

Beyond Male Israeli Soldiers, Palestinian Women, Rape, and War

Israeli State Sexual Violence against Palestinians

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■ **ABSTRACT:** Israeli denials and classification of documents, alongside scholarly work (Nitsán 2007; Wood 2006), have all contributed to the perception that aside from the 1948 war and its aftermath, rape and other forms of sexual violence are missing from Israel's military toolbox. A spatial intersectional analysis of Israeli state sexual violence against Palestinians finds that in the context of the occupied Palestinian territories (oPt), the wartime rape paradigm is doing a disservice. It further silences Israeli state sexual violence against Palestinians and diverts our attention from the colonial nature of the Israeli control regime. These findings unearth (1) the risks of stripping rape of the specific context in which it materializes, (2) the importance of incorporating power structures that transgress the framework of conflict and war-related sexual violence and (3) the necessity of deciphering and attending to colonial and settler colonial-related sexual violence.

■ **KEYWORDS:** colonialism, dependency, intersectionality, Israel, Palestine, settler-colonialism, wartime rape

In 2014, following a lecture in Israel, Catharine MacKinnon was asked about rape as a war crime and in the context of genocide. MacKinnon concluded her response with the statement that—from the testimonies she has—the Israeli army does not rape: “I spoke to Palestinian women, and they testified that there are no attacks of rape by Israeli soldiers. And that, again, is an interesting question we should address: Why do men not rape in conflicts or war? And if it doesn't happen, why doesn't it happen?” (MacKinnon 2014). MacKinnon was not the first to address this question in the context of Israel-Palestine. Seven years earlier, Tal Nitsán (2007) claimed that apart from the 1948 war and its aftermath, the rape of Palestinian women by Israeli male soldiers is a rarity.¹

Whereas MacKinnon's claim is grounded in her access to testimonies of, as well as her conversations with, Palestinian women, Nitsán's is based on media, archives, existing literature, and reports of human rights organizations. Interviews with 25 Israeli reserve male soldiers reinforce the absence Nitsán identifies in these sources. Similar conclusions have been drawn by Elisabeth Jean Wood (2006, 2009, 2010). Based on conversations with representatives of three human rights organizations working in the area, Wood considers the Israeli-Palestinian case an example of a conflict in which sexual violence of combatants against civilians is limited. Alongside Israeli denials and classification of documents (see Nashef 2022: 569), the overwhelming impression is that rape and other forms of sexual violence are not part of Israel's arsenal of violence against Palestinians. That this army *at least* doesn't rape.



Considering the prevalence of rape by soldiers from other armies, and the severe implications such statements invite about the ostensible higher moral caliber of the Israeli army (Medien 2021), we must ask what enables such statements—no matter any good intentions—to be made? To address this question, this article treats these claims as symptomatic of discourse about war and conflict-related sexual violence in the occupied Palestinian territories (oPt) and beyond. They manifest the tendency to focus on armed actors (Eriksson Baaz and Stern 2018), male perpetrators and female victims (Del Zotto and Jones 2002; Sjoberg 2016), to prioritize speech over silence (Parpart 2009, 2020), to push for quantitative analysis of sexual violence (Boesten 2017), and to impose the frame of wartime rape in a reductionist and universalizing manner (Bos 2006). To that body of work, this article adds the importance of considering how colonial military rule, in a context of ongoing settler-colonialism, requires paying attention to different coordinates to capture the spatiality of colonialism and settler-colonialism-related sexual violence.

Rape is that phenomenon that is so often questioned and denied—to the point that it may seem inaccessible to the senses (Azoulay 2008: 206). However, beyond the question of visibility, the arguments of MacKinnon (2014), Nitsán (2007), and Wood (2006, 2009, 2010) about the inexistence, rarity, and limited employment of Israeli state sexual violence against Palestinians reveal the shortcomings of prioritizing speech over silence. All three scholars assume that had Israel committed sexual crimes against Palestinians, we would know about it. The absence of large-scale testimonies (or these scholars' access to them) is sufficient to conclude that rape and other forms of sexual violence are not part of Israeli state violence. Against this tendency, scholars noted that as a mechanism of security, speech is not always possible (Hansen 2000; Win 2004), and showed how silence might function as a survival mechanism (Chan 2005; Kelly 2000; Mojab 2004; Shalhoub-Kevorkian 2010).

