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‘Administrative detention’ – cruel practice, cruel euphemism

by Susie Kneedler on November 24, 2009 · [8 comments](#)

Deeply disturbing news from Israel: [Mohammad Othman, human rights activist, who has been detained for two months by Israelis after a trip to Europe on which he detailed abuses of Palestinians, faces three months more detention without any allegations lodged against him. What is 'administrative detention.'](#) Here is Susie Kneedler's report from an Ohio event:

Ala Jaradat, [human rights activist of Addameer](#), spoke last week to 100 people at Ohio State University's Committee for Justice in Palestine about the campaign against the Israeli military's practice Administrative Detention.

On any day, the IDF can throw Palestinian people [into lock-up](#): arrest in the middle of the night, no charges, no trial, no knowable release date, no way to defend oneself, but plenty of torture, coerced confessions, and fraudulent verdicts of guilt. The inability of the arrested to ascertain the accusations or defend against them sounds just like the nightmare despotism Kafka depicted in the *The Trial*.

An estimated 40 percent of Palestinian men in the Occupied Territories have been imprisoned in Israeli jails, and each arrest is a tragedy all its own, chopping a family apart. Anyone—including children—can be nabbed at any time and kept forever for any violation of the 1600 arbitrary "military orders" that stunt Palestinian life: carrying a prohibited symbol like the Palestinian flag, even just the shape without the "colors"; wearing a keffiyeh; digging a well without permission; walking on an Israelis-only road that was routed precisely to cut people's houses off from their fields. The military dictator can change the rules at any moment and arrest anyone for what was legal only minutes before. All these "lawful" injustices are unlawful. Such disruption of anything like normalcy for the people of Palestine does nothing to enhance Israel's safety, though "security" is the Israeli government's endless excuse. Israel punishes Palestinians for merely surviving—wearing, carrying, saying, the "wrong" thing, or walking the "wrong" path, whereas it permits Israeli Jewish colonists to steal land, the uproot fruit groves, assault children as well adults, and even murder. ([Gideon Levy reported lately](#) on yet more precious olive trees, planted by the Palestinian farmer's "great-great-grandfather," uprooted by illegal Israeli colonists.)

Addameer [shows a map of all the prisons](#). These jails in Israel are doubly illegal, for International Law prohibits Israel from transporting Occupied Palestinians into Israel for confinement: "The Fourth Geneva Convention explicitly states that 'Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein' (Article 47)." But Addameer [reveals that](#)

“There are only two military detention centers and one military detention camp located within the OPT.”

Readers of this site know many of these facts, but the American public doesn't and, worse, hasn't got a clue that we in the U.S. help pay for every cell. For Jaradat told us another ugly truth. The Israeli government now requires that the 10,000 Palestinian political prisoners themselves finance being falsely imprisoned. Michael Liebert, of American Jews for a Just Peace, asked during the question time how Israel could afford the immense expense of locking up such an unconscionable number of people. Ala Jaradat told us that Israel does not need to pay, but instead ensures that its "private" contractor jailers profit from stowing all those souls in dungeons. The Israeli government provides nothing but bars and guards. It deprives people even of basic medical care. Many of the confined suffer irreparable injury and lingering debilitation.

The IDF knowingly incarcerates human beings in conditions not fit for human habitation: “Israel can "legally" intern 20 inmates in a cell no larger than 5 meters long, 4m wide and 3m high. This space includes an open lavatory.” [Addameer contrasts that 20 square meter cubicle with](#) “the minimum standard in American and European prisons [which] is 10.5 square meters per detainee. Prisoners may be confined indefinitely to such cells for 23 hours a day." That's twenty times as many people stuffed into twice the space.

The jails themselves are often inhumane. Animal pens and barns have been used, as well as “archaic prisons from the British mandate period [that] have been reopened, such as the Ketziot Military Detention Camp in the Negev desert," Addameer said. "Old, threadbare tents have been set up within this detention camp, exposing detainees to extreme weather conditions. Zinc huts house rudimentary hygiene facilities. At Ofer Military Detention Camp, located south of Ramallah, oil soiled hangars formerly used for military vehicles serve as holding areas for hundreds of Palestinian prisoners. Negev, Ofer and Megiddo are all infested with flies, parasites, rats and other vermin.”

But that's not the worst Ala Jaradat told us. The Israeli government forces the jailed to supply their own food, soap, and clothes—or, rather, to fork out money for them. And Israel prohibits the victims' families from supplying those necessities to their loved ones. Prison prices are more than thirty percent higher than Israeli prices. The courts also levy fines, forcing prisoners to pay for the infrastructure of their restraint: electricity, water, as well as the very guards, bars, and handcuffs that fetter them.

I asked Mr. Jaradat about the U.S. media's failure to cover Israeli immuring so many in such ghastly conditions. Mr. Jaradat reminded us that only we can change the policies of “our” government and “our” press, that our speaking out to friends, politicians, and news organizations is the only way we can change our country's support for tyranny.

