

The Working Group on the Status of Palestinian Women in Israel

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- Translation from Hebrew- *Aleeza Strubel & Elana Dorfman*
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The Working Group also wishes to express its sincere appreciation to the following organizations for their kind support:

- ICCO - Interchurch Organization for Development Cooperation (The Netherlands)
- The Global Fund for Women (USA)
- US-Israel Women-to-Women (USA)

Special thanks to Dr. Sharon Ladin, Associate Director of International Women's Rights Action Watch (IWRAP), for her encouragement, assistance, and editorial comments, and to IWRAP for publishing a summary of our report in its July 1997 Report to the CEDAW Committee.

Foreword

'The Working Group on the Status of Palestinian Women in Israel' is a national network of Palestinian NGO representatives and activists. The members of the Working Group work on a daily basis on Palestinian women's human rights issues, from various perspectives and fields of expertise. The Working Group formed in June 1996 after individual members learned that Israel had recently submitted its Initial Report to the CEDAW Committee,¹ and would be reviewed by the CEDAW Committee in January 1997. Having found that Israel's Initial Report essentially ignored the status of Palestinian women in Israel² and the discrimination against

¹ Israel ratified the CEDAW Convention on 4 August 1991. Upon ratification, Israel entered substantive and procedural reservations to the Convention, in particular to Article 7 (b), which relates to women's participation in public and political life; Article 16, which relates to matters of marriage and family relations; and Article 29, which relates to the resolution of disputes concerning the interpretation or application of the Convention. To date, Israel has not withdrawn any of its 1991 reservations. Although ratified by the government, the provisions of the CEDAW Convention (and all other international human rights treaties) are not incorporated into Israeli domestic law, and thus, are not binding on Israel's national courts. Under Israeli domestic law, incorporation occurs only when the Israeli legislature (the Knesset) passes a specific act to that effect.

² The term 'Palestinian women in Israel' refers to Palestinian women citizens of Israel (pre-1967 borders, or within the "Green Line"). This report describes discrimination against this group of women, and not Palestinian women who live in the Occupied West Bank, Gaza, or East Jerusalem. The terms "Palestinian women" and "Arab women" are used interchangeably throughout this report. In all instances, unless otherwise specifically indicated, these terms refer to Palestinian women citizens of Israel, the subject of this report.

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them, the Working Group decided to take immediate action and write an alternative NGO Report in response.

Despite the fact that the Palestinian community in Israel constitutes 18% of the total population, including approximately 400,000 women,³ Israel's fourteen-page Initial Report mentioned "Arab women" only once, commenting on their disadvantageous position regarding working conditions in seasonal agricultural labor.⁴ It also noted the difficulties faced by the government in implementing compulsory school attendance for girl pupils in Bedouin settlements and in some Druze villages; the report, however, did not specify the government's efforts to improve attendance or to reduce the dropout rate.⁵ These two statements are the only two references made to Palestinian women in Israel's Initial Report.

In addition to the scarcity of information provided, the fact that the government's Initial Report refers to Palestinian women in Israel as 'Arab,' 'Bedouin' and 'Druze,' and not 'Palestinian,' reflects Israel's policy of not recognizing the

³ *Statistical Abstract of Israel*, Central Bureau of Statistics (CBS) 1996. Table 2.18 notes that 520,500 females under the category of 'Arabs & others' live in Israel. This figure includes the Palestinians who live in occupied East Jerusalem, and the Arab Syrians who live in the occupied Golan Heights. Thus, no official public figure is available as to the precise number of Palestinian women living in Israel.

⁴ "Initial Report by Israel under Article 18 of the Convention on the Elimination of all Forms of Discrimination against Women," p. 12. Submitted by Israel in the spring of 1996 to the Secretary-General of the United Nations, for consideration by the CEDAW Committee.

⁵ *Id.*, p. 5.

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Palestinians living in Israel as a national minority. In addition to these terms, official Israeli documents also refer to Palestinians as 'non-Jews,' 'Arabs & others,' 'Israeli Arabs,' 'Moslems,' 'Christians,' and 'Druze.'

Throughout the summer of 1996, Working Group members worked individually and in sub-committees to draft each of the sections of our alternative NGO Report. Prior to these efforts, very little research had been done; there are very few official statistics or reports, which document the situation of Palestinian women in Israel. Initial information gathering proved that the Working Group's efforts to locate materials for this report would truly be a unique and pioneering endeavor.

As sections of the report were nearing completion in October 1996, Working Group members learned that the Israeli government had postponed its review by the CEDAW Committee, and had decided to write and to submit a second Initial Report. In mid-March 1997, the Working Group members learned that Israel was in the process of completing its second Initial Report and would submit it for review by the CEDAW Committee at the July 1997 session. This additional time has allowed the Working Group to expand upon and refine its previous work.

This report compiles the available resources, documents the experiences of Palestinian leaders in working with Palestinian

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women, and attempts to offer a widely accepted perspective on the three forms of discrimination faced by Palestinian women in Israel. Palestinian women are discriminated against as members of the Palestinian minority, as women in Israel, and as women within the Palestinian community.⁶ The Working Group does not claim to represent the viewpoints of all Palestinian women in Israel, nor to have presented all of the different issues of discrimination. Palestinian women in Israel live in a variety of localities, including the unrecognized Arab villages,⁷ and within a variety of religious communities: every set of circumstances will result in a different set of discriminatory issues. Moreover, the Working Group chose to write only on selected substantive articles of the CEDAW Convention, as these, we believe, are closest to the daily lives of Palestinian women. The authors of this report worked on a voluntary basis.

During the preparation of this alternative NGO Report, Working Group members actively tried to obtain a copy of the government's second Initial Report. Unfortunately, the report was made publicly available after 5 June 1997, only

⁶ See the chapter entitled 'Herstory' for more details.

⁷ The unrecognized Arab villages exist throughout the country. They do not appear on official maps of Israel and are afforded no legal status. The residents of these communities, numbering anywhere between 40,000 and 60,000, are predominantly Arab Bedouin. Basic services, such as connections to water networks, electricity, and telephone service, are withheld from these villages by the government. For more information on the unrecognized villages, see the chapter entitled 'Palestinian Women's Health.'

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days before the first publication of this report. Thus, the Working Group did not have the benefit of reviewing and critiquing the government's report in the first draft of our alternative report, which was submitted to the CEDAW Committee. A supplemental critique was subsequently provided to the Committee in New York.

Moreover, the Israeli government did not engage the Working Group or any of the individual member organizations in a consultative process in preparing its second Initial Report. Although copies of our materials were requested by the government's team, to the best of our knowledge the government conducted no meetings with the Palestinian NGO community concerned with women's human rights to gather information directly or share comments concerning the government's representations. The Working Group did not provide the government with a copy of its materials during the preparation process of its report. The Working Group did participate in a special public meeting organized by the Ministry of Justice and the Ministry of Foreign Affairs held in Jerusalem on 18 June 1997. Other speakers included a representative of The Israel Women's Network, an NGO that also prepared a shadow report on the status of women in Israel.

This document is the final version of the Working Group's report. It gathers together all of the documents prepared and received in the course of our work. Additional materials

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were added to the first draft including 'Women's Rights in the United Nations' Human Rights System'; 'Critique of Israel's Combined Initial and Second Report to CEDAW'; 'Critique of Israel's Response to Questions Presented by CEDAW'; 'CEDAW Concluding Comments and Recommendations for Israel'; and the full text of 'The Convention on the Elimination of All Forms Discrimination Against Women.'

By submitting this report and presenting its major findings to the CEDAW Committee, the Working Group wished to put the issue of discrimination against Palestinian women in Israel, and Israel's obligations under the CEDAW Convention, on the national agenda in Israel. As a delegation from our group witnessed in July 1997, the information provided herein served to deepen the exchange of the CEDAW Committee with Israel's representatives. The Working Group sincerely hopes that the Israeli government works to address the issues and recommendations raised in this report by implementing policies and practices that alleviate discrimination against Palestinian women.

Working Group members hope that this final publication will spark a renewed debate within Israel about the discrimination faced by Palestinian women, as well as about women's human rights in general. Contributors to this report also wish that the issues raised encourage others to conduct research on, write about, and advocate for Palestinian women's rights in Israel.

**Women's Rights in the
United Nations'
Human Rights System**

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Women's Rights in the United Nations' Human Rights System

*"The human rights of Women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all form of discrimination on ground of sex are priority objectives of the international community."*⁸

The UN has recognized the advancement of women's rights since its establishment as an important priority in the field of human rights. Women's human rights are viewed as fundamental rights, and UN member States should guarantee the full participation of women in all aspects of civil, political, economic, social and cultural life on equal footing with men.⁹

The UN has also affirmed the need for international and local action for the elimination of all forms of discrimination based on gender. The UN has recognized that equality has been considered a basic tenant of every society, which aspires to

⁸. The Vienna Declaration and Program of Action, Part I, Para 18.

⁹. "Women's Fundamental Rights" at The United Nations and Human Rights 1945-1995, United Nations Department of Public Information, New York, 1995.

democracy, social justice and human rights. The UN charter sets as a primary goal “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in equal rights of men and women.”¹⁰ Article 1 of the Charter affirms that one of the important purposes of the UN is to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all people “without distinction as to race, sex, language, or religion.”

All UN members have a clear legal obligation,¹¹ in accordance with the Charter, to work for the full and equal realization of human rights for all persons without any distinction.

UN Work for the Advancement of Women Rights:

After the drafting of the Charter, the UN took important steps to advance women’s rights. One such step was the creation of the Commission on the Status of Women (CSW) in 1946,¹² a central intergovernmental body of the UN. The CSW develops policy recommendations and monitors their implementation with regard to the advancement of women by all Member States of the UN. The CSW also prepares

¹⁰. The Preamble of the UN Charter, signed 26 June 1945.

¹¹. Under Article 56, Member States have pledged to take joint and separate action in cooperation with the UN to achieve such aims.

¹². The Commission was first established as the Sub-Commission of the Commission on Human Rights, In 21 June 1946, it was decided to grant the Sub-Commission the status of a full Commission to be known as The Commission on the Status of Women.

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reports and receives communications from individuals and groups concerning discrimination against women.

In the early years of its existence, the CSW concentrated its efforts in improving the status of women in law and in broadening women's enjoyment of education, employment and health care rights. The CSW played an important role in commenting and adding recommendations throughout the drafting process of several international human rights instruments. In addition, the CSW undertook studies regarding questions and issues affecting women such as equal access to education at all levels, equal economic rights and opportunities for women, and various aspects of family law.

In 1949, the CSW drafted a proposal on the civil and political rights of women, which was later used as the basis for the Convention on the Political Rights of Women, adopted by the UN General Assembly in 1952. The CSW also played an important role in drafting the Convention on the Nationality of Married Women, adopted in 1957; the Convention on Consent to Marriage, Minimum Age of Marriage and Register of Marriage, adopted in 1962; and the Declaration on the Elimination of Discrimination of Women, proclaimed by the General Assembly in 1967. In 1976, the CSW drafted the Convention on the Elimination of All Forms of Discrimination Against Women, as its core document.

The CSW also promoted women's rights around the world, serving as a preparatory body for **The International Women's Year** in 1975, **The United Nations Decade for Women (1976-1985)**, and **The World Conference on Women** held in Mexico City in 1975. The World Conference declared The **World Plan of Action**, which deals with the advancement of women's rights in several important fields. The UN Decade for Women concluded its activities with the **World Conference to Review and Appraise the Achievements of the UN Decade for Women: Equality, Developments and Peace** held in Nairobi in 1985. This Conference declared the **Nairobi Forward-looking Strategies for the Advancement of Women**.¹³

The Nairobi Forward-Looking Strategies document stressed that the elimination of discrimination against women is an essential contribution to the strengthening of international peace and stability. The 'Strategies' served as the major policy instrument of the United Nations concerning the advancement of women, with all United Nations organs taking the needed measures to include these 'Strategies' in their plans of action.

In 1995, the **Fourth World Conference on Women: Equality, Development and Peace** was held in Beijing. This consultation reviewed the progress made since the Nairobi Strategies,

¹³. "Advancement of Women" at United Nations in the Field of Human Rights, United Nations, New York, 1994.

and formulated the **Beijing Declaration and Plan of Action**.¹⁴ The Beijing Declaration reflects the determination of the UN to work for the advancement and protection of women's rights in all fields. The Platform for Action was set as an agenda for future local and international action in the field of women's rights for governments, Inter-governmental organizations, NGOs and the private sector.

The UN also developed promotion and protection mechanisms for women's human rights, which included the establishment of a voluntary fund for the International Women's Year in 1974. This fund later became the **UN Development Fund for Women (UNIFEM)**. UNIFEM'S mandate is to identify and study the obstacles that prevent women's enjoyment of their human rights, and to suggest educational and promotional measures to overcome these obstacles. UNIFEM supports women's participation in international events on women's rights in order for women to present their perspectives. UNIFEM also supports and protects refugee women in several regions of the world.

In 1976, the UN ECOSOC created the **International Research and Training Institute for the Advancement of Women (INSTRAW)**,¹⁵ which was designated to study and research

¹⁴. A/CONF.177/20 : United Nations Fourth World Conference on Women, China, Beijing, 1995.

¹⁵. In its resolution No 26, the World Conference of the International Women's Year, decided to recommend the establishment of an international training and research institute for the advancement of women under the auspices of the United Nations.

ways of forming programs and policies promoting the effective participation of women. INSTRAW also assists in finding ways to integrate women into development, economic, social and technological activities. INSTRAW was asked to provide training programs for women in order to support their efforts in assuming leadership roles in their communities.

Women's Rights in United Nations' Human Rights Instruments:

In 1948, the UN adopted the Universal declaration of Human Rights (UDHR) as the first and most important human rights instrument. Article 1 of the UDHR states that "All human beings are born free and equal in dignity and rights." Article 2 proclaims the entitlement of everyone to enjoy all human rights and fundamental freedoms "Without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, birth or any other status."

The UN in subsequent human rights instruments reaffirmed the principle of equality between man and woman and the prohibition of discrimination against women. Some instruments focus on particular aspects of women's rights such as the **Convention on the Political Rights of Women** and the **Convention on the Nationality of Married Women**, whereas others take declarations adopted by specialized organizations at the UN such as the International Labor Organization and The World Health Organization.

Following the adoption of the UN Charter and the UDHR, the UN sought to make the rights proclaimed in these documents legally binding on governments. Two major human rights covenants, **The International Covenant on Civil and Political Rights (ICCPR)** and **The International Covenant on Economic Social and Cultural Rights (CESCR)**, proclaimed in 1966, accomplished this goal. States Parties, which ratified these Covenants, agreed to ensure that all men and women have equal access to all rights set forth in each of these instruments.

The Human Rights Committee (HRC) and the Committee on Economic Social and Cultural Rights (CESCR),¹⁶ which monitors each of these covenants respectively, deal with women's rights in the course of their work in different ways. The HRC has examined numerous complaints received by women claiming to be victims of gender discrimination. The HRC has also adopted a general comment No.4,¹⁷ which discusses the obligation of State Parties to protect the equal enjoyment of rights set by the covenant, without discrimination. This General Comment explains that governments should include in their reports to the HRC information regarding the actual roles of women, and not only the existing laws concerning women's roles.

¹⁶. "Discrimination against Women: The Convention and the Committee," Fact Sheet No. 22, UN Human Rights Centre, Geneva, 1995.

¹⁷. The Human Rights Committee adopted General Comment No. 4, in 1981.

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The CESCR notes the issue of discrimination against women in its guidelines for reporting under the Covenant, and demands State Parties address this matter in their reports. The CESCR has issued several general comments on gender-based discrimination, and stressed the need of State Parties to act to ensure the equal enjoyment of rights for all.

The Committee on the Rights of Child (CRC), which monitors the **Convention on the Rights of the Child**, devotes part of its efforts to the issue of the rights of the girl-child. This issue is raised on the first day of open debate organized for each Session.

Instruments Devoted to Women's Human Rights

As noted above, the UN has also focused on the creation of declarations, instruments and mechanisms devoted to specific aspects of women's rights. **The Convention on the Political Rights of Women**, adopted by the General Assembly in 1952, came as result of the fact that certain States did not guarantee women equal political rights with men, in violation of their basic obligation under the UN Charter. The Convention reaffirmed the political rights of women such as the right to vote and to run for elected office, and to equally participate in civil and political life.

In 1957, the UN adopted **The Convention on the Nationality of Married Women**, which affirmed the right of women to keep her nationality after marriage to a citizen of a different state or member of a different nation, or the right to acquire the nationality of her husband upon her request. States are required by this Convention to take all needed measures to amend local laws and practices that violate women's rights in the field of nationality.

The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, adopted in 1962, deals with conditions on consent to marriage. It calls for agreement between spouses, clarifies the roles that authorities should play in registering marriages, and requires State Parties to take needed legislative measures to specify a minimum age for marriage.

In 1967, the General Assembly adopted the Declaration on the Elimination of Discrimination Against Women. The preamble emphasizes that despite all the previous efforts made by the UN, discrimination against women still exists. The Declaration declares that discrimination against women constitutes an offense against human dignity,¹⁸ and calls for the abolition of all laws, customs regulation and practices, which are discriminatory against women.¹⁹ In article 3, the Declaration calls on State Parties to "Educate public opinion

¹⁸. See Article 1 of the Declaration

¹⁹. See Article 2 of the Declaration.

and to direct national aspiration towards the eradication of prejudice and the abolition of customary and all other practices which are based on the idea of the inferiority of women."

The Convention on the Elimination of All forms of Discrimination Against Women

In 1979, the UN General Assembly adopted **The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**.²⁰ The Convention was the culmination of 30 years work by the United Nations towards furthering the goal of the advancement of women. The Convention constitutes an international bill of rights for women.

The preamble of the Convention explains that despite the existence of other human rights instruments, discrimination against women still exists in every society, and thus women do not enjoy their guaranteed human rights. The CEDAW Convention was created in order to reinforce all principles and rights contained in the existing instruments. After defining

²⁰. The CEDAW Convention came into force after being ratified by the necessary 20 State Parties, on 3 September 1981.

several areas where discrimination against women still remains, the Convention indicates specific goals and measures that are to be taken to facilitate the birth of a global society in which women enjoy full equality with men, and thus, full realization of their guaranteed human rights.

Following its definition of discrimination, the Convention sets forth the obligation of State Parties to take active steps through legislation to implement the principle of equality between men and women in all arenas. States are required also to afford protection against discrimination, including the establishment of a system for filing complaints within national courts. Articles 2 and 3 define the measures that should be taken by governments to fulfill these obligations, and stress the indivisibility and interdependence of rights guaranteed by the Convention.

One important component of the Convention is that it recognizes (in Article 4) the need for temporary special measures to achieve equality. Article 5 of the Convention adds another unique obligation on State Parties, to remove the social, cultural and traditional patterns that perpetuate gender stereotypes, even where women's legal equality is guaranteed.

The Convention also deals with the issue of preventing the trafficking and exploitation of women and girls, and guarantees equality in political and public life including the

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right to vote and to be elected in the national and international levels. Further, States are required to guarantee equality in national laws, and to assure women the full and equal enjoyment of their guaranteed rights in the field of education, including free access to education, the elimination of gender role stereotyping in and through education, and the institution of affirmative action programs to close the existing gap in education levels between men and women.

The Convention requires States to recognize the important economic and social contribution of women to the family and to society as a whole. It calls for the equality of women in employment including equal employment opportunities, the right to freely select a profession, the right to work related benefits, and adequate protection from violence at work. The Convention also guarantees women equal rights in access to health facilities, and requires State Parties to guarantee women financial independence.

Article 14 of the Convention refers to the rights of rural women as a group with special needs. It references in particular the fields of access to land and credits, education and training, and health and social services. The Convention goes on deal with the right of women to equality before the law and the right to chose where to live.

Article 16 of the Convention deals with sensitive issues related to the private sphere, personal status laws that are often based on religious laws or traditional practices, and the distinctive roles and rights of women and men. The Convention stresses that the principles of equality and dignity should guide the laws and policies in place of family laws.²¹

The Committee for the Elimination of All Forms of Discrimination Against Women (CEDAW):

When a state becomes a party to the CEDAW Convention, it undertakes to guarantee all the rights specified therein to all individuals under its jurisdiction, equally and without any kind of discrimination. States are also required to commit to providing effective remedies where women's rights are violated. As a monitoring mechanism, the Convention established the Committee for the Elimination of All Forms of Discrimination Against Women CEDAW, which receives reports from State Parties on national implementation of the Convention.²²

The Committee is composed of 23 expert members nominated by their governments but who serve in their personal capacities. The Committee, since its establishment,

²¹ . At its Eighth Session, the CEDAW Committee adopted General Comment No. 12 which details State Parties' reporting requirements on issues of family law.

²² . See Article 17 of CEDAW.

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has been composed (with one exception) entirely of women.

The CEDAW Committee monitors the implementation of the Convention considering reports submitted by State Parties regarding their national compliance with the Convention.²³ The Committee²⁴ also makes suggestions and issues General Recommendations, based on the examination of reports and information received from State Parties.

Article 18 requires State Parties to present an initial report within one year of ratification of the Convention, and periodical reports every four years, or whenever the Committee requests. In these reports, State Parties are also required to include "Legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect." In order to do so, States must undertake a comprehensive legislative review, including review of all relevant laws, and an examination of the compatibility of the existing laws with the international standards set by the Convention. State Parties are also required to review their policies and day-to-day practices

²³ . See Article 18 of CEDAW.

²⁴ . See Article 21 of CEDAW.

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and to assess whether and to what extent these policies conform with international legal obligations.²⁵

A pre-session working group of the Committee studies the State Parties' reports, and prepares a list of issues and questions, which are sent in advance to the reporting state.

The purpose of the review process is to initiate and develop a constructive dialogue between the reporting state and the Committee. States are given the opportunity to present their reports and to address the Committee in its formal session. This introduction is meant to provide the Committee with a general overview of the report and to allow a State to add additional information not contained in the report. Following this presentation, members of the Committee make General Observations which include comments on the report as a whole, and comments concerning any reservations made by a State to the Convention.