Scholars researching Israeli state sexual violence against Palestinians have likewise turned their gaze to less visible spaces, such as prisons, courtrooms, and investigation rooms, and to perpetrators who are not necessarily soldiers (Al Issa and Beck 2020; Medien 2021), examined the sexual torture of Palestinian men (Weishut 2015), discussed Palestinian women's fear of rape by Israeli security forces (Shalhoub-Kevorkian 1993), analyzed representations of rape in Palestinian literature (Nashef 2022), and illustrated how Palestinian women's narratives are locked within "colonial loops of displacement" (Ghanayem 2019). What these works share is an understanding that the colonial nature of Israeli control over Palestinians—within the green line and in the oPt—is constitutive to how we should approach rape and other forms of sexual violence in colonial and settler-colonial settings and overcome this silence, rather than treat it as indicative of an occupation from which sexual violence is absent.²

While these works challenge the perception of the Israeli military as one that does not employ sexual violence against Palestinians, none of them has attempted to debunk, altogether, the claim that apart from the 1948 war and its aftermath, the rape and employment of sexual violence are either rare (Nitsán 2007) or limited (Wood 2006, 2009, 2010) in comparison with other wars and conflicts. Nor has the existing literature examined the presuppositions of these claims and offered an overreaching explanation and methodology for researching Israeli state sexual violence in the oPt as an exemplary case of colonial- or settler-colonial-related sexual violence, and not as a war- or conflict-related one, as this article does. As I show, a narrow approach to rape that treats it as a universal phenomenon while disregarding its "differentiated nature" (Anthias 2014, 161) contributes to the silencing of rape and other forms of sexual violence. Even if it adheres to the need "to believe women."

The theoretical and the empirical are intertwined here so to allow them to inform one another through the employment of an "ethnographic sensitivity" (Schatz 2009: 6). Thus, the empirical data I base my analysis on (testimonies of Palestinians, reports from human rights

organizations, media, and literature about Israeli state sexual violence) depict a variety of forms of sexual violence committed by various actors. The objective behind the presentation of these sources is twofold: It is meant to question the affirmative claims over Israel's limited and rare employment of sexual violence against Palestinians and expose their presuppositions. In addition, their assembling together renders visible what national and international legal categories and scholarly frameworks in search for large-scale cases of wartime rape would otherwise consider as disparate cases.³

In other words, the issue at stake here is first and foremost the categories and scales that inform claims over a state's limited and rare employment of sexual violence. Rejecting the tyranny of large-scale cases of state sexual violence and existing legal categories of sexual violence allows posing the following questions: What informs what we see and identify as state sexual violence? Why are the cases I present (none of which is classified or obtained directly by me from a Palestinian victim) haven't been gathered to this day as evidence of Israeli state sexual violence against Palestinians? Why did knowledge of these cases not lead to their consideration as the tip of the iceberg in relation to what we know about Israeli state sexual violence? Why, instead of exploring the silence around Israeli state sexual violence against Palestinians, was this silence used to acquit Israel?

To address these questions, I examine in the first section the pertinency of the main components of these claims: Israeli male soldiers, Palestinian women, rape, and war. I show how each of these categories works to: (1) limit the discourse over Israel's use and employment of rape and other forms of sexual violence against Palestinians; (2) render the cases we do know of illegible; and (3) distract us from the colonial nature of Israeli control in the oPt and the settler-colonial structure of Israel.

In the second section, I introduce an additional layer of my analysis and discuss the wartime rape framework. Claims about the rarity of Israeli state sexual violence and its limited use are based, among others, on its comparison with cases such as Rwanda, Bosnia, and the Second World War. The high number of cases of rape and sexual violence in these sites is compared with the relatively small number of cases in the oPt. By examining Israeli control of Palestinians living in the oPt, I show how a more appropriate theoretical approach would be that of colonial rule and settler-colonialism. It is this form of governance that makes it possible not only to indicate the inadequacy of the war-related sexual violence framework but to consider the silence over Israeli state sexual violence against Palestinians living under its control as indicative of Israeli colonial governance and not of the exceptionality of its military in comparison with other armies.

In other words, instead of imposing a priori categories, I analyze rape's and sexual violence's conditions of possibility under protracted military occupation. In doing so, I unpack the spatiality of Israeli state sexual violence in the oPt and offer a provisional mapping of what we, as researchers of rape and other forms of sexual violence, should be attuned to and why this silence over sexual violence should arouse our suspicion rather than be taken as proof of its nonexistence. This analysis reveals that because of the salience of bureaucracy in controlling the lives of Palestinians (Berda 2012), we may benefit from juxtaposing the situation in the oPt with the experiences of women who live in poverty and are dependent on state pensions and social housing. It is in these contexts that we find similar spaces of vulnerability and victimization that work as silencing structures that maintain relations of dependency.

Analytically, the proximity between the vulnerability of Palestinians and that of women who live in poverty demonstrates the need to be sensitive to the relationships between social categories rather than presupposing them (Anthias 2012: 14). It also illuminates the potential of an intersectional analysis that controls not only social categories but also the processes and outcomes of social divisions in a way that may reveal the need to transgress the limits of a given

framework (wartime sexual violence) and visit sites that arise from the analysis despite seeming, at first sight, foreign to our field of investigation (women who live in poverty). As discussed in the conclusions, an intersectional approach allows circumventing the risk of approaching rape and other forms of sexual violence as a universal and homogenized phenomenon, stripped of their specific context and the structure of power in which they take place, in favor of listening to the silence we encounter while unveiling its conditions of possibility, history, and spatiality.

