



Academic Paper

The Future of Resisting Administrative Detention Between Collective and Individual Strikes in Light of the Martyrdom of Sheikh Khader 'Adnan



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August 2023



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The Future of Resisting Administrative Detention Between Collective and Individual Strikes in Light of the Martyrdom of Sheikh Khader 'Adnan

Dr. Nihad Mohammed Sheikh Khalil¹

Abstract

Israel is trying to employ administrative detention as an effective way to make Palestinian factions exhausted, deplete the energy of active cadres in the West Bank (WB) and impose collective punishment on the Palestinian people.

Administrative prisoners took it upon themselves to resist administrative detention and have succeeded in many cases. However, Israel has become expert in escalating administrative detention while ignoring prisoners' protests and strikes, hence, these strikes reached a climax with the death of Sheikh Khader 'Adnan.



Sheikh Khader
'Adnan

The possible scenarios of Israel's conduct vary between continuing with the policies of recent years and the ebb and flow of harshness in dealing with prisoners' strikes. As for the resistance, most likely the resistance of administrative detention will remain the same. However, it is of the Palestinians' interest to develop new vision of ways to resist administrative detention, where various Palestinian forces would be widely mobilized.

Introduction

Israel uses administrative detention to deplete the Palestinian national movement in WB, particularly resistance factions and active cadres who support the resistance.

Administrative detention has cost many active members years of their lives in Israeli prisons, and the factions and their actions in



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WB have become unstable and exhausted. In the past years, Israel has been keen to release striking prisoners before their health conditions deteriorated to the point of death. The death of national leader Khader ‘Adnan in prison makes it necessary for researchers to predict the future of administrative detention resistance, examine the options available to those resisting, and then recommend ways that could help the Palestinian people to resist administrative detention.

This policy paper is divided into four sections. First section discusses the current conditions of administrative detention resistance, while examining the experiences of hunger strikes at the collective and individual levels. Second section identifies possible scenarios, the third discusses Israeli options and the fourth discusses options available to the Palestinians (prisoners, factions, human rights institutions and the Palestinian Authority (PA)).

I. The Conditions of Administrative Detention Resistance and Individual Strikes

The prisoners’ movement has seen at first collective strikes and then after a long-time individual strikes. It made several achievements through this method of struggle, but the issue waxed and waned. To clarify the current conditions of individual strikes, this paper will present it through the following points:

First: Collective Strikes

Palestinian prisoners in Israeli prisons waged collective strikes, protesting the prison authorities’ arbitrary treatment. They made great sacrifices, where many have died, such as the death of ‘Abdul Qader Abu al-Fahm on 11/7/1970 in Ashkelon prison, Rasem Halawa and ‘Ali al-Ja‘fari on 24/7/1980 in Nafha prison, Mahmud Freitekh in 1984 in Junaid prison and Hussain ‘Obaid on 14/10/1992 in Ashkelon prison.²

Prisoners’ strikes in Israeli prisons fluctuated between achievements and setbacks, but the prisoners did not give up and continued their struggle.

The course of collective strikes the prisoners’ movement waged in Israeli prisons can be summarized in the following stages:



² See a comprehensive information report on prisoners’ strikes in: The Most Famous Hunger Strikes, site of Palestinian National Information Center- Palestinian News and Information Agency (Wafa Info), https://info.wafa.ps/ar_page.aspx?id=3796



First Stage: The Transition from Submission to Confrontation and Achievements

This stage witnessed many strikes which sometimes failed and others succeeded. These strikes can be summarized as follows:

- ① 1. The Ramla prison strike in 1969 failed to reach any achievement, and the prisoners were isolated and suppressed. However, the prisoners of Kfar Yona Prison managed to attain minor achievements in their strike which coincided with the strike of the prisoners of Nafha prison. The achievements of Kfar Yona included allowing the introduction of stationery to write letters to the prisoners' families, and the prison authorities agreed to cancel "yes sir" that prisoners were required to say to the jailers.³
- ② 2. The female prisoners' strike in Neve Tirza prison in 1970 resulted in attaining simple achievements such as improving ventilation, increasing recreational time (fawra) and introducing some special women needs through the Red Cross.
- ③ 3. In 1970, there was a strike in Ashkelon prison for seven days during which the prison administration promised to meet some demands, but later disavowed their implementation. The strike was repeated in Ashkelon prison in 1973 without any achievements.
- ④ 4. In 1976, there was an open hunger strike that started in Ashkelon prison and spread to a number of other prisons. It managed to attain significant achievements for the prisoners, represented in introducing stationery, supervising the prison library, improving the quality and quantity of food and replacing the prisoners' mattresses.⁴



³ The History of Collective Hunger Strikes in the Occupation Prisons, site of the Commission of Detainees and Ex-Detainees Affairs, 28/5/2019, <https://cda.gov.ps/index.php/ar-ar-prisoner-movement/history-of-pri-m/6773-2019-05-28-19-13-23>

⁴ Ibid.



