



ISRAEL

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Israel Destroys Homes to Deter Terrorists. A New Study Says It Works—But Is It Moral?

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On October 22, Abdel Rahman al-Shaloudy plowed his car into a Jerusalem bus stop, [killing](#) a baby and young woman. A week later, a second driver [mowed down](#) another crowd, killing [two](#) and injuring a dozen more. A spate of knife attacks followed, in [supermarkets](#), [street corners](#) and on [roadsides](#), outdone only by a ghastly [attack](#)—carried out with meat cleavers, among other weapons—on worshippers in a Jerusalem synagogue. The day after the synagogue attack, the Israeli military [demolished](#) the al-Shaloudy's family home, officially resuming a highly controversial deterrence policy that takes aim not just at terrorists, but their loved ones.

The demolition policy was last officially in effect over a decade ago, during the bloody years of the Second Intifada, when Israel struggled to counteract a wave of suicide bombings that killed over a thousand of its citizens. But in 2005, as the violence began to recede and after years of complaints about the demolitions' efficacy and legitimacy, the Israeli defense minister abruptly ended the policy. Now that the demolitions have returned, so have the challenges, and last week the Israeli Supreme Court heard arguments demanding an end to the demolitions. Its ruling is expected soon.



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Family members of Abdel Rahman al-Shaludy look at his destroyed house in Jerusalem.

To many, the 2005 Israeli decision was confirmation of its ineffectiveness. At the time, the *New York Times* [reported](#) that the military committee recommending termination “had challenged the existing military position that demolitions were an effective deterrent.” Today, it’s treated almost as fact. When Israel [announced](#) the policy’s renewal six weeks ago, the *Times* reported that a 2005 military commission had “found” that the demolitions “rarely worked as a deterrent,” and the *Wall Street Journal* reported that a military “study” recommended ending the practice “after finding demolitions didn’t deter potential attackers.” Even the U.S. State Department followed suit, as spokesman Jeff Rathke chastised Israel for its apparent irrationality: “This is a practice, I would remind, that the Israeli government itself discontinued in the past, recognizing its effect.”

With the effectiveness question supposedly settled, commentators have [lambasted](#) the recent resumption not simply as a strategic or moral mistake, but as vindictiveness and political demagoguery. However, an investigation of the program’s termination in 2005 and a rigorous new [study](#) of that era’s demolitions in the January issue of *Journal of Politics* contradicts the widely held belief that demolitions don’t work. In doing so, they serve as a powerful reminder that value judgments—political, legal, and moral—must be separated from a clear-eyed understanding of the policy’s results.

Israel’s house demolitions policy has its origins in the time of the British mandate, the era after the First

World War and the dismantling of the Ottoman Empire, when Great Britain was made responsible for much of the Middle East. Amid growing unrest from local Arab and Jewish populations, the British authorities adopted harsh tactics as they tried to maintain control and order. Britain gave wide authority for local military commanders to confiscate and destroy “any house, structure or land... the inhabitants of which he is satisfied have committed... any offence against these Regulations involving violence.” In the decades following Israel’s 1967 seizure of the West Bank from Jordan, Israeli use of the tactic has been sporadic, spiking in periods of particular unrest.

In 2002, at the height of the Second Intifada, as a parade of suicide bombings struck busy cafes and crowded buses, Israeli counterterrorism efforts went into overdrive. Israel expanded its intelligence networks, added checkpoints, and constructed an imposing security barrier. Each of these measures drew protests, but none proved more controversial than its policy of punitive house demolitions. From 2000 to 2005, 538 Palestinian homes were destroyed as part of the policy, according to the forthcoming *Journal of Politics* study.

The logic of the policy was simple—and brutal: Those that strap bombs to their bodies obviously can’t be deterred by the threat of death to themselves. But by imposing hardship on a terrorist’s immediate family, Israeli authorities hoped they could change his calculus. Claude Berrebi, a Hebrew University economist and co-author of the forthcoming study, explains that the demolitions aim at catering to terrorists’ own interests and desires—to convince them that by perpetrating attacks “they are not only dying or leaving behind a better world, but hurting those they love.”

But even if the demolitions didn’t deter the terrorist himself, Israeli officials also believe the threat will motivate friends and family members to dissuade or turn in the would-be terrorist. Shaul Shay, head of terrorism studies at the Interdisciplinary Center in Herzliya and a former deputy head of the Israeli Security Council, told me that he had seen “several examples where [families of a terrorist] tried to convince their relatives, or came to the Israeli authorities saying, ‘better that my son is in jail than in the grave.’” When bombs are going off regularly in crowded discothèques and shopping malls, “several examples” can translate into hundreds of lives.