The Committee also considers State compliance with the Convention as to each individual Article. Members ask questions or give comments focused on the implementation of specific Articles. States can decide to reply immediately to these questions or present a response one or two days later. After receiving the information and conducting a dialogue with the State's representatives, the Committee

²⁵. "Report : Workshop on International Human Rights Instruments and Reporting Obligations: Preparation of Reports to UN Human Rights Treaty Bodies," Geneva: UN Center for Human Rights, 1991 - HR/PUB/91/5.

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prepares Concluding Observations or Concluding Comments. The Concluding Comments deal with positive aspects as well as major concerns, and lastly, identifies fields on which the State is required to report in its next Submission to the Committee.²⁶

National non-governmental organizations (NGOs) view the reporting procedure as an opportunity for their input at both the national and international levels. NGOs play a important role in providing alternative and comprehensive information about their experiences in monitoring the implementation of the Convention at the local level. Although the Committee has not developed a formal procedure to engage national NGOs in the review process, it does encourage NGOs to provide the Committee with information, and it depends heavily on reports received from local groups.²⁷

²⁶. As decided by the Committee at its Thirteenth Session 1994.

²⁷. C. Bernard, "The Preparation and Drafting of a National Report," in the Manual on Human Rights Reporting, Geneva: UN Center for Human Rights, 1991 - (HR/PUB/91/1).

Palestinian Women in Israel - 'Herstory'²⁸

Palestinian women in Israel today are part of the Palestinian people who remained in their homeland, which became the State of Israel after the war of 1948. The role and status of women within Palestinian society and within the family has undergone dramatic change from the period of Ottoman rule (early 16th century to 1918) to the present. In the past three decades, as Arab women elsewhere, Palestinian women in Israel, have moved away from traditionally imposed passive and marginal roles into more active roles, both with respect to their Palestinian identity and with respect to traditional structures within their own society. A review of the historical background is essential to an understanding of the process of change, which Palestinian women in Israel have experienced over the years.

Ottoman Period (early 16th century - 1918)

During the Ottoman period, Palestinian society was largely agricultural. Working the land was the basic means of subsistence and survival for the majority peasant population. In working the land, women and men together provided an income for the state and the landowning class, as well as for

²⁸ A slightly different version of this chapter appears in "Palestinian Women in Israel, Identity in Light of the Occupation," by Nabila Espanioly in T. Mayer, ed., *Women and the Israeli Occupation: The Politics of Change* (Routledge, 1994). A new section relating to the post-intifada, peace process period has also been added to this version.

the whole hamoula.²⁹ The structure of the family and society was very hierarchical, and the dominant norms were patriarchal. Although women worked the land together with the men, unlike the men they did not have any social or political power. However, within the extended family structure, the wife of the chief of the hamoula assumed command over all other women in the family, using the same hierarchical order employed by men.

Among the upper, landowning classes, women were largely segregated and confined to the domestic sphere. In this period, many of these women adopted the Ottoman habit of veiling their faces in an attempt to differentiate themselves from peasant women,³⁰ who were situated at the bottom of the social-political structure of Arab society in Palestine.

British Mandate Period (1918-1947)

At the end of the Ottoman period, social, political, and economic developments led to the beginning of a structural change in the family, resulting in a crisis for the peasant class and the beginning of a transformation in women's roles in Palestinian society. The economic-political crisis sparked by the transition to British rule over Palestine motivated many

²⁹ Hamoula means 'extended family.' Usually, one village consisted of one or two hamoulas. The hamoula was the main social, economic, and political unit, and the hamoula's chief was the main decision-maker in all aspects of life.

³⁰ N. Abdo, *Family, Women and Social Change in the Middle East: The Palestinian Case* (Canadian Scholars Press, 1987).

landowners to sell their land to investors, leaving the peasant families who worked these lands without a basic means of subsistence. Thousands of peasants found themselves landless and were forced to leave their homes and villages to seek work and shelter in the cities. New structures of landownership and methods of farming served to strengthen the merchant class. This shift of power was further accompanied, and influenced to some degree, by an influx of European Jewish settlers, who brought with them industrialized resources and capitalist aspirations. Agriculture, however, did remain the main source of income for 90% of the Palestinian population until 1948.

These fundamental economic changes initiated a process of proletarianization among some members of the Palestinian peasant class in this period, and ultimately caused serious disturbances in the traditional structure of the extended family. Many landless peasant families increased their dependence on wage labor, which in turn resulted in the decline of traditional relations of dependence within the family, and in migration to towns and de-population of rural areas.

These social and political changes and a related fear for their country's future, motivated urban Palestinian women, especially of the upper and middle classes, to take action.³¹

³¹ M. Rishmawi, "The legal status of Palestinian women in the occupied territories," in N. Toubia, ed. *Women of the Arab World* (Zed Books, 1988), pp. 79-92.

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For the first time, Palestinian women engaged in social activism, organizing charitable societies in the major cities of Haifa, Akka, Jaffa, Nablus and Jerusalem,³² mainly during the years 1904-1916. After years of activism at the local level, they gathered on October 26, 1929, in Jerusalem for the first Palestinian women's conference.³³ Generally speaking, those women who came out to the front line to participate in the national struggle were the wives or relatives of men who were politically involved.³⁴

The education boom in the Arab world also affected Palestinian women during the late 19th century, which resulted in the spread of schools (especially missionary institutions). Educational institutions for girls were founded later in this period: In 1924, for example, Nabiha Nasser, a leading women's rights activist, founded the Birzeit school, later to become Birzeit College, and in 1976, Birzeit University.³⁵ Though the demand for girls' education was increasing as Palestinians began to realize the important role education could play in helping them survive in a fast-changing and threatening world, by the end of the British

³² Encyclopedia Palestina, *Special Studies: Volume III and IV* (Encyclopedia Palestina Corporation, 1990).

³³ R. Giacaman and M. Odeh, "Palestinian women's movement in the Israeli occupied West Bank and Gaza Strip," in N. Toubia, ed. *Women of the Arab World* (Zed Books, 1988), pp. 57-68; F. Fawzia, "Palestine," in R. Morgan, ed. *Sisterhood is Global: The International Women's Movement Anthology* (Anchor Books, 1984), pp. 536-539; and M. Rishmawi.

³⁴ N. Abdo; and M. Rishmawi.

³⁵ M. Rishmawi.

mandate only one-third of Palestinian children were in school, and one-fifth of these were girls.³⁶

The women of poor classes were engaged in different forms of political participation - sometimes militant - especially during the Palestinian revolution of 1936-1937, but more on an individual rather than an organized basis.³⁷

Israeli Military Rule over the Palestinian Community in Israel (1948-1966)

The increasing participation of Palestinian women in public, social, and political activities stopped short as a result of the 1948 war, especially among those women who remained within the new State of Israel. The war destroyed the social, political, and economic infrastructure of Palestinian society. More than 480 Palestinian villages were totally destroyed (out of a total of 573). Of the Palestinian population, 75%, or 750,000 people, became refugees in neighboring Arab countries, forced to leave by the Jewish forces (later the Israeli army); many hoped to return when the war ended. Only 150,000 Palestinians were able to stay within the new State of Israel, and of those who did remain, 40,000 found

³⁶ K. Warnock, *Land Before Honor: Palestinian Women in the Occupied Territories* (Monthly Review Press, 1990).

³⁷ N. Abdo.

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themselves as refugees in their own homeland.³⁸ Those who remained found themselves within a shattered society whose internal economic and political institutions and organizations had collapsed, and whose cultural traditions were threatened.

Coupled with the Israeli government's policy of massive land expropriation,³⁹ the effects of the war made it impossible to reclaim agriculture as the mainstay of Palestinian life. During this period, Palestinians faced increased proletarianization and impoverishment, underdevelopment and paralysis.⁴⁰ Palestinians became a minority totally dependent on the Jewish-dominated economy. Moreover, as detailed below, Israel introduced a sophisticated system of hegemony which included a policy of control and manipulation aimed at undermining the integrity of Palestinian national existence within the newly established state.⁴¹

Palestinians in Israel were isolated from other Arabs and segregated from Jews by military laws⁴², which controlled their daily lives. According to these laws, for example,

³⁸ The preceding figures were compiled from various sources including E. Said, *The Question of Palestine* (Vintage Books, 1992).

³⁹ S. Jirys, *The Arabs in Israel* (Monthly Review, 1976).

⁴⁰ N. Abdo.

⁴¹ I. Lustick, *Arabs in the Jewish State: Israel's Control of a National Minority* (Texas University Press, 1980).

⁴² Y. Peled, 'Ethnic democracy and the legal construction of citizenship: Arab citizens of the Jewish state,' *American Political Science Review*, 86, 2: pp. 432-443.

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Palestinians in Israel could not leave their villages for work, for school or for any other reason without a permit from the military authorities. While the Israeli government granted citizenship to Palestinians in Israel, it did not recognize them as a national group; instead, it called them 'Minorities,' 'Israeli Arabs,' and 'Non-Jews,' but never 'Palestinians.'⁴³

The Palestinians' continuous absence from their villages (for jobs in cities), their subordination to Israeli Jewish institutions, and their exposure to the behaviors of westernized Jewish women, all intensified the threat to both Palestinian male identity and status.⁴⁴ Having lost control over his land and status, the Palestinian man was left in control of only one domain: his family, his wife, and his children. In particular, the concept of *Ard* (Honor) acquired new importance and meaning in light of men's fears and their sense of powerlessness.

The heritage of the past became the most salient source from which Palestinians in Israel could derive pleasure as a community and on which they could depend for protection and preservation of their identity. Centuries-old patriarchal

⁴³ After the Israeli occupation of the West Bank and Gaza Strip in 1967 and because of contacts both with other parts of the Palestinian community and with the Israeli Jews from whom they had been disconnected, their identity was sharpened and became the subject of public debate.

⁴⁴ M. Mar'i and S. Mar'i, "The role of women as change agents in Arab society in Israel," in M. Safir, M. Mednick, D. Izraeli and J. Bernard, eds., *Women's World: From the New Scholarship* (Praeger, 1985), pp. 251-259 (in Hebrew).

traditions gained nationally sanctioned importance in this period.⁴⁵

Since Palestinian women in Israel were forced to stay at home because of military orders and restrictions placed on them by men in their families, they were no longer able to support their families as producers, and lost much of their previous status. Relegated to the private sphere and to domestic roles, Palestinian women in Israel assumed the role of preserver of culture. They were expected to maintain continuity of Palestinian values, and to pass on traditions and values, which reproduced their own, subordinate status. Thus, Palestinian women were assigned conflicting tasks.⁴⁶ On the one hand, they were parties to a belief-system with a positive image of Arab women, which viewed them as active in the preservation of cultural, religious and national continuity; and on the other hand, they were asked to accept and internalize a belief-system that defined their status as inferior.

While some positive changes took place in this period - the Israeli Compulsory Education Law increased the rate of school attendance in the Palestinian community in Israel for

⁴⁵ N. Abdo.

⁴⁶ F. Shaloufeh Khazan, "Change and mate selection among Palestinian women in Israel," in B. Swirski and M. Safir, eds., *Calling the Equality Bluff: Women in Israel* (Pergamon Press, 1991), pp. 82-89.

boys and girls,⁴⁷ and compulsory education increased the demand for Palestinian teachers and created opportunities for women to work - on the whole, women's political and social status did not improve. On the contrary, no Palestinian women's organization was established during this period except for the Democratic Women's Movement, a mixed Arab and Jewish women's organization. When the economic recession (1965-1967) forced Palestinian women back into the work force, they served mostly as unskilled laborers.

The Israeli Occupation of the West Bank, Gaza Strip, and Golan Heights, and its Immediate Aftermath (1967-1975)

The Israeli occupation of the West Bank, Gaza Strip and Syrian Golan Heights, after the 1967 war, came as a terrible shock to Palestinians who had lived for years under the illusion that the Arab countries would eventually liberate them. The 1967 war destroyed this illusion, as well as that of a united Arab front bound by Egypt's Gamal Abdul-Nasser.

After 1967, a new economic-political situation developed as demand for Israeli products increased employment opportunities for women and men. This process led to increased awareness among Palestinian women in Israel of

⁴⁷ E. Yisraeli, "Adult education in the Arab Druze sector," *Studies in Education*, 25: pp. 139-154 (in Hebrew).

discrimination against them based on their nationality and class, which, in turn, sparked increased political activism in demonstrations and other public activities, as they entered the labor market and the educational system. Palestinian women joined with men in intensifying demands for full national and civil rights and for recognition as a national minority.⁴⁸

Most importantly, the Israeli occupation of 1967 re-united Palestinians in Israel with Palestinians in the West Bank and Gaza, and dramatically encouraged the process of re-Palestinianization. Meetings between Palestinians from Israel and from the Occupied Territories marked the political renewal of Palestinians in Israel, enabling them to openly identify as Palestinians, and at the same time to begin to demand rights as a national minority in Israel - a process which continues today.

As a result of the occupation, new literature and news from the Arab world made its way into Israel, despite Israeli censorship. Up to this point, the Palestinians living in Israel were simply the Palestinians who remained on their land, but the occupation of 1967 created the need for self-determination vis-à-vis both the rest of the Palestinian people and the Jewish citizens of Israel. Palestinians in Israel started to ask nationally motivated questions such as 'Who are we?' 'What is the relationship between us and the Palestinians

⁴⁸ M. Mar'i and S. Mar'i.

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under occupation?' and 'What is the connection between us and the State of Israel?' The answers to these questions increased the sense of national belonging among the Palestinians living in Israel, as well as the need for national rights as citizens and as a recognized minority within the state. This renewed sense of national identity was reflected in widespread public political activity in which women were important participants.

The Palestinians living in Israel also became more politicized and a great deal more realistic after 1967. They recognized that help would not be forthcoming from the outside, and that they would have to find resources within themselves. This realization led to the creation of their political program. The Palestinian women in Israel who were influenced by this new reality organized first at the local level in women's organizations, which continued the century-old tradition of charitable organizations representing the bourgeois approach of offering aid to others. At the same time, other Palestinian women became involved at the national level with national political organizations. They created new, highly political women's organizations, affiliated with existing political parties or groups. Women's participation in other aspects of public life also increased. For example, from 1969 to 1972, the number of female Palestinian students enrolled in Israeli universities more than doubled (from 141 to 305), while enrollment of male Palestinian students increased by only

25% (from 450 to 565).⁴⁹ For the first time, women became involved in Arab Student Unions, known for their high level of political activism, and women voted for and were elected as representatives and executives in these unions.

However, despite the improvement in women's position during these years and their greater participation in the labor market, the educational system, and social and political organizations, the status of Palestinian women remained low.

Palestinian Women Taking Their Case into Their Own Hands (1975-1987)

As a result of many years of political activism and of changes within Palestinian society, the consciousness of Palestinian women was raised about their oppression as part of a national minority and as part of their specific class. They became more active participants not only in the sphere of family decision-making but also in the spheres of public life, which had been traditionally prohibited to them.⁵⁰ Palestinian women at this time began adopting a new approach: taking their fate in their own hands and acting to change it.

⁴⁹ Id.

⁵⁰ E. Touma, "Liberation of Arab women not sexual crisis," *Haifa Al-Jadeed*, 12 December 1981 (in Arabic).

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In the 1986-1987 academic year, Palestinian women constituted approximately 48% of all Palestinian students studying at Haifa University. Palestinian women constituted nearly 22% of all Palestinians who had earned a first degree in Israeli universities, and more than 32% of all Palestinian academics in Israel.⁵¹ However, meeting both with Palestinian women in the Occupied Territories and Jewish women in Israel increased the feeling of oppression among Palestinian women in Israel. In comparison to Palestinian women in the Occupied Territories, the achievements of Palestinian women in Israel seemed weak. The success that Palestinian women had at Haifa University remained an exception: In 1986, Palestinian women in higher education comprised only 20% of Palestinian students in Israel,⁵² while women had reached 40% of Palestinian students in the Occupied Territories.⁵³ This disparity, together with the fact that they were the lowest paid members of the Israeli labor force,⁵⁴ raised awareness of their oppression, and this very consciousness became a prime factor in organizing efforts among Palestinian women in Israel.

⁵¹ M. Al-Haj, ed. "Problems of employment for Arab academics in Israel," *Middle East Studies*, 8 (1988), The Jewish-Arab Center University of Haifa.

⁵² *The Statistical Yearbook for Israel*, Central Bureau of Statistics (CBS), 1989, Jerusalem.

⁵³ CBS 1982 & 1985.

⁵⁴ CBS 1992. Palestinian women in Israel earn only 60% of what Jewish women in Israel earn. Jewish women earn only 70% of Jewish men's income.

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During this period, Palestinians organized nationally within Israel, escalating their demands for rights and for peace. They created new committees, which were male-originated and male-dominated.⁵⁵ All of these committees reflected the politicization and re-Palestinianization of Palestinians living in Israel.

Palestinian women shifted their strategy from demonstrations, which were typical prior to this period, to positive action. They organized different committees to develop local services, especially in areas, which were neglected by the Israeli authorities (such as preschool education and vocational training for women). Many of these committees, such as the Al-Tufula Pedagogical Center or the Akka Women's Association - Pedagogical Center, have become important in creating an infrastructure for professional support and empowering women. Palestinian women took matters in their own hands as a way to achieve both local changes within their own communities and statewide changes, which would lead to the recognition of political rights for Palestinian people within their independent state.

Palestinian women in Israel, like the rest of the Palestinian community in Israel, faced a fundamental conflict between their civil identity as citizens of the State of Israel and their

⁵⁵ To mention a few: The Follow-up Committee for Arab Issues (which included all Arab mayors and representatives of Palestinians living in Israel), The Follow-up Committee for Arab Education, The Follow-up Committee for Health Issues, and The Committee for the Protection of Arab Land.

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national identity as part of the Palestinian people. To date, this conflict remains crucial for many Palestinians in Israel, and individuals differ in the ways they attempt to resolve it. For those who see themselves as sharing the same national identity and the same fate as the Palestinians of the Occupied Territories, the solution is to eliminate any differences between the two populations by establishing a Palestinian state. For those who see themselves as full citizens of Israel, the solution is to eliminate differences between themselves and the Jewish population, and to strive for equality. The largest group of Palestinians in Israel attempts to solve the dilemma by asserting both that they are an integral part of the Palestinian people and that they are unique because of historical circumstances by remaining on their lands and becoming Israeli citizens. Their solution distinguishes between their civil identity as Israeli citizens and their national identity as Palestinians. As Israeli citizens, they demand national rights as a national minority within Israel, and they strive for Israel to become a state of all of its citizens and not, as today, a self-defined Jewish state.

The situation and the political awakening of Palestinian women in the Occupied Territories also contributed to the awakening of Palestinian women in Israel. Palestinians in Israel in this period intensified their efforts on behalf of and in solidarity with their brothers and sisters in the Occupied Territories. Palestinian women in Israel were especially active

in solidarity and protest activities,⁵⁶ including joint activities with the peace camp in Israel and with Israeli women's peace groups such as Women in Black, Women and Peace, and Women for Political Prisoners.

The Intifada (1987-1993)

Like their sisters in the Occupied Territories, Palestinian women in Israel who engaged in peace activities did so primarily for national considerations rather than considerations of gender. When a Palestinian woman in Israel saw a Palestinian woman in the Occupied Territories facing a soldier, she tended to identify with her and to feel proud of such a woman, just as she would feel proud of a Palestinian man challenging the Israeli authorities. Women in the occupied West Bank and Gaza Strip actively participated in the intifada. In the beginning stages, their participation was not only socially accepted but also even highly appreciated. However, in the later phases, women activists experienced obstacles to achieving positions of leadership and other more militant, non-traditional roles. They were restricted by religious fundamentalists and other conservative forces, as well as by some male 'revolutionaries' who demanded that women's rights be postponed until after the revolution.

⁵⁶ N. Espanioly, "Palestinian women in Israel respond to the intifada," in B. Swirski and M. Sakir, eds., *Calling the Equality Bluff: Women in Israel*, (Pergamon Press, 1991), pp. 147-151.

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Very few Palestinian women in Israel recognize the contradiction of the 'revolutionary man' who speaks about equality but goes home to his wife, mother or sister and acts like a 'sheik.' This situation could continue indefinitely, because awareness of one's role as a woman and of the oppression suffered at the hands of one's own man and one's own society is frequently more painful than awareness of the oppression suffered in common with one's people at the hands of the 'enemy.' Within Palestinian society in Israel, women's identity is formed, that is, misinformed, by stereotypes and rigid norms through the patriarchal control systems of family, religious and social institutions; women themselves thus frequently internalize a sense of their own inferiority. Yet, Palestinian women's national identity in Israel has actually been nurtured in important ways by discrimination. The Israeli military occupation intensified, among Palestinian women and within Palestinian society as a whole, a sense of national awareness and, to some degree, of class awareness.

When sexual harassment (e.g. assault, rape, strip-searching, intimidation) became an integral feature of Palestinian women's experience at the hands of the Israeli security forces,⁵⁷ Palestinian women's organizations mobilized to deal with this issue. These victims not only suffered from their

⁵⁷ C. Senker, *Palestinian Women in the Uprising: The Israeli Mirror*, (London, 1989); and J. Nevo, "Attack on oppressed women: examination of testimonies from the field," unpublished paper presented in the national criminological conference on May 29, 1989, Jerusalem: Hebrew University.

horrible experiences with the Israelis but also from the reaction of their own community, which responded by blaming them. Whereas in some early cases young men had offered to marry the victims in an effort to support and encourage them so that other women could continue the struggle, increasingly Palestinian families responded by imposing greater control over women, forbidding them from leaving home, curbing their studies, and even using violence.⁵⁸ Nevertheless, Palestinian women spoke out about sexual violence by the Israeli army during the intifada.

Many Palestinian women in Israel also became involved with Jewish activists in Israeli women's peace organizations and in feminist analyses of the effects of war and militarization on Israeli society. The Palestinian women in Israel who criticized Israeli society, militarism, sexism, and violence, have in turn begun to see these phenomena more clearly in their own society and to speak out against discrimination and violence, especially domestic violence, and against sexual assaults of all kinds. Although this process of speaking out remains limited to individual victims and their support

⁵⁸ Sexual oppression within Palestinian society as a whole remains present whatever the woman's marital status; sexual relations are considered acceptable only within marriage, and women are supposed to remain virgins until they marry (F. Fawzia). After marriage, the woman is expected to be sexually available to her husband at all times. She has no right to initiate or participate actively in lovemaking herself, and it is unlikely that she ever has an orgasm. In particular, speaking about sexuality and sexual behavior is strongly taboo in Palestinian society. Violence and sexual assault within the family or outside the family brings shame on the victims, who tend to blame themselves and to keep the assaults secret (especially sexual assaults).

networks, it is likely to eventually have greater, more visible effects.

