

## **Hidden in Plain Sight: The Village of Nabi Samwil**

### **Executive Summary**

Nabi Samwil is named after the Prophet Samuel, whose tomb is alleged to be on the village's lands and encapsulated by a mosque there. Aside from its purported religious significance, Nabi Samwil's strategic location, on a mountaintop near Jerusalem, has recorded a variety of conquests and battles. In 1099, the Crusaders dubbed the village the "Mount of Joy," because it was the first place from where Jerusalem could be seen.

More recent history has illustrated that Nabi Samwil continues to be a prime target for conquest. During the 1967 war, many of Nabi Samwil's 1000 residents fled to nearby Jordan, with approximately 200 residents remaining thereafter.<sup>i</sup> Following the war, Israel became the occupying power of the Palestinian territory, including Nabi Samwil. The village was identified as a matter of immediate strategic importance: while the topography of Nabi Samwil is one of the highest points in the area, Israel failed to include it in the expanded municipality boundaries of Jerusalem. The perceived oversight was discussed extensively between Israeli authorities and officials.

Immediately following the occupation in 1967, Israeli officials targeted the village, through land expropriation policies,<sup>ii</sup> and plans to establish residential settlements in the area.<sup>iii</sup> In a memo dated 4 March 1971, Israeli Minister without Portfolio Yisrael Galili wrote that the Israeli government would take specific steps in order to take over the land of Nabi Samwil, including: demolishing the empty structures in the village, negotiating with the 11 remaining families in order to evacuate them, and exerting efforts to buy the village's lands from its inhabitants.<sup>iv</sup> A few weeks later, on 22 March 1971, Israeli military forces arrived, without prior notice, with bulldozers to Nabi Samwil and demolished up to 52 homes located near the mosque. Notably, the "11 families" were extended families that reportedly included more than 200 individuals.<sup>v</sup> The displaced residents were then forced to move to the abandoned homes and structures of those who had fled the village in 1967, a few hundred meters east of the mosque.

Correspondences between Israeli officials throughout 1972 portray some disagreement as to how the land of Nabi Samwil should be used. Israel's Mayor of Jerusalem Teddy Kollek, for example, wanted the village to be part of a "green ring" around Jerusalem.<sup>vi</sup> The notable importance of the village to Israel's annexation of Jerusalem continued in Israel's policies towards the village in the following decades.

### *Current Context*



Nabi Samwil village, currently inhabited by a population of about 302,<sup>vii</sup> falls within the “J2” area of the Jerusalem governorate, which was occupied in 1967 by Israel but not included in the expanded municipal boundaries.<sup>viii</sup> The Oslo Accords designated the village as Area C of the West Bank, and thus under full Israeli control. In 1995, Israel declared the village and its surrounding area, including the agricultural lands belonging to residents, a national park. It is bordered by the village lands of Beit Hanina, Al-Balad and Bir Nabala to the east, Al-Jib to the north, and Beit Ikse to the west and south. However, due to Israel’s land confiscation policies, Nabi Samwil is now surrounded to the north, south, and west by Israeli settlements.<sup>ix</sup>

Israel’s construction and establishment of the Annexation Wall in the area in 2005 further isolated Nabi Samwil, placing the village on the western side of the Annexation Wall and the eastern side of the Green Line. Access to the village is limited to the bypass road connecting the settlement of Giv’at Ze’ev in the north and the settlement of Ramot in the south. Although there are no physical barriers between the village and Jerusalem, the majority of Nabi Samwil residents, as West Bank ID-holders, are not permitted to enter Jerusalem without permits. A large Israeli security tower monitors the movement of residents, and those found in Jerusalem without permits are fined and/or detained.

### ***Living Conditions for Residents of Nabi Samwil***

Every aspect of life for Palestinians in Nabi Samwil is shaped and impacted by an array of Israeli policies and practices that target the land and its people. As described by one resident, living in Nabi Samwil is like being confined to “an invisible cage.”<sup>x</sup>

#### *Movement of People and Goods.*

The residents of Nabi Samwil face severe restrictions on their movement due to the village’s imposed position between the Annexation Wall and the Green Line. Residents must receive ‘coordination’ in order to receive visitors with West Bank IDs or bring in goods that are deemed commercial quantities. According to residents, even with coordination, the entry of individuals and goods may be up to the discretion of the Israeli Occupying Forces (IOF) at the checkpoint. Movement and access restrictions have a significant impact on the ability of residents to attain an array of rights.