The year 1976 was a turning point in the history of the Palestinian national movement, whether in the 1967 or 1948 occupied territories. In this year, municipal elections took place in WB and the representatives of the national movement won the elections. Also, there were the events of Land Day, when the 1948 Palestinians confronted the Israeli policies of land confiscation, where many were killed, thus making this day important in the Palestinian history.

It can be said that in this year, the Palestinians moved from submission to the occupation to confrontation. Then, universities were founded, while the trade union and student movements became active.

Second Stage: Consolidating Gains Through Confrontation

- ✓ 1. The prison administration did not respect its promises but rather reneged on fulfilling them. Prisoners returned to strikes in 1977, and on 1/5/1980, the prison administration established Nafha prison in the Negev desert. It isolated the leadership of the prisoners' movement in this prison and followed an extremely harsh policy against its members depriving them of all gains and achievements. On 14/7/1980, they waged a strike, the strongest in the history of Israeli prisons, and made unprecedented achievements where an official investigation committee formed by the Israeli government, known as the Kate Committee, which recommended several adjustments. Consequently, prison cells were expanded, the number of prisoners per cell was reduced and beds were gradually introduced to all prisons. This strike received wide media coverage.



This strike succeeded in attaining achievements for several reasons including the type of prisoners in Nafha prison at that time, as they were firm and showed high willingness to sacrifice. While the Israeli authorities isolated them to deprive the prisoners' movement in various prisons of having a strong leadership, the result was counterproductive, because gathering them in one place made their will stronger. Another reason was the development of the national movement and popular support outside prisons which supported the strike and helped it to succeed.

- ✓ 2. The prisoners did not stop thinking about confrontation to improve their living conditions. On 1/7/1984, the prisoners of Junaid prison declared an open hunger strike, and after 13 days, they were joined by prisoners from other prisons. They



succeeded in changing the red lines set by Israel, thus radios, televisions, civilian clothes, improved types of food and treatment, and an increase in canteen allowance became allowed.⁵

This struggle spirit in prisoners was part of a growing struggle phenomenon in occupied Palestine, where the Physicians Syndicate in Gaza Strip (GS) launched a strike in 1981 against the occupation's policies, supported by all trade unions and institutions in GS, WB and 1948 occupied Palestine. In addition, the student movement in universities was at the peak of its activity, as Sharaf al-Tibi was killed during a march launched from Birzeit University in that year in support of the independent national decision.

3. Israeli authorities continued to deal elusively with prisoners, trying to reduce their achievements. On 25/3/1987, the prisoners went on strike in Junaid prison that lasted for 20 days, and then the other prisons joined in, but it ended without any significant accomplishments. It should be noted that in 1987, the Palestinian people strongly believed that resistance on the ground is quite feasible. This made Israel take more arbitrary and brutal measures, and may have been among the factors that accelerated the outbreak of the *Intifadah* in December 1987.



4. Following the outbreak of the *Intifadah*, the prisoners went on a one-day strike, in January 1989, in solidarity with the strike of the unified *Intifadah* leadership. However, the Israeli prison administration targeted Nafha prison more than other prisons after the end of the Gulf War and refused to restore the pre-war situation. Thus, prisoners in Nafha waged a strike on 23/6/1991, but their strike ended without any achievements, and this was for several reasons. First, popular activities were greatly declining, and the youth's orientation towards military action against the occupation began, which weakened interest in prisoners' strikes. Second, the prison administration distinguished between prisons, as some returned to the normal situation before the Gulf War, while others returned at varying rates, except for Nafha Prison. The third reason is that military operations and the various activities of the *Intifadah* were dominating the scene, which was also preoccupied with news of political initiatives to solve the Palestine issue.

⁵ The Most Famous Hunger Strikes, Wafa Info, https://info.wafa.ps/ar_page.aspx?id=3796

The canteen is the source of the prisoners' supplies of groceries and supplies, which are purchased through a special process.