While the direct effects of the Israeli military Occupation and the Palestinian intifada on Palestinian women in Israel still need to be more thoroughly studied, some consequences already seem evident. First, coming at the end of over fifty years of shifting geopolitical relationships, the Occupation and the intifada have re-oriented Palestinians in Israel in national solidarity with Palestinians in the West Bank and Gaza Strip. Second, while Palestinian women in Israel expressed frustration at their helplessness and the very limited ways in which they could support their sisters in the Occupied Territories, the intifada has very clearly politicized many women. Finally, contact with Palestinian activists from the Occupied Territories, with Israeli Jewish feminists, and with repressive Israeli political tactics has awakened among Palestinian women in Israel a consciousness of the gender inequities within their own society. These responses, including responses to escalating conservatism and Islamic fundamentalism within Palestinian society crystallized around the intifada. New awareness of women's activism and new organizations, such as rape crisis centers and campaigns against violence against women, were created by mainly young, educated Palestinian women in Israel who are now working to create a feminist approach to discrimination within Palestinian society, in the home and at the workplace. At both the local and the national levels, these women's

organizations are still struggling toward self-definition. Moreover, feminist consciousness among Palestinian women in Israel remains diverse, as differences, as well as apparent contradictions between organizations, reflect. While no definitive conclusions can be drawn, it seems clear that the Occupation and the intifada have helped in important ways to politicize, re-Palestinianize, and raise the feminist consciousness of Palestinian women in Israel.

Post-Intifada, Peace Process (1993 - 1997)

As the effect of the intifada period is still developing and being studied, the effect of the so-called "peace process" upon Palestinians in Israel and especially upon Palestinian women, is still too close to fully analyze. One result, however, that is very clear is that women's activities are increasingly concentrating on women's issues, and in particular on support systems for women in distress (such as women suffering from physical and sexual violence). In addition, Palestinian women in Israel are also becoming increasingly involved in political parties, raising new demands to be part of the decision-making process. This was evident in the last election in May 1996, and will also have its effects in years to come. Recently, for the first time in its history, women were elected to share in the decision-making processes of the Follow-up Committee on Arab Education, an NGO which is a

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national body working towards the development of Palestinian education in Israel.⁵⁹

This process of increasing women's political participation is also accompanied by the institutionalization of the Islamic fundamentalist movement. This movement, to a great extent, threatens many achievements of Palestinian women over the years. However, at the same time, 'The Working Group' believes that it challenges women who recognize this threat to actively take part in controlling their own lives.

⁵⁹ Dr. Hala Hazzan, a member of 'The Working Group on the Status of Palestinian Women,' which prepared this report, is a woman who was elected in 1995 as Chairperson of The Follow-up Committee on Arab Education (a senior decision-making position).

Political Participation, Public Life, and International Representation: (Convention Articles 7 & 8)

Israel has entered a reservation to Convention Article 7(b).⁶⁰ This text states a reservation “concerning the appointment of women to serve as judges of religious courts where this is prohibited by the laws of any of the religious communities in Israel.”⁶¹ In practice, this policy serves to exclude women from public life, as all of Israel's religious communities prohibit women from serving as judges in religious courts.

The Right to Vote

Since 1950, Palestinian women in Israel have had the right to vote in all elections.⁶² At that time, the right to vote effectively had no meaning, as the Palestinian people in

⁶⁰ Article 7(b) states that all State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of a country and, in particular, shall ensure to women, on equal terms with men, the right to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government.

⁶¹ See the chapter on ‘Personal Status and Family Laws’ in this report.

⁶² The Elections Law for Parliament and Prime Minister (1950). The Law states that every citizen who is 18 years old or more is permitted to vote unless a court order forbids him/her to do so. To date, the Knesset has not passed legislation, which denies or restricts the right to vote for any person. There are three administrative limitations on the right to vote: (1) a citizen must be registered in the voters registry; (2) he/she must be registered in the citizens’ registry; and (3) a citizen must produce his/her identity card to vote.

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Israel were subject to military rule. Military rule, which lasted from 1948 to 1966, severely restricted all civil liberties including freedom of movement, freedom of speech, and freedom of association of the Palestinian people in Israel. These limitations, to some extent, still exist today. Moreover, these practices remain within the consciousness of the people.

In the last national election in Israel, which took place in May 1996, approximately the same percentage of Palestinian women as Palestinian men voted for Prime Minister and for the Israeli Knesset. Together, approximately 82% of the Palestinian population in Israel voted in 1996.

The right to vote is not dependent on any property or literacy requirement; however, all voters must possess basic reading skills in order to cast their ballot. Voters cast ballots for a specific candidate for Prime Minister (Direct Election Law 1996) and for political parties (or lists) for the Knesset. Each political party is assigned a letter of the alphabet, and the ballot contains only that letter. For Prime Minister, the name of the candidate appears on the ballot. Ballots are printed in Hebrew or in Hebrew and Arabic, not in Arabic alone. In order to vote for the Knesset, a person must at least recognize the letter assigned to a specific party (or trust a companion to provide assistance). In order to vote for Prime Minister, a person must recognize the Hebrew or Arabic spelling of the candidate's name. This necessity poses serious obstacles, since approximately 15% of Palestinian women in

Israel are illiterate (do not read or write in Arabic or Hebrew). This illiteracy problem is particularly significant in the south and in rural areas, and among the elderly.⁶³

Elected Office

There is no law in Israel, which secures women's representation in nationally or locally elected bodies. Moreover, to date, no measures have been taken by the government to ensure women's representation. Each political party decides whether or not to institute an affirmative action or quota system regarding the inclusion of women on a party list. There are no governmental guidelines concerning this issue.

The political parties that ran in the last national election in Israel, and that won representation in the 14th Knesset, include: Labor (34 seats), Likud-Gesher-Tsomet (32 seats), Shas (10 seats), National Religious Party (9 seats), Meretz (9 seats), Yisrael Ba'aliya (7 seats), Hadash & Tajamo'a (5 seats), The Third Way (4 seats), United Torah Judaism (4 seats), United Arab Party (The Democratic Arab Party and the Islamic Movement) (4 seats), and Molodet (2 seats).⁶⁴

⁶³ See the chapter on 'Education' in this report.

⁶⁴ M. Warshawski, "The Israeli elections: Social issues before diplomacy," *News From Within*, vol. XII, no. 6, June 1996, p. 6. According to Warshawski, Hadash & Tajamo'a, & The United Arab Party, the two non-Zionist parties, received 60% of the Palestinian vote, nearly double the percentage received by non-Zionist parties in 1992. Hadash & Tajamo'a received over 120,000 votes, and The United Arab Party over 60,000. The

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Out of a total of 120 seats in the Knesset, 9 are held by women (down from 12 in the 13th Knesset), and none of these women are Palestinian. Since the establishment of the State, no Palestinian woman has been elected to the Knesset or has served as a Minister.

On the local level, since 1948 only one Palestinian woman has been elected mayor of a Palestinian village, out of 119 local city and village councils. Violette Khoury served as mayor of Kfar Yasef, a village of approximately 10,000 residents in the Galilee, during the 1970s. Only four Palestinian women have been elected as local council members in different cities and villages since 1948. Two of those Palestinian women serve as members of local councils today: Samia Hakim in Nazareth, the largest Palestinian city in Israel with a population of approximately 60,000, and Jihad Jabareen in Umm El-Fahem, a Palestinian city located in the Triangle region in the center of the country with a population of approximately 20,000. One of the reasons why so few Palestinian women have run or been elected to local bodies is that in many Palestinian localities the decisions about who will serve as council members are made by male heads of families. This male-dominated, family-controlled voting has made it harder for women to run and to be elected on the local level, because the prevailing attitude is that

rest of the votes were taken by the various Jewish parties, particularly the Labor Party (24%), which placed three Palestinian candidates in good positions on its list.

representative roles (i.e. public life) are male roles rather than female roles.

During the last Labor government (1992-1996), on the suggestion of the Knesset Committee on the Status of Women and local authorities, women's councils were formed. Women's councils operate as advisory bodies to mayors in several Palestinian villages in Israel, including Umm El-Fahem, Yaffet Alnasara, Kufor Kassam, Kokab, Abu Sinan, and Abileen, and are distinct from local councils. Women are appointed or elected to the women's councils by women of the village, at a meeting convened by the local authorities. These councils have mainly dealt with child-related issues such as education. It is still too early to evaluate the effectiveness of such measures as women's councils in increasing women's political participation. Although they may appear to be a favorable addition to local politics, the women's councils may act to keep women out of positions on the elected official local councils where they would have decision-making authority.

Obstacles to Political Participation and Participation in Public Life

Palestinian women face many obstacles, in addition to those already noted, which make it difficult for them to assume leadership positions. The history of the Palestinian people, as described in the chapter, 'Herstory,' illustrates some of the

historical obstacles, which have caused a decline in women's public participation. Some of the main obstacles, however, are connected to the characteristics of Palestinian society in Israel itself.

As a patriarchal society with clear peasant roots, the power structure considers decision-making and political representation as a male role. In particular, the elder men of the family are considered to hold the right of representation for the family as a whole. The quality of leadership is viewed as a male attribute, and contrary to what the society expects from women. The patriarchal system's norms, attitudes, and beliefs act as control structures to preserve the existing order. These work in conjunction with official control systems such as laws and religious institutions.

Palestinian women are educated and socialized to act within the patriarchal system as a primary control system. While many Palestinian women's organizations claim women's rights as their goal, they nevertheless replicate the hierarchical system in which the women were educated. Palestinian women are educated to concentrate on domestic issues rather than public issues, and to conform rather than oppose. Also, women often internalize a sense of their own inferiority, which limits their options and choices. Due to this education, women's perception of themselves and their abilities is an obstacle to their participation in politics and public life.

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Furthermore, the division of labor by gender is very rigid within Palestinian society in Israel. Despite the fact that an increasing number of Palestinian women are working outside of their homes, the main responsibility for household tasks remains with them. This double workweek is another obstacle to Palestinian women's participation in political activities, most frequently voluntary, since they demand free time.

Finally, the lack of support systems for Palestinian women who wish to enter political life, and the limited political opportunities for the Palestinian community in Israel (all of which are monopolized by men), further act as obstacles to Palestinian women's political participation.

The Israeli government has not taken any measures to support or to ensure Palestinian women's representation in elected or appointed positions. Rather, the government has directly and indirectly sought the continuation of existing limitations on the political participation of Palestinian women and their ability to work in government positions. One such practice is that Palestinian women (and men) who secure jobs within the government must undergo a "security test."⁶⁵

⁶⁵ A "security test" is the process by which the Israeli authorities examine a governmental job candidate's file - what prior positions the person has held, what organizations the person has been and is currently involved with, what political activities the person has participated in including public demonstrations and school-related committees, what the person has written in the press, etc. Numerous Palestinian women who have held temporary or permanent government positions report that the authorities

This practice stands in the way of Palestinian women's involvement in public life and reinforces internal social restrictions because this control from outside raises concern within the Palestinian family. The government media's practice of interviewing Palestinian women only about traditionally "female" issues like child care or violence against women provides further evidence of the Israeli government's limited view of the capabilities of Palestinian women.

Formulation and Implementation of Government Policy

Palestinian women in Israel are excluded from national elected or appointed decision-making positions, and thus from the formulation and implementation of governmental policy processes. No Palestinian woman has held public office on the national governmental level.

International Representation and Participation

No Palestinian woman in Israel has been appointed to a diplomatic or to any other international post. No direct or indirect measures have been taken by successive

exert various means of control to prevent them from engaging in political activities, including visits to their homes and family members to inform them that her continuation of these activities will threaten her job. The 'security test' has also prevented large numbers of politically active Palestinian women from being hired by the government.

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governments of Israel to ensure opportunities for Palestinian women to represent Israel at the international level.

During the Labor government (1992-1996), some Palestinian women sat for the examination for a position with the Ministry of Foreign Affairs. None of these women were offered a position. A few Palestinian women also submitted their resumes for consideration for an ambassadorial position. To date, no Palestinian woman has been chosen to be an ambassador for Israel.

Participation in Political Activities

In spite of their extremely limited elected or appointed representation, Palestinian women do participate in and organize political activities such as demonstrations and other solidarity actions.

Participation in Non-Governmental Organizations

Palestinians in Israel formed non-governmental organizations (NGOs), mainly in the 1980s and 1990s, to address various issues of concern to the community. Many of these NGOs are now directed and run by Palestinian women including: Women Against Violence (WAV), Al-Tufula Pedagogical Centre - Multi-Purpose Women's Centre, Al Siwar - Arab Feminist Movement in Support of Victims of Sexual Abuse, The Follow-up Committee on Arab Education, The Follow-up Committee on Social Issues, The Committee for Educational Guidance for Arab Students, Al-Fanar, The Movement of Democratic Women, Al-Sindiana, and The Akka Women's Association-Pedagogical Center. These NGOs deal with issues such as early childhood education,⁶⁶ higher education for women, violence against women, personal status laws, and other fields of interest.⁶⁷ The number of these NGOs is

⁶⁶ Palestinian women are also actively involved in voluntary parent associations in elementary schools. However, no Palestinian woman has been elected to the Board of a newly formed Arab Parents NGO.

⁶⁷ For a brief history of Palestinian women's activism in the first charitable societies, and later public organizations and NGOs, see also the chapter entitled "Palestinian Women in Israel: 'Herstory' " in this report.

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increasing and their roles are expanding. These NGOs play a very important role in building support systems for women, and at the same time creating spaces for Palestinian women in public and political life.

Palestinian women in Israel have been and continue to be actively involved in peace organizations. During the intifada (1987-1992), Palestinian women participated in large numbers in "Women in Black," a national organization which held weekly vigils in towns and cities throughout Israel to protest Israel's occupation of the West Bank and Gaza. Today, some Palestinian women are members of the "Jerusalem Link," an organization with branches in East and West Jerusalem which mobilizes Palestinian and Jewish women to contribute in various ways to the peace process, runs leadership seminars, and helps women to run for elected office. Palestinian women in these organizations have had the opportunity to prove themselves in leadership positions, to participate in decision-making processes, and to attend and present papers in national and international conferences.

Education: (Convention Article 10)

In Israel today, there are two separate, segregated education systems: one for the Palestinian minority, and one for the Jewish majority. Both systems are centralized nationally. The Palestinian education system operates under the complete control of the Ministry of Education, which is run by and overwhelming dominated by Jews.

While a separate 'Department for Education and Culture for Arabs' within the Ministry of Education was formally dismantled in 1987 as part of a plan to divide authority by region, in practice a distinct sphere concerning the education of Palestinian students still exists.⁶⁸ There is still a discrete head of the education system for Palestinian students, and regional directors continue to deal with Palestinian schools differently than Jewish schools.

The Ministry of Education has total discretion in running the Palestinian education system: It defines the educational goals and curricula, appoints the officials, directors, inspectors, and teachers, and allocates the budget. In general, as a result of the Ministry of Education's discriminatory practices against the Palestinian minority in Israel, Palestinian schools receive less funding and maintain

⁶⁸ The Ministry of Education still refers to this section as the "Arab Department."

poorer facilities than their Jewish counterparts. In 1997, the budget for Palestinian education was cut by 17% from the previous year.⁶⁹

Discrimination Against Girls and Women in Education

As emphasized in the chapter entitled 'Herstory,' Palestinian women in Israel face three levels of discrimination: as members of the Palestinian national minority in Israel, as women in Israel, and as women within Palestinian society in Israel. These three levels of discrimination underlie the issues of Palestinian women and girls' education in Israel.

1. Tracking

The Palestinian and Jewish education systems are composed of distinct 'tracks', which determine students' courses of academic or vocational training at the high school level, and, later, at the college or university level. In Palestinian schools in Israel, there are 19 technological tracks, as compared with more than 90 in Jewish schools.⁷⁰ Students are often led to various tracks according to gender stereotypes. For example, female students find themselves directed to such fields as fashion, secretarial work,

⁶⁹ Adva Center, in *Ha'aretz*.

⁷⁰ As cited in an unpublished paper presented by The Fund for Promoting Technological Education in the Arab Community in Israel (an Arab NGO in Israel) to the 'Equality Conference' held in Nazareth in December 1996 (in Arabic). On file with the FUCAE.

housekeeping, and child day-care provision. Male students most often find themselves directed to such fields as electronics, mechanics, and carpentry. It is true that both Jewish and Palestinian students are led to these stereotypical gendered tracks; however, Jewish girls tend to have more options available to them due to the existence of more tracks for Jewish students overall. Furthermore, Palestinian girls must comply with their traditional societal values, which dictate that the proper place for women is in the home, or in suitable professions like social work, teaching, or nursing.

All high school students must take the 'Bagrut' (a matriculation exam) in seven subjects in order to graduate. Arab students must choose seven subjects from 13, whereas Jewish students have 20 options. Arab schools also offer fewer units of study for the Bagrut than their Jewish counterparts, placing Arab students at a disadvantage for university acceptance. In 1996, 23% of all Arab students passed the Bagrut, as compared with 45% of Jewish students.⁷¹ Only 5.9% of Arab students from the Negev succeeded.⁷² The Ministry of Education does not disaggregate Bagrut statistics by gender for either Arab or Jewish students.

⁷¹ *Ha'aretz*, April 14, 1997, citing statistics released by The Ministry of Education.

⁷² See the chapter on 'Palestinian Women's Health' for more information on the Arab Bedouin who live in unrecognized villages in the Negev

2. Careers and Vocational Guidance and Other Student Support Services⁷³

Most Palestinian schools lack career and vocational guidance counselors, as well as written programs in Arabic for professional guidance for students. Only 25% of Palestinian schools benefit from career and vocational guidance services, as compared with 75% of Jewish schools. Moreover, due to the low number of technological and professional tracks in Palestinian schools, opportunities for comprehensive career and higher educational guidance remain limited. In addition, the absence of extra-academic career counseling centers, which are provided within the Jewish community for Jewish students, further limits Palestinian students' freedom of action and freedom of choice - especially for those who wish to enroll in universities.⁷⁴

As for psychological counseling available to students in school, only 32% of Palestinian schools receive this benefit, whereas these services are available to Jewish students in 81% of Jewish schools. Only 7% of Palestinian schools, as compared with 58% of Jewish schools, benefit from both career/vocational guidance and psychological services.

⁷³ All statistics in this section appeared in *Ha'aretz*, September 19, 1996, citing a research study of Dr. Rahel Arhard, Faculty of Education, Tel Aviv University, 1996.

⁷⁴ The Committee for Educational Guidance for Arab Students (an Arab NGO in Israel and member of The Working Group) provides career counseling to Arab students; however, due to funding and staff limitations, it can not serve all Arab schools.

3. Curriculum

Overall, the curriculum in most Palestinian schools reflects the ideology of the State. Palestinian students learn much about Jewish and Zionist history, literature, and culture, and very little to nothing about their Palestinian heritage. Palestinian students are thus not given any opportunities to strengthen their own ethnic identity or their sense of belonging to the Palestinian community.

The education system in Israel (as defined by the State Education Law of 1953) emphasizes the “values of Jewish culture” and “love of the homeland and loyalty to the State and Jewish people.” The Netanyahu government, in line with these objectives, has formulated education guidelines and implemented policies designed to entrench these values. The ‘Education’ section of the government’s policy guidelines states that:

“Education will be grounded in the eternal values of the Jewish tradition, Zionist and Jewish consciousness, and universal values. The Book of the Books, the Bible, the Hebrew language, and the history of the Jewish people are the foundation stones of our national identity, and will take their rightful place in the education of the young generation.”⁷⁵

⁷⁵ See *Jerusalem Post*, June 18, 1996, p. 3 and *Ha’aretz*, June 17, 1996, p. 6A; see also David Rudge, “Israeli Arabs Concerned over New Government’s Minority Guidelines,” *Jerusalem Post*, June 20, 1996, p. 12.

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The Education Minister has formed an "Administration for Values Education" team to promote Zionist and religious values, civic responsibility and commitment to the state.⁷⁶ This "Values Education" budget allocates only 1% of its funds to Arab schools.

Not only does the national education system promote Jewish values and heritage to the exclusion of all others, but also it actively suppresses any recognition of Palestinian Arab culture. The government highlights divisions along religious and family lines among the Palestinian peoples. Many Palestinians feel that the Israeli government's very insistence on calling their community "Arab" rather than "Palestinian" reflects this lack of respect for their national identity, which is further evidenced by the education system and curricula.

Curricular discrimination extends into the realm of gender as well as nationality. The texts used in the Palestinian schools retain stereotypical examples of societal gender divisions. For example, in readers used in elementary schools, a mother is shown as a homemaker and a father is shown as a carpenter. Where a mother is portrayed as working outside of the home, she is employed as a nurse or secretary, whereas the father is depicted as a doctor or carpenter. In Jewish schools, the Ministry of Education has begun to

⁷⁶ See Zevulun Hammer (the current Minister of Education), "Project Perspective", *Jerusalem Post*, November 17, 1996, p. 6.

remove gender-stereotyped texts and develop materials and curricula designed to promote gender equality in education, but these new texts and materials have yet to be introduced into Palestinian schools. The Ministry of Education offers no explanation for this oversight: There is simply no plan. There is indeed a Department for Equality between the Sexes in the Education Ministry, but no Arab educators work in this department.

Discrimination against girls extends into the athletic curriculum as well. In some areas, due to the shortage of gymnasiums in Palestinian schools, the boys play football in the schoolyard while the girls sit on the sidelines. Most sports for Palestinian boys are limited to football, as this sport requires neither much equipment nor a professional coach.

In general, governmental Palestinian schools teach boys and girls together. The Islamic movement, which controls the municipality in Umm El Fahem (an Arab city in the Triangle region), has succeeded in securing optional separate classes for boys and girls in the local public high school. No statistics or studies are yet available which describe this curriculum or the effect of this separation on the students. However, this situation may indicate the state's willingness to cooperate with conservative movements, which may have further repercussions.

