

HOSTAGES IN THEIR OWN HOME

How imprisonment, military law, and restrictions on movement shape Palestinian political life.

A study of colonial continuity, collective rights, the experience of detainees, and the struggle to retain agency.

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WHEN DETENTION BECOMES A METHOD OF RULE

In Palestine, imprisonment cannot be examined only as the consequence of an individual criminal case. Arrest, military courts, emergency powers, restrictions on travel, and the possibility of repeated detention influence the conditions in which entire communities live and organize.

This publication examines the political function of confinement. It asks how legal systems can make coercion routine, how the threat of custody affects public participation, and why the rights of detainees are inseparable from the wider question of Palestinian self-determination.

An account of prison conditions is therefore also an account of institutions, historical power, family separation, political representation, and the capacity to imagine a future beyond occupation.

FORTRESSES, FRONTIERS, AND COLONIAL POWER

Across different eras, occupying powers have used fortified sites and controlled corridors to command territory and restrict the movement of those living within it. Medieval Crusader strongholds and modern detention facilities belong to very different legal and technological worlds, but both invite scrutiny of how coercive infrastructure shapes civilian life.

The comparison is interpretive, not a claim that the institutions are identical. It focuses on a recurring political problem: a regime that relies on permanent barriers and exceptional force may be able to impose control without securing the consent of the population it governs.

In the Palestinian case, the prison must be read alongside the checkpoint, permit office, military order, and separation barrier. Together, these mechanisms can make confinement a condition experienced far beyond a cell.

THE PROMISE OF SECURITY AND THE PRACTICE OF DOMINATION

Vladimir Jabotinsky's 1923 essay commonly known as The Iron Wall argued that Zionist settlement would face determined opposition from the indigenous Arab population and could proceed only behind superior coercive force. His text remains a significant reference point in debates about the relationship between settlement and military power.

The contemporary detention system should not be reduced to a single historical essay. Yet the argument offers a useful lens for examining what happens when a state treats Palestinian political opposition primarily as a threat to be contained rather than a claim to be negotiated.

Under such conditions, imprisonment can target not just alleged conduct but also the social networks, influence, and future organizing capacity of the people detained.

EMERGENCY POWERS THAT OUTLIVED THE EMERGENCY

The legal history of detention stretches back through British colonial rule. The 1945 Defence (Emergency) Regulations established extensive powers of restriction and custody. Following 1948, elements of the inherited legal order were preserved under Israeli law.

After Israel occupied the West Bank and Gaza in 1967, military proclamations and orders added another framework governing Palestinians under occupation. Military Order 1651 later consolidated a range of security provisions used in the West Bank.

This layered legal history matters because rules described as exceptional can become enduring instruments of administration. The central issue is not merely the existence of detention authority, but its scope, oversight, duration, and unequal application.

UNEQUAL LAWS AND PROTECTIONS

Israel maintains a system of discriminatory laws and unequal legal protections based on nationality, citizenship, residency, and territorial status. In the occupied West Bank, Israeli settlers generally live under Israeli civilian law, while Palestinians are subjected to military law. The International Court of Justice has found Israel's continued presence in the occupied Palestinian territory unlawful and its laws and practices systematically discriminatory. Military occupation does not grant Israel sovereignty over the Palestinian people or their land.

OCCUPATION DOES NOT CONFER SOVEREIGNTY

A SUCCESSION OF POWERS, NOT A TEMPORARY EXCEPTION

1945

British Mandate emergency regulations provide expansive security powers, including detention without ordinary criminal prosecution.



1948

Israel retains portions of the preceding legal framework through its early legislation.



1967

Military government and military courts are established in the occupied Palestinian territories.

1979

The Emergency Powers (Detentions) Law creates a domestic statutory framework for administrative detention.



2002

The Incarceration of Unlawful Combatants Law introduces another detention route.



2009

Military Order 1651 consolidates major West Bank security provisions. From late 2023 onward, emergency changes affect review and access to counsel under different legal regimes.

