

**Stolen Youth: The Politics of Israel's  
Detention of Palestinian Children**

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Children International: Palestine Section, 2004. 197 pages.*

The subject of child detention is fraught with complexities of both a legal and an emotional nature, particularly when placed in the context of conflict.

Founded on the Defence for Children International: Palestine Section's (DCI/PS) work conducted between 1999 and 2003, the contributors developed a level of expertise in the realm of youth detention in Israeli prisons through research, advocacy work, and the experiences of their colleagues, many of whom were former child detainees. The result is a compelling and often disquieting read, replete with testimonies by the children, their families, and lawyers which relates the unforgiving conditions and obstacles that clutter the legal process and place the child at a disadvantage.

Edifying and cogent, the authors maintain an objective narrative throughout, thereby enabling the reader to absorb the circumstances and legal framework prior to constructing an independent conclusion. In addition, the tables, graphs, and figures corroborate and clarify such subjects as Israeli position abuse (*shabeh*), the characteristics of prisons, and key terms related to human rights and humanitarian law, as well as a glossary that provides background information concerning the noted organizations, statutes, and terminologies.

Composed of three sections, each of which addresses a distinct stage of the detention process, the book's lucid flow introduces the political environment and military court system through part 1, "Framework and Context," along with the legal instruments and definitions of torture according to Article 1 of the United Nations Convention Against Torture and Article 7.2e of the Rome Statute of the International Criminal Court. Part 2, "Arrest through Incarceration," explores the methods employed during the arrest of children and their access to legal assistance. It also assesses the levels of abuse in comparison to those of the first Intifada and the Oslo years. Part 3, "Analysis and Conclusions," ends the book by analyzing of the relationship between international law and the Israeli legal system, insofar as institutionalized discrimination exists untouched by international intervention, and an overview of Israel's human rights record.

For many children, the nightmare begins before they even enter the courtroom. In chapter 5, "Arrest and Transfer," the arrest – whether at home or at the scene of the alleged offense – is portrayed vividly through the children's accounts. Murad Abu Judeh, a seventeen-year-old male resident of al-Arroub refugee camp in Hebron district, relates:

We heard a very loud knock on the door ... fifteen soldiers entered the house, three of them were masked and wearing civilian clothes. One of the masked soldiers asked me my name and for my ID card. I went to my room in order to bring the ID and one of the soldiers followed me. When I bent over to get the key for my drawer he kicked me on my back six times, pushing me to the ground. He searched my drawer, then grabbed

me by my neck and took me back to the main room where I found the soldiers had upturned our furniture. The masked soldier whispered in my ear, “We’ll rape you one by one.” (p. 53 [DCI/PS case file, 17A/2001])

On 20 February 2003, fifteen-year-old Riham Musa was shot several times by Israeli soldiers after being accused of an attempted stabbing:

They opened fire on me and I was hit in the stomach, although I didn’t fall to the ground. I kept standing in the same spot, not moving, so that they would stop shooting. However, another soldier shot me in the leg and then I fell to the ground. (p. 56)

Riham was subsequently taken to the hospital for surgery and shackled to her hospital bed for twenty days, a measure that drew extensive criticism from physicians and human rights movements.

Chapter 6, “Interrogation and Detention,” and chapter 8, “State Violence and Discrimination,” portray the reality that confronts children following their arrest. Often duped into signing false confessions (the legal documents are presented in Hebrew), children discover that instead of signing a release form, they have, as in the case of one child, signed a confession form to nine charges and are subsequently sentenced to three months imprisonment, along with an additional nine-months suspended sentence for three years and a 2,000 NIS/US\$ 425 fine.

Once detained, the child is powerless to the point that even his/her bodily functions are controlled by the Israeli police or military, since “detainees are not allowed to use the toilet and are forced to relieve themselves while fully clothed in the presence of others” (p. 81). According to the International Rehabilitation Council for Torture Victims (IRCT): “The aim of torture is not to kill the victim, but to break down the victim’s personality” (p. 9 [Facts About Torture, [www.icrt.org](http://www.icrt.org)]). From *shabeh* to the control of bodily functions, the contributors repeatedly exhibit the array of means in which a child character’s can be diminished.

The definition of “child” is greatly disputed in the context of the Israeli military court system. According to the UN Convention on the Rights of the Child, a child is any individual under the age of eighteen years; yet for the Israeli military court system, this is negotiable. Birgitta Elfstrom, from the Swedish Section of the International Commission of Jurists, notes: “The [Israeli military] court’s definition of a child is a person who hasn’t yet reached the age of 14. A child between 14 and 16 ‘is a big child’ and if more than 16, an adult” (p. 27).

This interpretation is further obscured by regulations that permit only family members of sixteen years and over in possession of an ID card to attend court hearings. Thus, a child of fourteen is of an age

... where he may be arrested by heavily armed Israeli soldiers in the middle of the night, face torture, be brought before a military court, and sentenced to many months in prison for the alleged offence of throwing stones, yet his 15-year-old brother isn't considered mature enough to attend his trial. (p. 28)

The authors' endeavour to provide an analysis of the manner in which the human rights discourse can be woven into a larger discussion of the political motivations behind rights abuses is neatly met. In addition, the numerous elucidating case studies enable *Stolen Youth* to be not only a contribution toward studies of the region's legal infrastructure in relation to international law, but also a commendable effort to encourage a wider comprehension of Israel's detention system and its implications for the Palestinian population.

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