4. Frameworks and Infrastructure

Palestinian schools suffer from a shortage of qualified teachers, particularly in the Negev region in the south.⁷⁷ Arab classes are very crowded, with an average of 32 students per class, as compared to an average of 27 students per class in Jewish schools.⁷⁸ In 1995-1996, the average number of pupils per teacher stood at 24.1 in Arab schools, and 12.4 in Jewish schools.⁷⁹

Inferior buildings and insufficient facilities are also common. A research study commissioned by The Follow-Up Committee on Arab Education in Israel (FUCAE),⁸⁰ which examined the conditions of 90% of the Arab schools, found that in 1995 there were 200,000 students in Arab schools in 6300 classrooms. 20% of these classrooms were less than 24 square meters. Of this 20%, 235 were rented, and 411 were unsuitable. The researchers projected that 8434 classrooms would be needed by the year 2000. Moreover, in 66% of Palestinian schools, there were no counselors' rooms; in 41%, no rooms for nurses; in 80%, no gymnasiums; in 82%, no large lecture halls; in 33%, no laboratories, and in 37% no room for

⁷⁷ State Comptroller's Report 1996, p. 365. Many Palestinian teachers are actually academics and/or professionals who could not find jobs due to the meagerness of opportunities available to them in their areas of training or at the universities; they then enter teaching with little to no training in educational practice, child psychology, or related fields.

⁷⁸ *The Statistical Abstract of Israel, Central Bureau of Statistics (CBS) 1996.*

⁷⁹ CBS 1996. Tables 22.9, 22.15.

⁸⁰ Dr. R. Khamaisi and A. Atrash, "A Field Study on the Physical Conditions of Arab Schools in Israel," July 1995.

libraries. These researchers did not gather comparative statistics examining the physical conditions of Jewish schools, but other FUCAE experience indicates that Jewish schools do not have nearly the scope or the extent of building and infrastructure problems that Arab schools do.

Tens of thousands (50%) of Palestinian children who have special needs do not have suitable schools or classes to meet their needs. Hundreds of students with special needs do not attend school at all.⁸¹

5. Dropping Out

According to the State Comptroller's Report (1996),⁸² close to 18,000 Arab students aged 15-16 dropped out of school (a drop-out rate of nearly 9%), as compared with over 30,000 Jewish students of the same age (near-4% drop-out rate). Among older students aged 16-17, nearly 40% of Arab students dropped out, as compared with 9% of Jewish students. The State Comptroller's Report only separated the results by gender for Arabs and Jews combined, and did not provide disaggregated statistics for Arab girls or Jewish girls. The FUCAE estimates that the dropout rates for Arab girls and Arab boys are approximately equal, except in the Negev,

⁸¹ Figures cited by *Ha'aretz*, April 11, 1997, from statistics compiled by Bizchut, an Israeli NGO concerned with disability rights.

⁸² Figures cited appear on pp. 363-364.

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where a much higher percentage of Bedouin girls drop out than Bedouin boys. In these areas (including the unrecognized villages), students must often travel great distances to school, which deters girls from pursuing an education.

The State Comptroller's Report (1996) explains that the lack of career and vocational guidance and mental health services, the curricula taught in Palestinian schools, and the out-dated teaching methods used, all contribute to Arab students' massive rate of dropping out. The government fails to strictly enforce the Compulsory Education Law, particularly for Arab girl students in the Negev. Only 20% of all Palestinian schools employ an attendance officer,⁸³ and the Ministry of Education's 'Department for Welfare and Education,' which deals with the problem of dropping out, does not work with Palestinian schools.⁸⁴ Moreover, numerous programs to promote excellence and prevent dropping out are not provided in Palestinian schools despite full implementation in Jewish schools.⁸⁵

⁸³ Report of Sikkuy 1993/1994, on file with the FUCAE.

⁸⁴ Ministry of Education, booklet issued by the Department for Welfare and Education, 1996.

⁸⁵ Adalah: The Legal Center for Arab Minority Rights in Israel recently filed a petition on behalf of the FUCAE to the Supreme Court alleging discrimination in the provision of educational programs for weak Arab students. The Court, within days, issued an 'order nisi' in the case, which indicates its willingness to accept the petition and requires the Attorney General's office to respond within 60 days. See *The Follow-up Committee on Arab Education in Israel, et. al v. The Ministry of Education, et. al.*, submitted May 8 1997, on file with the FUCAE.

6. Illiteracy and Levels of Education

The following table illustrates the highest levels of education obtained by individuals over the age of 15:

Persons aged 15 and over by population group, years of schooling and sex in 1995

(CBS -1996: Table 22.1)

	Y e a r s o f S c h o o l i n g								
	00	1-4	5-8	9-10	11-12	13-15	16+	Total	Media
ARABS									
Total	8.9	5.8	24.0	19.0	28.1	9.6	4.6	100%	10.2
Males	4.1	5.0	24.4	20.6	30.6	9.4	5.9	100%	10.6
Female	13.6	6.6	23.6	17.4	25.7	9.9	3.2	100%	9.7
JEWS									
Total	3.1	1.9	10.1	12.0	37.0	20.5	15.5	100%	12.2
Males	1.7	1.8	9.7	12.6	38.0	18.8	17.4	100%	12.3
Female	4.3	2.1	10.4	11.4	36.2	22.0	13.6	100%	12.2

As the above table shows, close to 14% of Palestinian women over the age of 15, as compared with about 4% of Israeli Jewish women, had attained no schooling or were effectively illiterate. For close to 44% of Palestinian women, elementary school is the highest level of education obtained (years 00, 1-4, and 5-8), exceeding that of Palestinian men, Jewish men and Jewish women. At the same time, only 13% of Palestinian women attained some schooling beyond the twelfth grade. In almost every category, Palestinian women fare worse than all others; this group has a lower median level of education than any of the other three groups (9.7 years).

7. University Enrollment and Studies; Teacher Training Colleges

Generally, Palestinian students do not benefit from the grants and other forms of support for higher education that their Jewish counterparts receive from the Ministry of Education, The Ministry of Welfare, and The Jewish Agency.⁸⁶ These tuition grants and subsidies for accommodation are awarded almost exclusively to students who complete army service. Over 90% of Palestinian students do not serve in the army, pursuant to Israeli regulations.

The lack of grants and awards significantly affects the ability of Palestinian students to attend university in Israel. No special funds provide grants especially for Palestinian

⁸⁶ Report of The Committee for Educational Guidance for Arab Students, 1996.

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women. Namat, a department of the Histadrut,⁸⁷ provides some small grants to Jewish women for particular fields of study but few awards to Arab women. Only 3.2% of Palestinian women complete university in Israel, as compared with 13.6% of Jewish women.⁸⁸

Geographic distance also works to prevent many Palestinian women from pursuing a university education. Most universities are far from Arab population centers, forcing students to leave their home communities. Also, it can be very difficult for Palestinian women to find student housing, as students who have been in the military (i.e. mostly Jews) receive preferential treatment for on-campus housing, and many Jewish families will not rent to Arab students. Haifa University is the one university where the population of Arab women students is close in size to that of Arab men students: It is a university near Arab villages, and is thus close to the students' homes.

In universities, most female students study the fields of humanities or social studies, including social work, sociology, psychology and education. In teacher training colleges, more than 95% of the students enrolled are women. Palestinian societal attitudes accept teaching as a suitable profession for women.

⁸⁷ See chapter on 'Palestinian Women and Employment' for more details on the Histadrut and Namat.

⁸⁸ CBS 1996, Table 22.1.

8. Adult Education

There are very few adult education/vocational training classes for Palestinian adults in Israel. In the existing frameworks, the gendered educational patterns are stereotypical: Palestinian women are offered such courses as sewing, cooking, handicrafts, and childcare.⁸⁹

9. The Teaching Profession and Other Positions in Education⁹⁰

In recent years, the teaching profession has become a largely female profession in both the Jewish and Palestinian communities in Israel. However, women teachers remain clustered at the elementary school level.

Over 53% of Palestinian women teachers are currently appointed to teach in elementary schools. Teachers in these schools work more hours, receive less pay, and have a lower status in society and in the teaching profession than do high school teachers. Palestinian women comprise only 26% of the teachers in Palestinian junior high schools and only 15% of the teachers at the high school level, where wages and status increase. In Jewish schools, women comprise 88% of the total number of elementary school teachers, 71% of the junior high school teachers, and 62% of the high school teachers.

⁸⁹ See the chapter on 'Palestinian Women and Employment' for further information on vocational training courses available to Palestinian women.

⁹⁰ Statistics appearing in this section were compiled from CBS 1995, pp. 363-364.

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Only one Palestinian woman holds the position of lecturer at a university in Israel, and no Palestinian women are professors. A handful of Palestinian women teach at colleges.

Men also continue to dominate senior administrative decision-making and management positions in the educational system. Only five Palestinian women hold the position of principal in private Palestinian high schools; no Palestinian women hold this position in the governmental high school system.⁹¹ Eight Palestinian women hold the position of supervisor: six work in the field of early childhood education, one works in special education, and one works in English-language education. Only two Palestinian women hold professional positions in the Ministry of Education's curriculum department for the Palestinian educational system. No Palestinian women hold senior administrative positions in the education departments of Palestinian municipalities and local councils; women work in these bodies only in a secretarial capacity, aside from a few women directors of special education or early-childhood education divisions.

⁹¹ All information herein provided by the FUCAE.

Palestinian Women and Employment⁹² (Convention Article 11)

The employment patterns and occupational composition characteristic of the Palestinian Arab minority in Israel - both women and men - are shaped to a large extent by the dominant Jewish economy, and by discriminatory governmental policies aimed at the continuation of the subordinate position and the marginalization of the Palestinian community in Israel.⁹³ The Israeli government is well aware of the inequality in employment and earnings between Palestinian women and Jewish women, as evidenced by a statement made by the former Minister of Labor, Ora Namir: "There is no equality between Jewish and Arab women in Israel."⁹⁴

Up-to-date, accurate statistics on the percentage of Palestinian Arab women in the labor market, the occupations that they hold, and the wages that they earn are difficult to discern. The Statistical Abstract of Israel (1996),

⁹² Early version based on H. Espanioly-Hazan, Unpublished paper presented at the *Conference for Human Rights in Arab Society in Israel, Nazareth, Israel, 1994 (English-Arabic)*.

⁹³ N. Lewin-Epstein and M. Semyonov, *The Arab Minority in Israel's Economy*, Boulder Co.: Westview Press, 1993 and M. Sofar and I. Schnell, "The Arab Industry in the Israeli Market," *The Economic Review*, 1995. See also I. Lustick, *Arabs in the Jewish State*, Austin, Texas: University of Texas Press, 1980 (stating that the Palestinian Arab minority in Israel is manipulated and controlled through a sophisticated system of hegemony devised by the Israeli authorities).

⁹⁴ The Knesset Report, May 28, 1993.

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the official 1995 data source, provides two tables under the category 'Women in the Labour Force': one entitled 'Married Women in the Civilian Labour Force, by Age' (Table 12.5) and the other entitled, 'Ever-Married Jewish Women Aged 15+ and Civilian Labour Force, by Number of Children and Of Women in Household, Age of Youngest Child and Various Characteristics' (Table 12.6).⁹⁵ Neither of these tables provides discrete information about Palestinian Arab women. All of the other tables provided in the overall category of 'Labour and Wages' (except for unemployment rates) also fail to list specific figures for Palestinian Arab women. The tables provided note percentages or figures solely for males and females, or Jewish men and Jewish women, or Jews and Arabs and others. The only table listed under the category 'Arabs and Others in Labour Force' (Table 12.7) claims to disaggregate by sex, but in fact lists males and totals, without noting specific percentages of Arab women.⁹⁶

According to statistics released by the Office of the Prime Minister, in 1994, 305,000 Palestinian women in Israel were of working age, and of those only 17% worked outside of the home.⁹⁷ Thus, 253,000 Palestinian women or 83% of the total did not participate in the labor market. In comparison, 50.6%

⁹⁵ *The Statistical Abstract of Israel*, Central Bureau of Statistics (CBS) 1996, pp. 292-293.

⁹⁶ *Id.*, pp. 294-295.

⁹⁷ A. Farris, "The Status of Arab Women in the Job Market in Israel," Office of the Prime Minister, May 1996 (In Hebrew).

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of Jewish women, aged 15 and over, are reported to have participated in the wage labor force in 1995.⁹⁸

Palestinian women's organizations and researchers estimate that the official figures substantially underestimate the actual percentage of Palestinian women who participate in the labor market. As many researchers note, this phenomenon is generally true for less developed economies.⁹⁹ Much of Palestinian women's work, in fields such as seasonal agriculture, care giving, and house cleaning, is unreported and undocumented. These Palestinian women workers are not officially registered or affiliated with any organization, such as a labor union, to protect their basic rights. Although many of these Palestinian women workers may prefer to remain unregistered for taxation reasons, the consequences of such are that they work for low wages and with no benefits such as insurance, paid sick-leave or vacation, or compensation, and under oppressive conditions.

The percentage of Palestinian women in the labor market today, however, is considerably lower than the percentage of Palestinian women who worked in agriculture prior to the establishment of the State of Israel in 1948. After 1948, successive Israeli governments massively confiscated Arab-owned land, and thus agriculture was removed as the main

⁹⁸ CBS 1996 (Table 12.3).

⁹⁹ J. Acker, "Women and Stratification: A Review of Recent Literature," *Contemporary Sociology* 9: 25-35 (1980); L. Beneria, ed., *Women and Development*, New York: Praeger, 1982; and N. Lewin-Epstein and M. Semyonov, 1993.

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base and income source of the Palestinian economy; Palestinian men and women were obliged to join the wage-labor Israeli work force.¹⁰⁰ Arab women of that generation, and for decades later, were not trained nor were they able to develop skills, to a significant degree, needed to seek employment outside the home.

Independent researchers all confirm that the unemployment of Arabs in Israel is greater than that of Jews. They add, moreover, that Arabs are the first to be affected by unemployment and that Arab women are more likely to be unemployed than Arab men. Official statistics (which account only for individuals registered with the unemployment bureau) note that in 1995, 5.4% of Palestinian men and 9.4% of Palestinian women were unemployed, whereas 5% of Jewish men and 7.8% of Jewish women were unemployed.¹⁰¹ Independent researchers place the unemployment rate even higher for Palestinian women closer to 10.5%, and at approximately 7.3% for Arab men.¹⁰²

¹⁰⁰ U. Schmaltz, "Arab Labor Force in Israel" in Layish, A., ed., *Arabs in Israel: Continuity and Change*, Jerusalem: Magness, 1981 and S. Jirys, *The Arabs in Israel*, New York: Monthly Review, 1976.

¹⁰¹ CBS 1996 (Table 12.20).

¹⁰² A. Atrash, *Ha'aretz*, March 31, 1995 and A. Atrash, *The Economic Review Year* 43, November 1996.

Where Do Palestinian Women Work?

According to the 1996 Office of the Prime Minister's Report,¹⁰³ the majority of Palestinian women who work outside of the home, work in the city in which they live (80%) or in the same village (62%). Approximately 57% work in full-time jobs, 30% in part-time jobs, and 12% on a part-time basis.

The following table illustrates the percentage of Palestinian women engaged in particular fields of work in 1981 and 1994:¹⁰⁴

<u>Professions</u>	<u>1981</u>
<u>1994</u>	
1. Academic 3.8	5.4
2. Independent & Technical Workers 24.4	28.3
3. Directors 1.2	0.0
4. Clerical 14.5	10.8
5. Sales (shops) 4.7	3.3
6. Services (education, social work, nursing) 20.2	7.6

¹⁰³ A. Farris, 1996.

¹⁰⁴ Id., p. 44.

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7. Agriculture (farm workers)	9.2
20.2	
8. Industry (skilled workers)	23.9
2.4	
9. Unskilled workers (textiles, factory work)	2.2
21.4	
10. Unknown	10.3
7.1	
Total	100%
100%	

The report, in which this table appears, released by the Prime Minister's Office, does not offer any explanation for the changes that occurred between 1981 and 1994, as illustrated by this chart.

As the table above illustrates and Palestinian women's organizations and researchers confirm, Palestinian women work in stereotypically "female positions" such as secretaries, nurses, social workers, school teachers, and textile workers, and a large percentage of Palestinian women also work as farm workers. The table also shows that there were considerable increases in some professions between 1981 and 1994, namely services, agriculture, and non-professional (textiles, factory work). One explanation for the increase in the number of Palestinian women who work in services - as teachers and social workers - is that these fields offer

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segregated services for Arab and Jewish citizens of Israel (e.g. separate school systems and separate divisions within the Ministry of Labor and Social Affairs). These fields rapidly expanded with the growth of the population, and from pressure from the Palestinian community, as they became increasingly vocal in demanding rights and services.

In agriculture, what may account for the increase is the growth of Israel's export market for farm products, which offered more job opportunities to Palestinian women. Researchers have found that the growth in agriculture tends to increase Arab women's labor participation.¹⁰⁵ During agricultural decline, men tend to find employment in other sectors of the economy, frequently outside their place of residence, while women tend to stay behind or even take over jobs vacated by men. Job availability also has a major impact on women's employment. Women face greater hardship in joining the labor force where job opportunities are limited and competition is more intense.

These explanations are valid in all societies with changing economic structures. In the case of the Palestinian women in Israel, these explanations gain greater validity when factors particular to the Palestinian minority in Israel are taken into consideration, such as the land confiscation, which left most

¹⁰⁵ N. Lewin-Epstein & Semyonov, 1993 and H. Rosenfeld, "Change and Contradictions in the Rural Family," in Layish, A., ed., *The Arabs in Israel: Continuity and Change*, Jerusalem: Magness, 1981.

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Arab families without an income source, and the fact that Palestinian cities and villages are segregated from Jewish residential areas but totally dependent on the Jewish economy. Over the years, as successive governments did not support the development of an independent Palestinian economy, Arab cities and villages were left without an industrial base. These factors explain to a large extent why agricultural growth increases the possibilities for Palestinian women to take part in the market economy.

Moreover, Palestinian women used to work and still work as farmers on family-owned land prior to the establishment of the state and on the same land now, even though it was confiscated and transferred to the ownership of the state and to the Jewish settlements. Although only 7% of the Palestinians in Israel work in agriculture, 80% are women.¹⁰⁶

It may also be likely that in 1994 more Palestinian women worked as seasonal agricultural laborers for Jewish employers, who registered their work.

The great increase in Palestinian women textile workers is explained below in detail in the section entitled 'Case Study - Arab Women Textile Workers in Israel.' The table also shows a dramatic decrease in the percentage of Palestinian women engaged in industry (professional) work. The author of the report does not explain this category, and we do not

¹⁰⁶ I. Ibrahim, "The Status of Arab Women in Israel," report published by Sikkuy, 1993.

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understand the category and can therefore offer no explanation.

According to Ben-Porath (1984) and confirmed by these statistics, Palestinian women in Israel are in the lowest class division.¹⁰⁷ Palestinian women workers are clustered in professions considered inferior in terms of social status and afforded the lowest wages.

The following table, based on an independent research study, compares the distribution of Arab women and men in terms of profession:

Distribution of the Arab labor force in Arab and mixed communities across major occupations by gender, 1983 ¹⁰⁸

Occupational Category	Women	Men
Academic professionals	4.6	4.2
Professional (teachers, nurses, social workers)	40.3	9.1
Managerial	0.4	1.8
Clerical	10.4	5.4
Sales	3.9	6.4
Services	11.6	8.1

¹⁰⁷ Y. Ben-Porath, "Israeli Dilemmas: Economic Relations between Jews and Arabs," *Dissent* (Fall): 457-467, 1984.

¹⁰⁸ N. Lewin-Epstein & M. Semyonov, 1993.

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Farm Workers (agriculture)	4.4	7.9
Manual (assembly-line textile)	21.5	41.6
Unskilled	2.9	15.5
Total	100%	100%

Most notably, this table shows that over 40% of Palestinian women worked in the segregated services, and that Palestinian women workers cluster in stereotypically 'female professions'.

Very few Arab women hold senior leading positions, nor are there opportunities for them to do so. As the degree of managerial administrative skills, responsibilities, and educational qualifications increase, the percentage of women - Arab or Jewish - in these positions decrease. For example, as noted in the education section of this report, over 50% of elementary school teachers in the Arab schools are women, whereas Palestinian women comprise only 15% of the secondary school teachers. At the university level, only one Palestinian woman holds the position of lecturer, and none is a professor.

Case Study - Arab Women Textile Workers in Israel

Recognizing that Palestinian women in Israel offered the cheapest wage labor force, that Palestinian families desperately needed additional income, that few job

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opportunities were available to Palestinian women, and that societal obstacles existed for Palestinian women to travel great distances to work, Israel's textile industry, over the last two decades, opened more than one hundred small auxiliary workshops ('sweatshops') and a few factories in many Arab villages. The exclusively male managers of these small enterprises usually act as sub-contractors to the big factories primarily located in Jewish cities or abroad, and employed thousands of young Arab women.

A 1987 estimate notes that in general, 55.5% of the textile workers in Israel - Arab and Jewish - are women.¹⁰⁹ In that same year, Palestinian women comprised 17% of all women working in the textile industry. Recent newspaper accounts highlight that Arab woman constituted approximately 33% of the entire textile work force.¹¹⁰

The working conditions in these workshops or 'sweatshops' are oppressive: The majority has no heating or the employers, often with no overtime compensation, often mandate air-conditioning, many workers crowded into small spaces, and extra hours. Many Palestinian women report that the managers, humiliated, have repeatedly mistreated them harassed, and forced to work additional hours.¹¹¹ Some

¹⁰⁹ B. Swirski, "Women in the International Production Line: Israeli Women in the Production Line," Brerot: Haifa, 1987.

¹¹⁰ See infra footnote 21, *Al Sabar* and *Ittihad*.

¹¹¹ I. Drorary, "The Work Culture of Arab Women in Textile Workshops in the Galilee," 1996.

