. The university's director was reported as saying that Israeli troops deliberately provoke students "through their almost daily presence at the university's entrance; and the searching and interrogating of students, which provokes clashes." On March 6, a twenty-year-old Jenin university student was abducted by the IDF. On March 8, armed Israeli soldiers disguised as students made a violent intrusion onto the Birzeit campus — the fifth in two years — and kidnapped the head of the Student Council, Omar al-Kiswani, who was pinned to the ground outside the Student Council building; live rounds were fired.

In the first month of Kiswani's detention at the al-Maskobiyya interrogation center in Jerusalem, he endured interrogations that lasted for eighteen to twenty hours a day, was prevented from sleeping and banned from seeing his lawyer for twenty-five days. A student march protesting against Kiswani's kidnapping was attacked with live ammunition several days later: at least eight students were injured, one of them seriously.

On April 23, the IDF shut down two schools, a vocational college, and an area around the Abu Dis campus of Al-Quds in order to seal holes that had been drilled in the separation wall. The following day, the Dean of Students at Bethlehem University, Mahmoud Hammad, was arrested. On April 25, Ibtihal Khader Ibreiwish, a twenty-year-old student at the Al-Arroub Branch of the Palestine Technical University (Kadoorie), was abducted by the IDF as she left the campus. The day after, Israeli soldiers sealed the campus entrances, preventing staff and students from entering it, and wounding four of them.

On July 11, Ghassan Thouqan, a lecturer at Najah National University in Nablus, was arrested. On July 15, Israel indefinitely closed the Hind Al-Husseini College in Sheikh Jarrah in occupied Jerusalem, banned a conference there, and detained fifteen participants. On September 5, Israeli forces sealed off the Abu Dis campus of Al-Quds university. Dozens of students suffered from teargas inhalation. On September 20, a Palestinian student, Ola Marshoud, was finally released after seven months' detention.

On October 2, two university students were shot and injured with rubber-coated steel bullets, and many others suffered from teargas inhalation in an attack by the IDF on students demonstrating against the nation-state law and the planned demolition of the Khan al-Ahmar Bedouin community. On November 19, the new head of the Birzeit Student Council, Yehya Rabie, was taken into custody, joining sixty other Birzeit students in Israeli prisons, often without charge or arrest. On December 5, Israel announced that it would no longer recognize social-work qualifications from Al-Quds

university, effectively voiding that degree of its professional utility. On December 12, the IDF ransacked a number of faculties and offices at the al-Quds Abu Dis campus. On December 23, Israeli troops again sealed the gates of the Al-Arroub branch of the Palestine Technical University (Kadoorie), and prevented the students from entering or leaving it.

The White-Anting of Palestinian Higher Education

Universities in Palestine weren't just attacked physically in 2018: more than anything else, they were undermined structurally. The throttled economies of Gaza and the West Bank can't reliably generate the tuition fees which constitute between 60 and 80 percent of the budget of Palestine's chronically underfunded universities. Administrative violence through punitive Israeli taxation and the withholding of building permits places severe restrictions on universities' ability to function normally, let alone engage in much-needed expansion; censorship and delays in supply of essential books, journals, and equipment is all part of the formula of Israeli educational apartheid.

In 2018 as in every other year, the West Bank occupation and the blockade of Gaza inherently constituted monumental obstacles to young Palestinians' access to school and university. Checkpoints turn the trip to and from campus into a humiliating ordeal, and significantly reduce the proportion of the day in which classes can be held. The IDF often vexatiously sets a checkpoint up outside the main gate of the Abu Dis campus of Al-Quds university, especially at exam times; checkpoint or not, the campus is under continual surveillance. Even when the checkpoints are crossed, campus closures orchestrated by the IDF can prevent classes being held.

The arbitrary conditions Israel imposes severely disrupt recruitment of foreign-trained staff — a necessity, given that PhD programs are currently offered in only three Palestinian institutions. Zionists complain about the highly circumscribed violation of academic freedom that the academic boycott imposes on a small handful of Israeli academic officials — a violation that those officials could immediately end by stepping down from their leadership positions. Yet, in a stunning violation of Palestinian academics and students' own academic freedom, the restrictions Israel places on travel into and out of Palestine constitute an irrevocable and far more severe educational boycott of Palestinians, straight-jacketing universities in local enclaves when they are desperate to develop international contacts.

In the 2017–18 academic year alone, denial or delay of work visas for foreign staff affected scores of lecturers; in the two years to 2018, as many as half of the sixty-four foreign academic and other staff members employed by nine Palestinian universities were reported to have been affected by visa denial or restriction. Just at Birzeit, fifteen academic staff members had their visa requests refused or significantly delayed. One English literature academic was forced to leave the country outright, as was a history academic who had worked at the university for the past four decades. Trying to circumvent or adapt to this blockade of foreign staff is a continual drain on university resources. And it comes on top of the regular arrest and detention of those staff who are in place. 2018's haul of examples was nothing exceptional: some high-profile precedents in the recent past include Al-Quds University astrophysicist Imad Barghouthi, who served over six months' administrative detention, without charge or trial, in 2016, and An-Najah University physics professor Essam al-Ashqar, who was detained for almost a year in 2016–17.

A Road to Freedom

In trying to slowly crush universities, Israel's aim is to smother Palestinian self-determination and consolidate its ongoing *Nakba* of the indigenous population. But from the outset, resisting the occupation has been central to Palestinian universities' mission. In the words of the long-term acting president of Birzeit University, Gabi Baramki, the ambition of the founders of Palestinian universities was to build "a road to freedom."

The very existence of Palestinian universities is itself a consequence of Israel's takeover of Gaza and the West Bank. Before 1967, Palestinian students usually studied in Jordan, Lebanon, Egypt, or Europe; in Palestine itself, at most only two years of tertiary education could be undertaken. After the Six Day War, Israel started obstructing Palestinian students' travel and often detained Palestinians returning from abroad: as a result, domestic institutions in the occupied territories became increasingly necessary. "Having a university was crucial if we were to resist the occupation," Baramki wrote in his 2010 memoir *Peaceful Resistance*. "We would produce well-educated, confident graduates, proud of their Palestinian national identity and eager to contribute to the development of their homeland. Moreover, university life would create a haven for the practice of democracy in a situation of political oppression."

The nation-building ambitions of Palestinian higher education have remained constant in its almost five-decade history. In the face of the attempted Zionist erasure of Palestine, "the transmission and preservation of Palestinian history, heritage and culture" in the service of national liberation was a fundamental aim of the PLO, which funded universities, and of the universities themselves. Conviction of an "indissoluble link" between education and emancipation drove university founders; the first director of the Council for Higher Education in the West Bank and Gaza spoke of universities' mission as guiding Palestinian society's "metamorphosis from a colonial to an independent community with as little disorder and dislocation as possible." "Patriotic" considerations fall among Birzeit university's responsibilities, a recent annual report states. "What kind of people will the Palestinian graduates be," asked the *Al Fajr* newspaper on February 20, 1987, "if they are not allowed to think and express their own and their people's political aspirations?" Failure to foster students' political development would be a serious dereliction of universities' duty. This is exactly Israel's aim.

Israeli Universities: Tools of the Occupation

Israeli universities locked in their status as key tools of the occupation in 2018, supplying the infrastructure, both political and ideological, of their state's bloody anti-Palestinianism. The University of Haifa announced that it would now be responsible for IDF officer-training, with the President of the university expressing his pleasure that the "University of Haifa [would be] responsible for the academic education of the Israel Defense Forces' core of command for the coming years." Whereas several Israeli universities voluntarily disrupted classes or otherwise supported protests against domestic violence, all universities are structurally integrated into Israel's permanent war effort, and nothing remotely near such levels of institutional support for the Palestinian cause has ever been shown: at best, student pro-peace activity is tolerated; at worst, it is suppressed. BDS is regularly fought.

In October 2018, the Institute for National Security Studies at Tel Aviv University, notorious for theorizing the “Dahiya doctrine” of disproportionate military force, published a proposal for dealing with what it called the “Palestinian threat.” The plan, predicated on a unilateral move to “serve Israeli interests,” recommends completion of the separation wall, “ongoing construction in settlement blocs and their definition as essential to Israel in any future situation,” refusal of Palestinian refugees’ right of return, and retention of IDF freedom of action throughout the West Bank — in other words, the consolidation of Israeli apartheid, presented as compatible with the aim of a “just” Israeli state.

Even more shockingly, a paper released in November by the Begin-Sadat Center for Strategic Studies at Bar-Ilan University argued that only “a fourth massive round of fighting against Hamas” would make Hamas realize “that the pain to be suffered is so great, and the chance of eliminating the Jewish state so slim, as to render further violence pointless.” “Now, alas,” the paper concluded, “is the time for war.”

These are not the ravings of isolated war criminals: they come validated by the full institutional prestige of the universities that solicit their murderous ideas, disseminate them, and endorse their warmongering with their official logos.

Israel touts itself as a society of educational high achievement with, it boasts, more PhDs per capita than anywhere else. The dark underside is the educational agony it inflicts on Palestinians, at whose expense Israeli educational achievement comes. Current university students are not, of course, the sole victims of educational dispossession at Israeli hands: future ones are too. The Palestinian Ministry of Education’s annual report for 2017 concludes that 80,279 Palestinian children and 4,929 teachers and staff were “attacked” by Israeli settlers or soldiers in that year.

BDS Against the Educational Siege

2018 did not just add further entries in the long chronicle of Israel’s destruction of Palestinians’ educational future. It was also a year in which Palestinian academics repeatedly called for their international colleagues’ solidarity through BDS. In January, Birzeit University staff called on supporters of Palestine “to intensify your efforts in boycotting Israel and its academic institutions till it ends its violations of the human rights of the Palestinians.” In October, the Palestinian Union of Social Workers and Psychologists became the latest body to affirm the original call for the academic and cultural boycott of Israel, when it appealed to colleagues to boycott the 2019 conference of the International Association for Relational Psychoanalysis and Psychotherapy, slated for Tel Aviv, “in the name of the freedom, justice, and dignity of every Palestinian.”