Beyond the War- and Conflict-Related Rape and Sexual Violence

Silence is also informative: if no confirmation exists in archival sources that something did or did not happen, such silences merely inform about a lack in the documentation and not that the information does not exist. (Slyomovics 2007: 36–37)

The issue at stake here does not concern documentation, but rather, testimonies. Wood, Nitsán, and MacKinnon are not seeking state documentation or court rulings. They believe women. If Palestinians claimed they have been raped and sexually assaulted, that would be enough to extract Israel's exceptional abstention from wartime sexual violence. At the same time, despite being aware of the prevalence of sexual violence, the lack of testimonies does not lead them to be suspicious of this lack, as Susan Slyomovics (2007) suggests in relation to archives. Instead, they juxtapose this silence in comparison with other wars and conflicts in which mass rape of female civilians took place. Consequently, the acquittal of Israel relies on a universal (Minow 1989) and homogenized (Meger 2016b) perception of rape and other forms of sexual violence. This approach risks discounting certain forms of violence that do not fit the model. The empirical data I present below was gathered with no prior models of rape and sexual violence in mind, nor with any consideration regarding the extent to which it aligns with what constitutes a crime on a national or international level and reaches the scales of mass atrocities. As such, it was gathered and analyzed with an "ethnographic sensitivity" that followed both the reality of the oPt and the (relative) silence we face when researching Israeli state sexual violence against Palestinians.

Israeli Male Soldiers

This category singles out IDF male soldiers, while leaving aside members of other Israeli security forces, such as the police and the Shin Bet, who are also very much present in the oPt.⁴ In the context of Nitsán's work, the category of Israeli soldiers is even more limited, focusing exclusively on combat unit soldiers (Nitsán 2007: 187). This specific group of soldiers mostly encounters Palestinians in checkpoints and house raids. Checkpoints are high friction points between Israeli soldiers and Palestinians in which gender is very much present (Kotef and Amir 2007) and in which Palestinian women routinely experience sexual harassment (Hammami 2019). In a case that emerged recently, two soldiers serving at the Qalandia checkpoint were accused of forcing Palestinian women to undress and of touching the women's genitals during the strip search (Kubovich 2018). However, sexual violence against Palestinian women by agents of Israeli security forces is not limited to checkpoints or house raids.⁵ Palestinian women experience sexual violence while visiting their relatives in Israeli jails and when attending court hearings of their relatives (Al Issa and Beck 2020). There, the perpetrators can be prison guards or military court officers, female or male. Another situation in which Palestinian women report sexual violence is during interrogations. These include threats of rape and unwanted and forced touch, by both female and male interrogators (Benoist 2018; MEE Staff 2018; Rosenfeld 2018; The Public

Committee Against Torture in Israel n.d.), as well as rape. Aisha Awdat, for instance, claims to have been raped by an Israeli investigator on March 10, 1969 (Khalil 2013). Rasmea Odeh also reports she was raped in 1969 during interrogation (Khader 2017). In 2015, a Palestinian female detainee was raped by two female soldiers, one of whom is a doctor, who conducted a vaginal and anal search on her, apparently following an order of a Shin Bet agent (Breiner 2022; Breiner and Berger 2018). These cases show that the exposure of Palestinian women to sexual violence is not limited to encounters with male combat soldiers or Israeli male soldiers in general. Spatially, as much as Palestinian women are subject to sexual harassment and assaults at checkpoints and during house raids, their vulnerability exceeds these spaces and includes interrogation rooms, courts, and prisons.

Palestinian Women

We have seen how the category of Israeli male combat soldiers as the only possible perpetrators limits the scope of the spaces in which we suspect rape and sexual violence may take place. It also shadows the fact that women, in a variety of contexts, “take up arms as members of the military and insurgent groups, and support, collude with or acquiesce to, the use of violence in civil unrest and international conflicts” (Kelly 2000: 46). The narrow binary perspective that locks us on Israeli male soldiers as perpetrators and Palestinian women as victims disregards the complicity of women in sexual violence during wartime (Alison 2007; Sjoberg 2016) and the sexual victimization of men (Apperley 2015; Meger 2016a).

As testified by Palestinian men and boys (DCI 2013; Hass 2010; Weishut 2015), in that respect, the Israeli case is no outlier. The case of Mustafa Dirani is a case in point. Dirani, a Lebanese citizen and a former Amal leader prisoner who was kidnapped by Israel and interrogated on the whereabouts of an Israeli captive held in Lebanon, alleged that he was raped during interrogation. A *Sunday Times* investigation article published on 19 June 1977 (see: Israeli Practices, June 30, 1977) brought forward allegations of torture that included rape, sexual assault, and sexual humiliation of Palestinian prisoners during detention. Israeli state sexual violence does not target only Palestinian women. However, the construct of Israeli exceptionalism regarding sexual violence requires asking what is the meaning of Dirani’s alleged rape by a soldier (who was allegedly ordered to rape him) during interrogation (Luvitch 2004), considering he is a man and a Lebanese citizen? Where do we position and how can we understand an event in which a Palestinian man was allegedly forced to commit a sexual act with a donkey by a border police officer (Abu a-Rob 2003)? By focusing on the rape of Palestinian women by Israeli soldiers, these events, and others, are rendered irrelevant. The framing fails to attend to the role of sexual violence as an oppressive tool that is employed by men and women alike, and against women and men, girls and boys, in the oPt.