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Palestinian women have been working under these conditions for 15-20 years, earning less than the minimum wage, as few to no job alternatives exist for them. Studies about women textile workers in Israel have also shown that Palestinian women are paid less than their Jewish counterparts for the same work.¹¹²

During the last three years, many Palestinian women who worked in these 'sweatshops' and factories lost their jobs and became unemployed, after many of these workplaces closed down or drastically cut their staff. *Ha'aretz* (the leading daily Hebrew language newspaper in the country) reported on October 18, 1996 that 59 small sewing factories have closed since January 1996. The newspaper further noted that 31 textile factories have closed entirely and that eight more have cut their work force in half in the last three years. *Al Sabar* (an Arabic language newspaper) reported on September 27, 1996 that 150 workshops operating in the Arab villages had closed, leaving thousands of unemployed Arab women. Both the Hebrew and Arabic press in Israel are replete with articles and reports about the textile crisis.¹¹³

¹¹² Id.

¹¹³ *Al Sabar*, September 27, 1996 (closing down the textile factories), September 27, 1996 (the beginning of court proceedings on the issue of Palestinian women workers in the Bier Almaksor village), November 20, 1996 (women textile workers shown in front of closed factories), December 20, 1996 (closing down Lodzia in Dir Hana village), and February 2, 1997 (the Histadrut abandons the case of women workers); *Davar*, June 2, 1995 (Palestinian women working below the minimum wage); *Fasal Almakal*, March 6, 1997 (200 workers protesting against the closing down of the textile factories); *Ha'aretz*, September 15, 1996 (discrimination against women workers); *Ittihad*, March 13, 1997

The same reasons which brought Jewish investors to the Arab villages two decades ago are now bringing them to 'close up shop' in Israel, and to move their enterprises to Jordan and Egypt. Labor costs, especially those of women in Jordan and Egypt, are considerably less than those of Palestinian women in Israel. But as the workshops in Israel close, thousands of Arab women become unemployed.

What Do Palestinian Women Workers Earn?

Palestinian women's organizations estimate that Palestinian women earn only 50% of what Jewish women earn, and Jewish women earn only 70% of Jewish men's income. Official statistics are not available concerning the wages of Palestinian women. National figures comparing all men and all women in Israel report that the average salaried woman in Israel earns a gross salary that is only 61% of the gross salary of the average Israeli man.¹¹⁴

(the Knesset discusses the Dalta case); March 17, 1997 (the Knesset expresses solidarity with Dalta workers); March 20, 1997 (Dalta workers declare an open strike in Shefa Amr); *Kol-Alarab*, March 3, 1997 (solidarity with the Dalta women workers); *Zu Hadarach*, March 12, 1997 (closing down the Dalta factory in Shefa Amr), and March 12, 1997 (decreasing the unemployment).

¹¹⁴ *The Jerusalem Post*, May 22, 1997 (editorial) citing an article on "Working Women in Israel" contained in the 1996 annual report of the National Incomes Administration in the Treasury.

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The low wages earned by Palestinian women workers illustrate a clear example of gender discrimination and national discrimination. The majority of the jobs available for Palestinian women are in the services sector and in occupations which are seasonal (such as agriculture) and outside of any official and union control (such as textile 'sweatshops' in Arab villages). Independent researchers confirm that Arab women in Israel receive the lowest wages of all workers - men and women, Jewish and Arab.¹¹⁵

Researchers have also found that Arab women who work within the Palestinian community earn less than Arab women who work in the wider Israeli Jewish community.¹¹⁶ They note significantly that there is an earning "loss" for Arab women in both cases: for Arab women employed outside the Arab labor market, the earnings loss amounts to NIS 3,261 while the earnings loss for women employed in the Arab labor market is almost twice as much, standing at NIS 6,012.

Many Arab women earn less than the minimum wage. According to a survey conducted by *Ittihad*, a daily Arabic-language newspaper in Israel, of 1200 Palestinian workingwomen, 14.5% worked in Palestinian law and architecture offices. 59% of those interviewed women worked as secretaries. Most received very low salaries, and in general, earned less than the minimum wage. These

¹¹⁵ O. Nimer, "Arab Women in Israel," *Values* 3, 15: 44-47, 1971 (in Hebrew).

¹¹⁶ N. Lewin-Epstein and M. Semyonov, 1993.

Palestinian women workers earn less than most Jewish women in the same jobs and less than men.¹¹⁷

Protection for Arab Women Workers? - The Histadrut and Namat

The Histadrut is the largest 'independent' worker's union in Israel. Oftentimes, however, the Histadrut works in conjunction with government policy-makers (the head of the Histadrut is a Labor-party Member of Knesset), to the detriment of Palestinian workingwomen.¹¹⁸ Swirski found that the Histadrut was ineffective in defending the rights of women textile workers. She argues that this is a result of the cooperation between the Histadrut and government policy-makers. By keeping wages low, the Histadrut and the government encourage foreign industry, like textile manufacturers, to invest in Israel. Textiles are a trade, which is dependent on foreign investment in Israel. Moreover, the Histadrut does not operate in many Arab villages, and therefore provides no union protection or supervision to workers.

The Histadrut is generally responsible for setting the minimum wage in the country. Several years ago, the Histadrut made a special agreement with the textile industry to allow the factories to pay only 70% of the minimum wage to the

¹¹⁷ I. Ibrahim, 1993

¹¹⁸ B. Swirski, 1987.

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workers, with the remaining 30% to be paid as a “premium” to women who produce above the average “norm.” Swirski found in her study of women workers and the textile industry that many women already produce above the average norm and work extra hours, and that their salaries still do not reach the minimum wage.

Namat is one of largest departments within the Histadrut, and one of the largest women's organizations in Israel, with 850,000 members. Namat aims to develop the status of women in Israel and to protect working women's rights. To further these aims, Namat conducts training courses for women, opens and operates kindergartens and nurseries, and provides services to women in the areas of health, social welfare, and legal assistance.

Namat provides substantially fewer services within the Palestinian community, and to Palestinian women, than it offers to the Jewish community and to Jewish women. For example, in Nazareth, the largest Arab city in Israel, although there are 10,000 members of Namat, the organization runs only one kindergarten. In Nazareth Illit, a neighboring Jewish city with fewer members, Namat operates 10 kindergartens. In 1992, from a total budget of NIS 72,488,000, Namat spent only NIS 920,000 on activities in the Arab community, or just 6.66%. Of the 828 early childhood centers serving 22,224 children in whom Namat worked, it ran only 24 Arab

kindergartens, serving only 468 Arab children.¹¹⁹ This discrimination exists even though Arab women pay the same amount of dues as Jewish women members to the organization.

Palestinian Women's Employment Status: Background and Reasons

Hijab (1981), in her book discussing the Arab debate on women at work, argues that three conditions must exist on the level of A) general policy and B) in the family for women to participate in the labor force: namely, 1) need, 2) opportunities, and 3) abilities.¹²⁰

A) General Policy

1. Need

On the general policy level, need may be defined as the requirement of a work force in the country. If a need exists, it is usually observed and reflected in the creation of laws, which support women in their work. In Israel, the need for a large labor force has existed since the establishment of the State, but successive governments concentrated their efforts on work in Jewish communities and for the Jewish population. State work planning and policies ignored the Palestinian citizens of Israel, marginalizing them and forcing

¹¹⁹ I. Ibrahim, 1993.

¹²⁰ N. Hijab, *Women Power: The Arab Debate on Women and Work*, Cambridge: Cambridge University Press, 1981.

them to become economically dependent on the Jewish market.

2. Opportunities

Opportunities in the labor market should be reflected by the elimination of discrimination against women in the work place and by the provision of equal opportunities for women to work. An examination of the state's investment policies in factories over the years shows that more than 98% were concentrated in Jewish areas, leaving Palestinian men and women with little to no local work. The only opportunities provided by the state were in the provision of segregated services, mainly in education and social welfare. Over the years, the numbers of Palestinian women working in these two fields has increased dramatically, with a comparable "earnings" loss to Palestinian women.¹²¹ Opportunities should also be reflected in the creation of a support system, which enables women to work outside the home, such as nurseries and kindergartens. As discussed above, Namat provides significantly fewer kindergartens and nurseries to the Palestinian community than to the Jewish community. The Ministry of Education and the Ministry of Labor have initiated special projects in the Jewish residential areas, in cooperation with other organizations, to open nurseries and kindergartens. None of these projects address the needs of Palestinian women in Israel.

¹²¹ N. Lewin-Epstein and M. Semyonov, 1993.

3. Abilities

As to abilities, this could be reflected by the provision of special training courses for women to develop their skills so that they may enter the work force. The Ministry of Labor in Israel provides various professional training courses open to special groups, such as the unemployed and soldiers. Different courses are offered for the Jewish and the Palestinian communities, for men and for women. Although 83% of Palestinian women officially do not work outside of the home, and thus are eligible to take these training courses, very limited opportunities are offered to them. There are 38 courses offered in the Galilee in the north, 2 courses in the Negev in the south, and 2 courses in the Triangle region in the center of the country for Palestinian women. In the Galilee, the courses offered include: care-giving in nurseries, helping the elderly, sewing, gardening, dental assistance, data entry, cosmetics, and basic accounting. In the Negev and in the Triangle, care giving in nurseries and sewing are the only courses offered.¹²²

B) In the Family

1. Need

¹²² Information provided by the Office of the Ministry of Labor in a reply letter to Ms. Nabila Espanioly, Director of the Al Tufula Center in Nazareth, dated 23 February 1995. Ms. Espanioly requested that the Ministry provide more professional training courses for Palestinian women in Israel. The Ministry responded by outlining the above information, and stating that no additional courses were necessary, as the Ministry already provides sufficient professional training opportunities for Palestinian women.

Within the family, need may be defined as the requirement for additional income. According to the National Insurance Report (1996) and the Office of the Prime Minister's Report (1996), as over 60% of the Palestinian community in Israel live under the poverty line, the need for a second income appears to exist in almost all families. Farris (1996) recently found that 52% of all non-wage-earning women expressed a need to work and explained their unemployment by noting the lack of work possibilities and the low-wages offered.

2. Opportunities

Opportunities within the family would be reflected by the existence of equal opportunities for girls and boys to study and to obtain professional training. Boys and men, still perceived as heads of families, oftentimes are granted these opportunities or are given priority.

3. Abilities

The ability of girls and women to develop themselves within the family are more limited than for boys and men, as girls and women take a larger role in maintaining the household. They do not have the same opportunities to use their abilities as boys. This double burden not only exists for married women, but also begins for women as girls who are expected to substantially contribute to household work.

A third level not posited by Hijab but one which must be considered and which is integral to the family is C) Palestinian society.

C. Palestinian Society

1. Need

As to need, Palestinian society is and has always been supportive to women working outside of the home.¹²³ Historically, as noted above, Arab women worked in agriculture.¹²⁴ Three main attitudes in Arab society related to women and work can be identified: (1) a conservative traditional position, often legitimized with religious explanations, which views women's role as caregivers for children and husband at home (not against women's work in agriculture); (2) a liberal position, which recognizes the right of women to work outside the home but in suitable positions such as teaching and nursing; and (3) a progressive position, which recognizes equal rights between men and women in all areas.

¹²³ H. Rosenfeld, "From Peasantry to Wage Labor and Residual Peasantry: The Transformation of the Arab Village," in Manners, R., ed., *Process and Pattern in Culture*, Chicago: Aldine, 1964 (reporting that Arab society does not stand against women working outside of the home), and M. Al Haj, "The Changing Arab Kinship Structure: The Effect of Modernization in an Urban Community," *Economic Development and Cultural Change* 36: 237-258, 1988 (stating that the low percentage of Arab women who participate in the labor market is not due to family pressure against working outside the home).

¹²⁴ Id.

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A survey conducted in 1988¹²⁵ found that a large percentage of Palestinian men support the idea of Palestinian women working outside the home. According to the research, 44% of the men questioned supported women's work without any hesitation; 26% had some hesitation, and 30% were against. The survey also polled Palestinian women on the same issue and found that 86% supported women's work without hesitation; 14% had some hesitation; and 0% were against.

A similar survey conducted in 1996¹²⁶ found that 44% of Moslem men, 41% of men in mixed communities (Christian, Moslem, and Druze), and 7% of Christian men are against women working outside the home.¹²⁷ 48% of Arab men living in cities and 28% of Arab men living in villages support women's work. The percentage of Palestinian men who support Palestinian women's work increased by level of education, with 74% of the men who have more than high school education supporting women's work.

These findings demonstrate that Arab society in Israel, in general, is open to women working outside of the home, with women more supportive of the idea than men.¹²⁸

¹²⁵ M. Al Haj, 1988.

¹²⁶ A. Farris, 1996.

¹²⁷ Id.

¹²⁸ See also M. Mar'i, "Sex Role Perceptions of Palestinian Males and Females in Israel": Unpublished Ph.D. dissertation, East Lansing, MI: Michigan State University, 1983; S. Mar'i, "The Role of Women as Change Agents in Arab Society in Israel" in M.

Factors Which Enhance Palestinian Women's Employment

According to two researchers, the employment rate of Arab women is significantly enhanced by: (1) the proportion of agricultural work in the community; (2) job availability, in general; (3) a low birth rate (with a high birth rate tending to hinder women's participation); (4) educational level in the labor market; (5) the availability of public services (e.g. day care centers); and (6) the percentage of Christians in the community.¹²⁹

While the first five factors appear to be accurate, based on the experiences of Palestinian women's organizations, the sixth factor seems to be more of an outcome and not a factor.

Since most Christians live in cities where more public services, educational possibilities, and job opportunities exist, and as city residents, Christians tend to have less children, the first five factors appear to explain why more women living in Christian communities tend to work outside the home.

Safir, M. Mednick, D. Izraeli, and J. Bernard (eds.), *Women's World: From the New Scholarship*, New York: Praeger, 1985, and K.F. Shaloufeh, "Change and Mate Selection among Palestinian Women in Israel" in B. Swirski and M. Safer, eds., *Calling the Equality Bluff: Women in Israel*, New York: Pergamon Press, 1991.

¹²⁹ N. Lewin-Epstein and M. Semyonov, 1993.

The greater the number of children in the household, the less likely it is for women in Israel - Arab and Jewish - to work outside the home, especially for women with no post-high school study or training. For married women with at least some post-secondary schooling, a large number of children do not significantly diminish women's labor market activity; in fact, among older Arab women with large families, it is associated with higher employment rates. Employment rates among highly educated women (university degree and above) with children are also much higher than among women with only a high school education. It would appear that highly educated women are more motivated to work and hold jobs even with a large number of children in the household. Education and number of children clearly play a role in the employment patterns of Arab women.¹³⁰ For highly educated women, however, the number of children does not appear to significantly affect employment.

Obstacles to Palestinian Women's Employment

On the National Political Level:

1. The massive Palestinian land confiscation by successive Israeli governments since 1948 removed the core base of Palestinian women's work. Before the establishment of the State of Israel in 1948, Palestinian women and men were primarily engaged in economically self-sufficient agricultural work, and Palestinian women had status as productive

¹³⁰ Id.

powers in the family. Very limited alternatives have been created by the government or by the Palestinian community as a whole in the Palestinian villages, towns, and cities, and today, Palestinian women's economic power has drastically decreased.

2. Limited work opportunities are available to the Palestinian community as a whole, as a result of discriminatory policies adopted throughout the years by the government in Israel. For example, the lack of industrialization and infrastructure in the Palestinian cities and villages, due to neglect by the government, is one of the main reasons for a lack of local work opportunities.¹³¹ Men occupy the majority of the few existing jobs open to Palestinians.

3. Unemployment rates in the Palestinian community are higher than in the Jewish community in Israel. The Palestinian community is generally clustered in the lowest status, lowest wage jobs. Palestinian women were and are the first to be affected by unemployment, such as by the textile crisis, and are the poorest group within the community.

4. The shortage of schools in a large number of Palestinian villages has made it difficult for women to pursue higher

¹³¹ The Israeli government declared some towns and villages as "development areas," and put substantial resources into industrialization projects in these localities. Most of these areas have predominantly Jewish populations. The Israeli government has not supported, either with direct financial resources or with loan incentives, industrialization in or near Palestinian cities, towns or villages. See also A. Farris, 1996.

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education. Those who can leave their villages to enter vocational training programs, colleges, and universities, find it difficult to continue their studies for financial, cultural, and social reasons.

5. No governmental framework exists to promote professional training for Palestinian women. The majority of job training centers hold courses for Palestinian women in sewing, hairdressing, and handicrafts, and not in technical or other lucrative occupational skills.

6. The limited availability of public child-care facilities in Palestinian villages forces Palestinian women to limit their working hours. Palestinian villages have been unable to develop their childcare and other services to help Palestinian workingwomen primarily because of their limited budgets. The Palestinian local councils and municipalities receive 1/3 of that of their Jewish counterparts from the various governmental ministries.

Gender Discrimination in Israel:

1. Like women all over the world, Palestinian workingwomen must balance their work inside and outside of the home. As such, they must seek working hours and conditions that allow them greater flexibility, or they must limit their career choices from the very beginning, especially after marriage, and are able to take advantage of fewer work opportunities. Any

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disharmony between work and family life often forces women to give up their work. In general, men are not expected to balance their family and work obligations.

2. As a patriarchal society, men in Israel assume leading positions, control powerful professions and occupations, and dominate decision-making work roles.

3. (Un) equal pay for equal work is a serious problem for Palestinian women. An example of this is the women who work as unskilled laborers in the textile industry, in small-unorganized workshops, and under inhuman conditions. These women earn less than all other groups for their work, and many earn less than the minimum wage.

Gender Stereotyping within the Palestinian Community in Israel:

Within Palestinian society in Israel, a women's identity is formed and (miss) informed by stereotypes and rigid norms through the patriarchal control systems of family and religious and social institutions. Palestinian women are educated to concentrate on domestic issues rather than public issues, and to conform rather than oppose. Palestinian women themselves often internalize a sense of their own inferiority, a product of the patriarchal system of control.

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1. Palestinian society in Israel considers women's basic role to be that of child rearing and managing the affairs of the household. Palestinian women are expected to give priority to these roles if a conflict develops between outside work and the family. Palestinian women also believe that their work outside of the home must not be at the expense of their family's needs.
2. As a result of this social structure, many Palestinian women believe that men have a right to progress in employment and earn higher wages, and in the case of conflict between men and women, women must relinquish their advancement to men. The patriarchal norms in Palestinian society give priority to men when it comes to professional training and education, narrowing the already few possibilities for women.
3. Palestinian women are raised to follow and to depend on men. This leads many Palestinian women to underestimate their abilities, resulting in a lack of self-confidence.
4. Many Palestinian women work outside of the home solely to help their families' economic situation, and not for reasons of personal ambition, interest or career advancement. Thus, many women limit their involvement at work, which in turn limits their opportunities for advancement.

Palestinian Women's Health (Convention Article 12)

Health Insurance

The Compulsory National Health Insurance Law (CNHI), which took effect in January 1995, assures the provision of primary health care (PHC) services, and declares egalitarian health services as a guiding principle. According to the Law, each citizen is guaranteed health insurance, and has the right to equal and adequate health services. Citizens with low income pay less for health insurance than those with high income. Thus, in general, Palestinian women pay less for health insurance than any other group in Israel, as they earn comparatively less than any other segment of the population. This one law may have slightly helped to increase the availability of health services to Palestinian women in Israel, but the services available still fall far short of the goal of "egalitarian health services" for all Israeli citizens.

The CNHI Law mandates that the Minister of Health form a health council to define the parameters of health services for all citizens: "within reasonable distance, within reasonable time, and of reasonable quality." The Minister has appointed only one Palestinian man and no Palestinian women to the 46-member health council.

Accessibility of Health Services to Palestinian Women

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Despite Israel's limited geographic size and the new law, great disparities in the availability of health services exist between the Palestinian and Jewish communities. In 1985, Dr. Hatim Kanaaneh, former Director of the 'The Galilee Society': The Arab National Society for Health Research and Services, conducted a study comparing the curative and preventative health services available in eight Palestinian localities with those available in eight Jewish areas. His research showed that Palestinian communities received approximately one-half of the services of those offered in the Jewish localities.¹³² Variables compared included the number of doctors and nurses, the number of hospital rooms, and the number of consultations. The Ministry of Health likewise acknowledged a gap of some 30 - 40% in the level of available health services for Palestinian and Jewish communities in Israel for 1992.¹³³

A more recent study¹³⁴ found that no gynecological services are available in a large number of Palestinian villages and towns in Israel, and that 42% of Palestinian women are forced to travel to other localities to obtain these services. Ultrasound examinations and neonatal screening tests for pregnant women are usually performed in hospitals located in large cities, relatively far from Palestinian localities. It is even more difficult for Palestinian women to obtain pap

¹³² As reported in *Equality Information Report*, Adva Center, Tel-Aviv (1992).

¹³³ *Id.*

¹³⁴ "Health Services in the Arab Community in Israel," 'The Galilee Society', The Arab National Society for Health Research and Services (1995) (unpublished report).

smears, mammography, and similar examinations. The study also revealed that public or privately run emergency health care services, such as ambulances and other equipment, are available in only 31 Palestinian villages and cities in Israel. 135 Palestinian localities are left without any of these services. Mental health services are also not available in Palestinian villages and towns in Israel.

In addition to examining the availability of health care services in Palestinian localities, the same study also found that many Palestinian schools lack basic health care services: 42% do not have nurses, and 93% do not provide health education classes. This particularly affects Palestinian girls, both in the short term, as they lack sufficient preventative care, and in the long term, when they bear primary responsibility for their families' health care needs. There is very little in the way of health service centers or health education available specifically for teenagers in the Palestinian community.

Use of Health Care Services

Jewish citizens tend to use all of the available health care services more frequently than Palestinians, and the number of return visits to these facilities by Jews is three times higher than that for Palestinians.¹³⁵ Similarly, Jewish citizens average 12 yearly visits to a medical facility, while Palestinians

¹³⁵ Id.

average four. Various reasons may account for this difference in the use of health care services between the Palestinian and Jewish communities. According to one researcher, variables of education, health insurance coverage, and distance to family clinics directly affect the number of visits to the clinics.¹³⁶

Palestinian women in particular, face a number of difficulties, which limit their use of health services such as:¹³⁷

1. **Social obstacles:** Palestinian women do not feel comfortable traveling unaccompanied to receive certain health services. In addition, negative attitudes in the Palestinian community concerning certain types of care (e.g. psychological services) keep many women from utilizing these services;
2. **Geographic distance:** Hospitals and medical centers in Israel are located in large cities far from Palestinian villages, making them more difficult to access;

¹³⁶ S. Shihab, *Preventive Health Services Use and Arab Women's Satisfaction*, Masters of Public Health thesis, 1991, Hebrew University (unpublished). On file with Siham Badarne, Al-Tufula Centre, Nazareth, Israel.