5. On 25/9/1992, and after one year of preparations, a strike began in most of the major prisons, and it ended with significant accomplishments, where the isolation section in Ramla prison was closed, strip searches stopped, visits to sections were re-allowed, cooking tiles were introduced and the list of purchases in the canteen expanded.

It should be noted that this strike began two months after Yitzhak Rabin formed the government, and there was talk about the Israeli government's move towards secret negotiations with the Palestine Liberation Organization (PLO), in addition to the escalation of armed Palestinian resistance in the WB and GS and the Israeli government's need to ease tension in the Palestinian street.

Third Stage: The Oslo Accords and Changing the Prisoners' Struggle Environment

1. After the Oslo Accords and the establishment of the PA, there were changes concerning the prisoners, as they were divided according to the Accords into several categories: prisoners whose hands "are stained with blood" and prisoners who are not, and prisoners who support the peace process and prisoners who do not. Also, the peace process led to the release of large numbers of prisoners, and the number of new detainees decreased due to the Israeli withdrawal from Palestinian cities and population centers. Friction between the Palestinian people and the occupation decreased, and the conditions outside the prisons changed, where the absence of hotbeds of friction between the Palestinians and the occupation made the ability of WB and GS to pressure and influence the occupation decline.



During this period, several strikes took place, including the June 1994 3-day strike in most prisons, which was against the way 5000 Palestinian prisoners were released, based on the agreements signed between Israel and the PLO.

Another strike took place on 18/6/1995 under the slogan "releasing all male and female prisoners without exception" to influence the Taba negotiations and push negotiators to release the prisoners. In 1998, the prisoners went on strike against the release of criminal prisoners among the prisoners released under the Wye River Memorandum.

However, the year 1996 witnessed a strike against the Israeli authorities, which reduced the gains made by the prisoners throughout their struggle history. After two



rounds of strikes in 1996, the prisoners were able to make some of the achievements return, such as mattresses and some life improvements.

On 1/5/2000, a strike was launched in Hadarim prison against the policy of isolating 80 prisoners, in addition to the restrictions imposed on family visits and administrative inspections. Joining this strike were the prisoners of Nafha, Ashkelon and Shatta prisons, who called for their release. An agreement was reached between the prisoners, the Shabak and the prison administration to release the isolated prisoners immediately and stop naked searches, while promising to solve the public telephones issue. With the outbreak of *al-Aqsa Intifadah* on 28/9/2000, the prison administration renounced its promises.

- ② 2. During *al-Aqsa Intifadah*, the prison administration launched a fierce attack against male and female prisoners, and the latter in Neve Tirza Prison declared a strike on 26/6/2001, which lasted for eight days but could not achieve anything.



Due to these harsh prison policies, consultations among prisoners began in 2003, to start a strike, and efforts saw light on 15/8/2004, when a strike was launched in Hadarim prison, and many prisons such as Ashkelon, Eshel and Gilboa followed suit. Many prisoners believed that this strike failed because its leadership was not unified, and that the internal general environment in prisons and outside prisons was not conducive to going on strike.

On 10/7/2006, a strike took place for six days against the humiliating frisking of the prisoners' family, and to improve living conditions, especially night searches.

Fourth Stage: The Arab Spring

- ① 1. In 2011, a strike took place against the policy of solitary confinement. The strike was ended and the demands were met with the implementation of the Devotion of the Free Deal for the exchange of prisoners.



2. On 17/4/2012, a strike against solitary confinement took place in prisons, demanding also visits to Gaza prisoners to be allowed. Egypt was the mediator in these negotiations and the demands were met.⁶ It seems that the Arab Spring phase, which witnessed the Devotion of the Free Deal, provided moral support to the prisoners and boosted their morale. It helped them achieve their demands by putting the occupation under the pressure of the possibility of expanding the protests outside the prisons.



Fifth Stage: Restoring the Resistance in WB and the Return Marches in GS

1. On 24/4/2014, about 120 administrative detainees in Megiddo, Ofer and the Negev prisons launched an open hunger strike against their continued administrative detention, demanding even the abolition of the administrative detention policy. A number of convicted prisoners joined them. The strike lasted for 63 days and an agreement with the Israel Prison Service (IPS) was reached, cancelling many sanctions imposed on the prisoners.⁷

It should be noted that during this strike, Al-Qassam Brigades captured three Israeli soldiers in Hebron, on 12/6/2014. This operation and the potential of the conditions exploding in WB may have played a role in making the IPS back down from the sanctions it imposed on administrative detainees.