Rape

Within the narrow analytical framework of Israeli male soldiers, Palestinian women, and rape, the events previously noted would only reinforce the claim that rape is rare; we have only four testimonies of rape, one by a male soldier, one by two female medical soldiers, and two by investigators. Taken together, the carefully chosen category of rape (as opposed to sexual violence), Palestinian women (as opposed to Palestinians as a whole), and male Israeli soldiers (as opposed to members of Israeli security forces, both male and female), marginalize many forms of Israeli state sexual violence. They allow a deep disaggregation of Israel’s security forces and of the overall structure of Israel’s control in the oPt.

This specific framing of the problem, especially the focus on rape and on a binary of Israeli men and Palestinian women, can be the result of an “overcompensation for the years of ignoring women’s place in humanitarian law.” This tendency can be found in policies seeking to generate political change regarding violence against women. It is characterized by a specific focus on women as victims of sexual violence while neglecting the effects of gender-based violence on men, as well as a range of forms of gender-based violence (Franke 2006: 822–823). Miriam Ticktin (2011: 128–132) identifies a similar tendency in France at the beginning of the millennium. In the specific context discussed here, the chosen framework constitutes Palestinian women as a rare, albeit oppressed population, that is nonetheless not raped while overshadowing, if not silencing, other forms of violence, some gender-based, some explicit expressions of sexual violence.

Through its denial, rape is raised above other forms of violence that are required to sustain Israeli control over Palestinians. But rape does not occur in a vacuum. It is part of a spectrum of sexual violence and of violence more generally, and its occurrence is also related to a specific set of conditions of structural subordination and vulnerability. As such, instead of functioning as an offense that sets aside all other forms of sexual violence (and I would add, of violence as a whole), it should alert us to being attuned to a spectrum of sexual violence. Rather than enforcing the claim that rape is rare, the existence of these testimonies should render the absence of other testimonies of rape more suspicious.

War

Alongside the categories of Israeli soldiers, Palestinian women, and rape, it is the category of war that brings together all the other elements because it is the main comparative terrain through which the rare and limited scope of Israeli state sexual violence is constituted. Rarity always needs a point of reference. In the context examined here, the claim that the rape of Palestinian women by Israeli soldiers is a rare and limited phenomenon is aided by situating the case of Palestinian women within cases of rape in war. Nitsán (2007) compares the war in Vietnam, as well as the wars in Bosnia and in Darfur, with the Israeli occupation of Palestine and concludes that the IDF rapes female civilians less often than other armies. Wood, interested in examining variations of war- and conflict-related sexual violence, compares the case of Israel-Palestine with the Second World War, Bosnia-Herzegovinian, and the case of Nanking and with Rwanda and Sierra Leone (2006, 2008). The variation Wood identifies in the case of Israel-Palestine is quantitative. In her words, “in the Israeli–Palestinian conflict . . . sexual violence appears to be extremely limited” (2008: 129).

The viability of this comparison depends, first and foremost, upon whether we accept that war is an appropriate comparative framework for Israel’s military and colonial rule over Palestinians. It matters less if Israel’s occupation of Palestine is characterized as an “ethnic conflict,” as Wood describes it, or not. Eventually, the rarity and limited frequency of sexual violence are measured in comparison with wars, not with colonialism or settler-colonialism. The latter introduces a different temporality. They are not as temporary as wars are. In that sense, it is the 1948 war—in relation to which there is agreement the Israeli military raped Palestinian women—that could have served as a comparable case to other wars. In practice, both Nitsán (2007) and Wood (2006) discuss the 1948 war as an episode of the past, that is not comparable in and of itself, with other wars.

After the 1948 war ended, Israel instituted a military regime over Palestinians living under its control, a regime that lasted until 1966. Following the 1967 war, Israel established a military government in the newly occupied territories. Under international law, Israel’s control of the oPt

is identified as one of temporary military occupation. Until legitimate sovereignty is restored, the occupying power is nominally responsible for maintaining order in these territories. The long list of Israel's violations of international law as an occupying power is beyond the scope of this paper, as is the illegality of Israel's occupation of these territories in the first place (see Ben-Naftali et al. 2005). However, to approach the question of Israeli state sexual violence against Palestinians living in the oPt, it is crucial to understand what characterizes Israel's control of the oPt and why we risk rendering sexual violence against Palestinians invisible, uncounted, and unaccountable for when we employ the theoretical framework of rape in war.