#### *Planning and Building in Nabi Samwil.*

Residents of Nabi Samwil face multiple layers of obstacles that obstruct their ability to build, including the village’s designation as Area C and as a ‘national park,’ and the lack of a village outline plan. This has had a severe impact on the right to housing. Residents are forced to build illegally and face possible demolition, or choose to internally subdivide their homes to allow for the growth of their family. Rather than live in overcrowded conditions, some residents have moved to other



areas of the West Bank even though they risk having their names removed from the checkpoint and losing access to the village. Accordingly, the right to choose one's residence, the right to adequate housing, and the right to family life are impacted by prohibitions on building.

### *Access to Education*

The "Nabi Samwil Co-Educational Primary School," run by the Palestinian Ministry of Education and Higher Education, is the only school in the village and accommodates students between the ages of 6 to 10 years old. There is no kindergarten in the village, and residents state that another school has not been built because it would likely be demolished. Accordingly, children take twice daily bus rides where they cross Al-Jib checkpoint in order to get to schools in neighboring villages, and often face arbitrary searches by the IOF. This infringes on the residents' right to education.

### *Employment and Livelihoods.*

Residents face limited access to employment opportunities due to movement restrictions. Although Jerusalem is the closest city to them, attaining a work permit is extremely difficult, especially for younger people. Jobs in neighbouring areas of the West Bank, which have working hours where public transportation is often unavailable, leave residents spending the majority of their salary on private transportation. Residents also find that it is impossible to develop income-generating activities in their village due to building restrictions. In total, Israeli policies and practices place severe burdens on the residents of Nabi Samwil in the fulfillment of their right to work.

### *Access to Health Care and Underlying Determinants to Health*

Nabi Samwil village does not have a healthcare center, and no medical professionals reside in the village. Although the closest option, villagers are not allowed to freely access Palestinian hospitals in Jerusalem due to their West Bank ID status, unless they have received a permit. In emergency situations, residents usually go to Ramallah Public Hospital. It takes approximately 30 minutes to reach Ramallah if a car or public transport is available, and if the checkpoint is not crowded and open. Accordingly, residents' right to health, including having access to services without discrimination, is infringed on.

### ***Systematic Transfer of Residents***

Residents of Nabi Samwil are subject to a variety of obstacles and forms of coercion, leaving them unable to freely and willingly determine the day-to-day proceedings of their lives. The manifested living conditions for residents in Nabi Samwil can be easily characterized as a coercive environment. This has led and continues to lead to the indirect forcible transfer of residents. In 2014, the Nabi Samwil village council



affirmed that “24 households comprising 125 people” moved out of the village in the preceding seven years “as a result of restrictions on movement, access and the building of new homes.”<sup>xi</sup> In an interview conducted in August 2017 by Al-Haq, one resident recalled six families who left Nabi Samwil since June 2014 due to inadequate housing and the inability of residents to build and make use of land in their village.<sup>xii</sup>

It should be further noted that the initial displacement due to Israel’s demolition of the village in 1971 constituted a direct forcible transfer of the Palestinian residents.

### ***Turning Nabi Samwil into a National Park***

Israel uses archaeological sites and national parks to confiscate and control Palestinian land, and to perpetuate narratives that suit their national interest. Fourteen percent of land in Area C has been declared a national park by Israel.<sup>xiii</sup> Jerusalem similarly contains an “unusually large number of national parks” with some “located in areas devoid of any significant archeological findings or natural treasures.”<sup>xiv</sup> Nabi Samwil is part and parcel of these Israeli policies. Excavations in the village began in 1992, which coincided with a general increase in activities by the Staff Officer for Archaeology (SOA) throughout the West Bank.<sup>xv</sup> In 1995, Israel declared the entire village and its surroundings, including the agricultural lands belonging to residents, a national park.