2. On 17/4/2017, another strike took place in a number of Israeli prisons to restore rights, and the prisoners succeeded in attaining some achievements. An open hunger strike was launched on 8/4/2019, against the placement of carcinogenic jamming devices, and to lift the banning of family visits to GS prisoners.⁸ Isma‘il Haniyyah announced that Hamas facilitated a phone call between UN envoy Nickolay Mladenov and ‘Abbas al-Sayyid, the Hamas



Isma‘il Haniyyah

⁶ The history of collective hunger strikes in the occupation prisons, site of the Commission of Detainees and Ex-Detainees Affairs, 28/5/2019.

⁷ The Most Famous Hunger Strikes, Wafa Info, https://info.wafa.ps/ar_page.aspx?id=3796

⁸ Ibid.



leader in prisons, and Egypt was aware of these negotiations.⁹ This strike coincided with the peak of the Return Marches organized near the fence separating GS from the 1948 occupied Palestine.

Sixth Stage: The Increasing Influence of the Extreme Right on Government Decisions

After a number of Palestinian prisoners managed on 6/9/2021 to escape from Gilboa prison through a tunnel they dug, and despite their re-arrest, the occupation authorities and IPS resorted to further arbitrariness and brutality in dealing with the prisoners. However, the prisoners did not surrender and announced a one-day strike on 14/2/2022. The prisoners continued their protest activities and set 25/3/2022 for the open strike, but on 24/3/2022, they reached an agreement with IPS.

However, IPS did not fulfill its commitments, and the prisoners returned to their protests in August 2022, and on 28/8/2022 they announced the dissolution of the regulatory bodies in prisons. They held IPS responsible for all the chaos that might result from this step, especially since it will lead to a slowdown in the counting process, and IPS will be forced to prepare and distribute food to the prisoners, which means an increase in the number of officers and soldiers working in prisons. It should be noted that the regulatory bodies facilitate the life system in prisons in return for the prisoners obtaining some rights. Thus, the prisoners threatened to stop these bodies because the administration refused to commit to the agreed rights, and they showed their willingness to engage in confrontations with the wardens on 29/8/2022, so IPS was forced to negotiate and respond to the prisoners' demands.

Israeli Minister of National Security Itamar Ben-Gvir decided to pursue a harsh policy against the prisoners which began on 14/2/2023. It included controlling the amount of water used by the prisoners, reducing the duration of showering, increasing raids and searches against male and female prisoners, using sound bombs and sniffer dogs during raids and searches, submitting bills to the Knesset to deprive prisoners of medical treatment, implementing death penalty against the prisoners who carried out operations against Israel, increasing solitary confinement and withdrawing television sets. The prisoners threatened to go on strike 23/3/2023, which is the first day of Ramadan, and they issued



Itamar Ben-Gvir

⁹ Haniyyah: Direct Talks Between the Prisoners' Leaders and Mladenov Led to an Agreement, site of Arab 48, 16/4/2019, <https://www.arab48.com>



statements and made contacts, so IPS reached an agreement with them that ended the strike on 22/3/2023.¹⁰

It is clear from the six stages of collective strikes that there are a set of rules governing the prisoners' resistance in prisons. These rules are as follows:

- ① 1. The external environment supporting the prisoners' struggle in Palestine is of great importance to the success or failure of the prisoners' strikes. This was evident in the success of the prisoners' strikes in 1976, 1980 and 1984, when the struggle situation escalated in WB, GS and the 1948 occupied Palestine.
- ② 2. The impact of outer conditions on the success of the resistance of the prisoners' movement was clear in 2011 and 2012 during the Arab Spring; in the 2014 strike, when the resistance was restored in WB and three Israeli soldiers were captured; and in the 2019 strike, when the Marches of Return had an impact on its success.
- ③ 3. The unity of the prisoners' movement has a major role in the success of the strikes, and this was clear in the strikes that took place before 1987. As for the Oslo phase, the ensuing classification of prisoners had an impact on the prisoners' unity, which negatively reflected on the strikes and their results.
- ④ 4. Analyzing the successes and failures of the strikes indicates that there are four important Israeli factors that have an impact on achieving the prisoners' goals: First, the minister responsible for prisons and the extent of his extremism, taking into account that he is not free-handed, especially if the prisoners' strike fuels the external environment against the Israeli government. Second, the security services, especially if their situation assessment differs from that of the responsible minister. Third, the prime minister who takes into consideration the political and security reverberations of the prisoners' strikes. This was noticed from following up Ben-Gvir's attempt to impose his policy towards the prisoners, as it was mitigated when the prisoners declared their willingness to launch strike and confrontations. The fourth factor is the fear of the jailers (officers and soldiers) of confrontations in prisons, especially when the prisoners are of high and life sentences, as this type of prisoners can carry out stabbing operations against the jailers.