Four years before the 1967 war, Israel appointed then Military Advocate General, Meir Shamgar, to prepare a legal groundwork for Israeli control of Gaza and the West Bank, in the eventuality that these areas were conquered by Israel. Shamgar's plan was based on the imperial administration of the British Mandate for control of "dangerous populations," enforced in Palestine during the 1936–1939 Arab Revolt, and on the 1945 emergency regulations used by the British to fight the Zionist paramilitary organizations—the Stern Gang (Lehi) and the Irgun (Berda 2012: 40–44). Despite eventual organizational and administrative changes, Israel retained much of this colonial framework when it began administering control over the West Bank and Gaza after 1967. This structure of control was kept even when military-appointed local governors were replaced with civil servants. Since the 1980s, Israeli control of the oPt has been based on four pillars: the IDF, the Civil Administration, the Shin Bet, and the Israeli police. The influence of these bodies and their presence in the lives of Palestinians living in the West Bank hasn't decreased since the Oslo Agreements. Although the direct organization of Palestinian lives was delegated to the Palestinian Authority, final decisions are taken by The Israeli Civil Administration (Berda 2012: 46–48; Lyon 2010: 51–54; Zureik 2010: 14–15).

This combined governing by four bodies, three of them security organizations, is a clear reflection of the fact that Palestinians are regarded as enemies that the state must closely surveil. Yet, this categorization of civilians doesn't indicate a state of war, but rather, one of colonial control, based on a form of policing in which it is impossible to distinguish the police from the army and the Shin Bet; they all work together. This structure is not accidental. It is meant to increase the control over the lives of the colonized. As every policeman in the oPt holds the same authority as a soldier, and there is a convergence between the conduct of the police and the military in the oPt (Brownfield-Stein 2020; Gazit and Levy 2020), the difference between them is reduced to little more than their uniform. They are all there to serve Israeli security interests. Thus, despite official statements, the role of the Samaria and Judea district of the Israeli police in the oPt is to supply Israel with a legal basis for the Shin Bet's actions as well as a wide system of interrogations. The police are not there to decrease criminal activity but what Israel considers to be security threats (Maaz 2020: 130).

In this state of affairs, the exclusive focus on male Israeli soldiers, or only on the IDF, replicates Israel's official disaggregation of its power and control over Palestinians and overlooks Palestinians' daily encounters with a wide range of Israeli security and civil agents, whose authority have far-reaching implications for the well-being of Palestinians. Such encounters occur in a variety of meeting points, some of them very private and invisible. Israel's control over Palestinians' movement, both inside the oPt and between the oPt and Israel, is one of the most pervasive mechanisms of Israel's control over the daily lives of Palestinians. Israel can decide if Palestinians will be able to support their family and whether their family members will receive medical treatment in Israel. Palestinians can be prevented from obtaining work and entry permits if they refuse to cooperate with the Shin Bet as informants (Berda 2012: 139).

When Palestinians refuse to collaborate or to confess during interrogation, Israeli retribution may extend to the victims' relatives. Currently, Israel is under no obligation to report on or

explain its decisions on entry permits. The system is built in such a way that it is often impossible to track the person responsible for decisions on specific permits. Israel created a complex administrative web that on the one hand makes it almost impossible to identify the department responsible and the clerk who decides regarding a work permit and allows and facilitates its agents' access to Palestinians on a personal level on the other (Berda 2012).

To sustain these relations of subordination, Israel more often employs vanquished violence than it does the type of explicit violence (Azoulay and Ophir 2007) that characterizes a situation of war. It is a system that is characterized by hyperlegality (Hussain 2007) and, like other colonial systems, is made of a patchwork of legal tools (Kolsky 2015). It is not a space of lawlessness, but rather, a space that is saturated with colonial legality, that is, an exceptionalizing and racializing form of legality that wages "lawfare" (Comaroff 2001: 306). If rape in war indicates the collapse of social systems (Azoulay 2008: 223), the situation in the oPt is one in which social systems have not collapsed to such an extent. In fact, the overt and oppressive presence of the law through bureaucracy, limitations on movement, and the pervasive presence of security forces may indicate a deep moral collapse but not a systemic collapse leading to lawlessness in the formal sense. In view of this, war cannot represent the core of our comparison. War cannot explain the spatiality of Israeli state sexual violence, nor clearly point us in the direction of the possible perpetrators. Most of all, it cannot adequately explain the extent to which Palestinian victims of Israeli state sexual violence can truly disclose the harm done to them. We need another comparative framework to further understand this silence.