In its present form, the call for an institutional academic boycott of Israel was first made in 2005. Almost fifteen years later, it is anything but a museum-piece; rather, it’s the focal point of Palestinians’ plan for self-determination. For university workers who want to do something to support Palestinians’ aspirations for justice, responding to the boycott call, exactly as Palestinians have asked them, is the clear best strategy. If there is a more effective tactic than BDS for obtaining Palestinian rights, or one that Israel fears more, no one has heard of it.

At the start of 2019, Palestine’s longest-serving prisoner, Karim Younis, will have been in Israeli jails for thirty-six years. Younis was arrested as a student in 1983 after he allegedly attacked an Israeli soldier in the occupied Golan Heights. As academics around the world are increasingly understanding, showing practical solidarity to Palestinians by boycotting

Israeli universities is not just the best way of exerting pressure for a just peace. It is also the best way to ensure that the lifelong educational deprivation Younis has suffered is not generalized to the entire Palestinian people, and that 2018's litany of violence in the occupied territories is not repeated on campus after campus, year after year.

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Voices

*Israel's assault on Palestinian universities is a threat to human rights and a tragedy for this generation of students*

Palestine has had to contend with Israel's systematic obstruction of education: from enforced closures, campus raids, and the oppression of individual students and teachers, including arbitrary arrests and detention without trial

Sophia Brown | Sunday 21 October 2018 10:45 |

The fundamental right to education is enshrined in international law. Article 26 of the **Universal Declaration of Human Rights** states: "Everyone has the right to education," while also decreeing that "higher education shall be equally accessible to all on the basis of merit". The challenges currently being faced by Palestinian universities mean that this universal right is being severely compromised in the occupied Palestinian territory (OPT).

As an occupying power, the state of **Israel**, is obligated to ensure that civilians under occupation are not denied their basic human rights. The fourth Geneva Convention makes it clear that occupying powers are subject to substantial obligations, including the general welfare of the population – which includes access to education – and that forcible deportation is forbidden. While it is widely accepted by the international community and its governments that Israel continues to violate the fourth Geneva Convention, Israel itself – although a party to the convention – denies that it applies to the OPT, maintaining its dominance of every aspect of Palestinian society.

What does this all mean for Palestinian universities today? A substantial issue is freedom of movement: the vast network of checkpoints, the separation wall, roads which are closed to Palestinians, and the settlements themselves, which impel Palestinians to take ever-more circuitous journeys to their destinations. When I spoke to research analysts at **Al-Haq**, a Palestinian human rights organisation based in Ramallah in the West Bank, they highlighted the daily impact that this has on regular access to education. Severe delays can mean missed classes; a

Meanwhile, for decades, the education sector – schools as well as universities – has had to contend with Israel's systematic obstruction of education, from enforced closures, campus raids, and the oppression of individual students and teachers, including arbitrary arrests and detention without trial. According to Sam Bahour, a former board member of Birzeit University and co-founder of the **Right to Enter** campaign, a grassroots organisation that defends the rights of access, movement and residency in the OPT, it's important to see this assault on education as part of a broader picture of Israeli oppression of Palestinian lives and a determination to stifle the natural growth of a society, not to mention the emergence of a Palestinian state on the ground.

Palestinians await Israeli demolition of their homes in the West Bank

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Echoing Bahour's comments about the broader picture, the analysts at al-Haq noted that the occupation is restructuring the fabric of Palestinian society, with the pressures placed on education one of the key ways in which this is happening. They emphasised that the restrictions placed on movement have eradicated students' freedom of choice over where to study, especially at university level. This is something that adversely affects female students, with families increasingly concerned about letting them travel long distances, given the unpredictable nature of journeys through the OPT. What this creates, according to Bahour, is a form of "inbreeding"; universities have become too localised and isolated, with the lack of diversity and variety of experience in the classroom

completely isolated due to the ongoing blockade, while also contending with a deepening humanitarian crisis.

None of these various issues are new. Nor are the attempts to resist them – for example, Birzeit University, close to Ramallah, established its [Right to Education campaign](#) in the 1970s in order to assist staff and students facing arrest and imprisonment. But the need to protect Palestinians' access to education is more urgent than ever. The Right to Enter campaign issued an [impact statement](#) this July, observing: "The past year has seen an intensification of Israel's long-standing policy of undermining Palestinian education at all levels," before offering a series of clear examples to illustrate their grave concerns: classroom demolitions, threats of further demolitions, the expulsion of international academics and the denial of visas to visiting scholars.

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I asked to be shocked – this is what I saw on the West Bank

This past year, an increasing number of foreign passport holders (many of whom are of Palestinian origin, but do not have the required residence documents that Israel both demands and is in charge of issuing) have been refused entry to the country or had visa renewal applications denied. The situation at Birzeit, where 15 faculty members are currently at risk, is so dire that a [statement](#) was issued in July, warning that "if this policy continues, Palestinian universities, including Birzeit University, will be further isolated from the global academic environment". Since then, two professors have already been [forced to exit the country](#).

Raja Shehadeh, the prominent Palestinian author and human rights lawyer, has described Israel's convoluted work permit and visa system as "a truly Kafkaesque process". In a recent [article](#) in the *Times Higher Education*, he deplored the extreme uncertainty created by a system in which a visa can be issued one year and then summarily withdrawn the next. Writing in *Haaretz*, Daphna Golan rightly referred to this as "a form of bureaucratic violence".

nations, racial or religious groups”. Palestinian academia, on the other hand, is being forcibly and increasingly isolated from the world. As Shehadeh points out: “Palestinian students have few options to study abroad, so if they are to acquire a quality education with an international outlook it is vital that local universities be able to tap into international expertise.”

Bahour states that Palestinians have become adaptable to and creative in response to their “education under duress”, striving to make the most of the limited opportunities on offer. Having visited the universities of the West Bank and sat in their classrooms, this was also something I observed. But Palestinian students should be able to pursue their studies without these monumental, relentless challenges. And their lecturers, including those from the international community, should be free to teach them.

Dr Sophia Brown is an academic whose work focuses on contemporary Palestinian literature. Most recently, she was a visiting research fellow at the Kenyon Institute in East Jerusalem

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Detention and sentencing of Palestinian student activist Ola Marshoud

AUGUST 08, 2018 · COMMITTEE ON ACADEMIC FREEDOM

☰ Interventions ☉ Israel, Palestine ☞ Ola Marshoud, Student protest

Prime Minister Benjamin Netanyahu

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Dear Prime Minister Netanyahu and Ministers Shaked, Deri, and Bennett:

We write on behalf of the Committee on Academic Freedom (CAF) of the Middle East Studies Association of North America (MESA) to condemn the recent sentencing of Ms. Ola Marshoud to seven months in prison for organizing students in opposition to the Israeli Occupation Forces at an-Najah National University in Nablus, where she was a registered student. Ms. Marshoud's arrest and subsequent sentencing clearly violate her right, as a student in a university under the jurisdiction of the Israeli occupation authority, to free speech and peaceful protest.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the *International Journal of Middle East Studies* and has nearly 2500 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

Ola Marshoud is a twenty-one-year-old resident of the Balata refugee camp in Nablus on the Israeli-occupied West Bank. She has worked as a free-lance journalist while pursuing a journalism degree at an-Najah National University. She has been in detention since March 2018, when she was summoned to the Hawara detention center south of Nablus for interrogation in connection with her participation in student activism. At that time, she was transferred to an interrogation center in Petah Tikva, east of Tel Aviv. She was accused of helping to organize students at an-Najah National University and encouraging them to

participate in non-violent demonstrations against the Israeli authorities in the occupied West Bank. On 30 July 2018, the Salem military court sentenced her to seven months in prison. To the best of our knowledge, this seven-month sentence does not include the four months during which she was incarcerated before her sentencing. Thus, she will not be eligible for release until February 2019.

Ms. Marshoud's arrest is not an isolated incident. Non-violent student activists at a number of Palestinian universities have been detained with increasing frequency in the past several months. We have previously written to you on 13 March 2018 and 30 April 2018 concerning Omar Kiswani, president of the student body at Birzeit University on the West Bank, who was abducted from the Birzeit campus in March 2018 and since then has been held without formal charges or trial (these letters are available [here](#)). As of this writing, over 300 Palestinian university students are imprisoned in Israel. Many are being held in "administrative detention," without formal charges, while others face charges relating to non-violent activism.

Particularly alarming in this context is the fact that members of the Israel Defense Forces in the occupied West Bank have posted notices, in Arabic, in neighborhoods where student activists live, and even on the walls of these students' homes, warning their families that the students face arrest and detention if they continue their activism. The parents of some activist students have even received letters containing such warnings. Apparently, these warnings are specifically targeted at female students and their families, and at members of the Islamic Bloc student organization, which is active in a number of Palestinian institutions of higher education, notably Birzeit University.

The right of students to engage in non-violent activism to protest administrative and government policies with which they disagree is a fundamental right in a democratic society. The arbitrary arrest and detention, including so-called administrative detention, of students exercising these rights, and the consequent disruption of their education, constitute a clear violation of the right to education enshrined in Article 26 of the 1948 Universal Declaration of Human Rights and in Article 13 of the 1966 International Covenant on Economic, Social, and Cultural Rights. Israel is a signatory to both these conventions and is thus obligated to enforce their stipulations, in the West Bank and Gaza as in Israel proper. Subjecting a young student to months of pre-trial detention, followed by months-long incarceration, seems gratuitously cruel in this instance.