The rules governing the success and failure of prisoners' strikes are very important, and must be taken into consideration when planning any upcoming clash between the prisoners and IPS.



¹⁰ The Most Famous Hunger Strikes, Wafa Info., https://info.wafa.ps/ar_page.aspx?id=3796



Second: Individual Strikes Against Administrative Detention

1. Since it took control of GS and WB in 1967, Israel has used administrative detention extensively and increasingly during popular uprisings. The Israeli authorities have issued more than 50 thousand administrative detention orders since 1967, with around 24 thousand orders issued between 2000 and 2014. The number of administrative prisoners during the first *Intifadah* in 1989 exceeded 1,700, and during *al-Aqsa Intifadah* in 2003, the number reached 1,140. From the popular uprising in 2015 until the end of 2018, the Israeli authorities issued 5,068 administrative detention orders, including new orders and renewal of previous ones.¹¹
2. In January 2012, the prisoner Khader ‘Adnan triggered a wave of individual strikes against the policy of administrative detention as his strike lasted 66 days, and the occupation was forced to issue a decision ending his open detention.¹² Yet, ‘Adnan’s strike was not the first, it was preceded by a number of remarkable individual strikes carried out by the prisoner ‘Itaf ‘Alyan. She carried out three strikes to protest her administrative detention: the first during her interrogation in 1987, the second in 1992 and the third in 1997. Also, a hunger strike was waged by the prisoner Nura al-Hashlamun in 2007, which lasted 52 days, and so did prisoner Muna Qa‘dan.¹³
3. Khader ‘Adnan was followed by the Jerusalemite prisoner Samer ‘Issawi whose individual hunger strike, in 2012, lasted 265 days in protest of his administrative detention (without trial). Samer was released, but Israeli authorities re-arrested him and reinstated the sentence he was serving before his release in the Devotion of the Free Deal in 2011.¹⁴
4. The prisoner Ayman Sharawna, from Hebron, went on an individual hunger strike on 1/7/2012 to protest his re-arrest after his release in Devotion of the Free Deal. His strike lasted about 250 days after which he was released and deported to the GS.¹⁵

¹¹ Ali Abu Hilal, Solidarity with the Administrative Prisoners Who Are on Hunger Strike To Achieve Their Just Demands, site of the Information and Culture Commission - Fatah Media, 28/7/2021, <https://www.fatehmedia.ps/page-106303.html>; and The Reality of Administrative Detention in Israeli Prisons, Wafa Info, https://info.wafa.ps/ar_page.aspx?id=3944

¹² The Most Prominent Individual Strikes of Palestinian Prisoners, site of Aljazeera.net, 15/8/2022, <https://www.aljazeera.net> (in Arabic)

¹³ Amani Sarahneh, Individual Hunger Strike, Transformations and Challenges: The Case of Prisoner Khalil Awawdeh, site of Institute for Palestine Studies, 17/8/2022, <https://www.palestine-studies.org/ar/node/1653018>

¹⁴ Prisoner Samer Issawi Suspends His Hunger Strike After the Occupation Prison Administration Responded To His Demands, Wafa, 25/11/2022, <https://www.wafa.ps/Pages/Details/59925>

Note: During his strike and after he lost his consciousness and was in the recovery room, the occupation authorities fed him intravenously, without his consent.

¹⁵ See Sharawna arrives in Gaza after his Deportation, Aljazeera.net, 18/3/2013. (in Arabic)

Note: Ayman Sharawna went on hunger strike on 1/7/2012, suspended his strike on 23/12/2012, then returned to strike on 1/1/2013. Then, he suspended it for two days and returned to strike on 16/1/2013 until he ended his strike on 17/3/2013. The reason for suspending the strike was the promises he received to resolve his case.