Unforeseen Proximities: Toward Colonialism- or Settler-Colonialism-Related Sexual Violence

The close examination of the categories of Israeli male soldiers, Palestinian women, and rape revealed how these categories limit our gaze and obscure numerous cases that involve different perpetrators and victims, as well as different forms of sexual violence. Whereas these categories fail to account for Israeli state sexual violence, the analysis of Israeli control of the oPt demonstrated the inadequacy of the framework of war-related rape and other forms of sexual violence. This framework presumes a temporary period of lawlessness, not a situation of hyperlegality saturated with lawfare, bureaucracy, and spatiality of control that facilitates relations of dependency. Israel began forming relations of dependency with Palestinians shortly after the occupation of Palestinian territories began in 1967 and has developed them ever since. Neoliberal logics commodified these relations of dependency and embedded them in different mechanisms, creating an ongoing "structural dependency" (Salamanca 2014). In taking these structures of dependency into account, we should ask, if not war- or conflict-related sexual violence, then what?

The administrative structure of the occupation, combined with Palestinian vulnerability and subordination, suggest that sexual violence in the oPt is likely to take the form of extortion, similar to that employed by Shin Bet agents when recruiting informants (Azoulay 2008: 405–423; Cohen and Dudai 2005: 233–236; Zureik 2010: 19–21). Women who experienced sexual harassment and assault while visiting their relatives did not report it for fear that the prison guards would retaliate by using their power to revoke their visiting rights (Al Issa and Beck 2020). Thus, for this extortion to take place, it does not need to be necessarily explicit. For these women, acknowledging the relations of dependency is enough.

There are situations, however, where the extortion is explicit. The testimony of Samar Abu Hamda (B'Tselem 2003), a married woman living in Zeita, is a case in point. She recounts that the border policeman responsible for the gate in the separation wall through which she and her

family pass to work their lands did not force her to have sex with him. However, he used his position to keep her away from her husband and proposed a bargain: if she agreed to be with him, he would make her life easier and let her pass alone through the gate. When she refused this offer, he started threatening her, claiming she had to choose between two options: to either come with him “voluntarily” or make him use force and then deal with rumors about her in the village, which he promised to spread. Had Abu Hamda submitted, her rape would not have taken place in public. Nor would it necessarily involve the use of physical force or threat over the use of physical force, as Wood (2006) requires. It would have constituted sex extorted from a woman in the context of an imbalance of power—so familiar between Palestinians and Israeli civil servants and security agents in the oPt.

Although such “negotiations” are not uncommon in situations of military occupation in the aftermath of war (Azoulay 2018), considering how Israel’s control of the oPt is structured, it is more plausible that sexual violence against Palestinians would take the form of extortion. Rela Mazali’s short story “Income Tax, Ramallah” (2019) is a poignant illustration of this. It recounts a testimony her partner disclosed to her about what he witnessed during his reserve duty, shortly before the first intifada and when Israel started taxing Palestinians living in the occupied territories. The testimony reveals how a Palestinian man who couldn’t pay his family’s taxes was allegedly offered to bring his two daughters with him and in return have his debt removed. The man’s pleadings did not help. The next time he showed up, he was accompanied by one of his daughters. The soldiers then promptly announced that they were taking a break and will not be receiving anyone. They went with the woman behind a curtain, and the break ended only after both went out. Mazali’s partner told her he realized what had happened only once the first came out buttoning his trousers.

Mazali’s tale-story is not only a testimony of rape and extortion that wasn’t filed into any human rights organization. It also exemplifies how sexual violence, how rape, in this case, is tailored into the bureaucracy of the occupation that hunts Palestinians and makes sure—perhaps, especially in cases in which physical force wasn’t used—that such an event is more likely to be buried than reported. Aware of the claim that Israeli state sexual violence is rare, Mazali (2020) asks, “How is it . . . that we have no testimonies at all or at least almost no testimonies about the rape of Palestinian women by those who enforce the occupation?” She claims, “we have no good reason to believe that such things don’t happen here. On the contrary, we have very good, well-grounded reasons to believe they do,” reminding us that the lack of testimonies should only increase our suspicion over the silencing mechanisms Israel creates and sustains.

For rarity to be confirmed (or refuted) we need to locate more appropriate and comparable social relations. In the specific context of rape and other forms of sexual violence against Palestinians, I want to suggest that we can learn more by comparing the situation of Palestinians living in the oPt to that of women who live in poverty and are dependent on state pensions and social housing—a position that grants great power to the clerk administrating these women’s demands and leaves them more vulnerable to sexual extortion (Lavee and Benjamin 2017; Cohen Benloulou 2017). Research on sextortion shows that although this phenomenon can be found in different sectors of the workforce, people who live in poverty and who do not have a work contract are more vulnerable to sextortion (Eldén et al. 2020; Bhatt et al. 2017). Beyond the workplace, since abuse of power and a quid pro quo agreement are two of the conditions of sextortion alongside psychological coercion (van Heugten et al. 2021), those who are marginalized, people who live in poverty, immigrants and asylum seekers, and racialized minorities, are far more susceptible to sextortion because they are more often found in situations of dependency that allow very little maneuvering (Oliveri 2018). Authority is a crucial component because it