We call on the Israeli occupation authorities to dismiss all charges against Ola Marshoud and release her from prison immediately. We further call on the Israeli Ministry of Education to respect the academic freedom of Palestinian students and all members of the academic community in Israel and the occupied territories by condemning the arrest and detention of students who engage in non-violent campus activism. Finally, we call on the Israel Defense Forces and the Israeli Border Police to cease carrying out such arrests and detentions.

We look forward to your response.

Sincerely,

Judith E. Tucke
rMESA President
Professor, Georgetown University

Search



Homepage : News : Anger after Israel shuts down Palestinian universities in East Jerusalem



The New Arab

Anger after Israel shuts down Palestinian universities in East Jerusalem

Israeli forces ban Palestinian academics from entering al-Quds University [Getty]

Date of publication: 15 July, 2018

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Two Palestinian educational facilities were shut down by Israeli forces 'until
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The two-day conference was organised by the Jerusalem Islamic Waqf and Heritage Reservation

Tags: Israel, Gaza, East Jerusalem, occupation, siege, Palestine

Society and was supposed to discuss the status of Muslim endowment and property, as well as the protection of Islamic and Christian heritage in the occupied city.

The move was also condemned by the president of the [Arab American University](#), Ali Abu Zuhri, who said Israel was taking exceptional measures to disrupt the Palestinian education system, according to Palestinian Authority news agency *WAFA*.

Meanwhile, the surroundings of the Arab American University's campus in Beit Lahia in the besieged Gaza Strip was [bombed](#) by Israeli warplanes on Saturday in an offensive that left two Palestinian children dead.

He added that Israeli authorities inflict their own curriculum on several Palestinian schools and universities in occupied East Jerusalem in a deliberate attempt to bewilder Palestinian youth when it comes to their own heritage and national awareness.

Minister of Waqf and Religious Affairs in the Palestinian Authority Yousef Ideis also condemned Israel's action, saying it is a part of a wider attack on Palestinian heritage in occupied East Jerusalem.

Sheikh Jarrah neighbourhood was also home to the [Shamasna](#) family, a Palestinian family who were evicted from their home by Israel despite living there for 53 years.

In September, Israeli police [evicted the Palestinian family](#) from their home, making way for Israeli settlers who were deemed by authorities as the legal occupants.

East Jerusalem was occupied by Israel in 1967 and later annexed into Israel in the 1980s. Around [200,000 Israeli Jews](#) now live in East Jerusalem in settlement homes considered illegal under international law.

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Israel's Administrative Detention of Birzeit University Student

APRIL 30, 2018 · COMMITTEE ON ACADEMIC FREEDOM

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Dear Prime Minister Netanyahu and Ministers Shaked, Deri, and Bennett,

We write on behalf of the Committee on Academic Freedom (CAF) of the Middle East Studies Association of North America (MESA) to express our concern regarding the continued detention of Mr. Omar al-Kiswani, whom Israeli Border Police abducted on the campus of Birzeit University on March 7. We also wish to register our alarm about the conditions under which he is being held by Israel. We have written to you about Mr. al-Kiswani before and our last letter of 13 March 2018 letter is available [here](#).

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. It is the preeminent organization in the field. The Association publishes the *International Journal of Middle East Studies* and has nearly 2500 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

Omar al-Kiswani is the elected student council president of Birzeit University. He was abducted by undercover Israeli Border Police and has been held in detention since 7 March. According to a statement issued by Birzeit University's Right to Education campaign, al-Kiswani is being held in al-Maskobiya interrogation center in Jerusalem. Al-Kiswani's detention has been renewed by an Israeli military court at

Offer Prison at least seven times, with the last renewal coming on 25 April. Not only was al-Kiswani's arrest illegal, but to date he has not been charged with a crime; he is being held under the practice of administrative detention, which dates back to the years of British colonial rule of Mandate Palestine.

According to multiple reports in the Palestinian press as well as statements by lawyers from the Palestinian Prisoners' Club, Mr. al-Kiswani was subjected to interrogation sessions that lasted sometimes as long as 18 to 20 hours a day during the first month of his detention, and he was intentionally deprived of sleep. Mr. al-Kiswani began a hunger strike on 19 March in order to insist on his right to see a lawyer. After two weeks, on 3 April, he was finally allowed to see his lawyer for the first time. CAF strongly objects to this deplorable treatment.

Mr. Al-Kiswani's arrest and mistreatment while under detention is not an isolated incident. Mr. al-Kiswani is the seventh sitting Birzeit student council president to be arrested by the Israeli authorities since 2004; three former student council presidents have also been arrested in the same period. Furthermore, there are more than sixty (60) students from Birzeit University currently in Israeli detention and many more from other universities in the occupied West Bank. Since 2004, some 800 Birzeit students have been arrested by Israel. Not only do these arrests jeopardize the physical well-being of students, they also interrupt the normal conduct of university business and student life.

Israel's behavior in these matters represents a flagrant disregard of its international humanitarian law obligations, which require that occupation authorities protect universities as spaces of education. Equally alarming is Israel's continued use of administrative detention, which permits holding those arrested without charge or trial on the grounds that they may commit a crime in the future. Thousands of Palestinians have been held under administrative detention in the nearly 51-year old occupation, and this practice has been condemned on numerous occasions by international bodies such as the UN Human Rights Committee, which oversees compliance with the International Covenant on Civil and Political Rights (1966), which Israel has ratified.

Our committee has written to you numerous times in the past to express our condemnation of arrests of Palestinian students and placing them under administrative detention. These arrests of university students such as al-Kiswani without trial or charges, which administrative detention facilitates, are thereby clear violations of the right to education enshrined in Article 26 of the Universal Declaration of Human Rights (1948) and Article 13 of the International Covenant on Economic, Social and Cultural Rights (1966). Israel is also a signatory to both of these conventions.

We, therefore, once again call upon the Israeli occupation authorities to release Omar al-Kiswani immediately. We also insist that the Israeli Ministry of Education respect the academic freedom of Palestinian students and all members of the university community by condemning the arrest and holding of Palestinian university students under administrative detention. Further, we call upon the Israel Defense Forces and the Border Police to cease carrying out such arrests.

We look forward to your response.

Sincerely,

Judith E. Tucker
MESA President
Professor, Georgetown University

Israel's recent kidnapping of Birzeit University Student

MARCH 13, 2018 · COMMITTEE ON ACADEMIC FREEDOM

☰ Interventions 🌐 Israel ⏪ Omar al-Kiswani

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nbenet@knesset.gov.il

Dear Prime Minister Netanyahu and Ministers Shaked, Deri and Bennett,

We write on behalf of the Committee on Academic Freedom (CAF) of the Middle East Studies Association of North America (MESA) to express our grave concern regarding the behavior of Israel's Border Police in the occupied West Bank on Wednesday, 7 March. Agents disguised as Palestinian journalists entered the campus of Birzeit University and abducted the president of the student council after detaining and beating him, while pulling out their guns and aiming them at students.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. It is the preeminent organization in the field. The Association publishes the *International Journal of Middle East Studies* and has nearly 2500 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

According to multiple reports in the Israeli and Palestinian press, as well as in statements issued by Birzeit University and its Right to Education campaign, undercover Israeli Border Police entered the campus mid-day where they accosted, beat, and arrested Omar al-Kiswani, who is the president of the student council. The six agents, who were posing as journalists soliciting a statement from Mr. al-Kiswani, were videoed by

other students. In the video, four agents pulled out their firearms and waved them in the direction of other students who were present, while two other agents struck and subdued Mr. al-Kiswani. The agents whisked Mr. al-Kiswani away through the university's western gate, where members of the Israeli Defense Forces (IDF) were waiting to receive him. At that point, the IDF became involved in clashes with students, and fired shots in the direction of those protesting the kidnapping of their classmate.

According to officials in the Border Police, Mr. al-Kiswani was arrested because he is suspected of being affiliated with Hamas. In addition, in an egregious violation of Israeli law, the agents beat Mr. al-Kiswani. Israeli authorities have not levied a public charge against him. Officials at Birzeit University do not know where Mr. al-Kiswani is being held.

Israel's flagrant disregard of its international humanitarian law obligations, which require that Israeli occupation authorities protect universities as spaces of education, and its egregious violation of Mr. al-Kiswani's personal academic freedom are deeply troubling. Equally alarming is the fact that "undercover" Israeli agents waved their guns at innocent student bystanders while the army was present to secure a perimeter around the university. This unwarranted threat to civilians in what should be the protected space of a university campus is an outrageous violation of Israel's basic obligations under international human rights and humanitarian law.

According to Birzeit University's Right to Education campaign, this is not an isolated incident. There are more than sixty (60) students from Birzeit University currently in Israeli detention and many more from other universities around the occupied West Bank. Remarkably, Mr. al-Kiswani is the seventh sitting student council president to be arrested by the Israeli authorities since 2004; three former student council presidents have also been arrested in the same period.

Students at Birzeit University and at all other educational institutions in occupied Palestine must be permitted to exercise their protected right to education. This committee has written to you numerous times in the past to express our condemnation of assaults that continue to be carried out against Palestinian universities and arrests of Palestinian students without charge. These acts are illegal under international law. The occupation forces have destroyed the private property of student groups, including flags, banners, posters, and the materials used to decorate them; they have jeopardized the physical well-being of students; and they have interrupted the normal conduct of university business and student life. These raids disrupt the regular functioning of the university, and are thereby clear violations of the right to education enshrined in Article 26 of the Universal Declaration of Human Rights (1948) and Article 13 of the International Covenant on Economic, Social and Cultural Rights (1966). Israel is a signatory to both of these conventions.