5. The individual hunger strike in the second decade of the 21st century became a phenomenon, as administrative prisoners went on open hunger strikes and were able to restore their freedom, among them the journalist Muhammad al-Qiq, Isma'il 'Ali, Maher al-Akhras, Khalil 'Awawdeh, Kayed al-Fasfous and 'Alaa al-'Araj among others.



6. From 2012 until September 2022, administrative prisoners carried out more than 400 individual strikes, reaching peak in 2012 and 2013. The year 2014 witnessed a collective strike of administrative prisoners, which we have referred to earlier in this paper. Strikes of administrative prisoners declined after that, but in 2021, individual strikes witnessed another peak as about 60 individual strikes were recorded in that year.¹⁶
7. The administrative prisoners resorted to individual strikes after exhausting all means to put an end to administrative detention, whether through courts or local and international human rights institutions, besides the political efforts through the PA. Israel increased its use of administrative detention to punish the Palestinian people collectively and exhaust the national factions, where prisoners felt their lives were drained through endless detention.¹⁷

The strikes of 2012 and 2013 reached their goals, because that period witnessed the peak of Arab Spring when the masses were able to make achievements through peaceful struggle, in addition to the fact that social media was used widely in mobilization and advocacy. However, the subsequent periods witnessed a decline in the solidarity of Arab and Palestinian masses with the individual detainees' strikes, which made their success more difficult.



Ultimately, the situation reached a point when a hunger-striker died in prison and Israeli authorities refused to hand over his body to his family, as happened with Sheikh Khader 'Adnan.

¹⁶ Amani Sarahneh, Individual Hunger Strike, Transformations and Challenges: The Case of Prisoner Khalil Awawdeh, site of Institute for Palestine Studies, 17/8/2022.

¹⁷ The Palestinian Human Rights Organizations Council Looks With Great Concern at the Increasing Number of Administrative Prisoners in the Israeli Occupation Prisons, site of Al-Haq, 1/6/2015, <https://www.alhaq.org/ar/palestinian-human-rights-organizations-council/2425.htm>



- ⑧ 8. Many discussions were made regarding the feasibility of individual strikes, and two approaches emerged: The first adopted by the official Palestinian authorities responsible for the prisoners' file, in addition to many activists and researchers who stress the need to adhere to collective strikes, plan these strikes carefully and choose the appropriate time for their success, while the second adopted by the administrative prisoners who engage in individual strikes and believe in their feasibility.¹⁸
- ⑨ 9. It should be noted that the prisoners' movement supported from the beginning collective strikes and was against individual ones,¹⁹ however, their announced position towards the latter was out of respect to individual heroism but not out of conviction that it would achieve positive results. Moreover, it has been noticed that no limit was set for the administrative detention, and that the hunger strikes that took place brought freedom to one individual only, while pushing the limits of achievement beyond the capacity of other prisoners.
- ⑩ 10. At the beginning, in 2012, individual strikes attained achievements. However, the Israeli authorities learned their lesson and took measures to make the individual strike a burden. They prolonged the strike duration and prevented the media from accessing the pictures of the striking prisoner. As for the Palestinians, they continued to deal shyly with the issue as they were not able to criticize it and demand its cessation, while, at the same time, they were unable to adopt, support or help it to make accomplishments. Thus, individual strikes patterns vary and depend on individual decisions, making it difficult for the researcher to predict when they would stop or whether they would attain any achievements.

II. Possible Scenarios Regarding Methods of Resisting Administrative Detention after the Martyrdom of Khader 'Adnan

First scenario: Israel would maintain its previous policy of making the prisoners on hunger strike exhausted, while releasing them after a long and exhausting period of strike. While this scenario is possible, the way Israel dealt with the death of the prisoner Khader 'Adnan; its refusal to hand over his body; and its assassination of a number of military leaders of the Palestinian Islamic Jihad (PIJ) in GS due to the Movement's firing of missiles at the GS border in protest of the death of Khader 'Adnan, make the

¹⁸ The Battle of the Empty Stomachs from the Collective to the Individual, site of the Palestinian Center for Policy Research and Strategic Studies (Masarat), 10/11/2016, https://www.masarat.ps/ar_print.php?id=19d823y1693731Y19d823; Individual Prisoners' Strikes, Motives and Feasibility, site of Vision Center for Political Development, 29/9/2022, <https://vision-pd.org>

¹⁹ Individual Prisoners' Strikes, Motives and Feasibility, Vision Center for Political Development, 29/9/2022.



possibility of continuing with the same policy weak without excluding the possibility of escalation.