¹³⁷ The following list is compiled from the available literature and from field observations of the author. No comparative statistical study exists which documents this information.

3. **Language:** The language used in health care centers outside of Palestinian villages is Hebrew. Many Palestinian women, particularly those of older generations or with little education, cannot communicate in Hebrew;
4. **Economic circumstances:** The National Health Insurance covers not all health care services; for certain procedures and tests, an individual must pay. Due to the high unemployment of Palestinian women and the high level of poverty in the Palestinian community in general, costly medical care is beyond the reach of many Palestinian women and families;
5. **Lack of knowledge:** Many Palestinian women do not realize which services are available to them, especially preventative care (e.g. pap smears), or where to access them. A health education program detailing this information is of vital necessity in the Palestinian community in Israel;
6. **Availability of treatment:** Palestinian women are often not made aware of alternative treatments available to them. For example, hormonal treatments are not generally suggested to Palestinian women at menopause, although this treatment is often

recommended to Jewish women. Furthermore, Palestinian women receive less guidance than Jewish women, as most of the available literature is written in Hebrew.

Of all available health care services, most Palestinian women of childbearing age do visit "family health clinics," otherwise known as "mother and child health clinics." They are encouraged by their spouses and other family members to frequently visit their physicians or the clinics, even when they have no physical ailments, as a woman's health during these years is of primary concern so that she can deliver healthy babies. The family health clinics place top priority on women's health during pregnancy, and on the health of the child from birth to school age. As it is Palestinian women who primarily bring children to the clinics, the possibility exists for them to be asked about their health condition and to be advised and sometimes referred accordingly during this stage. Once children complete their immunizations and their visits to physicians or clinics become less frequent, in most cases, women's health is no longer considered a priority.

Women Health Professionals ¹³⁸

¹³⁸ Health professionals include doctors, nurses, physical therapists, X-ray technicians, etc.

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The Statistical Abstract of Israel (1996) does not provide figures concerning Palestinian women health care professionals. The one occupational distribution table provided [Table 12.15] lists Jewish employed persons by occupation, sex, continent of birth and period of immigration, and the one table that lists employed persons in health care [Table 24.4], provides national figures - disaggregated by sex - of the numbers employed in clinics and medical institutes and hospitals. The Ministry of Health (responsible for licensing health care professionals) does not make such information available, either.

An independent study conducted by Dr. Kanaaneh in 1989¹³⁹ shows that the percentage of Palestinian women in the health field is lower than that of Palestinian men. According to his research, the ratio of Palestinian men to Palestinian women among health professionals is approximately 3:2. It is also clear from the research that the gap between women and men professionals increases as the level of seniority rises. Most of the Palestinian women who work in the health care field work as nurses; at levels as high as physician specialists, there are indeed very few Palestinian women professionals. This lack of Palestinian women doctors becomes especially important in the specialty of gynecology, where women patients often prefer a woman doctor.

¹³⁹ See *Equality Information Report* (1992).

Life Expectancy

Life expectancy is globally higher for women than for men. The life expectancy for Palestinian women in Israel is 77.1 years, whereas for Palestinian men it is 73.8, a difference of 3.3 years.¹⁴⁰ A gap of 3.8 years separates the life expectancy of Jewish women (79.7) and Jewish men (75.9).¹⁴¹ In developed countries in general, this gap averages 7 years. According to statistics compiled by the World Health Organization (WHO) for the period of 1985-1990, Palestinian women in Israel had one of the lowest life expectancies of those living in developed countries, placing 24th out of 29.¹⁴² In the same period, Palestinian men in Israel placed 23rd, Jewish women placed 18th, and Jewish men placed second.

Infant Mortality

The infant mortality rate (number of infant deaths which occur within a year after birth, or IMR) is a sensitive indicator of a population's health status, and of the effectiveness of a country's health care system in preventing the spread of diseases. While the developed countries, which have advanced health care systems, maintain low IMRs,

¹⁴⁰ *The Statistical Abstract of Israel*, Central Bureau of Statistics (CBS), 1996 (Table 3.19).

¹⁴¹ *Id.*

¹⁴² World Health Organization, "World's Women: The Trends and Statistics, 1970-1990," United Nations (1991).

developing countries are still struggling to reduce high rates. Israel succeeded, more than three decades ago, to greatly reduce its IMR, and has reached a state of health comparable to that of the most developed countries in the world. In 1994, the IMR for the Jewish population in Israel was 6.3 deaths per 1000 live births, as compared to 8.9 per 1000 live births in the United States.¹⁴³ However, the IMR for the Palestinian population in Israel still resembles that of the developing countries: approximately 12.8 per 1000 live births.¹⁴⁴ Many factors contribute to the large difference in infant mortality rates between Palestinians and Jews in Israel, such as the lack of accessible health care and health education programs, environmental circumstances, higher rates of poverty, and the relatively large number of family members in the Palestinian community.

Throughout the world, IMRs for infant girls are lower than for boys. Comparing the Palestinian female IMR to that of the Jewish female infant mortality rate, the 1994 rate among Palestinian females was twice as high as that of Jewish females, or 16.8 in 1000 for Palestinians and 8.8 for Jews.¹⁴⁵

¹⁴³ CBS 1996 (Table 3.9) (IMR for Jewish population). IMR for US for 1991, cited in "Housing for All? The Implementation of the Right to Adequate Housing for the Arab Palestinian Minority in Israel," A Report for the UN Committee on Economic, Social and Cultural Rights on the Implementation of Article 11.1 of the United Nations CESCR, written and published by The Arab Coordinating Committee on Housing Rights, Israel (ACCHRI), April 1996, pp. 67-68. This report is available from The Arab Association for Human Rights (HRA), Nazareth, Israel.

¹⁴⁴ CBS 1996 (Table 3.9).

¹⁴⁵ CBS 1995.

Within the Palestinian community, the difference between female and male infant mortality rates is unusually low, at 0.1 per 1000 compared with 1.6 in the Jewish community.

The two components of IMR are neonatal mortality and post-neonatal mortality.¹⁴⁶ In Israel, Palestinian neonates have one and one-half times the risk of dying as compared to Jewish neonates, and 3.5 times the risk of dying during the post-natal period as compared with Jewish post-neonates.

Detailed infant morbidity data in Israel is unavailable.

Mortality Rates of Children (ages 5 to 15)

The mortality rate of children between the ages of 5 and 15 is 3.4 per 1000 for Palestinian females as compared with 4.0 per 1000 for Palestinian males and 2.2 per 1000 for Jewish females.¹⁴⁷ After age 15, the difference in the mortality rates between the two sexes in the Palestinian community is almost equal to the difference between the two sexes in the Jewish community. The difference in the mortality rates between Palestinian and Jewish children, however, remains large. The mortality rate for Palestinian girls between the ages of 5-15 is one-and-one-half times higher than that of Jewish girls.

¹⁴⁶ Neonatal mortality refers to death which occurs within 27 days of birth and strongly relates to pre-, peri-, and post-natal care that both the mother and child receive. Post-neonatal mortality refers to death which occurs between 28 days to one year of birth, and reflects the living, socio-economic, and environmental conditions of the family.

¹⁴⁷ CBS 1995.

Possible explanations for this vast disparity are the absence of preventative health programs for children of this age, especially in schools, and the lack of accessibility to health services to the community.

Birth and Family Planning

Palestinian women in Israel have a higher fertility rate than Jewish women in Israel. The fertility rate discussed here is the number of births per 1000 women between the ages of 15 and 49. The general fertility rate among Palestinian Moslem women is 155.9, for Christian women 57.0, and for Druze women 113.7, while it is 71.8 among Jewish women.¹⁴⁸ The number of children a Palestinian Moslem woman is expected to give birth to in her life is 4.69, a Christian woman 1.81, and a Druze woman 3.51, as compared with 2.56 for Jewish women.¹⁴⁹

Medical care for women during pregnancy and in the post-natal period is provided at a nominal charge. Each family in which a pregnant woman or a child or both is a member must pay about NIS 300 (the equivalent of approximately US \$100) annually for the family clinic (the maternal and child clinic) and for doctors' and nurses' visits. Basic tests like blood tests and ultrasound examinations are covered by health insurance, but one of the tests for the detection of defects in

¹⁴⁸ CBS 1996 (Table 3.12).

¹⁴⁹ Id.

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the foetus has already been dropped from funding. The public health clinics now charge fees for protein tests and amniocentesis, and for carrying out other tests.

Health education programs for pregnant women are primarily the responsibility of doctors and nurses, mostly in prenatal care and child care clinics. Usually these health care providers give Palestinian women advice in the form of orders ("Do this," or "Don't do that"), without offering any information encouraging the woman to make choices for her. There is very little time spent on health education, and due to this lack of sharing of experiences, knowledge, and attitudes, the subject tends to be ignored.

Almost all births in Israel occur in hospitals. The government gives a sum of money for every baby born in the hospital, and this amount usually covers initial basic necessities for the newborn. Women generally remain in the hospital for three days after giving birth, but if a woman needs to stay for an extended period of time due to medical reasons, the public health insurance covers the cost of the remaining days. The maternal mortality rate is very low for both Arab and Jewish women.¹⁵⁰

Employed pregnant women have numerous legal rights. It is illegal to fire a woman from her job because she is pregnant; and a woman has the right to be absent from work for

¹⁵⁰CBS 1996 (Table 3.23). In 1994, only six women died "direct obstetric deaths."

prenatal care during pregnancy or for fertility treatment. Moreover, for an employed woman, national health insurance pays full salary for the first three months after the birth, so that the mother does not have to work during this time. Furthermore, after her return to work, a new mother's work time is decreased by 1 hour per day for the first three months, though she continues to receive full salary.

Regarding family planning, birth control is not considered a basic health service. Public health insurance does not cover the cost of contraception, so women must pay for it individually. Women who want to use birth control turn to gynecologists at Kupat Holim clinics¹⁵¹ or family health centers. Most typically, doctors prescribe contraceptive pills for women who have not previously given birth, and IUDs for women who have given birth in the past. Doctors often do not demonstrate the various types and functions of birth control to women, and usually rely only on dispersing pills and IUDs. Women usually receive very little information from doctors about other methods of birth control, which might better suit their needs.¹⁵² Palestinian women have limited access to family planning services, and lack education about family planning and contraception. Many still rely on unreliable methods of contraception, which often lead to unplanned pregnancies.

¹⁵¹ The health services in Israel are provided through the Sick Funds or Kupat Holim.

¹⁵² No study exists which examines and analyzes the specific family planning needs and related issues concerning Palestinian women in Israel.

Abortions

According to the new National Health Law, funding for an abortion is given only for medical reasons. The penal code prohibits doctors from carrying out abortions on women without the approval of a special committee defined by law. The committee is authorized to allow an abortion only in the following four cases: if a woman is under marital age (17) or older than 40; the continuation of the pregnancy could jeopardize the life of the woman or cause her medical or emotional harm; the pregnancy is the outcome of incest or extra-marital relations; and if the baby may have a congenital defect.

According to the law, the father of the foetus has no legal standing in the decision to continue or terminate the pregnancy, but in practice, the father usually makes this decision in the Palestinian community.

The number of Palestinian women who apply to the Commission for termination of pregnancy is relatively low, especially among Moslem women. This may be partly due to religious reasons, as there is a stigma associated with abortions, and Palestinian women tend to have fewer pregnancies out of wedlock.

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The following number of applications was made to the Commission in 1994 for termination of pregnancy, by religion:¹⁵³

<u>Religion</u>	<u>Absolute No.</u>	<u>Rate (# per 1000 women)</u>
Jews	14,593	15.8
Moslems	744	4.4
Christians	428	11.1

97% of the women who apply to the Commission for termination of pregnancy obtain such approval. The following table shows the numbers of approvals for termination of pregnancy by religion and reason granted in 1994:¹⁵⁴

Age	Danger Woman's to Woman	Malformed Foetus	Out of Wedlock Pregnancy
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¹⁵³ CBS 1996 (Table 3.17). No figures are provided for Druze women.

¹⁵⁴ CBS 1996 (Table 3.18). No figures are provided for Druze women. Total numbers vary slightly from Table 3.17, since not all applications for termination of pregnancy are approved.

Jews	3,664 (26%)	2,019 (14%)	7,008 (50%)	1,469 (10%)
Moslems	254 (38%)	201 (30%)	155 (23%)	64 (10%)
Christians	205 (52%)	71 (18%)	87 (22%)	28 (7%)

Women and the Internal Environment of the Home ¹⁵⁵

In addition to other variables noted above, health-related problems also arise from the immediate environment of the home. The immediate environment in this context includes the site of the house, the neighborhood, and the community. These issues are important for Palestinian women in Israel, as they generally stay at home and are primarily responsible for the home.

In the Palestinian community in Israel, housing and environmental factors increase home accidents and injuries.¹⁵⁶ The elderly Palestinian community, of which women comprise the majority, is particularly susceptible, since 40% of the 25,000 elderly Palestinians live alone, 40% of this group live in houses with bathrooms far from their bedrooms and often outside the house, and 82% have

¹⁵⁵ The information contained in this section is also found in "Housing for All?", see *supra* note 11, pp. 74-75.

¹⁵⁶ Poor housing and environmental factors also increase the chances for contracting infectious diseases. The particular relationship between housing, environment, and health, and how Palestinian women are particularly affected by the interconnectedness of these factors has not been studied.

incomes below the poverty line. Overall, more than 60% of Palestinian families have incomes below the poverty line, which makes it difficult for them to improve their homes and to sufficiently heat them. Most residential structures have stairways (frequently without railings), balconies, and big windows without safety glass, and lack internal doors; kitchen facilities are often limited, so that food and hot drinks are carried to other rooms. Most houses also lack safe heating equipment. In winter, open fires are used in some areas, which leads to air pollution and poor ventilation. Many houses do not have hot running water, and in winter, water for bathing is heated in the kitchen fireplace and carried to other rooms, increasing the likelihood of scalding injuries. Most young families build their own homes in the villages, and move into them before they are completed.

Many families also live in overcrowded apartments or houses. In 1995, the average housing density for the Palestinian population was 1.63 persons per room, as compared with 0.98 persons per room for the Jewish population.¹⁵⁷

Main Causes of Death Among Palestinian Women

Heart disease is the main cause of death among Palestinian women. There are many risk factors, which affect this group and lead to heart disease. Among these are obesity, lack of

¹⁵⁷ CBS 1996 (Table 11.9).

exercise and physical activity, and a diet, which is very high in cholesterol. Cancer is the second most common cause of death among Palestinian women; however, it is the main cause of death of women in the Jewish community. One reason for this difference may be that Palestinian women, in the past, tended to eat more fresh food and vegetables than women in the Jewish community, and were therefore less at risk for cancer. At the present time, there is a lower incidence of breast cancer in Palestinian women than Jewish women, but the gap between the two groups is closing due to changes in Palestinian women's nutrition - less fresh food and vegetables - and an increase in other risk factors among Palestinians.¹⁵⁸

Reports also show a high incidence of diabetes, high blood pressure, and other chronic diseases among Palestinian women.¹⁵⁹

AIDS

The Statistical Abstract of Israel (1996), Table 24.14, provides national figures concerning AIDS in Israel, by stage of progression of the disease, exposure category, and sex. It does not provide disaggregated statistics for Jews (male and female) or Arabs (male and female).

¹⁵⁸ See generally CBS 1996 (Table 3.23).

¹⁵⁹ According to local physicians

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The Jerusalem AIDS Project, NGO, estimates that the incidence of AIDS in the Palestinian community in Israel is currently very low - about 50 people. However, there are certain psychosocial aspects and changes in the Palestinian community, which increase the risk of HIV infection for both men and women.

Approximately 60% of the Palestinian population does not finish high school. Many men, and a small number of women, are employed in large cities. The transition from a traditional, conservative, close-knit community, to a largely anonymous city life style with no preparation or sex education has resulted in increased sexual relations with multiple partners and prostitutes. There is also an increasing rate of drug abuse, mainly among men, and an increase in travel to other countries.

In general, Palestinian girls do not have sexual relations before marriage, which decreases the risk of HIV infection for teenage girls. However, many Palestinian teenage boys engage in sex with prostitutes. This is accepted in the community, whereas sex with an Arab girl is strictly forbidden. When they decide to marry, Arab men typically return to marry Arab women, usually without revealing anything about their past relations.

The Unrecognized Arab Villages

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Nowhere is the inequity between Arabs and Jews in Israel more obvious than in the case of the unrecognized Arab villages. Some of these villages existed prior to 1948, while Arabs displaced by the war after 1948 formed others. Mostly Bedouin populates these communities, and most estimates place the number of inhabitants of these areas between 40,000 - 60,000. The National Planning declared the unrecognized villages illegal and Building Law (1965) when the land on which they sit was re-zoned as non-residential and ownership was claimed by the state. The villages are thus afforded no official status: they are excluded from government maps, they neither have local councils nor belong to other local governing bodies, and they receive no government services such as electricity, water, telephone lines, educational facilities, or health services. The government refuses to allow any physical infrastructure development and thus prohibits the building and repairing of homes, and the construction of paved roads and proper sewage facilities in these communities. The Israeli authorities use a combination of house demolitions, land confiscations, denials of services, and restrictions on infrastructure development to dislodge residents from the villages. Official government policy is to re-locate residents to government-planned localities in order to use the land for the creation and expansion of Jewish cities and towns.¹⁶⁰

¹⁶⁰ In 1994-1996, after a long political struggle by The Association of Forty, and other Arab NGOs and activists, the Labor government officially recognized 8 of these villages

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For the most part, Arab Bedouin families in the unrecognized villages live in simple wooden or sheet metal structures, and people and animals live in together in close quarters. The average age of the Bedouin population is very low: 64% of the Bedouin are under 19 years of age. There is a lack of schools and kindergartens, and children must travel great distances to attend the nearest school. Many students, especially Bedouin girls, drop out before completing high school.

The withholding of basic services has severely affected the health of all of the residents of these areas.¹⁶¹ There is limited primary health care (PHC) facilities provided by a few NGO-operated mobile clinics for the scattered population in the unrecognized villages, particularly in the Negev. Four PHC clinics, which had been established by The Galilee Society, were transferred to the Ministry of Health on the condition that the Ministry would operate them on a permanent basis. In January 1995, one of the four PHC facilities, located in the village of Arab Na'im

in the north, and promised to allocate millions of shekels to these communities to develop infrastructure and other services. The funds were not made available despite the agreement, and the current government is now calling for the withdrawal of recognition while establishing committees to re-examine previously designed development plans.

¹⁶¹ See "Housing for All?", supra note 11. To date, no study exists which particularly focuses on the health care of and other health-related issues concerning Palestinian women in the unrecognized villages in Israel.

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(population 450), was closed down by the Ministry of Health. The Ministry of Interior denied the facility the necessary permit to place a caravan or any other permanent or mobile structure on the land to house the clinic.

As a result of the lack of health care services, two thirds of Arab Bedouin women do not receive any prenatal care. The majority of the Bedouin are compelled to travel a long distance in order to receive medical attention. These women, especially, lack education about matters of family planning. The infant mortality rate among the Bedouin population is 23 per 1000 live births. The neonatal mortality rate in this community is 2.3 times higher than that in the Jewish community, and the post-neonatal mortality rate is 4.6 times higher.¹⁶² Many medical problems, such as urinary tract infections, miscarriages, and skin diseases, can be traced back to the poor and difficult living conditions in the villages and the lack of health services.¹⁶³

¹⁶² See "Housing for All?," supra note 11.

¹⁶³ Report of The Association for Support and Defence of Bedouin Rights in Israel (1995).

Personal Status and Family Laws (Convention Article 16)

Israel has entered a reservation to Article 16 of the CEDAW Convention. The text of the reservation states that "insofar as the laws of personal status binding on the several religious communities in Israel do not conform with the provisions of that Article" the government of Israel expresses a reservation.¹⁶⁴ This reservation is incompatible with the object and purpose of the Convention: It rigidly maintains the supremacy of Israel's religious communities without regard to whether religious laws applied in those courts discriminate against women. There is no indication from the Israeli government that it intends to re-consider its reservation with a view toward withdrawing it.

In Israel, issues involving personal status and family laws - marriage, divorce, alimony, custody and support of children, and property rights - are generally decided by religious courts according to religious law.

According to Article 51(a) of the British Mandatory Law of 1922, which is still applicable, all recognized religious communities in Israel have their own religious legal courts: the Rabbinical courts for Jewish citizens, and Moslem, Christian and Druze courts for Arab citizens. An individual's religious

¹⁶⁴ CEDAW Convention. Kitvay Amina 1035: 1991. p. 197.

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belonging determines which religious court has jurisdiction over her/his personal status and family law matters. The British Mandatory Law and subsequent laws enacted by the Israeli Knesset determine the jurisdiction of these courts.

In addition to determining the jurisdiction of the religious courts, the Knesset may enact civil laws, which are binding on religious courts. Civil laws have primacy in religious courts; in cases of conflict, civil law must be applied. An example of such a civil law is The Inheritance Law of 1965, which mandates that men and women be afforded equal inheritance rights. Although religious laws may state otherwise, religious courts are bound to apply the Inheritance Law in cases, which come before them. If a religious court does not apply a civil law, which is binding, an individual may appeal to a higher religious court and then to the Supreme Court of Israel.

Oftentimes civil laws contain exceptions to accommodate conflicts with religious laws. The main civil law that guarantees equality for women and men - The Women's Equal Rights Law (1951) - contains a provision, which states that the law does not apply to matters relating to marriage and divorce. Thus, this law, which boldly pronounces that women and men are equal, removes from its scope two main areas in which women and men are traditionally unequal and where women, most of the time, need the greatest protection. This law, in effect, allows religious courts

to continue to apply religious laws - whether or not these laws treat women in an unequal, discriminatory manner. Similarly, an amendment to the Family Law of 1959, a civil law which regulates alimony and child support matters, is not applicable to married couples whose personal status issues fall within the jurisdiction of religious courts; it only applies to mixed marriages (couples who are not subject to religious courts and religious laws).¹⁶⁵ Civil laws, in many instances, thus clearly afford priority to religious laws.