The Israel Nature and Parks Authority and tourism materials for the site mainly focus on its alleged religious importance, as a biblical town and as the burial place for Samuel. These contentions, however, have been challenged by numerous sources. According to a report by the Israeli archeological organization Emek Shaveh, “remnants from the 11th century BCE, the time of the prophet Samuel, have not been found at the site.”<sup>xvi</sup>

While there is limited evidence linking Samuel to the site, it should be further noted that the Israeli Ministry of Foreign Affairs admits that the alleged bones of Samuel were moved to Chalcedon (in Asia Minor) during the Byzantine period, although it is unclear from where they were moved.<sup>xvii</sup> The site, however, appears to have been used as a shrine for Samuel during the Byzantine period;<sup>xviii</sup> a practice that seems to have been discontinued during the Early Muslim Period.<sup>xix</sup> Its prominence was renewed during the Crusader period, when a church was built on the site.<sup>xx</sup>

In total, Israeli authorities both ignore and seek to erase the connection of Palestinians to the site. According to one archeologist who worked at the site during 1993-1994, thick layers of Islamic and Christian remains that were up to 2000 years old were bulldozed.<sup>xxi</sup> Further, materials issued by Israeli authorities make no mention of the Palestinian village and its residents.



Israel's effective confiscation of land at the 'archeological site', its excavations there, and the destruction of cultural property in Nabi Samwil are in violation of international law.

## Conclusion

Nabi Samwil exemplifies the importance of narratives in Israel's settler-colonial enterprise, and how easily the reality of the situation can not only be obscured, but willfully ignored. Israeli officials have targeted Nabi Samwil since 1967, due to its strategic location in the Jerusalem area. Although the methods have been adapted, the aim of clearing the village of its Palestinian inhabitants has remained. While Israel's violations of its duties as occupying power have been well-documented by the international community, including the United Nations, Israeli authorities have not been held to account. In total, Nabi Samwil is a microcosm of Israel's occupation at-large, but also demonstrative of Palestinians' resolve. As stated by the head of Nabi Samwil's council, "we have been occupied for 70 years. We will remain no matter what the circumstances are."<sup>xxii</sup>

---

<sup>i</sup> Current residents of the village provided these figures to Al-Haq during interviews. Residents stated that many individuals hid in nearby caves and returned to NabiSamwil soon after the war.

<sup>ii</sup> Jerusalem: Some Aspects of a Complex Problem, National Foreign Assessment Center, United States Central Intelligence Agency, May 1978, p.6, available at <https://www.cia.gov/library/readingroom/docs/1978-05-01.pdf>; *Supra* at note 4, UN Report, para. 48b(iii).

<sup>iii</sup> See Request for Jewish Settlement in the Area of Ramallah- NabiSamwil, 31 August 1969, and Letter from the Minister of Justice to the Prime Minister's Office, 6 January 1970, Akevot's CRDR.

<sup>iv</sup> Memo of YisraelGalili on Settlement of NabiSamwil, 4 March 1971, Akevot's CRDR document 6623.

<sup>v</sup> UN Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, 5 October 1971, A/8389, parac(i), available at <https://unispal.un.org/DPA/DPR/unispal.nsf/0/858C88EB973847F4802564B5003D1083>. Current residents interviewed by Al-Haq also stated that approximately 200 residents were present in the village in 1971.

<sup>vi</sup> Letter from Teddy Kollek to Justice Minister Shapira, 27 September 1972, Akevot's CRDR document 9168.

<sup>vii</sup> Localities in Jerusalem Governorate by Type of Locality and Population Estimates, 2007-2016, Palestinian Central Bureau of Statistics, available at <http://www.pcbs.gov.ps/Portals/Rainbow/Documents/jerus.htm>.

<sup>viii</sup> "J1" includes areas within Israel's defined boundaries of the Jerusalem municipality that were illegally annexed in 1967. For the areas that compose J1 and J2, see Locality Profiles and Needs Assessment for Jerusalem Governorate, Applied Research Institute- Jerusalem (ARIJ), 2014, p. 10, available at [http://www.arij.org/files/arijadmin/IDRC/publications/Jerusalem\\_VProfile\\_EN.pdf](http://www.arij.org/files/arijadmin/IDRC/publications/Jerusalem_VProfile_EN.pdf).