gives the perpetrator leverage on the basis of which one can constitute the quid pro quo equation. Further, it is also the quid pro quo component of sextortion and the use of psychological coercion (Eldén et al. 2020; Hlongwane 2017; Raab 2017) that increases the difficulty to disclose the event because the victim is seen as a side to an agreement, someone who agreed to “give” her body in exchange for a right, a grade, a job, access for some benefit (Eldén et al. 2020; Feigenblatt 2020). In these situations of heightened precarity and dependency often women may do better to keep silent. Speaking out may lead to their rights being revoked and to condemnation from their community. There is no doubt there are gross differences between such cases and the subordination of Palestinians to Israeli control in the oPt, be it civil or military. Yet, the structure of power, the centrality of bureaucracy, and complete dependency on papers that may be granted or confiscated with no accountability or transparency unveil this proximity and illustrate how the distinction between times of war and peace times falsely directs our comparative frameworks.

When tied into relations of dependency, victims place themselves at risk if they decide to step forward. As long as they are bound to live as subordinates, we cannot expect Palestinians to feel safe enough to speak out. For that to happen these relations of dependency need to come to an end. In the meantime, we should be wary of treating silence as proof of the nonexistence or rarity of such phenomena and consequently further silence the victims by rendering their traumas more invisible.

Conclusions: Seeing Rape

Rape, unlike God or the idea of the good, “does not belong to the class of objects that are present in the discourse, but whose presence is not an object of the gaze” (Azoulay 2008: 205). Although it may not have witnesses, it is an event that, in principle, can be seen. As such, it is “spoken of—as a visible object.” Yet, “rape’s visibility is nearer to that of an idea that cannot be grasped by means of the senses.” (Azoulay 2008: 205–206). It is as if it is unattainable to the eye. Trapped within a thick net of overlapping images that are rarely the image of the rape itself, rape is always subject to interpretations, to the question of whether what took place is, indeed, that and not something else.

Surely, the ease with which claims of rape are dismissed does not have to do solely with its apparent invisibility but also with the sexual aspect of this violence, which allows—even when and if we have an image of or documentation of rape—to doubt whether what we see is indeed a forced act or simply sex. This is bound with how we understand consent, the extent to which we consider bodies to be part of the order of commodity and exchange, how we understand violence and the specific belonging and status of the victim. These factors determine if their testimony will be pronounceable and heard, render their words more or less credible, and position their body as more or less rapeable and penetrable. Alongside the question of visibility—not only *whether we can see* it, but also *what we see* when it is visible to us—these factors trap rape on an aesthetic and epistemological level that obliges us to search for tools that would help us identify rape and other forms of sexual violence also when it is out of sight.

Consider, for instance, the story of Rasmea Odeh, a Palestinian community organizer and political activist. Arrested in 1969, “she underwent twenty-five days of nonstop night-and-day interrogation, during which she was beaten, raped, and witnessed the torture of other prisoners, including the administration of electric shocks to the genitalia” (Khader 2017: 63). These alleged tortures broke her to the level of agreeing to confess to involvement in the bombing of

a supermarket. Released in 1979 in an Israeli–Palestinian prisoner exchange, she eventually immigrated to the United States in 1994. In 2013 she was arrested for immigration fraud. She was offered a plea deal but refused it, hoping the trial would be an opportunity for her to testify publicly about what she had endured in Israeli prison. This opportunity was halted by the court, which circumscribed her testimony, not allowing her to mention the alleged tortures while allowing the prosecution to introduce the Israeli military conviction of Odeh, including the signed confession. She was found guilty but eventually received a new trial. Shortly before this trial began, she was charged with two additional counts of engaging in terrorist activity and not reporting her association with the Popular Front for the Liberation of Palestine. As the trial’s date approached, it became clear that she had no chance. To avoid imprisonment, she signed a plea deal and was deported from the United States.

Although Odeh testified to a UN special committee upon her release in 1979 about the tortures she claims to experience at the hands of Israeli interrogators (Khader 2017: 64), her trauma, the violence inflicted on her, and the sexual torture she endured are all folded within a confession that was forcefully extracted from her. She is trapped in “a colonial loop of displacement” that forces invisibility on feared others and penalizes “any escaped visibility” (Ghanayem 2019: 73, 86). Her story clarifies that visibility or audibility are not sufficient. As shown by Hedi Viterbo (2014), visualization may, in fact, work to conceal what it captures. In the case of torture, the existence of visual evidence leads to a reliance on it over oral testimonies. The reliability of the latter is then often questioned. Visual evidence decontextualizes torture, diverting guilt to only those who employ the torture while marginalizing two crucial forms of violence: representational and legal violence. While the first works to “control the (in)visibility of torture” through secrecy and the destruction of evidence, the second recruits its rhetoric for the sake of legitimizing and concealing torture (Viterbo 2014: 6).