Sometimes, Israeli civil laws allow women to choose to which court system - civil or religious they may bring their personal status matters; this option, however, is not available to all women. Certain Israeli laws have vested concurrent or parallel authority in the civil courts on issues of child custody and support, alimony, and property rights, for Jews and Druze. For Christians, civil courts have concurrent jurisdiction with religious courts on issues of child custody and child support. Jewish, Druze, and Christian women thus have the option to choose between civil and religious courts on these particular personal status matters. The Moslem religious

¹⁶⁵ Part of this law's text:

Article 2a) For a person who as a matter of principle is obliged to pay alimony according to the religious law which applies to him/her, the rules of this [civil] law do not apply to him/her.

Article 3a) For a person who as a matter of principle is obliged to pay child support for his children and his spouse's children according to the religious law which applies to him/her, the rules of this [civil] law do not apply to him/her.

courts, on the other hand, retain exclusive jurisdiction over all personal status matters; Arab Moslem women do not have the option to choose between civil and religious courts.

For all religious groups, marriage and divorce remain exclusively within the jurisdiction of the religious courts. Couples cannot get civilly married in Israel today: Only religious marriages are permitted. Couples that do not want a religious marriage, or 'mixed couples' (couples of two different religions) must marry outside of the country, where civil marriage is permitted, and then register as a married couple upon their return to Israel. If a civilly married couple wishes to get divorced, they must apply to the President of the Supreme Court to decide which court governs their divorce. This procedure is very costly and time-intensive.

Weaknesses in the Operations of Religious Courts

The exclusive jurisdiction of the Arab Moslem religious courts and near-exclusive jurisdiction of Christian courts strengthen the importance of these courts, and make it all the more important that they work efficiently and maintain fairness. However, these courts' operations face severe problems:

(1) Lack of Government Funding for Non-Jewish Religious Courts

The Ministry of Religion supervises and allocates funds to all of the religious courts, and maintains a special department in

charge of each religious community. The Ministry of Religion, however, does not divide its budget in a manner proportional to the number of people each religious community represents: In 1997, only 2% of its total budget was allocated to Moslem, Christian, and Druze (MCD) religious communities.¹⁶⁶ Because the sum allocated to the Arab MCD religious communities is so small, the MCD courts lack facilities, personnel, and basic equipment, essential for operating in a professional manner.

For example, there are seven regional Moslem (Shar'ia law) courts. These courts should function full time to meet the heavy demand for them, but the Ministry, which is responsible for appointing the judges in religious courts,¹⁶⁷ has appointed only five judges for the seven courts. As a result, four of the regional Shar'ia courts function only part-time. Further, in all of Israel, there is only one Druze religious court, and this court has only one judge. There is no religious appeals court for the Druze community.

In general, in the MCD religious courts, minutes of court proceedings are written by hand, and there is no official law

¹⁶⁶ A petition has been submitted on this matter to the Supreme Court of Justice by Adalah: The Legal Center for Arab Minority Rights, claiming that the budget should be divided according to each religion's proportion of the country's population. Supreme Court file # 1276/97.

¹⁶⁷ The Ministry of Religion appoints judges in all religious courts except Christian courts.

reporter, which contains the decisions of the courts. Most MCD courts are located in old, small apartments.

Not only is the budget afforded to the MCD courts small, but also the Ministry often does not allocate the funds, which have been reserved. In 1993, the Ministry reserved NIS 2,700,000 for the Shar'ia courts, but allocated only NIS 1,300,000. In 1994, from a reservation of NIS 3,200,000, only NIS 2,200,000 was disbursed.¹⁶⁸ In 1993 and 1994, the Shar'ia courts have requested their full reservation, but the Ministry has claimed that it has no funds and has not honored the requests.

(2) Lack of Arab Women Judges

The MCD religious courts do not allow women to serve as judges. The entire religious legal system of power, which has significant or exclusive authority to decide personal status issues, thus does not permit women to hold this powerful, decision-making position. This situation calls into question these systems' respect for women in general, and makes it extremely difficult for women to make their voices heard.

Discriminatory Legal Practices

As noted above, religious courts generally decide cases according to religious laws, which, in many instances, discriminate against women and afford them a status inferior

¹⁶⁸ State Comptroller's Report 46: 1995. p. 269.

to that of men. The Israeli Knesset may enact civil laws concerning personal status issues, which are binding on religious courts and take primacy over religious laws. Although many such laws have been passed, enforcement of the civil laws by the authorities had been weak. The particular areas of concern to Palestinian women in Israel include:

a. Polygamy

According to Shar'ia law, men are allowed to have four wives. However, the civil law makes polygamy a criminal offense. Article 176 of the Penal Law (1977) prohibits polygamy and provides that "a married man that marries another woman, and a married woman who marries another man, should be sentenced to five years in jail." According to this law, polygamous marriage contravenes a woman's right to equality with men, and can have serious emotional and financial consequences for her dependents.

The enactment of the criminal law has not helped to improve the situation of women in polygamous marriages because the authorities to date have not effectively sought to enforce the law. The Ministry of Interior repeatedly ignores the official marriage registers, which oftentimes show marriages to second, third or fourth wives. This lax enforcement fosters a 'conspiracy of silence' around the issue. Official statistics provided by the National Police Investigation Department (NPID) in 1996 illustrate this point. In 1994, the NPID received

13 complaints of polygamy. Of these, three remain open, five have been given to the prosecutor's office, one has been prosecuted, and four have been closed. In 1995, the NPID received 21 complaints: four remain open, six have been given to the prosecutor's office, three are in the process of prosecution, six have been closed, and the results of two are unknown. These figures, which document only reported cases, represent a small fraction of the actual numbers of polygamous marriages in Israel.

Second, third or fourth marriages are performed in Israel, the Occupied Territories, and Egypt; some are registered and reported, while others are not. It is possible to track these marriages in cases in which women in the polygamous unions give birth. When women give birth, the hospital records the name of the father, and automatically gives all of the birth information to the Ministry of Interior. The Ministry of Interior thus has written records of the same man noted as the father of children with different women. The long-storied failure of the system to track and to punish these men disappoints women and encourages them to remain silent.

b. Forced Marriages

A woman's right to choose a spouse and to enter freely into marriage is central to her life, and to her dignity and equality as a human being. Therefore, a woman's right to choose when, if, and who she will marry must be protected and enforced by law. Although the freedom to choose when

and whom to marry is generally considered a fundamental basic individual right, no civil or religious law specifically protects this right.

Three widespread “forced marriage” phenomena exist in Israel, particularly in the Moslem community and especially among the Bedouin:

1. Their fathers or other male relatives sell young women to significantly older men for marriage. These women are not asked to consent, nor is their approval obtained.
2. Families often decide from their daughter's day of birth, whom she will marry when she reaches marriageable age.
3. In some cases, women do not sign their own marriage contracts, but rather have their fathers or other male relatives sign it. The Ministry of Interior has the ability to track these cases by checking the signatures on the marriage contracts registered with the Ministry, but it has done nothing. A marriage contract signed by a woman's male relatives, and not by her, is challengeable in the courts; no cases of this nature have been pursued to date.

c. Divorce

‘Ela'sma’ is a concept in Shar’ia law, which gives power to one member of a married couple. According to this

concept, a spouse who has Ela'sma has the power to decide if and when to divorce his/her partner. As a rule, men retain Ela'sma unless there is an agreement between the couple which states otherwise; in practice, this type of agreement is rarely made. Thus, in the overwhelming majority of cases a husband need only say to his wife, "You are divorced" in order to divorce his wife; no other reason need be given, nor is the woman's opinion or position considered. Further, if the husband tells his wife "You are divorced" three times, she must marry another man and get divorced in order to re-marry her original husband. The Shar'ia courts in Israel today uphold these divorce practices, considered by some to be common occurrences. Druze men also have a practice similar to Ela'sma available to them. For Christians, divorce is not allowed under Catholic practice, but is allowed for other denominations. Arab women thus retain little power in regard to their own divorces.

In addition, once an Arab woman is divorced, the Interior Ministry refuses to register her children in her passport or issue a passport to her children without the signature of her former husband. This practice limits the ability of Arab divorced women to travel with their children. The Interior Ministry does allow Jewish divorced women to register their children and

get them passports without the consent of their former spouses.¹⁶⁹

d. Child Custody

According to Israeli civil law, all courts that decide child custody matters, civil or religious, must determine the issue according to two main principles: the best interest of the child, and the equal right of the two parents to custody over the child. In order to determine the best interest of a child, civil court judges order a report prepared by a specialized social worker, which details the particular circumstances regarding the welfare of the child. Civil court judges usually determine the cases according to the social workers' recommendations, unless there are unusual circumstances obliging the court to decide otherwise. Religious court judges, on the other hand, are not required to obtain these special reports, and rarely request them. In the few cases in which such a report is ordered, the religious court judges often do not take it into account in their decisions. This problem is most severe in Moslem religious courts, as these courts usually do not consider the best interest of the child. In general, the courts award custody of children up to 6 years old to the mother, and then automatically move the children to the father when they reach the age of 7. Moreover,

¹⁶⁹ A pre-petition has been submitted to the General Attorney's Office by Adalah: The Legal Center for Arab Minority Rights, claiming that these regulations constitute discrimination against Arab women and violate their rights.

Moslems are the only religious group, which does not have the option of going to a civil court for this issue.

e. Marital Property

According to the Financial Relationship Law of 1973 (a civil law), property gained during marriage is owned equally by both partners. However, many Moslem marriage contracts contain a provision stating that in the case of divorce, the couple agrees that religious law solely governs.¹⁷⁰ Religious courts uphold this agreement as binding on both parties. This provision works to completely dispossess women of their right to property gained during marriage, as solely the husband usually owns all of this property as it is registered in his name.

f. Child Marriages

The Vienna Declaration and Program of Action, adopted by the World Conference on Human Rights (1993), urges states to repeal existing laws and regulations and remove customs and practices which discriminate against and cause harm to the girl child. Article 16(2) of the CEDAW Convention and the Convention on the Rights of the Child preclude States Parties from permitting or giving validity to a marriage between persons who have not reached the minimum age for marriage. In the context of the CRC and the CEDAW

¹⁷⁰ As a result of the efforts of women's organizations', the Shar'ia appeal court has issued an order which states that before a woman signs her marriage contract, the muezzin (the official who performs the marriage ceremony) must explain the full details of the contract to her. The woman must fully understand the contract and agree to it before it can be finalized. See the decision of the Haifa District Court, file #1799/89.

Committee's recommendation, the term "child" describes every individual below the age of 18 years.

According to Israel's Age of Marriage Law (1950), marriage is permitted for young women and men at age 17. According to this law "A person who has done one of the below-mentioned acts:

- a) Marriage to a minor;
- b) Prepared a marriage, or helped in any way in preparing a marriage, or was connected to preparing a marriage, to a minor;
- c) Was a father or guardian who convened the marriage of the minor under his custody, must be sentenced to two years in jail or pay a fine."

The authorities do not effectively enforce this law. In many cases, male relatives arrange girl-child marriages; the girl-child is not a participant, nor does her permission or agreement enter into the decision. Some child marriages are performed in Israel, and others are performed abroad. In almost all cases, the files or marriage contracts are stored until the child reaches the age of 17 and are then registered with the Interior Ministry.

According to the 1996 Statistical Abstract of Israel:

In 1995, 1,558 Moslem, 28 Christian, and 157 Druze young women (aged 17 and under) were married. Of child brides (under 17), there were 15 Moslem, 4 Christian, and 2 Druze

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young women who married.¹⁷¹ It is likely that a much larger number of child marriages took place, but was not reported.

In 1993, 716 women (up to age 19) had their second to fourth child. Only a child married under the age of 17 could have two or more children by age 19.¹⁷² Again, this figure most likely underestimates the actual situation.

The National Police Investigation Department (NPID) reported in 1996 that during the entire period of 1990-1995, it knew of just 7 cases of child marriages. Of those 7 cases, NPID noted that five have been closed and two convictions were obtained.

There are various signs, which indicate the existence of child marriages, and a simple check by the Interior Ministry could clarify the situation. For example, as little to no Palestinian births occur outside of marriage, a 17 year old young woman who informs the Ministry of Interior of her marriage, and at the same time says that she has children, was most likely married under the legal age. Moreover, all women who give birth in a hospital in Israel must show their identity card, which lists the date of birth; since all hospital births are automatically reported to the Ministry of Interior, it would not be difficult to reveal child marriages. The authorities, however, usually ignore these circumstances, and prefer not to get involved.

¹⁷¹ CBS 1996, p. 110.

¹⁷² CBS 1995.

Violence Against Women (Convention Articles 2, 5, 11, 12, and 16)

In the Palestinian community in Israel, the causes of violence against women - whether sexual, emotional, or physical - do not significantly differ from those in other patriarchal societies where a woman is considered the property of her male relatives. Palestinian men claim sole emotional and physical rights to women's bodies and souls. They dominate women physically, sexually, psychologically, economically, and socially.

A Palestinian woman in Israel against whom violence has been committed and who seeks help faces social and religious societal norms which legitimize gender-based violence; an often unsupportive judicial and social-welfare system; her own internal feelings of guilt and shame, and her economic and social dependency on others. Until approximately ten years ago, violence against women was considered a taboo subject in Israel - something that had to be dealt with exclusively within the domestic sphere. Only within the last four years have women's organizations and women's rights activists finally succeeded in opening the issue for public discussion and in creating new and varied support systems for women.

Family Honor Killings

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Every year, Palestinian women and girls in Israel are murdered by their family members for a perceived desecration of the code of so-called "family honor." All women must follow rules of behavior, which are subject to the discretion of their male relatives - including husband, father, brothers, uncles, and cousins. These rules are loosely interpreted according to what each family and individual family members consider acceptable, and any transgression is perceived as destroying the good name of the family. A woman who is seen as violating these rules is considered deserving of punishment, which is also subject to the discretion of her male relatives. Punishment can range from locking a woman in her home and thus isolating her from social contact, to beating and insulting her, to murder.

Women's organizations in Israel have documented 52 cases of Palestinian women who were murdered in the name of upholding their so-called "family's honor" in the last seven years.¹⁷³ However, this number does not reflect the full extent of the problem, as many women are missing, and their fate is unknown. Palestinian society approves of family honor killings, and absolves the murderer of personal responsibility for his crime. The murderer is seen as a victim of society, which expects and even pressures him to act in order to "clean"

¹⁷³ This number is based on reports documented in the Israeli press, and the work of 'Albadeel' (The Alternative), a coalition of organizations and individuals which was established following the murder of Ichlas Qanaan, from the village of Rameh, in 1994. 'Albadeel' monitors trials and legal decisions regarding the murder of women in the name of "family honor." Additional statistics have not been compiled.

the family's name. Family members of the murdered women often cooperate with the murderer.

In October 1996, Amer Hasson (27 years old), from Daliyat al Carmel, a village near Haifa, stabbed his sister (Ibtihaj Hasson, 41 years old) to death in the courtyard near their family's home, in front of many village residents; her "crime" was living on her own without a man. Following her murder, Ibtihaj's body was hung in the street and neighbors gathered around to clap hands, dance, and sing in joy. The village residents were eager to be photographed and interviewed by the press assembled at the site, because they wanted to convey the message that Amer, the murderer, was a hero; that all of the men should be like him, and that women like Ibtihaj deserve to be murdered. Following this incident, the men of Daliyat al Carmel circulated a "black list" containing names of women who should be murdered because of their behavior.

Judicial proceedings are often influenced by the fact that Palestinian society condones family honor killings to protect the good name of the family. Most judges, as well as the police, continue to regard this problem as the private concern of the family and as a phenomenon that stems from the social norms and values of traditional Palestinian society, thus concluding that their judgments must be sensitive to these cultural concerns. In their desire to "fairly" weigh the norms and values of Palestinian society, many judges accept

the argument that the murderer lost control of him in a moment of temporary insanity. These judges view the murderers as victims of the same values and norms, which justify the killing of women under the guise of "family honor." This phenomenon is also apparent in the manner in which the state prosecutor charges the accused: Rather than pursuing a charge of pre-meditated murder, the accused is often charged with manslaughter, a crime that carries a lesser sentence.¹⁷⁴

Likewise, there are many problems with the ways in which Israeli police handle cases of Palestinian women and girls whose lives are endangered by their families. Palestinian women who file complaints with the police are often not taken seriously and their problems are ignored. Frequently, they are returned home due to the widely accepted belief that the place of a Palestinian women is in her home.

In Ramle (outside of Tel Aviv), ten Palestinian women have been killed in the last nine years in order to preserve their families' good names. The police have not arrested any suspects due to a "lack of evidence." The investigations into these instances, according to the police, have been very complicated, and as such the police have had a difficult

¹⁷⁴ There is no judicial discretion in sentencing in cases of pre-meditated murder; it carries a mandatory sentence of life imprisonment. The punishment for manslaughter, on the other hand, ranges from seven to twenty years, and is at the discretion of the court. Where sentencing is at the discretion of the judge, factors such as age, prior record, and display of regret are all considered.

time gathering evidence.¹⁷⁵ One incident which highlights the negligence of the Ramle police is the murder of Amal Mosrati in 1991. Amal fled from her parents' home, as her life was in danger, and turned to the police for assistance. She was returned home by the police after they secured a promise from her parents that they would not harm her. Two days later, Amal was found dead.

At the beginning of 1996, Masra Ma'adi (20 years old) was killed by her brother Adwan (24 years old), who crushed her skull with a rock after kidnapping her from the student dormitory where she lived. A few months earlier, Masra had filed a complaint with the police against her father, who beat her, and her sisters. Family members pressured her to recant her complaint, and when she refused, they threatened to kill her. When she began to fear for her life, Masra returned to the police and asked for assistance and protection. The police disregarded her plea for help, and several police officers pressured her to cancel her complaint and return home.

Domestic Violence

Domestic violence is inflicted on thousands of Palestinian women each year by male relatives and/or spouses. This violence is often inflicted with the intention of merely

¹⁷⁵ *Ittihad*, January 31, 1997.

frightening a woman, but at other times it is truly intended to injure her.

The Ministry of Internal Affairs (the Israeli police) reported in 1994 that over 200,000 women in Israel, or one out of every five married women, are battered repeatedly. The Ministry of Labor has found that in one out of every four families there is chronic physical violence against women and/or children.¹⁷⁶ These figures are based on the available general statistics, and do not relate to Palestinian women in particular; however, women's organizations and other researchers estimate that the domestic violence rate in the Palestinian community does not deviate significantly from this national figure. Recently, Dr. Mohammed al Haj Yehiye¹⁷⁷ conducted research on domestic violence in the Palestinian community, and found that 25% of Palestinian women are physically abused at least one time per year; 50% are physically abused at least once during the duration of their married life, and 0.5% are physically abused on a weekly basis.

In June 1991, the Knesset passed "The Prevention of Domestic Violence Act" (PDVA). This law regulates the issuance and contents of restraining orders, and the procedures and penalties for their violation. Restraining orders restrict violent men from entering their homes or the

¹⁷⁶ Data for this study was compiled from welfare offices in both the Jewish and Palestinian communities.

¹⁷⁷ Dr. al Haj Yehiye, Professor of Social Work, formerly with the Hebrew University of Jerusalem, conducted a survey of Palestinian women and reached these results.

areas where their families live. According to the law, the violent man may not harass his family in any way or in any place, and he is forbidden from preventing his spouse from using their property even if he has rights to that property. A restraining order can be issued by the upper or lower courts, and requires the presence of only one party for issuance. Further, the police may also issue a temporary restraining order (for up to thirty days), and also may arrest him for up to 48 hours, depending on the circumstances of the case. In cases of extreme violence, requests for an extension of this period may be made. The PDVA law, however, does not adequately safeguard battered women in general or battered Palestinian women in particular.

In the Palestinian community in Israel, extended families typically reside in the same multi-level home or in close proximity to one another. Young couples generally live above the home of the male's parents, and very close to his other male relatives. The most commonly issued restraining order requires that the violent husband stay away from the house, but is insufficient if the woman continues to live in the home, as she is surrounded by her husband's family, who often continue to threaten or abuse her. Moreover, the husband's family usually gives him a place to live, in close proximity to his wife. Many Palestinian women thus feel that such a restraining order does not effectively protect them from their violent spouses.

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Moreover, many police officers do not serve the restraining order directly on the violent man, but give it to the woman to give to her husband. This practice further endangers the woman and may prevent her from utilizing the order.

There is also a lack of awareness about the existence and importance of the PDVA. Many women are unaware of their options under the law, and if they are aware, they are not always capable of dealing with the bureaucracy and red tape that is involved in taking advantage of the law. The police and the legal system can be very threatening and overwhelming, and for the most part Arab women are not ready to take on the system on their own. The majority of these women are often not fully fluent in Hebrew, and therefore they are limited in their ability to express themselves in the language used in court. Sometimes, these women arrive at court without legal representation, while their husbands hire lawyers to represent them - a situation which reduces the chance that the woman will succeed in obtaining an order of protection. There are many cases of violence in which the court has denied orders of protection, deeming the crime not serious enough to warrant such an order. It is also true that, despite the new law, light sentences are imposed (e.g., fines or community service) in cases where orders of protection are violated. These punishments are not significant deterrents against future abuse.

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The following court rulings, published in the local press in 1995, illustrate these points, and indicate how difficult it is for women to receive adequate protection:

1. January 1995: In the Acre district court (Beit Mishpat Shalom), a man stood charged with beating his wife for eleven years. The woman decided to file a complaint with the police because she feared that her husband planned to actualize his threats to kill her. Her husband denied the accusation, admitting only that he had pushed her against a wall. The police asked the court to extend the man's detention until the end of the legal proceedings, but the request was denied, and he was released on NIS 2,500 bail.
2. March 1995: The district court in Hadera released a man who was charged with beating his wife so badly that she was hospitalized. The conditions of his release were a bank check and a promise that he would not leave the country. The judge also added that he would be willing to accept a signed agreement by respected members of the couple's village stating that they would take responsibility to guarantee that there is peace in the couple's home (Shalom Bayit).
3. March 1995: The district court in Acre sentenced a man who was convicted of abusing his wife (including beating her all over her body, throwing her on the

ground, sitting on her, beating her in the head, and causing damages that required medical treatment) to a suspended sentence of two years, on the grounds that "serious damage wasn't done to the woman." In spite of the fact that the husband had a long history of abusing his wife, which was brought to the attention of the court, and in spite of the husband's confession to beating his wife, no jail term was imposed.