Second scenario: Israel would deal more harshly with the individual strikes of administrative prisoners, even if their health conditions deteriorate to the point of death. This scenario is supported by IPS's implementation of the policies of the Israeli minister of national security, which include the reduction of gains and privileges obtained by the prisoners through their continuous struggle; isolation of the hunger strikers and preventing them from going to hospitals; and the prevention of publication of their news and pictures in the media.

However, if the number of individual hunger strikers increases among the administrative prisoners and receives solidarity from the rest of the prisoners, in addition to having support from factions, media and human rights bodies, the Israeli authorities may show some flexibility and could back off. For the IPS will be disturbed by the tension in prisons, disrupted conditions, and the increase of medical care burdens. This situation can place the Israeli authorities under strong criticism for violation of international law and escalation of prisoners' strikes, which would keep the issue of prisoners alive among the masses and present a role model of heroism and sacrifice to the new generations. The indomitable determination of the prisoners may lead to new waves of solidarity with the prisoners, hence, WB, GS and the 1948 occupied territories might explode, each with its own solidarity style, and this would push the Israeli prime minister to intervene and take some steps back, albeit tactically.



Third scenario: The administrative prisoners become reluctant to initiate an individual strike since Israel is able to contain the effects of these strikes on local and international public opinion. This scenario is supported by the prisoners' conditions during the preparation of this paper, as hardly anyone hears about prisoners on hunger strike, despite knowing that the May 2023 statistics indicate that cases of administrative prisoners have reached 1,083, an unprecedented number since 2003. However, this reluctance may be temporary, especially since the number of administrative detainees is increasing dramatically, and the mistreatment of prisoners by prison authorities is exacerbating, which would generate reactions including the increase of individual strikes.

Fourth scenario: Palestinian factions, masses, human rights institutions and prisoners' associations would develop influential visions and solidarity plans, while the PA and the PLO leadership would adopt a diplomatic plan, turning to UN bodies to



criminalize Israel's behavior, request sanctions against it and force it to ease administrative detention. This scenario seems possible, due to Israel's increasingly harsh treatment of prisoners, the increase of prisoners numbers and the IPS's mistreatment, and as clear decline of individual strikes against administrative detention is witnessed.

Possible Scenarios

Israel is expected to adopt a strict policy in general, trying to subdue the administrative prisoners, but with relative flexibility, depending on conditions. Most probably, Israel would not respond to individual strikes unless there are dramatic developments and surging solidarity that would urge the Shabak to stop escalation. In this case, Prime Minister Benjamin Netanyahu would be forced to intervene and curb Ben-Gvir's extremism, albeit tactically. As for resisting administrative detention, this would be the prisoner's personal choice, which also depends on his capabilities, unless the prisoners' movement, the factions and the PA adopt such confrontation to force the occupation to stop imposing it.



Benjamin Netanyahu

III. Israel's Options in Dealing with Resistance to Administrative Detention

Israel has three options in dealing with resistance to administrative detention:

- ✓ **First option:** Breaking the will of the striking prisoners by neglecting them in the first stages of the strike, depriving them of access to hospitals and preventing them from communicating with the media, thus exposing them to death or causing severe body damage, then raising the cost of embarking on the strike in return for no achievement.

This is the preferred option for the Israeli Minister of National Security Ben-Gvir and his extreme movement. This option also doesn't put pressure on the jailers, because administrative prisoners will not resort to stabbing operations or violent confrontation with the guards. What could prevent this scenario is the Palestinians' success in raising the cost of this Israeli option on the security, political and diplomatic levels.



- ④ **Second option:** The intervention of PM Benjamin Netanyahu and the Shabak to control the policy of Minister Ben-Gvir who is in charge of overseeing prisons, especially if there are escalations in WB, GS and the 1948 occupied territories, and if Palestinians succeed in mobilizing international support, which would force Israel to respond to the demands of the administrative prisoners.
- ④ **Third option:** The ebb and flow of matters would continue in an environment governed by extremism that wants to push administrative detention to its limits, and in which Ben-Gvir plays a major role. Then, the prime minister intervenes at a certain point, based on Shabak recommendations, to limit the political, diplomatic and security impact, so as not to lose the gains these strict practices made.
- ④ **The likely option is the third one,** because Ben-Gvir and the extremist movement need from time to time to meet the aspirations of voters and implement their convictions. Also, Netanyahu needs to bargain with Ben-Gvir on a continuous basis to prevent him from acting on one issue, but at the same time, he would allow him to act on another, afterwards he would intervene to ease the reverberations of any damage.