Over time, the demolitions have also been **defended** as a way to counteract “a culture of support within Palestinian society”: Hamas, the PLO, and supporters abroad **pay** the families of bombers. In 2011, for instance, the Palestinian Authority paid families of the “martyrs” nearly \$7 million.

Nonetheless, in late 2004, amid subsiding violence and continuing criticism, the then military Chief of Staff, Moshe Yaalon appointed a committee to reconsider the demolitions. In early 2005, at the recommendation of the committee, Defense Minister Shaul Mofaz ended the policy. And in the media, both in Israel and abroad, a straightforward narrative took hold: the demolitions ended in 2005 because they didn’t work, and a military study had proven it.



MOHAMMED ABED/AFP/Getty Images

A Palestinian child from the Msabeh family sits in a room of her family's Gaza City home, which was destroyed during the 50-day war between Israel's army and militants from Hamas.

The problem is, the commission conducted no serious study of the demolitions' effects, and the latest evidence actually points in the opposite direction. The 2005 *Times* [article](#) on which much of the subsequent coverage seems to have been based is itself an overstatement of a contemporaneous [account](#) in the Israeli newspaper, *Haaretz*. But *Haaretz* made no claims about conclusive findings, simply stating that the military committee recommended ending the program and referencing a general, preliminary “study of the first 1000 days of the conflict” from 2003 that merely stated, “as of today, there is no proof” of effective deterrence from the demolitions.

The author of the *Haaretz* story, Amos Harel, told me that the committee wasn't primarily intended as an objective evaluator, but as professional cover for the political echelon's decision. Its recommendation—to end the demolitions—was largely a foregone conclusion. The only piece of work product publicly available, at least according to Harel, is a [PowerPoint](#) presentation that looks like it was developed by a middle-schooler. When I spoke with the general who led the commission, Udi Shani, he explicitly dismissed the idea that there had ever been a specific analysis or determination rejecting the deterrent effects of the program. In fact, “most of the professional side”—meaning the military personnel and members of Israel's internal security service—actually supported continuing the demolitions due to first-hand experiences with families turning in would-be terrorists. Nevertheless, a “mixture” of factors—including public relations and moral concerns—led the committee to oppose the policy.

Whereas Shani's committee conducted no scientific study, three academics now have. In 2008, Efraim Benmelech, a professor at Northwestern's Kellogg School of Management, and Hebrew University economists Claude Berrebi and Esteban Klor began to collect data on all house demolitions and suicide attacks between 2000 and 2005, relying on Palestinian sources, human rights group B'tzelem, and publicly available Israeli security information (Benmelech says they received "zero help from any government agency"). The authors distinguished between "punitive demolitions" (those that target the homes of terror operatives) and "precautionary demolitions" (those justified by a home's location, for instance posing particular danger of housing sniper fire), and used a wealth of data to isolate the effects of each type of demolition on subsequent suicide attacks. In 2010, they began circulating [drafts](#) of their findings, and the final, peer-reviewed version will appear next month.

The study, Benmelech insists, is the first serious analysis of Israeli punitive demolitions—in government, academia or anywhere else—and the results may be politically explosive. The analysis found a strong correlation between demolitions and subsequent suicide attacks. In fact, they found two separate correlations. Precautionary demolitions resulted in a significant increase in suicide attacks, a "48.7 percent increase in the number of suicide terrorists from an average district," according to the study. By contrast, punitive demolitions led to a significant decrease in terror attacks, between 11.7 and 14.9 percent, in the months immediately following the demolition. The study suggests that, at least in the aggregate, terrorists can be understood as "rational actors": "The results support the view that selective violence is an effective tool to combat terrorist groups and that indiscriminate violence backfires."

There's no saying how the last decade's developments in ideology, regional politics, and technology might affect the efficacy of home demolitions today; if such a study were conducted of the policy's use now, the results could be drastically different. Nevertheless, the best evidence we have suggests that a punitive demolitions policy deters terrorism.

Still, even the most definitive studies or scientific results can't tell us what we ought to do. Does a marginal decrease of 12, 13 percent justify the tactic? Not even the study's authors agree.

I asked each of the three authors about their views on the recent Israeli resumption of demolitions; their divergent answers are representative of just how politically ambiguous their results actually are. Kellogg's Benmelech refused to express an opinion, insisting the role of the academic was just to lay out the empirical facts. Berrebi seemed most supportive of the policy, primarily concerned that punitive demolitions be done smartly, "If you ask my opinion, it should be carefully implemented—if we decide to go ahead with—it should be used very carefully." In particular, Berrebi insisted that the demolitions be used as part of a larger policy that included incentives for non-violence and cooperation, or as he put it, "the carrot as well as the stick."