A RELEASE DATE THAT CAN KEEP MOVING

Administrative detention permits confinement without the ordinary process of a criminal charge and trial. In the occupied West Bank, orders under Military Order 1651 may run for up to six months and can be renewed. Repeated renewals mean that a person may spend an extended period in custody without knowing when release will occur.

Authorities can rely on classified evidence that neither detainees nor their lawyers are permitted to examine fully. That secrecy makes it difficult to rebut allegations and places extraordinary weight on the independence and effectiveness of judicial review.

International humanitarian and human rights standards impose stringent safeguards on detention. The existence of a security rationale does not remove the obligation to prevent arbitrariness and protect fundamental rights.

THE SAFEGUARDS THAT DETERMINE WHETHER REVIEW IS REAL

After October 2023, emergency arrangements in different Israeli detention systems affected how quickly people could see a judge or consult legal counsel. OHCHR documented prolonged isolation from lawyers and relatives, as well as serious concerns about the treatment of detainees.

Legal categories differ. People held under West Bank military orders are not necessarily subject to the same procedures as those detained under the Unlawful Combatants Law. A responsible account must distinguish these routes rather than treating every prisoner as part of one legal category.

Whatever domestic designation is used, applicable international protections remain relevant. Meaningful review requires a genuine opportunity to challenge the grounds for confinement.

Reference: OHCHR, report on detention in the context of hostilities in Gaza, 31 July 2024.

A GEOGRAPHY OF RESTRICTION

Custody is only one component of a larger architecture of control. Checkpoints, permit requirements, restricted roads, walls, surveillance, and the threat of arrest can make ordinary journeys unpredictable and politically consequential.

When detainees are moved from occupied territory to facilities inside Israel, relatives may face substantial barriers to visits. The Fourth Geneva Convention places restrictions on transferring protected persons out of occupied territory.

The combined effect reaches employment, schooling, caregiving, and civic participation. A system designed around movement control can fracture community life even when most residents are not imprisoned.

FOUR WAYS CONFINEMENT REACHES AN ENTIRE POPULATION



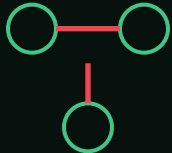
ENFORCE UNCERTAINTY

The prospect of sudden arrest makes daily planning and public participation less secure.



DISRUPT ROOTEDNESS

Detention, demolitions, and restrictions on movement can intensify family separation and displacement.



INTERRUPT CIVIC NETWORKS

Removing organizers, teachers, and representatives weakens continuity between generations.



RECAST CIVILIAN IDENTITY

Broad security classifications risk obscuring political rights and the protections owed to civilians.

A DATED RECORD OF MASS DETENTION

A snapshot issued by Palestinian prisoner organizations for 16 December 2025 reported approximately 9,300 people in Israeli prisons and detention facilities, excluding certain military camps. It identified roughly 3,350 administrative detainees and 1,220 people classified as unlawful combatants.

The same snapshot reported 51 female prisoners, 350 children, and 1,254 sentenced prisoners. Age and gender classifications overlap with legal detention categories and must not be added together.

These figures describe the specified historical reporting date. They are not presented as a live count, and they should be updated before publication as a statement about current detention levels.

Historical snapshot: Palestinian prisoner institutions / Addameer, 16 December 2025.

16 DECEMBER 2025

9,300

Reported total

3,350

Administrative detainees

1,220

Unlawful combatants

51

Female prisoners

350

Children

1,254

Sentenced prisoners

Overlapping categories. Do not add these figures.

WHAT A MISSING ORGANIZER MEANS TO A MOVEMENT

When an elected representative, student leader, trade unionist, or community organizer is detained, the consequences extend beyond one person. Projects stall, collective knowledge is lost, and families and colleagues must redirect their attention toward legal defense and survival.

Prominent Palestinian figures including Marwan Barghouti, Ahmad Sa'adat, and Khalida Jarrar illustrate the overlap between incarceration and political leadership. Their circumstances and legal cases differ; they should not be treated as interchangeable.

The larger concern is structural: political movements cannot operate on equal terms when participation may expose members to extensive military prosecution, indefinite detention, or prolonged separation from their communities.