We, therefore, once again strongly urge the Israeli occupation authorities to release Omar al-Kiswani immediately. We also implore the Israeli Ministry of Education to respect the academic freedom of Palestinian students and all members of the university community by forbidding, or at least condemning, military activities and intelligence-gathering raids against any and all Palestinian universities. Further, we call upon the Israel Defense Forces and the Border Police to cease conducting such raids and threatening students, faculty, and staff with deadly force.

We look forward to your response.

Sincerely,

Gisha Legal Center for Freedom of Movement.

[Legal Activity](#) » [Legal Advocacy](#) » Gisha petitions to allow travel of undergraduate students from Gaza, on par with criteria in

Gisha petitions to allow travel of undergraduate students from Gaza, on par with criteria in place for travel of graduate students

July 26, 2017

On July 12, 2017, Gisha filed a [High Court petition](#) (Hebrew) on behalf of T., a Gaza resident who was accepted for undergraduate studies at a university in Jordan, beginning in June 2017. The Gaza Civil Liaison Administration (CLA) had rejected T.'s application on the grounds that it failed to meet the criteria for travel abroad from Gaza. The criteria currently in place only allow graduate and post-graduate students to leave Gaza to study abroad, in a weekly quota of 100 which includes Gaza residents traveling abroad for other reasons as well. Despite the set criteria, the CLA has allowed undergraduate students to travel abroad in the past: [in the spring and summer of 2015, hundreds of students were allowed to exit on several occasions](#), ahead of the 2015-2016 academic year. On several other instances, the CLA approved individual applications by undergraduate students to travel abroad for academic studies, including at least one resident who was permitted to travel to attend the same program at the university in Jordan in January 2017 to which T. was seeking to travel.

In the petition, Gisha argued that there is no justification for the distinction between undergraduate students and students enrolled in graduate and post-graduate programs in terms of their travel abroad via Israel. If advanced degree students are allowed to travel, subject to the limited quota of 100 people (which is currently not exhausted), there is no reason to prohibit travel of undergraduate students. The petition argues that the state failed to explain the reasons for the distinction between the student populations. The state had never presented security concerns or reason to believe that a system overload would be created should access to education be made available to undergraduate students from Gaza.

The petition notes that a new criterion was introduced in February 2016, whereby any Gaza resident is permitted to travel abroad for whatever purpose, so long as he or she signs a waiver agreeing not to return to the Strip for at least a year. As [previously reported](#), Gisha objects to this criterion, which we consider illegal and immoral, and has urged the Coordinator of Government Activities in the Territories to rescind it. Gisha has argued that adding this criterion to the existing criteria for travel abroad from Gaza creates an absurd situation in which some people have to meet strict criteria while others, willing to waive their rights, can travel. Those requesting to travel to special conferences abroad, medical treatment, advanced degrees or for family visits can leave Gaza without signing the waiver are subject to a limited quota and required to provide supporting documents while anyone else from Gaza who asks to travel abroad, without any reason, will be allowed to do so once waiving their right to return to the Strip for a year.

Gisha also argued that if the purpose of the new criteria was to facilitate travel for Gaza residents and encourage them to fulfill their dreams and wishes, there is no justification for distinguishing between undergraduate and post-graduate students, or for conditioning any of their travel on signing a waiver.

Once the petition was filed, the [judge ordered](#) (Hebrew) the respondents to file their response within a week. In their [response](#), filed on July 19, 2017, the respondents insisted in continuing to refuse to allow the petitioner to travel abroad for studies under the criterion for academic studies, arguing that they had no obligation to allow him to travel via Israel as he was a foreign national, devoid of rights. The respondents added that the petitioner could waive his right to ask to return to Gaza for an entire year and that if he did, his application would be favorably considered.

12/26/2019

Gisha petitions to allow travel of undergraduate students from Gaza, on par with criteria in place for travel of graduate students | Gisha

The [judge ordered](#) (Hebrew) Gisha to respond to this, and [Gisha filed its response](#) (Hebrew) on July 25, 2017, asking that in addition to resolving the particular matter of the petitioner, the court hold a discussion on the general issues at hand.

Palestinian Universities under Occupation

This Report was prepared by a delegation representing the European Platform for the Academic and Cultural Boycott of Israel (EPACBI) who visited seven Palestinian universities and academies in April 2015. The delegation consisted of 8 academics from 5 countries. The delegation is grateful to the many faculty members and administrators of those institutions who made the visit possible.

Summary of Findings

The delegation was unable to visit all of Palestine's institutions of higher education, and in particular it was prevented from visiting Gaza's universities by the Israeli blockade. However, it found a consistent pattern across all the universities that it visited, and by their systemic nature it is reasonable to assume that this pattern applies to all of them.

This pattern was of a coherent and multi-faceted policy of Israeli interference with the normal functioning of academic life. This interference inhibits free movement of staff and students; reduces academic effectiveness and productivity by the usurpation of staff time through mobility restrictions and imposed bureaucratic obstacles; prevents effective collaboration and sharing of intellectual resources between Palestinian universities; obstructs international visits to Palestinian universities; substantially prevents the employment of teaching staff from abroad; interrupts the supply of equipment, materials and books; and subjects staff and students to repeated humiliations and indignity.

Report

I. Introduction

Israeli's continuous expansion of settlements in violation of international law and UN resolutions¹ has led to a situation in which the territories under Israeli's occupation, but nominally administered by the Palestinian Authority (PA) in the West Bank and by Hamas in Gaza, represent a mere 10% of Mandatory Palestine.¹ All access to these territories is controlled by Israel. About 4.5 million Palestinians live there, and almost none of them have access to the higher education system in Israel.

The Israeli government maintains nearly 60 colleges and nine universities², four of which, Israelis are proud to point out, figure among the top 300 in the 2014-5 QS World University Rankings. But some are built illegally on Palestinian territory. And all of them contribute directly or indirectly to Israel's military forces which maintain the illegal occupation by providing research and development, professional advice and training of potential recruits.³ In return, they benefit from the vast subsidies the United States extends to Israel. In the current year the US has provided \$3.1 billion (2.8 billion euros) in direct military aid to Israel: roughly 55 per cent of America's total foreign military funding worldwide and the equivalent of 20 per cent of its current foreign aid budget. Europe is almost equally generous. Several European countries, including Britain, actively promote research partnerships with Israeli academics.⁴ Israel is also the sole non-European country to be accorded virtual membership of the European Union, giving Israeli universities direct access to the EU's multi-billion euro research funds and facilitating partnerships with researchers across the European area.⁵ Despite Israel's adoption of neo-liberal economic policies in the early 2000s and reductions in public spending, successive governments have financed a rapid expansion of its higher education system.⁶ This reflects general recognition of the universities' contribution to the country's military and economic strength and also to the image it seeks to project as a culturally advanced member of the developed world.

Behind the apartheid wall that divides the land, Palestinian universities endure conditions that could scarcely be more different from those of their Israeli counterparts. The West Bank and Gaza together have 14 universities, an open university for distance learning, 18 university colleges and 20 community colleges. Current student enrolment is 214,000, of which roughly 54 per cent are women and 46 per cent are men.⁷ This compares favorably with Israel's tertiary sector where from a larger population enrolment is approximately 307,000 and the gender balance among undergraduates is 56 per cent women and 44 per cent men.⁸ The remarkably high participation rate in the most difficult of circumstances no doubt reflects the importance Palestinians attach to the universities (and formal education more generally) for strengthening both their economy and their national identity.

But Palestinian universities struggle to perform these roles with none of the practical advantages of their Israeli counterparts. The most obvious difficulty is a severe and chronic funding shortage. In 2011-12 the Israeli government spent 1.9 billion euros on higher education, a total which has risen in recent years.⁹ In 2014-15 the Palestine National Authority distributed a mere 1.8 million euros to the 12 public or state universities in the West Bank. (Information on support for the universities in Gaza is not available, but suffice it to note that at the time of writing public servants there have not been paid their salaries for many months.¹⁰) This pittance is only modestly supplemented by aid from foreign sources. The World Bank estimates total aid to Palestine in 2012 at just over 1.8 billion euros, but other organisations put the total lower. In any case, most of these funds were earmarked for humanitarian assistance and reconstruction of the damage wreaked on Gaza by Israel's assault in 2008-09. Little of it reached Palestinian universities.

In addition to chronic under-funding, the universities face the same malevolent policy that Israeli governments apply to the West Bank and Gaza in general, of de-development, demoralization and depopulation.¹¹ Evidence of this policy was provided by the Israeli assaults on Gaza both in 2008-09 (Operation Cast Lead) and in summer 2014 (Operation Protective Edge). According to a UN investigation, the first of these assaults left 220 kindergartens and schools partly or wholly destroyed;

the Islamic University was deliberately targeted and other universities were also damaged.¹² Preliminary reports indicate that the second assault destroyed another 22 schools from the already depleted stock.¹³

Less well known is the pattern of subversion that characterizes Israel's approach to Palestinian universities in the Occupied West Bank. Many of the universities were established after the Israeli occupation of the West Bank and Gaza in 1967 as a means of resisting Israel's comprehensive efforts to obliterate Palestinian culture and national identity. After the first Intifada began in December 1987, Israeli forces closed all Palestinian universities for four years. The signing of the Oslo accords in 1993 raised hopes that they would once again be permitted to function unhindered. But the accords have proved to be a chimera as much for the universities as for Palestinian society as a whole. This Report briefly enumerates ways in which Israel obstructs and subverts the operation of the universities, and the consequences of these policies and practices for Palestinian higher education.

II. The pattern of Israeli obstruction and subversion of Palestinian higher education

1. Obstacles to travel within the Occupied Palestinian Territories (OPT)

Distances between towns in the OPT should make it possible to travel by coach from Jerusalem to any of the 14 Palestinian universities in less than three hours and to most within an hour. The practical experience, however, is quite different. Israeli occupation authorities have blockaded Gaza since 2007, and in particular have barred all movement of faculty and students between Gaza and the Occupied West Bank.