“Addameer” means “Conscience” in Arabic. We need the conscience to keep talking about what we learn, to free ourselves from obedience to the Israeli claims and—much more crucially—the Palestinian people from serfdom. We have to stop using the rulers' euphemisms like “detainees” and “detainment centers” to describe bondage. Being “detained” means to be delayed at the drugstore, not thrown away for years. Our ability to exchange facts that circumvent the censors, is the best hope for freeing Palestine from the jail of Occupation, and ourselves from the shame of bankrolling it.

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[1](#) Eva Smagacz November 24, 2009 at 11:27 am

Planting / replanting trees in Occupied Territories, without *permit* is forbidden and can land you in jail unless you are a settler.

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[2](#) Colin Murray November 24, 2009 at 11:53 am

This is unconscionable. Zionists, how did the dream of 1948 mutate into this abomination? Can any of you claim with a straight face that the status quo is beneficial to Israel's long term viability?

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[3](#) Chaos4700 November 24, 2009 at 11:57 am

I'd invite Witty to talk about where this factors into his "Jewish AND democratic" Israeli Basic Law arguments, but the only thing articles like this see of Witty are his retreating backside.

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[4](#) Mooser November 24, 2009 at 1:09 pm

Gosh, Chaos, I clicked right over here to see what Witty would have to say about it. I'm sure he'll be here any minute now to 'splain it to us.

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[5](#) James November 24, 2009 at 12:20 pm

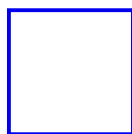
the more that comes to light of 'modern day' israel, the less their is to like about it.... unless i was racist at which point i would be impressed.... the rest of the world moves forward towards a peaceful coexistence by lessening racism while israel moves backwards embracing racism...

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[6](#) aparisian November 24, 2009 at 1:18 pm

Witty, Yonira ? Btw is Nomi99 is on hols?

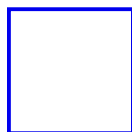
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[7 VR](#) November 24, 2009 at 6:17 pm

They are haveing a hasbara meeting...

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[8 VR](#) November 24, 2009 at 6:38 pm

“[Yesh Din (“there is a law/judgment”), an Israeli human rights organization established in 2005 to monitor abuses of Palestinians under Israeli occupation, has issued a report harshly critical of Israeli military trials of Palestinian suspects. These courts, which try thousands of Palestinian annually, have an astonishing 99.7% conviction rate, and trials routinely last for only a few minutes. Defendants, and even their lawyers, often do not understand the charges against them. Plea bargaining may account for some of the short duration of the trials, but even here, Yesh Din points out that pleas are usually lodged only after lengthy remands in prison before trial, during which defendants often have no access to their lawyers.

Yesh Din includes on its board a number of prominent Israelis such as former MK Shulamit Aloni, several retired Israeli army officers, a former Tel Aviv mayor, the former Israeli consul in New York, and an advisory staff of lawyers and human rights professionals. Much of their work to the present has been in monitoring law enforcement against settler violence toward Palestinians. In the settler violence project they are attempting to force Israel to live up to its international legal responsibilities as an occupying power.

Yesh Din’s newer military courts project points out that the IDF military courts, which have existed since the beginning of the 1967 occupation, operate in near-total secrecy — yet they are a cornerstone of the Israeli occupation. Defendants have few rights in the military court system, and evidence suggests that Palestinians rarely understand the charges against them. Yesh Din has found other abuses: for instance, defendants at the Samaria military court routinely have been held in metal shipping containers during trial appearances, rather than in existing jail cells.

Since 1990, more than 150,000 Palestinians have been tried by these military courts, and more than half of the current population of Palestinian prisoners is comprised of those who were tried by these courts.

Such secret military courts should be familiar, no doubt, to Americans who have followed the Bush administration’s efforts since 9/11 to establish the validity of military courts at Guantanamo and elsewhere in contravention of the US Constitution’s guarantees of fair trial; Israel’s secret military courts must be deemed equally odious, and dangerous to the cause of human rights.

The Yesh Din report said, however, that military court proceedings can be startlingly brief, citing a study of 38 hearings where prosecutors sought to extend suspects’ detention in custody until the end of case, which generally means remand for a year or more.

Of those 38 hearings, Yesh Din says, seven lasted between two and four minutes, 19 lasted between

one and two minutes and 12 were over in less than a minute.

The last study of Israel's military courts system was conducted in 1992 by another Israeli human rights group, B'Tselem.

Yesh Din, which said that its yearlong study was the most extensive of its kind to date, found major failings in the courts' practices: Hearings were held in Hebrew and simultaneous translation into Arabic was mainly carried out by conscript soldiers rather than professional interpreters, with the result that suspects, and their attorneys, often did not understand the charges.

"Most are detained in Israel and their attorneys are not able to meet them," said Michael Sfard, Yesh Din's legal counsel. In addition, minors were often tried as adults and detained at length before being charged.

Sfard said the 0.29 percent acquittal rating in 2006, or 23 cases out of 9,123, was most jarring.

"We think that this is an outrageous number which clouds the presumption of innocence," he said. "It is unreasonable that a justice system will have such a low figure of victory of the defense." "

[YESH DIN FINDINGS](#)

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