Klor's reading of the results was entirely different. He repeatedly emphasized that the "magnitude of the deterrence is small, localized and diminishes over time." In his view, the objections to the demolitions are powerful enough that their study's limited results shouldn't be used as a justification. "If you ask me

personally,” Klor said, the current round of demolitions is primarily meant “to placate the Israeli public.”



Ilia Yefimovich/Getty Images

Relatives of a suspected terrorist are seen in the house destroyed by the Israeli army in response to the murdered Israeli teenagers in Hebron.

Given the evidence for a deterrent effect, Klor is probably too quick to dismiss the Israeli government’s motives as pure politics. Especially when, according to Benmelech, the study has been seen by “the highest levels” in the Israeli government and military. But traditional legal and moral thinking lend strong support to Klor’s intuition that the cost of the demolitions decisively outweigh their marginal benefits.

Legally, Israel grounds its demolition authorities in the old British mandatory regulations, which have remained in force under the Geneva Conventions’ call to maintain preexisting laws during military occupations. Nevertheless, over time, the Israeli Supreme Court has severely limited the wide British-era demolition authority, insisting on a right to appeal and circumscribing the scope of destroyable property. As Gabriella Blum, a professor of international law at Harvard and former senior legal advisor to the Israeli, told me “after the Court got involved, you have to constrict the interpretation and read it much more narrowly.” When the Supreme Court rules on the petitions currently before it, that interpretation could become even narrower.

But even the Israeli Supreme Court’s restrictions and guidance can’t make kosher a deliberate policy of collective punishment. This sweeping prohibition on targeting one person for the crimes of another is among the strongest norms we have. According to Blum, Israeli legal authorities have twisted themselves into

pretzels to avoid offending them, seeking to differentiate the “deterrence” of demolitions from prohibited “punishment,” and suggesting that the terrorist is still “jurisprudentially” the official target of the demolition (despite being dead), while his family’s suffering is incidental and “collateral.”

Blum doesn’t buy these arguments, and neither should we. Nearly all punishments are motivated by deterrence, and still the blanket probation on collective punishment applies. Similarly, the suggestion that a family’s loss of their home is simply collateral damage misunderstands the entire concept. The justification for “collateral damage—a defense Israel invoked repeatedly (and [rightly](#)) during this summer’s Gaza War—rests on the fact that these victims are truly incidental, unwanted double-effects rather than the intended targets. This cannot be said of the families whose homes are demolished; their suffering is the very tool of the program. Even advocates of the demolitions readily admit this. As IDC’s Shay told me, “the terrorist must know that the price will be not only his own life, but that his family will pay as well.” Deterrence is the goal, but the suffering of his family is a tool—it is intended and desired, and so it is unacceptable.

Legal and moral arguments of this sort are far messier than a simple claim of ineffectiveness, and less conclusive. For critics of the demolitions program, there is rhetorical usefulness in insisting that demolitions don’t work. After all, only the irrational and malicious would renew a policy that has been proven ineffective. But while ignoring the study’s findings may be a useful debaters’ tactic, it subtly erodes the shrinking place of values in policy debates. And for a small country surrounded by enemies and in a constant battle for its own legitimacy, maintaining that place is critical. “There are plenty of authoritarian regimes that punish families to deter terrorism,” says Daniel Byman, a counterterrorism scholar at Brookings and Georgetown University. “And I don’t think Israel wants to be seen in the same light.”

But perhaps the most popular defense of the demolitions policy focuses on the families’ complicity. Many relatives encourage, supply or fail to report an attack that they could have stopped. Surely this is worthy of punishment? Perhaps. But details of the policy simply don’t bear out that theory. As Blum explained to me, a military commander isn’t obligated to make any kind of finding of complicity, and he can even demolish homes even when a family opposed its child’s terrorism. So how exactly is this a punishment for complicity?

Mohammed Abu Jamal is a useful example here. His 27-year-old son Ghassan has been identified as one of the cleaver-wielding attackers of the Har Nof synagogue. He told the [Journal](#) that he was “amazed, surprised and shocked” to learn of his son’s involvement.

“I don’t know what my son was thinking, I don’t know if he knew the consequences—but I can say if I had known, I would have prevented him,” he said.

No matter. Unless the Supreme Court unexpectedly rules in favor of the policy’s challengers, his home will be demolished.

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