THE WORK TRANSFERRED TO FAMILIES

Detention imposes costs that are rarely captured in a prison population figure. Relatives may need to secure legal representation, navigate permit restrictions, search for information, replace lost wages, arrange care for children, and cope with the uncertainty of renewed detention.

For youth organizations and student groups, repeated arrests can interrupt training and the transfer of institutional experience. For households, the burden may become a cycle of lost income, travel expenses, fear, and administrative demands.

Understanding the political effects of imprisonment therefore requires attention to people who never enter the prison itself.

ABUSE, DEPRIVATION, AND THE OBLIGATION TO PROTECT

Human rights organizations have reported severe deterioration in conditions for Palestinian detainees since late 2023, including allegations of beatings, sexual violence, inadequate food, isolation, and denial of medical care.

Such reports require careful attribution and independent investigation. The prohibition of torture and cruel, inhuman, or degrading treatment applies regardless of the accusation against a detainee.

An effective accountability process must preserve evidence, investigate deaths and injuries in custody, enable confidential medical care, and provide access to legal counsel and independent monitors.

WHAT CHILDREN REPORTED ABOUT ARREST AND INTERROGATION

Defense for Children International-Palestine analyzed testimony from 766 Palestinian children detained in the occupied West Bank between 2016 and 2022. In that sample, 75% reported physical violence, 80% strip searches, and 97% interrogation without a family member present.

Other reported experiences included being shown or asked to sign Hebrew documents (55%), solitary confinement for interrogation lasting at least two days (23%), arrests at night (59%), and verbal abuse (58%).

These percentages describe the documented sample and period. They are not estimates for every Palestinian child or for detention conditions in 2026.

Source: DCIP, No Way to Treat a Child, sample of 766 testimonies (2016-2022).

766 TESTIMONIES / 2016-2022



Each track runs from 0% to 100%. Values describe the documented sample, not all children.

THE EFFECTS OF MILITARY PROSECUTION ON MINORS

Children require special protections during arrest, questioning, trial, and detention. Yet Palestinian minors in the occupied West Bank have been prosecuted through the Israeli military court system, raising long-standing concerns about due process and the best interests of the child.

An arrest can disrupt education, family attachment, and a child's sense of safety. The consequences may persist after release, particularly where repeated exposure to raids, restrictions, and violence continues.

Protection cannot be measured only by conditions inside detention facilities. It also includes access to caregivers, schooling, legal assistance, health services, and an environment in which children are not routinely exposed to coercion.

WOMEN'S PUBLIC LIVES ARE NOT SECONDARY

Palestinian women participate in political life as elected officials, students, journalists, labor organizers, lawyers, and human rights defenders. Detention may remove them from these roles, interrupting institutions and relationships built through years of work.

Khalida Jarrar's repeated imprisonment is one example of how custody can affect women's public and intellectual activity. In 2021, she was unable to attend the funeral of her daughter Suha while incarcerated.

Women's experiences should not be described only through motherhood or their relationship to imprisoned men. Their freedom to learn, lead, speak, and organize is a political right in its own terms.

GENDER-SPECIFIC HARMS REQUIRE GENDER-SPECIFIC PROTECTION

The UN Independent International Commission of Inquiry documented allegations and findings concerning sexual and gender-based violence against Palestinian detainees, including intrusive searches, threats, and sexual humiliation.

Authorities have responsibilities to provide menstrual supplies, reproductive and general healthcare, privacy, and appropriate care for pregnant people, older women, and people with disabilities.

Survivors should control whether and how their experiences are disclosed. Public testimony must never be a prerequisite for assistance, recognition, or support. Responsibility for abuse lies with perpetrators, not with those subjected to it.

Reference: UN Commission of Inquiry, A/79/232, 11 September 2024.

FREEDOM FROM CUSTODY DOES NOT ERASE ITS CONSEQUENCES

People leaving detention may face pain, disrupted sleep, anxiety, grief, or persistent fear. Some develop post-traumatic stress disorder; others experience different responses or no diagnosable disorder. No single clinical description should be imposed on all former detainees.

For women, sexual violence, family separation, economic insecurity, and interrupted education can create additional needs. Distress may also be intensified when the threat of future detention remains present.