IV. The Potential Options for Prisoners and Resistance Forces in Facing the Administrative Detention Policy and their Pursuit to End it

There are three options for Palestinians facing administrative detention:

- ④ **First option:** The administrative prisoners would continue to strike on individual basis. For the Palestinian national movement has not fully succeeded so far in dealing with this file, where despite the belief among the majority of them in the weak feasibility of individual strikes, they cannot oblige their members not to embark on an individual strike. At the same time, they can do nothing to solve the problem and have to make the minimal effort in solidarity, whether through the media or the participation of some activists in solidarity stands with the families.
- ④ **Second option:** The Palestinian national movement considers the issue of prisoners a national priority, a struggle issue and a resistance cause, in which administrative detention is part. Consequently, planning, coordination and cooperation would be implemented by the national action forces, inside and outside prisons. In addition, the people of WB and GS, Palestinians in countries of refuge, Palestinian and Arab communities and other supporters would be urged to support. Also, human rights institutions are urged to prepare reports on Israel's violations of the rights of Palestinian prisoners, besides linking the strikes of administrative prisoners demanding freedom with the strikes of convicted prisoners demanding improvements to their conditions. This is the best option for the Palestinians, because Israel continuously launch attacks



and battles against Palestinians, including its battle with prisoners. Therefore, the confrontation must be based on a plan embracing cooperation and a unified position.

- ✓ **Third option:** This option depends on the approval of the PA and the PLO leadership to advocate for such a cause through diplomatic and human rights action. Consequently, Palestinian embassies would take part, while the ambassadors and representatives of various countries in Palestine would be contacted, in addition to addressing the UN Security Council and General Assembly, the International Court of Justice (ICJ) and every similar bodies, reporting Israel's violations to them, while demanding their support to the prisoners.



- ✓ **The expected option is the first** because the action of administrative detainees depends on themselves, their bodies and their high willingness to sacrifice, while the factions and the PA do not see individual strikes as a priority. **The preferred and possible option, if there is will,** is in mixing the second and third options. In this case, the activities of the resistance can be built on all the lessons learned from the collective strikes that we referred to at the end of the first topic addressed in this paper.

Recommendations

- ✓ **1. Recommendations for prisoners:** Managing individual strikes so that they are launched at times appropriate to mobilize the street, while taking into account the urgency of the prisoner's case who intends to go on strike, and the importance of coordination between administrative prisoners, convicted prisoners and the leadership of the factions and the PA. In addition, tight and escalating plan would be put, with aspirations to exacerbate the problem for the occupation rather than exhaust the prisoners and deplete their energy.
- ✓ **2. Recommendations for the factions:** Adopting a sustainable and more coordinated action strategy agreed upon by all factions, and moving from solidarity and support action to the inclusion of this cause to the struggle against Israel. As a result, Palestinian communities in Europe and America would be mobilized to organize activities against the



Israeli embassies, while activating popular diplomacy and the factions' media to raise awareness for the issue of prisoners in every platform they own or have access to. Also, there is need to consider resisting administrative detention a strategic issue, rather than making reactions to this or that arrest or strike. Actions must be taken to build pressure on Israel.

3. **Recommendations for the media:** In order for the prisoners' strikes to succeed, this requires the Palestinian media to stop dealing with the prisoners as news governed by standards of novelty and excitement. Rather, the issue of prisoners in general and strikes in particular should be approached as a top priority in a way that does not drain feelings but rather helps popular mobilization and pushes for mass participation in events.
4. **The role of human rights organizations:** The role of human rights organizations is of great importance in preparing reports that expose the crimes of the occupation, distributing them to all institutions and activists worldwide, and demanding their mobilization and advocacy to this just cause.
5. **Communicating with the Palestinian movements that have global reach,** urging them to highlight the criminal aspects of Israel's dealings with the prisoners, and demanding international institutions and various countries to boycott Israel and impose sanctions on it.
6. **Recommendations for the PA and official Palestinian leadership:** The effort of the PA and the PLO leadership is very important in advocating the struggles of the prisoners. This requires them to activate the role of the Palestinian embassies and take serious action in international institutions to condemn Israel and demand the imposition of sanctions on it for its violation of the rights of prisoners. In addition, there is need to go to the ICJ and other courts to demand criminalizing Israeli policies against the prisoners and forcing it to retract.