Within the Occupied West Bank travel is possible but completely unpredictable, as a result of deliberate Israeli policy. At the permanent checkpoints erected between the main towns, Palestinian travelers normally must dismount from the coach and wait

for security clearance, which may take only 15 minutes but more often half an hour and sometimes much longer. Travel is also frequently further disrupted by temporary checkpoints and unmanned barriers or simply for the convenience of Israeli settlers. Thus during a single week in April over fifty Palestinian villages were sealed off by Israeli security forces. In addition, travel between Ramallah, the administrative capital of the OPT, and Nablus, home of An-Najah, the largest university in the West Bank, was halted for most of one day so that a marathon run for residents of illegal settlements could take place. And in a separate incident travel in and out of Nablus was halted to facilitate the visit of settlers to the Joseph's Tomb site. Perversely, much of the public transport in the Occupied West Bank is suspended on Israeli national holidays.

Besides the unpredictability of travel, Palestinians must expect humiliating treatment at checkpoints. The president of Bethlehem University reported a fourth year student's response to the question, 'what is the strongest impression you will take from your years here?' as follows: 'the daily anxiety coming up to the checkpoint and worrying about what would happen. Will I be waved through? Will the soldiers come onto the bus? Will I be made to get out of the bus? Will I be stood for hours in the sun? Will I be interrogated? Will I be strip-searched?'

The consequences of these obstacles for Palestinian universities can scarcely be exaggerated. In the first place, the faculty, students and administration who comprise the university community must allow several hours to complete even the shortest journey. The result for most Palestinian universities is that the day does not begin before 9 or 10 am and stops at 5 or even 4 pm. Compared with European universities, where activity on campus commonly begins by 9 am and continues late into the evening, this constitutes a loss of at least 20 per cent in the working day.

Second, obstacles to travel impose a substantial extra cost on faculty, administrators and especially students. The only guarantee of timely arrival at class is to purchase or rent accommodation near their university, in order to avoid the deliberately imposed uncertainties of travel. This is an effective tax on many students whose

parental homes are not many kilometers away but dare not risk the vagaries of what otherwise would be a short daily commute. Third, obstacles to travel discourage collaborative activity between the universities. In earlier years the universities sought to share expertise through academic visits and exchanges. But an academic visiting a neighboring university which should be just half an hour away to give a one-hour lecture must allow a whole day to complete the round trip journey. As a result visits or exchanges of this kind are now uncommon. The practical effect is to isolate the universities from one another and diminish the quality of academic life.

Fourth, the extra time or cost imposed by obstacles to travel and the frequently abusive treatment received at the hands of the Israeli border police have discouraged West Bank students from attending universities outside their home towns or regions. This makes it more difficult for universities to become centres of excellence or to serve an integrative function in Palestine society. Instead, each university must replicate all the basic teaching functions and limit its ambitions merely to its own locale.

2. Obstacles to travel into and out of the Occupied Palestinian Territories (OPT)

For universities to function effectively, faculty must be free to travel abroad to attend conferences, undertake research, upgrade their qualifications and maintain contacts with scholars abroad. To ensure the circulation of knowledge, they must also be able to receive visits from foreign academics and scholars and enable their students to participate in exchanges. Palestinian universities report that Israel systematically obstructs all such activities.

Palestinian faculty, administrators and students, aside from the small minority with Jerusalem residence permits, have only one point of exit or entry: across the Allenby Bridge linking Palestine with Jordan. Because of Palestine's ambiguous legal status, Palestinians often require a visa to visit foreign countries. But obtaining visas is

problematic because issuing offices are commonly located in Israel which most Palestinians require a special permit to visit. In addition to the difficulty of obtaining visas and the internal obstacles to travel described in the previous section, Palestinian academics repeatedly told us that they are frequently held up at the Allenby Bridge, for periods as long as 8 hours. Refusals of permission to leave, always without explanation, are not uncommon. For other intending travelers permission to leave may be made conditional on signing a statement confirming that they will not return for up to five years: the equivalent to a deportation order.

Many obstacles are placed in the way of academics (often though not exclusively members of the Palestinian diaspora, including those from the United States and Canada) who receive invitations to work at Palestinian universities. Resident status will not be granted, and anyone stating on arrival to Israel that they are to there to take up a post at a Palestinian university will be refused entry. The only possibility of being admitted is to enter as a tourist, which is normally limited to a 3-month stay. The necessity of misrepresenting their status in the OPT leaves them constantly vulnerable to expulsion, while the three-month limit has other effects on their ability to contribute academically, especially to taught courses. The president of one Palestinian university who has not been allowed resident status reports that he possesses a multi-entry visa to the OPT issued by Israel, but at the Allenby Bridge Israeli officials regularly assert that the visa has expired, threaten to turn him back, and involve him in delays that range from half an hour to half a day.

The consequences for Palestinian universities of these obstacles to international travel are comparable to those of the internal obstacles to travel. In the first place, the extra time required is very considerable. Faculty seeking to attend even the briefest event abroad must allow an additional day to be sure of reaching their destination and a further day to return home. Second, it imposes substantial additional costs, not least because the likelihood of delays or refusals means that air tickets cannot be booked in advance. Third, it discourages travel, leaving faculty, administrators and students isolated from the international community and less able to pursue research. Fourth, it seriously damages morale.

3. Israeli obstruction of foreign visitors to Palestinian universities

The obstructions already described apply to all foreign academic visitors, not just those wishing to work at Palestinian universities, and to students also. Intending visitors are frequently held up or refused entry by Israeli authorities. For example, Israeli authorities refused permission for five of the 75 foreign participants to attend the first world conference of Palestinian academics at An-Najah University in 2014, and granted permission to three or four others, including keynote speakers, only on the last day of the conference when it was too late to be of any value. Al-Quds University reports that a professor of law at Harvard University who recently sought to visit the university was interrogated at Ben Gurion airport (Tel Aviv) for fourteen hours before being permitted to proceed. Birzeit University reports that the South African Higher Education Minister Blade Nzimande and three prominent South African academics were refused permission to visit the university in April 2015.

Foreign academics invited to teach a one-semester course and foreign students intending to study for a semester at any of the Palestinian universities are routinely granted only a three-month tourist visa. Palestinian universities, like most European universities, operate on a system of three four-month semesters. The visas therefore do not allow visitors to stay for a whole semester. And applications for renewal of visas are a lottery, so course planning may be thrown into disarray at short notice by opaque and unaccountable bureaucratic decisions. The universities report that many foreign academics and students are discouraged from attempting to visit on account of the obstacles put in their way.

The consequences of this obstruction are obvious. In the first place, Palestinian university administrators confront endless logistical problems in their efforts to secure the passage of visitors through Israeli barriers. According to a senior administrator at Al-Quds University, 30 percent of his time is devoted to problems of this sort. Second, teaching and learning are disrupted by premature departures or undermined by the failure of visiting academics or students to reach the campus.

Third, the universities are isolated from the international community, and fourth these difficulties frustrate and demoralise faculty and students.

4. Obstacles to the import of books, equipment and materials

Obstacles to the movement of people are the most common cause for complaint in Palestinian universities. But only somewhat less frustrating are the obstacles Israel places in the way of importing books, equipment and materials. Certain types of machinery and supplies, in particular electronic equipment and chemicals, are banned outright by Israel who claim they might be used for terrorist purposes. But Israeli authorities routinely hold up practically all types of machinery and supplies for weeks, months or even years before allowing them to be delivered to the universities. This has created difficulties especially for research and teaching pure and applied sciences. The delegation heard of cases where academics who received a one-year grant to undertake a research project were unable to carry it out because the necessary materials did not arrive during their 12 month appointment. But the problem is not restricted to these academic disciplines. The director of an art academy complained of serious delays in the import of works of art and art books.

5. Arbitrary arrest and detention of Palestinian academics

Imad al-Barghouthi, a professor of astrophysics at Al-Quds University, was attempting to travel to a congress of the Arab Association of Astronomy and Space Sciences at Sharjah University in the United Arab Emirates on 6 December 2014 when he was arrested at the checkpoint to Jordan and held in administrative detention without indictment or trial. He was only released nearly seven weeks later, after his detention was publicized within the international scientific community.¹⁴ In October 2014 Israel was holding over 470 Palestinians in administrative detention, bureaucratic terminology which translates into imprisonment without either trial or any statement of the grounds for detention. According to B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, Israel violates international law in its grossly excessive use of administrative detention. Palestinian university administrators estimate that among

the nearly five hundred detainees 40 were academics from the West Bank and 60 from Gaza.

The consequences of this practice for Palestinian universities are self-evident. But it is not only faculty who are targeted: students are also frequently detained without charge or trial. In fact, this is so common that several universities have developed special programs for the education of detained students.

6. *The special case of Al-Quds University*

Al-Quds University operates on five campuses of which three are in or near the city of Jerusalem on the Israeli side of the apartheid wall and two, including the main campus, are in Area B on the Palestinian side. This exposes the University to exceptional pressures from Israel which claims Jerusalem as its capital and uses every excuse to expel Palestinian residents. Not least because of the difficulties facing the Palestinian population of Jerusalem (Arabic name: Al-Quds) the University seeks to maintain and expand its public role in the old city. Israel has responded in a number of deeply hostile ways. It has refused to recognize the charitable status of the University's operations in Jerusalem, and repeatedly sued the University for carrying on unauthorized educational activities in the City. In the spring of 2015 it issued a demand for NIS 24 million (5.7 million euros) and seized some of the University's property in Jerusalem including the president's office and contents. It has also refused to recognize the qualifications of the University's graduates. Teachers with a bachelor's degree from Al-Quds University and resident status in Israel are paid there at the same rate as teachers with only a secondary school diploma. Medical doctors with an Al-Quds degree have not been permitted to practice on the Israeli side of the apartheid wall. A recent decision of the Israel Supreme Court enabled Al-Quds medical graduates to sit the Israeli professional examination this year. But it remains unclear whether the court's decision will be accepted as a precedent in future years.