Recovery is not simply an individual psychological task. Stable housing, accessible medical services, income, education, and trusted community relationships can all affect whether a person has the space to rebuild a life.

Background: WHO guidance on PTSD, violence against women, and mental health in emergencies.

RESTORING CHOICE IS PART OF REPAIRING HARM

Support after detention should be accessible, confidential, sustained, and shaped by those receiving it. Care may involve physical rehabilitation, reproductive healthcare, mental health services, disability accommodations, legal help, and livelihood support.

Informed consent matters at every stage, from medical examinations to documentation and publication of personal stories. People should be free to decline interviews, public advocacy, or legal complaints without losing access to care.

Accountability also requires addressing the conditions that produce repeated harm. The freedom to return to study, employment, family life, and political participation is not separate from recovery; it is part of it.

PRISONERS WHO ORGANIZED CLASSROOMS

Palestinian prisoners have created study circles, reading programs, political discussions, and systems of collective learning under conditions intended to restrict their autonomy. Education has served both practical and symbolic purposes: preserving knowledge, building relationships, and asserting an identity beyond the prisoner number.

Writing from prison has likewise contributed to Palestinian political and literary life. Essays, poems, memoirs, and fiction challenge the idea that the authorities holding a person also control the account of that person's experience.

The importance of this work lies not in romanticizing imprisonment, but in recognizing intellectual agency even under severe restriction.

HUNGER STRIKES AND DEMANDS FOR RIGHTS

Palestinian detainees have repeatedly used hunger strikes to challenge detention conditions and demand changes to prison policy, including access to books, family contact, and an end to detention without charge.

Collective actions associated with Nafha prison in 1980 and wider strikes in 1992 and 2004 form part of the history of the prisoner movement. Such actions have also drawn public solidarity outside prison walls.

Hunger strikes can carry grave medical risks. Their political significance is tied to the limited channels available to detainees seeking to contest the conditions of their confinement.

THE INSTITUTIONS AND INDUSTRIES BEHIND CONTROL

Carceral systems depend on more than guards and prison buildings. Communications networks, computing services, surveillance technologies, weapons procurement, and financial relationships can all support the institutions that administer occupation.

Public scrutiny has addressed firms including HP, Cisco, Microsoft, Intel, Google, and Amazon in relation to various Israeli government, military, or infrastructure activities. The specific role of each company differs, and any allegation of direct complicity must be supported by current contract and procurement evidence.

Project Nimbus, the cloud-computing agreement involving Google and Amazon, is one example of why digital infrastructure is now central to debates over corporate responsibility. Technology contracts should be assessed on their actual use, not by association alone.

RIGHTS REQUIRE MORE THAN IMPROVEMENTS TO PRISON CONDITIONS

Preventing torture, ensuring legal access, and providing adequate medical care are immediate obligations. They are essential, but they do not resolve the broader question of the legal and political structures through which Palestinians are governed.

Accountability must also consider arbitrary detention, discriminatory restrictions, family separation, unlawful transfers, and the suppression of peaceful civic participation. Independent investigation and remedies for victims are indispensable.

The ultimate measure of political freedom is whether people can participate in collective life without the persistent threat that their speech, associations, or identity will become grounds for confinement.

DOCUMENTATION AND LIMITS

Principal sources retained for the historical figures and selected findings: Palestinian prisoners' institutions and Addameer (16 December 2025); UN Office of the High Commissioner for Human Rights, detention report (31 July 2024); Defense for Children International-Palestine, 766 child testimonies (2016-2022); UN Independent International Commission of Inquiry, A/79/232 (11 September 2024); World Health Organization guidance on PTSD, violence against women, and mental health in emergencies.

HISTORICAL FIGURES / ATTRIBUTED FINDINGS / EDITORIAL ANALYSIS

POLITICAL LIFE CANNOT EXIST ON PERMISSION ALONE

The right to organize, learn, speak, care for family, and shape a shared future does not disappear at a checkpoint or prison gate.

Protecting Palestinian political rights means confronting the systems that make ordinary participation precarious and demanding dignity, legal protection, and freedom beyond captivity.



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