

Israeli justice uneven for grieving Palestinians

by [Joshua Mitnick](#) in the [January 6, 2016](#) issue

*(The Christian Science Monitor)* At the center of an otherwise idyllic Palestinian village, soot still blackens the entryway of a house where an arson attack by Israelis this past summer took the lives of Saed and Reham Dawabshe and one of their two sons, Ali, an infant.

The grandparents wistfully remember the evening before the predawn fire: plans to buy a new dress and taking a day off from work. Now the family and the village of Duma are haunted by the image of an infant killed in his crib.

“The smile on my face will never come back,” said Mohammed Dawabshe as he wiped away tears in a sitting parlor just a few feet away from his son and daughter-in-law’s home.

Months went by without any indictments by Israel for the murders.

“Had the opposite happened, Duma would have been destroyed by the Israelis” to locate the perpetrators, Dawabshe said. “We are a peaceful village; we have never taught our children to burn.”

Israeli police announced the arrest of extremist Israeli suspects in early December, though they did not give further details because of a court-issued gag order, the *Los Angeles Times* reported. Defense minister Moshe Ya’alon had said several weeks earlier that indicting the killers would compromise intelligence sources.

“Four months is a long time,” Dawabshe told the *LA Times* after the grandfather heard about the arrests.

The three Dawabshe family victims became a symbol of Palestinian helplessness in the face of a terror campaign by vigilante Israelis. Israel’s delay in prosecuting the case fanned a sense of insult and inequality before the law that has been a backdrop of a subsequent wave of Palestinian riots, stabbings, and shootings.

On social media, images of the Dawabshe family dead are shared with an Arabic hashtag for “they burned the baby.” The disparity between the response and the

usually aggressive manhunts and swift arrests of Palestinian militants by Israeli forces enhanced the sense of insult.

Israeli human rights organizations say the Duma case is part of a pattern in Israeli prosecution of nationalist crimes against Palestinians—with one group saying only one in 50 such cases ends in a conviction. Israeli security experts acknowledge these failures are a motivator toward violence.

“Palestinians are using this as a lightning rod; you have it in posters, graffiti, and newspaper columns,” said Daoud Kuttab, a Palestinian journalist based in Amman, Jordan. “It played a lot into the emotions of people, especially young people. They saw the Israelis who were on the side of the settlers . . . defending the indefensible.”

Frustration over the Duma case joined a list of other Palestinian grievances over perceived unequal justice meted out by Israel, whether it’s the rising use of home demolitions exclusively against Palestinians, leniency for Israeli officers charged with wrongdoing against Palestinians, or the gradual expansion of Jewish settlements into Palestinian areas.

“How long can we put up with this behavior?” said Jamal Silawi, a university student. “They have killed our families in Gaza, in Duma, in the West Bank.”

Israeli prime minister Benjamin Netanyahu and other leaders say the prime driver of the recent wave of violence is Palestinian incitement and a refusal to accept Israel’s existence. Experts on Palestinian politics point to allegations over Israel’s handling of the disputed holy sites and the weakening of Palestinian leadership as other drivers.

However, Israel’s internal security service, the Shin Bet, in a recent report on the violence, listed “a feeling of nationalist, economic, and personal discrimination” as a top motivator.

Nasser Dawabshe, Saed’s brother, spends half the week in an Israeli hospital with his orphaned nephew. Five-year-old Ahmed is expected to need years of treatment to recover from the burns.

“Netanyahu made three pledges to me at the hospital: to arrest and charge the criminals, to demolish their homes, and compensate the family,” Nasser Dawabshe said.

Israeli security officials said the Duma attackers came from one of the unauthorized West Bank settlement outposts in the hilltops near the village. The officials say the attackers were inspired by a religious fundamentalist ideology that called for attacking Palestinians in order to sow chaos that would undermine Israel's government.

But the Shin Bet has limited intelligence networks among Jewish extremists and has less success in interrogations compared with Palestinians because they maintain a higher standard of civil rights and civil liberties, said Ben Hartman, police reporter for the *Jerusalem Post*. Israeli agents can bribe Palestinian informants with work permits, he said, while Jewish suspects are coached on their right to remain silent.

Israeli human rights watchdogs say the failure of Israeli legal authorities to effectively investigate ideological crimes against Palestinians is a chronic problem: among about 1,000 such cases over the last ten years, the indictment rate is 7 percent and the conviction rate is 2 percent, according to Yesh Din, a leading Israeli rights organization.

"The numbers don't lie," said Gilad Grossman, a spokesman for the organization. "They are not doing the basics, not checking forensics, not checking up leads, and not checking alibis."

*This article was edited on December 23, 2015.*