Al-Quds' main campus at Abu Dis lies just outside Jerusalem and in clear view of the city. Nevertheless a high proportion of the University community do not have

resident status in the city which lies out of bounds to them. The president of the University, Dr Imad Abu Kishek, is not permitted to visit Jerusalem or Israel. Israeli action is not limited to bureaucratic obstruction. A camera mounted high above the apartheid wall which runs barely a hundred meters from the main gate constantly monitors the Abu Dis campus. Army units regularly restrict access by erecting a checkpoint immediately outside the main gate, and appear to do so more frequently during examination time. Nor do they stop at the gate. In 2013 alone Army units invaded the campus no less than 26 times, injuring over 1700 students and staff. Bullet holes sprayed across the glass entrance to the medical school are evident from an incursion in the spring of 2015. Israeli forces recently destroyed the nearby family home of the head of the Al-Quds music department for reasons which remain obscure.

One of the most highly regarded components of Al-Quds University is its Institute of Archaeology. While other Palestinian universities are running down their archaeology departments, the Institute has been expanding. Currently it oversees excavations at three sites, at Ramallah, Beit Sahur and Sebast near Nablus. Israel however has refused it permission to excavate in Area C of the Occupied Territories, where some 60 per cent of the West Bank's archaeology sites are located. Of the roughly 8,000 sites and features identified in the Occupied Territories, Israeli archaeologists have excavated or surveyed 1,200 without permitting Palestinians access to the sites or the accumulated finds. Members of the Institute are unable to teach the archaeology of Jerusalem since neither they nor their students are permitted to visit the city. They also doubt the probity of Israeli archaeological activity, much of which appears to be driven by a desire to find proof of Biblical claims about early Jewish civilization. Their rigid exclusion from sites in the Occupied Territories (to say nothing of 1948 Israel) has provoked suspicion that finds may be moved from one site to another to strengthen Jewish historical claims to the territory, and that evidence of other civilizations is being destroyed.

7. The impact of the Gaza blockade on Palestinian universities

Until Hamas took over sole control of Gaza in June 2007, several thousand students from Gaza attended universities in the West Bank. Israel's subsequent blockade of Gaza brought an immediate halt to practically all student movement into or out of Gaza. This was especially unfortunate for several categories of students. Gaza students who had begun their studies in the West Bank but were in Gaza when the blockade was imposed were unable to return to complete their degrees; others in the West Bank were unable to return home in case they were not permitted to leave again. Students at the center operated in Gaza by the Al-Quds Medical School are required to complete their degree at Abu Dis, but since 2007 they have been unable to do so. Israel justifies its eight-year long blockade of Gaza on security grounds. But there can be no justification for denying *en bloc* permission for Gaza academics and students to teach or study in the West Bank. This is a denial of their human rights which gravely damages the welfare of Gaza and weakens all the universities of Palestine.

III. Recommendations

The Recommendations which follow are addressed to academics and other concerned individuals; academic institutions and trade unions; human rights and other non-governmental organisations; and indeed to civil society in general, across Europe and beyond.

Recommendation 1: Assist the universities of Palestine by promoting exchanges, partnerships and visits

Palestinian universities are extremely isolated and constantly appeal for assistance to enable their faculty to travel and collaborate with counterparts abroad, for their students to study abroad, and to receive visiting faculty and exchange students. Actions of this kind will, however, unfortunately in no way discourage Israel from continuing and intensifying its policy of academic blockade. Therefore action is also required at other levels

Recommendation 2: Pressure on European governments and the Commission of the European Union

These bodies need to accept their share of responsibility for the lamentable situation that the delegation observed, and take remedial steps to redress decades of discrimination. For many years the EU and individual European countries have treated Israel as a privileged partner while doing almost nothing to assist Palestine. The restrictive approach to issuing visas to Palestinian academic visitors, and where appropriate to their families as well, should be ended. Governments should make it a priority to make funds generously available to support academic partnerships and exchanges of faculty and students with Palestine.

Recommendation 3: Apply direct pressure on Israel by supporting the boycott of Israeli universities.

It is regrettable that the recent historical record confirms that Western governments generally act on an issue of ethical importance only when civil society mobilizes in its support. Ending South Africa's apartheid policy was one such issue on which civil society led and governments belatedly followed. Israel's 48-year-long illegal occupation of the West Bank and Gaza and the subversion of Palestinian universities is a similar, albeit not identical, issue. As Palestinian university administrators and faculty repeatedly point out, Israeli universities have benefitted hugely from the largesse of Western governments without making the slightest effort to support their Palestinian counterparts or demonstrate solidarity with them. The only organized attempt to encourage solidarity among Israeli academics for their Palestinian counterparts proved to be a fiasco. In March 2008 a small group of prominent Israeli academics circulated a petition in support of the principle of unhindered access to higher education for Palestinian residents of the Occupied Territories. Their petition reads:

We, past and present members of academic staff of Israeli universities, express great concern regarding the ongoing deterioration of the system of higher education in the West Bank and the Gaza Strip. We protest against the policy of our government which is causing restrictions of freedom of movement, study and

instruction, and we call upon the government to allow students and lecturers free access to all the campuses in the Territories, and to allow lecturers and students who hold foreign passports to teach and study without being threatened with withdrawal of residence visas. To leave the situation as it is will cause serious harm to freedom of movement, study and instruction – harm to the foundation of academic freedom, to which we are committed.

Of the roughly 8,500 senior and junior faculty who received the email inviting them to sign the petition, a total of 407 – less than 5 per cent – agreed to do so.¹⁵ Indications are that even fewer Israeli academics would sign a similar petition today.

The boycott calls on supporters to refuse collaboration with Israeli universities, whether as visiting lecturers, researchers, examiners or referees. It is not aimed at individual Israeli academics or researchers whose freedom to travel, lecture and collaborate in research is unaffected. It therefore does not hinder dialogue or free speech.¹⁶

In Conclusion

Israelis are inordinately proud of their universities for their advanced work in science and technology, their Nobel prizes and world rankings. But Israelis cannot have it both ways: claiming membership in the democratic world while pursuing violent policies of ethnic cleansing and undermining Palestinian higher education. The authors of this Report are convinced that academic boycott is the most effective, non-violent way for Western civil society to confront Israelis with the need to choose.

To learn more about the academic boycott, contact a national affiliate of EPACBI:

[The British Committee for the Universities of Palestine](#) (BRICUP)

[Association des Universitaires pour le Respect du Droit International en Palestine, France](#) (AURDIP)

[Akademisk og Kulturell Boikott av Staten Israel, Norway](#) (AKULBI)

[Academic and Cultural Boycott of Israel, Sweden](#) (PSABI)

[Belgian Academic and Cultural Boycott of Israel](#) (BACBI)

[BDS academico por Palestina, Portugal](#)



¹ The territory directly controlled by Israel includes East Jerusalem, Area C of the Occupied Palestinian Territories and other land illegally settled in the West Bank as well as 1948 Israel, but excludes the Golan Heights, illegally seized from Syria. Source, [Israel Central Bureau of Statistics](#).

² In addition to the eight universities listed on official Israeli English-language websites, Ariel College, located in an illegal settlement, was elevated to university status in December 2012.

³ Uri Yacobi Keller, 'Academic Boycott of Israel and the Complicity of Israeli Academic Institutions in Occupation of Palestinian Territories', Alternative Information Center, N^o 23-24, October 2009

⁴ The main British initiative is known as the Britain Israel Research and Academic Exchange Partnership or BIRAX, which is co-managed by the British Council.

⁵ On Israel's virtual EU membership, see David Cronin, [Europe's Alliance with Israel: Aiding the Occupation](#) (London: Pluto Press, 2010)

⁶ Israel Ministry of Foreign Affairs, Higher education in Israel – selected data, 28 November 2012.

⁷ On gender balance, see the report of RASIT.

⁸ Israel Ministry of Foreign Affairs, Higher Education in Israel – selected data 2010/11.

⁹ European Commission, “Higher Education in Israel - EACEA - Europa” (2013).

¹⁰ The New York Times International Weekly, 14 June 2015, p.3

¹¹ On Israeli de-development policy, see Robert Wade, ‘Organised Hypocrisy on a Monumental Scale’, LRB Online, 24 October 2014.

¹² General Assembly Distr. GENERAL A/HRC/12/48 25 September 2009, Human Rights in Palestine and other Occupied Arab Territories. Report of the United Nations fact-Finding Mission on the Gaza Conflict.

¹³ Dan Cohen, ‘In the last days of ‘Operation Protective Edge’ Israel focused on its final goal — the destruction of Gaza’s professional class’. <http://mondoweiss.net/2014/10/protective-destruction-professional#comments> According to the International Middle East Monitoring Center, the assault left 277 schools, or almost 70 per cent of educational provision, damaged or destroyed.

¹⁴ <http://www.nature.com/news/scientists-protest-detention-of-palestinian-physicist-1.16770>

¹⁵ <http://academic-access.weebly.com>

¹⁶ See the PACBI Guidelines for the International Academic Boycott of Israel (Revised July 2014).

Facts and analysis
about the crossings

Let them study

Posted on June 4, 2015



Rafah crossing has been open with decreasing frequency. Photo: Gisha

12

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Hundreds of students from Gaza who are enrolled in universities abroad have already missed the current academic year, and now their studies for next year are in jeopardy, too. In a [letter](#) (Hebrew) we sent to the Coordinator of Government Activities (COGAT) yesterday, we asked that students be allowed to travel through Israel to the Allenby Bridge border crossing and continue to their destinations via Jordan.