<sup>ix</sup> These include the settlements of Giv'atZe'ev, Ramot, Giv'on and HarShmu'el on the north, south, and west.

<sup>x</sup> NabiSamwil: Balancing Historical Heritage and Human Rights, Elise Hannaford, Palestine-Israel Journal, 12 March 2014, available at <http://www.pij.org/details.php?blog=1&id=266>.

<sup>xi</sup> New access restrictions impact a Barrier-affected community in the Jerusalem area, 31 October 2014, UN OCHA, Footnote 1, available at <https://www.ochaopt.org/content/new-access-restrictions-impact-barrier-affected-community-jerusalem-area>.

<sup>xii</sup> Al-Haq Field Report, August 2017. Monitoring and Documentation Department.



- <sup>xiii</sup>Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, Report of the Secretary-General, 16 March 2017, A/HRC/34/39, para 21, available at <https://unispal.un.org/DPA/DPR/unispal.nsf/0/71A1FD027B82B40D852580EA0064468F>.
- <sup>xiv</sup> National parks as a tool for constraining Palestinian neighborhoods in East Jerusalem, B'Tselem, 16 September 2014, available [http://www.btselem.org/jerusalem/national\\_parks](http://www.btselem.org/jerusalem/national_parks).
- <sup>xv</sup> “Most remarkable is the huge rise in Staff Officer activities after 1992: these are largely related to large-scale unilateral ‘operations’ that characterize Israeli policy of the last decade and more.” See: *The Present Past of the Israeli-Palestinian Conflict: Israeli Archaeology in the West Bank and East Jerusalem Since 1967*, Raphael Greenberg, Adi Keinan, July 2007, Tel Aviv University, p. 25 available at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.503.8840&rep=rep1&type=pdf>
- <sup>xvi</sup> Nabi Samwil- A Village Trapped in a National Park, Emek Shaveh, 13 September 2013, p.5, available at <http://alt-arch.org/en/nabi-samuel-national-park-2/>.
- <sup>xvii</sup> Nabi Samwil- Site of a Biblical Town and a Crusader Fortress, 8 September 2001, Israel Ministry of Foreign Affairs, available at <http://mfa.gov.il/MFA/IsraelExperience/History/Pages/Nebi%20Samwil%20-%20Site%20of%20a%20Biblical%20Town%20and%20a%20Crusad.aspx>.
- <sup>xviii</sup> Sacred Sites in the Holy Land: Historical and Religious Perspectives, Institute for Historical Justice and Reconciliation, p. 87, available at <http://www.ihjr.org/wp-content/uploads/2017/06/Sacred-Sites-English-version-final.pdf>.
- <sup>xix</sup> “Al-Muqaddasi, a 10th-century Arab geographer, notes a high place called Dayr Samu‘il, located one parasang (about 4 miles) from Jerusalem. He does not cite this as a place of worship for any particular religion, nor does he indicate that it may hold Samuel’s tomb. It is thus unclear if the site was a place of worship during this period.” Id. at p.87.
- <sup>xx</sup> It should be further noted that Israeli Nature and Parks Authority website boasts “a large building from the Crusader period, containing the tomb of the prophet Samuel,” while the Israeli MFA notes “the traditional tomb of the prophet Samuel is the crusader crypt.” Nabi Samuel Park, Israel Nature and Parks Authority, available at <https://en.parks.org.il/sites/English/parksandreserves/nebisamuel/Pages/default.aspx>;
- Nabi Samwil- Site of a Biblical Town and a Crusader Fortress, 8 September 2001, Israel Ministry of Foreign Affairs, available at <http://mfa.gov.il/MFA/IsraelExperience/History/Pages/Nebi%20Samwil%20-%20Site%20of%20a%20Biblical%20Town%20and%20a%20Crusad.aspx>.
- <sup>xxi</sup> Palestinian Archeology: Knowledge, Awareness and Cultural Heritage, Ghattas J. Sayej, 2 Present Pasts, 58, 64 (2010), p. 61.
- <sup>xxii</sup> Interview with Amir Obeid on 9 December 2017.