In the context of the oPt examined here, the organization of Israeli control, the limitation of Palestinians’ movement, the possibility of denying access to a person’s land, and the multiple points of friction created to control these territories—some placed on actual roads, other on bureaucratic paths—all unveil the complex spatial assemblage that constructs and preserves Palestinian vulnerability and victimization. When examined together, these factors—elements within the same assemblage of power—have the potential to minimize the allure of contesting rape’s occurrence, allowing it to escape the constraints of exceptional atrocities and to be approached as a banal event whose plausibility lies first and foremost within the structure of power relations and the way it governs access to resources and rights. Rape is thus recast as a violent act whose conditions of possibility and spatiality unveil its broad margins and consequently free it from any preconceived ideas, comparisons, and representations.

My understanding of spatiality here is also temporal. It is a spatiality that is bound with a specific temporality and history, one that resists the understanding of rape and other forms of sexual violence as an unchanging phenomenon. This does not necessarily preclude any comparisons or similarities, but it does require attentiveness to the particular rape and sexual violence in question in a given space and time, designed by a certain set of conditions that are defined by the specific control of the regime under examination.

To examine rape in this manner, I have intersectionalized the claim that the rape of Palestinian women by Israeli soldiers is a rare phenomenon. Throughout my analysis, I have treated rape and other forms of sexual violence as a component of state violence employed in the context of ongoing military occupation. This entailed examining the gendered and racialized aspects of state violence and its politics of (in)visibility, within a colonial military rule and in the context of settler-colonialism. This approach is built on Anthias’ (2012, 2014) understanding of inter-

sectionality as a heuristic tool exposing boundaries and hierarchies within “societal arenas of investigation” (2012). I have thus approached the question of sexual violence in each instance analyzed here within its respective historical and spatial context, taking into consideration that this analysis may, at times, distance sexual violence from the category of war and conflict and bring it closer to other societal positions, such as welfare dependence.

When used to decipher a situation characterized by colonial policing, the framework of wartime rape overlooks relations of subordination that are enforced and sustained through a bureaucratic net that renders Palestinians vulnerable to extortion by both the civil and military branches administrating Israeli control of the oPt. As I argued, if we know of Shin Bet agents extorting Palestinians to act as informants in exchange for work and entry permits (Berda 2012; Azoulay 2008; Cohen and Dudai 2005), what prevents us from assuming the possibility that this extortion would be sexual? The ability to extort is built into the structure of the system, and its pervasiveness, as well as Israel’s use of collective punishment, may also work as a silencing mechanism, further rendering acts of sexual violence unreported and invisible.

To understand the cause of the small number of testimonies and reports disclosing sexual violence by Israeli security forces against Palestinians, we must attend to silencing structures of dependence. As shown elsewhere (Sabbagh-Khoury 2010: 177), although military rule over Palestinians living in Israel was abolished in 1966, its traumatic memory is still present in Palestinian citizens of Israel, who continue to employ self-censorship. We can only imagine what level of self-censorship is employed by Palestinians who are currently living under military rule.

In certain situations, it is not enough to rely on women’s testimonies to bypass the positivistic constraints of the law. Sometimes, it is not enough to “believe women” to avoid silencing them. For some women, for some people, their subordination, and their dependence on certain institutions, relegates them to spaces of invisibility and silence. As researchers, we must render these spaces and experiences visible while keeping them safe. We cannot consider silence as conclusive proof that a crime has not taken place. Instead, we should be attentive to more than clear-cut testimonies of legally constructed sexual offenses, precisely in cases of sexual abuses in the context of ongoing colonial and settler-colonial occupation. In these spaces, collective fear of rape can, in itself, be indicative (Shalhoub-Kevorkian 1993). It may not serve us in court (although I believe it should), but it should be enough to prevent us from deeming the content of these fears a rarity.

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NOTES

1. Although Nitsán (2007) did not claim there are no incidents of sexual violence against Palestinian women, she considered these incidents as “symptomatic military rape” and not a “military, intentional rape” (31). Nitsán’s distinction resembles the more prevalent distinction in security studies and international relations between “opportunistic rape” and “rape as a weapon of war.” Underlining Nitsán’s claim is the implicit presupposition that if rape is not systematic, it is also rare, compared with large-scale cases of war-time rapes.
2. The Green Line demarcates the ceasefire line of the 1949 Armistice Agreement between Israel and Egypt, Lebanon, Jordan, and Syria, and marks Israel’s pre-1967 borders.
3. The choice of focus and methods in the article reflects the research aims, positionality, approach, and access to sensitive materials and topics. Additional sources may be available that could shed light on the lived experiences of Palestinians, including ethnographic accounts or interview data. These remain beyond the scope of this current paper.
4. The Shin Bet, also known as the General Security Service, is responsible for Israel’s internal security.
5. On the sexual harassment and assault of Palestinian women during house searches, see Stein (1996).

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