In theory, the Israeli authorities have no objection to letting students travel abroad via this route. In fact, in November 2014, Israel said it would allow 30 students from Gaza to travel abroad via Allenby Bridge every week. The most recent version of the [regulations](#) (Hebrew) by which COGAT regulates the movement of Palestinians, published this week, also states that, in addition to medical patients and individuals participating in special conferences, “students enrolled in advanced degree programs abroad” may travel (Sec G.5, p. 16).

So what is the problem? **Too little, too slow.** Eight months have gone by since that statement was made near the end of 2014, and so far, only 94 students have left Gaza, in three separate instances. Most of the students who were hoping to study abroad this year have lost their scholarships and visas, which have since expired, and have missed the school year. A new academic year will begin in September, and those who wish to take part have already begun their preparations.

Ever since the Egyptian regime change in mid-2013, Rafah Crossing has been open with decreasing frequency, and today, it is nearly impossible to travel through it. The only practical way to get

to university in a foreign country is to travel through Erez Crossing, which is controlled by Israel. Top security officials repeatedly express their support for facilitating the rehabilitation of civilian life in the Gaza Strip. Few things would help more than supporting the education of the future generation.

[Gisha on Facebook](#)

[Gisha on Twitter](#)

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One Response to *Let them study*



elaine bachman says:

June 5, 2015 at 06:54

please , do not deny these students an education

[Reply](#)

12

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Blockade on Dreams: Gazan Students Barred From Starting University Abroad

Published September 30th, 2017 - 07:24 GMT



Gazan students who have already been admitted to universities and received visas are currently waiting for the opening of the Rafah border - Gaza's only door to the outside world (Wikimedia Commons)

The Israeli and Egyptian governments are blocking Gaza's most talented students from pursuing their higher education abroad. These students have already been admitted to universities, received visas, and are currently waiting for the opening of the Rafah border - Gaza's only door to the outside world.

Since 1991, Israel has imposed restrictions on imports and exports as well as on the movement of people travelling to and from Gaza. These restrictions intensified after the 2005 "disengagement" and were tightened further in 2007 after Hamas' takeover of the Strip. These restrictions have unlawfully deprived Gazans of their most basic rights and necessities and have strangled the Strip's economy, severely deteriorating humanitarian conditions.

The Gaza Strip is enduring an acute and debilitating economic decline marked by one of the highest unemployment rates in the world and unprecedented levels of poverty, loss of trade and social deterioration, particularly with regard to educational services.

Gaza's education system has found itself facing a crisis. The damage to the education sector in the Gaza Strip continues to have a major impact on the lives of students and staff. Three higher education institutions were destroyed as a result of Operation Protective Edge, launched on 7 July 2014.

The reconstruction of Gaza's higher education facilities has taken on a snail's pace due to Israeli restrictions on construction materials entering Gaza.

Students in the Gaza Strip wanting to pursue their education abroad are hit hard by the closure of the Rafah border and the subsequent red tape and lengthy delays at the office of The Coordinator of Government Activities in the Territories (COGAT), an Israeli defence ministry body that administers the occupied Palestinian territories.

Since the closure of the Egyptian-controlled Rafah crossing, students have attempted to leave Gaza through the Israeli-operated Erez crossing, however exit permits are extremely difficult to obtain, due to arbitrary security conditions imposed by Israel.

- **'Even before the money wasn't enough': Palestinian government employees suffer pay cuts in Gaza**
- **UN Proposes to Help PA Govern Gaza Following Hamas Withdrawal**

Ibrahim Sharaf is due to continue his fourth year at the University of Glasgow, where he has a scholarship, but now fears he may not be able to leave Gaza in time for the start of term.

The 20-year-old was thrilled to be accepted for a funded place on the exchange programme, beginning 29 September.

"I was accepted on 19 July 2017, and the deadline for arrival is today, but I'm still here," he told The New Arab.

"The past few days I have asked myself whether or not my dream will come true. The only way to leave Gaza is via the Rafah crossing. However, it seems that this route is impossible for everyone. In the past six months, the Rafah crossing has opened for only four days. The alternative route is through the Erez crossing, however exit through this route is restricted and exit permits are impossible to secure.

"The past few months have been extremely stressful. Each day I become more anxious and more frustrated because there is nothing I can do; it is completely out of my hands."

According to Gisha, an Israeli not-for-profit organisation which fights for the freedom of movement of Palestinians, since January 2017, 362 Gazans who have secured places at colleges and universities abroad have applied to leave the Strip. Of these, 73 have been granted permission, while seven were outright refused, 50 were either returned to Gaza or placed under review - and 232 applicants are still waiting for a decision to be made.

Abeer Abuzayed, who was accepted on the same student exchange programme as Sharaf, also fears that her academic dreams may not be fulfilled.

"We don't have an airport here [Gaza International Airport was destroyed by Israeli bombing in 2001], therefore we need to travel either through the Rafah crossing, which has been closed for a long time, or through the Erez crossing, which requires special permission that is extremely difficult to get," Abuzayed told The New Arab.

"Myself and 23 other students have been accepted for this scholarship and unfortunately not one of us has stepped foot out of Gaza. The last date for enrolment is 29 September - and the border is still closed and we are still stuck

in Gaza."

Students like Sharaf and Abuzayed fear that missing out on the beginning of term will mean having to give up their scholarship and their place at the university.

"You cannot imagine how hard I worked for months and how much it affected my daily life.

"I performed my very best in the application process and when I was selected to take part in the student exchange programme, I confront the borders.

"For the first time ever, I completely understand what it means to have freedom and what it means to lose it," continued Abuzayed.

Talks of a unity government between Hamas and Fatah gave Gazan students hope that their academic dreams would come true. It was speculated that the Egypt-Gaza border crossing would open by late August, giving prospective students enough time to reach their destination and begin their academic journey.

Shyma Naji, due to begin her Masters in Management and Leadership and the University of Pécs in Hungary shares the same fear as the many other Gazan students longing to study abroad.

"I was optimistic at some points that the Rafah border would open. I try to believe that my situation will improve and I have tried to maintain a positive mind-set. However, previously I have had to defer my scholarship due to the same reasons that I face today.

"I have become really disappointed and depressed, because after everything I have worked for I have to wait until the following year. Here in Gaza, we are just wasting our time with waiting and hoping that the situation will get better."

Mohamed Saed - who was accepted on the MSc programme in Advanced Engineering at Sheffield Hallam University - is also still waiting for the Rafah border to open.

"I have until October 6 to enrol, but I am still stuck here. I have already missed welcome week and various other events for international students to familiarise themselves with the city and university," he said.

"My visa expires on October 1, so I have to leave very soon. This delay has exhausted me emotionally, and there are many other students who are in the same situation as me. Education is a right, so why have we been deprived?"

As freshers' week comes to an end, hundreds of students like Sharaf, Abuzayed, Naji and Saed are at risk of losing their university places abroad. Their aspirations to pursue their academic journey is jeopardised by the closure of the border and the blockade on Gaza.

Gazan students fear the loss of scholarship funds and the expiry of their residency permits. The next few weeks could determine the future of many students longing to pursue their studies abroad.

Razan Shamallakh is a freelance journalist and MA student in Conflict Resolution in Divided Societies at King's College London

Via SyndiGate.info



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Israel's destruction of Palestinian educational institutions in July and August 2014

FEBRUARY 25, 2015 · COMMITTEE ON ACADEMIC FREEDOM

☰ Interventions ☉ Egypt, Israel, Palestine ☞ International Conference for the Reconstruction of Gaza

Hosts of the International Conference for the Reconstruction of Gaza

Børge Brende
Minister of Foreign Affairs of Norway
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Sameh Shoukry
Minister of Foreign Affairs of Egypt
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Your Excellencies,

On behalf of the Committee on Academic Freedom (CAF) of the Middle East Studies Association of North America (MESA), I wrote to you in October 2014, to express grave concern over Israel's indiscriminate bombardment and destruction of Palestinian educational institutions during July and August 2014. Based on a recent report, *Rapid Assessment of Higher Education Institutions in Gaza*, issued by United Nations Educational, Scientific, and Cultural Organization (UNESCO), it is now clear that the extent of damage and loss of life in Gaza far surpasses what was known then. At the end of the 50 day crisis, Israel had killed 421 students enrolled in higher education institutes (HEI) and 9 HEI administrators, and injured 1128 HEI students and 21 HEI administrators, many resulting in permanent injuries. Israel also destroyed 26 schools, damaged another 122 schools and 14 HEIs, and its targeting of six UNRWA schools serving as shelters killed 47 civilians.

We reiterate what we wrote previously: It is imperative that these assaults be understood as part of an ongoing, intentional attack on Palestinian education by Israel in the context of continued military occupation of the West Bank and the Gaza Strip. Rather than continue to pay for reconstruction of what Israel has destroyed, donors should demand that Israel end its punitive blockade of the Gaza Strip and its repeated military assaults on the territory. Israel is flouting its obligation as the occupying power in the Palestinian territories to protect the population from harm. The willingness of donors to continually pay for reconstruction without clear condemnation of the military occupation relieves Israel of responsibility, and allows it free rein to continue its attacks on Palestine's educational system.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. It is the preeminent organization in the field. The Association publishes the *International Journal of Middle East Studies* and has nearly 3,000 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

According to UNESCO's recent report, Israel's shelling damaged at least 14 HEIs. The damage to Al-Azhar University in Beit Hanoun, Islamic University's central administration building, and University College of Applied Science is described as total. Israel targeted the Islamic University's central administration building on the grounds that it housed a weapons development facility, the same rationale marshaled to justify bombing the university in 2008-2009. No evidence has ever surfaced to support Israel's allegations that a weapons development facility existed at the university. Additionally, Israel's bombardment resulted in major damage to Al-Azhar University in Gaza, Islamic University in Khan Younis, the Arab College of Applied Sciences, and Al-Quds Open University. In fact, Israel raided Al-Quds Open University at least three times during the latest onslaught, and among the many buildings of the University College of Applied Sciences destroyed were the central administration building, a conference hall, computer laboratories and classrooms. Total damage to buildings, facilities, and equipment is estimated at over US\$16 million.

All of the institutions of higher education in the Gaza Strip canceled summer courses during the July-August onslaught, affecting tens of thousands of students. Given the destruction of physical plant—not to mention lives, homes and livelihoods—all HEIs were interrupted. They were disrupted for a minimum of 20 days and a maximum of 62 days over the semester. In total, 1,016 HEI days were lost over the summer semester.

In addition, during the conflict, Israel destroyed twenty-six schools which will require complete reconstruction, and damaged 122, 75 of which are UNRWA schools. Moreover, unexploded ordnance littered educational facilities and had to be cleared before their re-opening. Israel also targeted six UNRWA schools that were serving as civilian shelters, killing 47 civilians and injuring hundreds. Nine UNRWA staff members were among the dead: four teachers, two social service workers, a school principal, a school attendant and a laborer.

The homes of 7169 HEI students and 393 staff members were either totally destroyed or damaged in the onslaught, leaving many homeless. Furthermore, many students have been left traumatized by the extent of death, destruction, and loss. According to UNESCO's survey, many students exhibit symptoms of post-traumatic stress disorder, severe depression, sadness, anxiety, and many have been unable to return to their studies.

Israel's summer 2014 attacks upon the Palestinian educational system are an extension of decades-old military occupation policies that systematically undermine this sector. Palestinian universities suffer immeasurably from Israel's collective punishment policies, foremost among them campus raids and restrictions on movement that, in some cases, prevent students from attending classes. Furthermore, when these latest attacks commenced, the Gaza Strip had yet to recover from the damage caused by Israel's bombing campaign of 2008-2009. By the end of those military operations, Israel had killed 250 students and 15 teachers, and had injured 866 students and 19 teachers. Its bombing campaign damaged 16 kindergartens, 217 schools, and all eight of the Gaza Strip's institutions of higher education—the Islamic University of Gaza, the University College of Applied Sciences, Al-Aqsa University, Al-Quds Open University, the College of Applied Sciences and Technology, the College of Dar Al-Da'wa and Humanities, Al-Azhar University, and the University of Palestine. At least six university buildings were damaged beyond repair. The total damage to educational facilities in 2008-2009 was estimated at over \$32 million.

Even prior to these massive air assaults, the Gaza Strip's educational facilities were already severely weakened by Israel's blockade: Gaza suffered a shortage of 200 schools because the building of new ones to accommodate natural population growth had not been possible, and many schools, especially at the

elementary level, were already overcrowded, undersupplied and operating on a shift system.

Since 2009, numerous UN officials, among them Secretary General Ban Ki Moon and High Commissioner for Human Rights Navi Pillay, have asked that Israel be held accountable for the cycles of destruction in Gaza. We echo this call, and ask international donors to hold Israel accountable and not continue to pay for these cycles of destruction. All outside commitments and pledges of aid will be virtually useless if the blockade and other policies of military occupation persist. To protect academic freedom and the right of Palestinians to education, the fundamental circumstances in the Gaza Strip must be transformed.


Sincerely,


Nathan J. Brown
MESA President

cc:

- US Secretary of State, John Kerry (fax: 202-261-8199)
- Prime Minister of Israel, Benjamin Netanyahu (pm_eng@pmo.gov.il; fax: 972-2-566-4838)
- United Nations Special Coordinator to Middle East Peace Process, Robert H. Serry (fax: 972 -2-568-7288)
- World Bank Country Director to the West Bank and Gaza Strip, Steen Jorgensen (sjorgensen@worldbank.org)
- Head of the European Union Delegation to the West Bank and Gaza, and United Nations Relief and Works Agency, John Gatt-Rutter (delegation-west-bank-gaza@eeas.europa.eu; fax: 972-2-541-5848)
- Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees, Pierre Krähenbühl (c/o Christopher Gunnes, c.gunness@unrwa.org)

Documents & Links

 Gaza20150225
PDF 922 KB

 Gaza20141007
PDF 606 KB

Student travel between Gaza and the West Bank 101

September 2012

Background

In September 2000, following the outbreak of the Second Intifada, Israel instituted a sweeping ban on travel for Palestinian students from Gaza Strip wishing to study at Palestinian universities in the West Bank. Since its inception in 2005, Gisha has brought three court challenges of the ban. Gaza's five universities do not offer degrees in a [number of programs](#) which are available in the West Bank, and in other cases, students make individual choices to study at West Bank universities, even when degree programs are available in Gaza.

In 2007, the High Court recommended that the state establish a mechanism to approve exceptional cases of students whose studies would have "positive human implications" for the region. The state never established such a mechanism.

Most recently, Gisha presented arguments against the 12-year ban, particularly as it impacts the ability of five women students from Gaza to complete their degrees. Four of the women, in their 30s and 40s, began Master's programs in gender studies and human rights and democracy at Birzeit University before the travel ban was imposed. In 2000, the army refused to renew their permits and they returned to Gaza without having completed their degrees. The [fifth petitioner](#) is a young woman who sought to obtain a law degree at Birzeit, the most prestigious program in the Palestinian territory for the study of law. The court issued a conditional order, recommending that the state reconsider its application of the ban, however, the state [refused](#) to reverse its decision and allow the women to travel. On September 24, 2012, the court accepted the state's position and rejected the petition. Justice Elyakim Rubinstein wrote in the verdict in support of issuing an order to the state to create a mechanism for screening individual applications for travel by students, however Justice Miriam Naor and Justice Zvi Zylbertal opposed the suggestion.

Gisha believes that Palestinian students have a right to study in the Palestinian universities established for their benefit, in Gaza and the West Bank. Israel should lift the 12-year old ban on student travel from Gaza and instead adopt a policy that reflects its obligations and long-term interests, as well as its security concerns. Israel's legitimate security concerns are not served by preventing residents of the Strip, especially young people, from accessing the educational and professional opportunities they need to build a better future.

The arguments for and against

The following are the main arguments made regarding student travel by the state and by Gisha over the course of the last seven years.

The state says:

Students fit a risk profile:

- Each time, the ban has been explained by the state's argument that young people between the ages of 16 and 35, and especially students in that age group, pose a general threat since they belong to a "risk profile".

Gisha says:

- Young people, who constitute a majority of the residents of the Strip, should be seen for their potential as Gaza's future doctors, teachers and lawyers. In addition, the case in question demonstrated that age is not the consideration, as four of the five petitions were women over the age of 35. At the 11th hour, after the court had shown signs it might accept the petition, the state notified the court of security claims against three of the four women, and wished to invite the fourth for a security interrogation.

The state says:

The policy prevents the transfer of terrorist infrastructure:

- The state also recently explained that, "Since September 2000, Palestinian terror organizations have been waging an armed confrontation against the State of Israel" and thus restrictions on movement, limited to "humanitarian and exceptional cases" are seen as a means to prevent the expansion of "terror infrastructure from the Gaza Strip to Judea and Samaria".

Gisha says:

- Travel between Gaza and the West Bank has recently seen an increase, including in non-"humanitarian" cases, amounting to [4,000 exits](#) for Palestinians via Erez Crossing each month. If the official policy is that only travel of an exceptional, humanitarian nature is allowed, then why should [football players and businesspeople](#) be eligible for travel and not students? In fact, one of the women in the case described above received a permit to travel to the West Bank recently for professional reasons, but her permit request to enter the West Bank as a student was rejected. This distinction calls in to question the rationale behind the ban.

The state says:

Israel can decide who lets into its territory:

- The state claimed it "has broad authority to determine who will enter its jurisdiction, and foreign nationals have no legal right to enter the sovereign territory of the state. All the more so when that individual is the resident of a hostile territory".

Gisha says:

- The question of entrance to Israeli territory is irrelevant because the students are also not allowed to enter the West Bank via Jordan. Their very presence in the West Bank is what is in question, not the manner in which they arrive there.

The state says:

Israel has no obligations to residents of the Gaza Strip, and certainly doesn't need to facilitate access to academic studies:

- The state has claimed that its obligations towards residents of the Strip arise solely from the laws of armed conflict which determine minimal duties to allow passage of food, medicine and the like. Passage for the purposes of accessing academic studies is a privilege and well beyond a humanitarian need.

Gisha says:

- Israel's continued control over aspects of life in the Gaza Strip, as well as 38 years of direct rule and control over access to the other part of the Palestinian territory and its resources, renders its obligations higher than those it bears towards foreigners.

The state says:

The ban on travel of students is part of the "separation policy":

- In a response to the court, the state claimed "the policy in effect with respect to entry of Gaza Strip residents to the Judea and Samaria Area [the West Bank] is a policy of separation between the two areas, which limits the cases approved for entry into the Judea and Samaria Area to humanitarian and exceptional cases only".

Gisha says:

- We are not certain what the separation policy is exactly or how it is enforced. We do know that it is a policy that was articulated first in 2010, though it seems to have been implemented in various forms over a number of years. We also know that it has not been reviewed by any of the relevant government ministries or committees. We are making every effort to encourage a transparent and robust debate about the policy, as it harms the rights of Palestinian residents of the occupied territory and runs counter to Israel's stated interests. For more, see: [What is the "separation policy"? An info sheet](#)

[Click here to see profiles of students from Gaza](#)

[Click here to play the student in the interactive game Safe Passage](#)

A timeline of Gisha's challenge of the Gaza student travel ban