4. August 1995: The police asked the Acre district court to extend the detention of a man who was charged with beating his wife all over her body to such a degree that she needed medical treatment, and threatening to set her on fire with the house. The police requested an eight-day extension of detention in order to complete their investigation. The judge denied their request, and agreed to extend the detention by only two days.

Sexual Abuse

The term "sexual abuse" includes all sexual acts or behaviors forced on a woman without her consent, including harassment on the street or on the telephone, the exposure of sexual organs, incest, and attempted rape, rape, and gang rape.

In Israel, one in every four women is sexually abused at least once before the age of 18. Women's organizations estimate

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that at least someone known to the victim, such as a family member, boyfriend, or other community member, commits 70% to 90% of the cases of sexual abuse. Of these cases, 60% are incestuous; the victim often does not report the sexual abuse, which may have occurred repeatedly over many years.

In all of Israel, there is only two rape crisis centers, which serve the Palestinian community: one located in Haifa, and one in Nazareth. Together, these centers receive approximately 250 calls per year; the Haifa Rape Crisis Center, which serves both the Jewish and Palestinian communities, reports that approximately 20% of all calls are from Palestinian women. Statistics compiled by these centers show that most incidents reported by Palestinian women and girls are of incest or rape by an acquaintance. It should be noted, however, that these figures reflect a small portion of the extent of the problem of sexual violence in the Palestinian community. Many women choose to keep sexual abuse secret rather than expose themselves to the scrutiny and judgment of their families, neighbors, and community.

The rape crisis centers' statistics show that only 20% of all women victims of sexual violence file complaints with the police, and that the majority of these complaints never go to trial because the cases are closed due to lack of evidence. Many victims of sexual violence do not immediately report the crime, further complicating the process of collecting

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evidence and bringing the case to court. Over 50% of the Palestinian women who turn to the Haifa Rape Crisis Center for assistance do so more than one year after the actual incident has occurred. These women are often young and unmarried, and have kept their sexual abuse to themselves for a long time. In general, these women do not share their stories with their family members, and are extremely concerned that their confidentiality is respected.

There are many reasons why few Palestinian women report instances of rape and sexual violence. First, not all women know that rape crisis centers exist, or that they can receive confidential support and assistance in Arabic. Second, many Palestinian women are not free to use the telephone without the supervision or presence of their family members. Third, many women lack the awareness that sexual violence is a violation of their fundamental rights, that it is against the law, and that they have a right to live free of violence in their homes and communities. Fourth, few Palestinian women, like their Jewish counterparts, have the courage and strength to undergo the trauma of reporting an emotional experience as painful as sexual violence. Additional difficulties in reporting cases of sexual abuse may stem from fear of the attacker; feelings of responsibility for the unity of the family, and fear of not being believed. Women who are sexually harassed at work often fail to report it for fear of being fired and losing their source of income. Women who are raped by their spouses often do not report it because of the

society's view that sex is the wife's duty. Marriage contracts often make the woman the man's property, so that she is obliged to fulfill his needs - including sexual ones - at any time and in any way he desires.

Even when sexual violence cases are brought to the courts, the triviality with which they are treated may further deter women from bringing cases forward. The legal system does not consider rape to be a serious crime, and legal proceedings may often be slanted in favor of the assailant.

In March 1988, the Knesset passed an amendment to the Penal Code of 1977 concerning the punishment of rape crimes. At the heart of the law are changes in the definition of rape and in the relationship of the law to the rape victim. In the past, the law viewed rape as a moral offense, but today it is recognized as a crime against an individual. However, societal attitudes, as well as judges who sentence convicted rapists, still seem to view rape not as a violent crime but rather as a less serious offense having to do with personal relations.

Articles 345-353 of the Penal Code relate to punishment for sexual crimes, including rape, statutory rape, sodomy, sexual assault, incest, and public misconduct. The law states the maximum punishment for each crime, but in practice the courts rarely impose maximum sentences. There are no mandatory minimum sentences for these crimes; so individual

judges retain absolute discretion in sentencing. A review of sexual abuse cases illustrates that judges often impose light sentences for serious sexual offenses, as they consider the attacker's age, his emotional health, and his previous record in passing sentence. The rape victim is considered a witness to the crime, so she is denied access to a large part of the legal proceedings (including plea bargaining and sentencing). Further, in sexual abuse cases, the state is responsible for the prosecution, so the district attorney represents the victim. In contrast, the accused is often represented by a private lawyer, and therefore has the option of paying for the best possible defense. It is therefore not surprising that women do not have faith in the judicial system, and do not report most incidents of sexual abuse.

Palestinian women face an additional barrier - language - on top of the difficulties already enumerated. In many instances, the prosecutor does not adequately prepare the woman for the proceedings, and the court does not supply necessary Arabic translation. Without this translation, the woman often loses confidence and cannot adequately testify.¹⁷⁸

Police Shortcomings

1. Lack of guidelines

¹⁷⁸ Information on court proceedings comes from Court watch (a project of the Haifa Women's Coalition which has monitored decision-making, evidentiary issues, and other matters arising in legal proceedings in cases of violence against women since 1993-4).

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The lack of police guidelines on how to deal with cases of physical or sexual violence against women leaves the handling of these cases up to the discretion of individual police officers, station chiefs, and investigating officers. Most law enforcement officers have not undergone any gender-sensitive training on the subject of violence against women, and are inadequately prepared to deal with it. Many police officers try to persuade women to reconcile with their spouses, rather than registering or investigating complaints. Cases are also often closed because of lack of "public interest," or canceled solely on the basis of a telephone conversation with the woman complainant. Medical examinations are not always carried out, despite the fact that the results may be vital evidence in a sexual-abuse case. Moreover, complaints are not immediately investigated, and often a long period lapses before an investigator is even assigned to a case.¹⁷⁹

Recently, women's organizations¹⁸⁰ have begun to implement training workshops to raise the level of awareness of violence against women among police officers who work in the Palestinian community. These groups train the officers to work with women victims of abuse. These training sessions have been implemented at the initiative and the expense of

¹⁷⁹ Based on information from hotlines and shelters

¹⁸⁰ The Haifa Rape Crisis Center, The Haifa Battered Women's Hotline, and Women Against Violence.

the women's organizations, and are not mandatory for the police officers.

2. Lack of Palestinian women police investigators

In all of Israel, there are only two Palestinian female police investigators: one in Nazareth, and one in Acre. Thus, in most police stations that serve the Palestinian community, women victims of sexual violence are interrogated by male police officers. Palestinian women victims are typically extremely uncomfortable when interrogated by male investigators, especially when reporting a rape, due to the many intimate questions they are asked to answer regarding the attack. Furthermore, the male police officer may very well be a relative of the victim or even of the offender. In instances where the police officer knows the victim and/or the offender,¹⁸¹ this situation can cause feelings of shame or discomfort on the part of the victim, which would then limit her willingness or ability to file a complaint or describe in full detail what she underwent; improper handling of the case due to the police officer's relationship to the complainant and/or the accused; violations of confidentiality, or unwillingness to intervene or investigate the complaint in order to avoid a potentially uncomfortable or compromising situation.

¹⁸¹ The Palestinian community, which is dominated by large and extended families, offers little opportunity for anonymity.

Government Policy on Issues of Violence against Women

Israeli government policies have demonstrated a consistent lack of consideration for issues of violence against women. A minimal amount of funds have been allocated to deal with these concerns; these funds do not even approach what is needed to adequately assist women victims or to prevent instances of abuse. Prime Minister Netanyahu publicly announced the allocation of 3 million shekels (NIS), approximately US \$1 million, to be used on an anti-sexual-violence campaign, but much of this money has yet to be spent; the media has reported recently that the budget for the campaign has been cut to 1.5 million NIS. Figures are not available as to the amount of funds designated for Arabic language media, brochures, or other materials, nor are Working Group members aware of any Arab women who participated in designing the campaign for Arab audiences. The problem of violence against women in general is marginalized, and violence against Palestinian women in particular is considered a specific problem of the Palestinian community. The Israeli government shirks the bulk of its responsibility for solving the problem, and blames it on the societal norms of the Palestinian community - as if violence exists only within the Palestinian community.

The Ministry of Labor and Social Affairs, which is responsible for programs and assistance to women victims of violence, is poorly funded and inadequately staffed to address the problem. Further, there is a large discrepancy between the

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amount of resources allocated to the Jewish community and that allotted to the Palestinian community, with the latter critically under-staffed and under-funded.

The Division of Services for Women and Girls within the Ministry of Labor and Social Affairs, which is responsible for the professional supervision of shelters, has only one full-time staff position for work with women in the Arab community. This position is divided between two social-welfare offices: one in the village of Rina in the Galilee, and the other in Jerusalem. The Ministry also has ten full-time positions (made up of 20 part-time workers) for work with Palestinian girls and young women in distress. In contrast to these figures, there are 130 Jewish-community positions for workers dealing with girls in distress.

Furthermore, a programmatic change may be made that would decrease the attention and resources devoted to women victims of violence to an even lower level. Since the 1980s, the Division of Services for Women and Girls has been separate from the Division of Services for the Individual and Family; this allows it access to greater resources, greater public attention, and more respect. This Division works with women victims of violence; one of its tasks is to allocate resources to run and operate new shelters. A new governmental plan has been proposed to cancel the special treatment of women and return the budget and supervision

of the Division of Services for Women and Girls to the Division of Services for the Individual and Family.

Shelters and Prevention Centers

The Israeli government runs two domestic violence prevention centers in the Palestinian community in Israel - one in Nazareth and one in Tirah - to serve the entire Arab population. These centers provide treatment and counseling for couples that have physically violent and abusive relationships, and they are staffed by Palestinian social workers.

The Ministry of Labor and Social Affairs also partially subsidizes shelters for women and girls, which are all operated by NGOs. Excluded from the government's allocations, however, are the shelters' expenses for childcare, legal aid programs, volunteer training seminars, and consciousness-raising workshops. Thus, the shelters must raise substantial additional funds from private donors. These shelters are chronically under-staffed and cannot meet all of the needs of the women whom they serve. For example, most shelters do not have critically needed staff psychologists or lawyers to assist women in reaching long-term solutions. In addition, limited resources exist to help women regain their independence in the interim period when they are leaving

an abusive partner, filing for divorce, and waiting for housing subsidies and job training programs.¹⁸²

Only one long-term shelter serves battered Palestinian women, out of ten existing shelters in Israel. This shelter was founded in 1993, and is located in a Palestinian village in the Galilee, in the north of the country. It is run by Women Against Violence (WAV), a Palestinian NGO, and is partially funded by the Ministry of Labor and Social Affairs. The shelter has bed space for 12 women and 20 children. 240 women and 337 children were housed in this shelter between January 1993 and April 1997. Between 80 and 100 requests for shelter are refused annually for lack of space. Occasionally, the shelter accepts women and gives them children's beds due to shortage of space. Women who have more than four children or who have sons over the age of 12 are not eligible for shelter.

Other than this battered women's shelter, the only other facility with a Palestinian social worker to assist Palestinian women is the short-term Haifa Women's Crisis Shelter. This shelter was founded in 1995 to house women on an emergency basis when shelter is not available in long-term facilities. It is the only emergency shelter in the entire country. In 1996, this shelter received 119 women and 168 children in total; 47% of the women were Palestinian, as were 58% of the children. It has one part-time Palestinian social worker, one

¹⁸² WAV runs the only halfway house for Palestinian women.

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part-time Jewish social worker, and one part-time social worker to deal specifically with children. There are 25 beds for women and children, plus two infant cribs. No other shelters in Israel have Palestinian staff or lawyers or are near Palestinian schools, and they are therefore inadequate to meet the needs of Palestinian women victims of violence. Because of this lack of shelter space, many Palestinian women remain in the short-term, "emergency" shelter for long periods of time. This shelter thus is often full, and many Palestinian women are turned away for lack of space (approximately 25% of those who request space). Others stay at home, knowing that the shelter is full. Like the WAV shelter, this shelter attempts to cope with the overcrowding by prohibiting women from bringing children over the age of 13 and limiting the number of children a woman can bring.

Women who are drug addicts or prostitutes, or who are mentally ill, and who also suffer from domestic violence, are not accepted into the battered women's shelters. There is no facility in Israel, which offers these women protection, despite the fact that they are often in serious danger. The painful message this circumstance sends is that it is more acceptable to abuse such women, and that shelters have no obligation to help or protect them.

Further complicating the situation, many Palestinian women refuse to turn to the existing shelters for assistance. The following circumstances may contribute to this refusal:

1. **Social stigma** - A woman who leaves her home is considered to be someone who works for the destruction of her home and family, who reveals family secrets to strangers, and who is irresponsible and therefore not worthy of respect. A good woman sacrifices herself for the sake of her children and works to bring "peace" to the family;
2. **Economic dependence** - Most women are unable to manage their lives independently after leaving battered women's shelters, and therefore the majority return home despite continued violence and abuse. Very few women are able to succeed with their own resources and strength after the transition period of being in a battered women's shelter;
3. **Threat of physical harm** - Women who leave their husbands are often in physical danger from their husbands or ex-husbands, or from their relatives, who often pressure them to stay with their husbands;
4. **Reluctance to contact social welfare offices** - The shelters requires women to fill out forms from the social welfare office with which they are geographically affiliated. These forms are necessary in order to arrange Ministry of Labor and Social Welfare funding for the women. Arab women from the villages often do not agree to contact

the social workers, either because they are acquaintances from the village or because they are related to them.

Shelters for Girls in Distress

There is only one shelter for Palestinian girls whose lives are in danger. This shelter is run by Women Against Violence, and is fully funded by the Ministry of Labor and Social Affairs. This shelter can accommodate up to nine girls, though in many cases the staff is forced to accept more. The shelter serves girls and young women aged 12 to 25, who can remain in the shelter for up to three months. From the beginning of 1994 until the end of 1996, 316 girls and young women were housed in the shelter.

Two other houses, funded by the Ministry of Labor and Social Affairs, offer less protection and are designated for young girls who are in the process of rehabilitation. One is a hostel for young girls, which offers a closed and protected environment for up to 14 girls between the ages of 14 and 18. However, there have been many instances in which the process of accepting a girl to this hostel has been delayed for bureaucratic reasons, including the preparation of a social worker's report, parental refusal to agree to let their daughter stay in the hostel, negligence of the social worker or child welfare officer, or delay in filing the proper forms.

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The second facility is a transitional housing project run by Women Against Violence, and funded in part (50%) by the Ministry of Labor and Social Affairs. This house can accommodate six young women between the ages of 18 and 25. Despite space limitations, this facility often accepts more than six women.

Emergency Hotlines

There are four hotlines that provide emergency services to Palestinian women victims of domestic violence. Two hotlines are sponsored by voluntary, non-profit organizations (in Haifa and Nazareth), and two are sponsored and operated by the Ministry of Labor and Social Affairs through the family counseling centers (Nazareth and Tirah). The NGO hotline in Haifa also deals with other sexual abuse issues; as does another line the NGO reserves exclusively for rape and sexual abuses.

The hotlines, which are run by non-profit organizations, are funded mostly by donations from overseas foundations, with little government funding. These hotlines provide assistance, support, counseling, and accompaniment services to victims of violence, and also work to raise awareness about domestic violence in order to change social values. A limited staff of Palestinian social workers and project coordinators recruit, train, and supervise the volunteers who staff these hotlines. These social workers also provide direct

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assistance to Palestinian women who call the hotlines, and lecture in the community. These hotlines provide support and assistance each year to approximately 700 Palestinian women who call for advice, support, and counseling regarding domestic violence. The two government-operated hotlines provide family counseling for couples.

These hotlines received 1,300 requests for assistance from women victims of abuse from the beginning of 1995 through April 1997. Due to intensive public education efforts by women's organizations, including massive distribution of the hotline numbers, the number of calls each month is increasing. However, the majority of women are still not willing to come forward to ask for assistance for all of the reasons cited above (e.g., social stigmas, lack of economic independence); the number of calls thus does not reveal the true extent of the problem of sexual abuse.

A sample case: A woman in her sixties had been the victim of violence and abuse at the hands of her husband for years. She had preferred to suffer in silence and not leave her home because of her concerns for her children. When she turned to the hotline for assistance, it was the very first time that she had told anyone what she had suffered (and was continuing to suffer). She waited until the day after her youngest son's 18th birthday to complain, apparently because she had fulfilled her obligation towards her children and no longer felt obliged to suffer in silence; the time had

come to care for herself. This example is not an exception - it is indicative of the reality in which many women live.¹⁸³

The Role of Women's Organizations

Women's organizations fill various direct-service provision roles not provided by the state. As described above, these organizations operate hotlines and run shelters to offer emotional support, assistance, counseling, and accompaniment to services to women victims of violence and their family members. They may follow sexual abuse investigations, intervene in order to expedite the court process, and act as the victim's advocate. In addition, women's organizations have taken responsibility for training and raising the awareness of officials who are involved in cases of violence against women (e.g. police officers, judges, social workers, various professionals).

Furthermore, women's organizations are the only national institutions, which sponsor projects to raise awareness about the status of women and violence against women. These projects aim to teach people about the extent of the problems which women face and counter stereotypes, in order to change social positions. These projects also try to encourage women to break the silence and ask for assistance.

¹⁸³ The Haifa Battered Women's Hotline handled this case.

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A no less important role played by women's organizations is lobbying government authorities to change policies, which are harmful to women (and to Arab women in particular). These organizations challenge all approaches, which view women victims of violence as blameworthy. They view the problem of violence against women as a social problem whose solution will come with the eradication of a social structure that has placed women in a low position. Violence is not the problem of individual women, and women should not need to change to fit into existing social norms - these norms must change, and with them the social acceptance of violence against women.

Recommendations

- The Israeli government should work to promote respect for Palestinian women as members of the Palestinian national minority in Israel, as women in Israel, and as women within the Palestinian community in Israel.
- The troubled political situation in Israel, with its divided religious and cultural groups, undoubtedly affects women's situation. Since some of the problems faced by Palestinian women are due to their national minority status, the government should work to alleviate this situation by abolishing its discriminatory policies against Palestinian citizens of the state. Further, there is a need for affirmative-action policies, preferential by nature, to close the large gap that exists between the Jewish and the Palestinian communities in Israel in terms of education, employment, access to health services, and political power.
- Although women in Israel have made some progress in challenging traditional roles and stereotypes, achieving recognition of their rights, and entering the workplace, these efforts need to continue. Government affirmative-action programs should be instituted where necessary to ensure that Palestinian women's voices are heard and that all women in Israel have equal access to employment, education, and health care.

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- Since women in traditional Palestinian society have long been silenced, it will require concentrated and culturally sensitive public education and support systems to make women aware of all opportunities available to them to develop as individuals, and to teach men to accept changes in the roles they perceive to be associated with women. To comply with the CEDAW Convention and recognize women's rights as full human beings, the Israeli government (and NGOs it supports) must take firm steps in this direction.

Political Participation, Public Life, and International Representation

In the context of these recommendations, "public life" and "political involvement" include participation at all levels, from local councils to national representative bodies to international representation.

- The government should institute educational programs in Arab schools on democracy, public accountability, policy making and decision structures, and civil and social responsibility, with a particular emphasis on Palestinian women's essential contribution to political and public life as citizens of the state. Palestinian girls need to see public life as a viable possibility for them.

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- To encourage Palestinian women to enter public life, and while they continue to be dramatically under-represented in politics, the government should establish support systems to help women develop these types of careers. One step is to fund NGO programs in leadership skills, the use of the media, government structures, and other areas, so that women may more effectively enter the political process.
- The government should recommend that all political parties institute affirmative-action programs or quotas to include Palestinian women candidates in good positions on party lists. The government should set quotas for a minimum number of Palestinian women to be appointed to senior posts and to government corporate Boards.
- Legislation should be passed requiring that women comprise 30% of the membership of the Knesset, with Palestinian women represented proportionally. The UN Economic and Social Council endorse this figure.
- The national government should allocate funds especially for local Palestinian women's councils to institute programs to train women to participate in political and public life. These women's councils can offer valuable training for women to participate in politics, but there must be a mechanism by which women's voices do not become marginalized.

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- The government media (radio & TV) should adopt policies and practices to interview Palestinian women on general political issues, and not only on what are perceived to be “women’s issues” (e.g. domestic violence, family matters, etc.).
- The government should abolish the practice of harassing women government workers who engage in political activities, and allow them full freedom of expression
- More Palestinian women should be invited to join international delegations, especially on professional issues. No Palestinian woman was part of the government’s delegation to Beijing in 1995.

Education

- The government must cease cutting the budget for Arab schools (drastically lower than that of Jewish schools, and cut by 17% in 1997), and ensure that education funds are allocated between the Arab and Jewish education systems so that Arab and Jewish students are provided with the same educational opportunities.
- The Ministry of Education (the centralized authority in charge of all education matters in Jewish and Arab

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schools in Israel) should institute a new curriculum in Palestinian schools, which promotes gender equality and expands images of women beyond the traditional domestic stereotypes. This curriculum must also recognize and give attention to Palestinians' unique national identity and the 'herstory' of Palestinian women in order to promote self-awareness and self-confidence in Palestinian students.

- All Arab schools should offer all of the national technological tracks, and each track should be available for Palestinian girls to pursue, especially technological tracks.
- The Education Ministry should allocate more funds and counselors to address the problem of dropping out, especially among Bedouin girls in the Negev; low Bagrut (matriculation examination) results; and limited supplemental classes offered to weak Palestinian students. These problems, among others, significantly decrease the likelihood that young Palestinian women will attend university or other higher education programs. Arab schools' physical facilities must be improved, computers purchased, and more teachers hired to alleviate classroom-crowding problems, in order to afford equal opportunities to Palestinian students - girls and boys - in comparison with Jewish students

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- A special plan must be implemented to deal with the severe educational problems in the Negev and the unrecognized villages (e.g. lack of easily accessible schools, lack of qualified teachers, poor facilities). Generations of young people, particularly Arab Bedouin girls, are being deprived of an education because families often will not allow their daughters leave their villages to study; as a result, young women in these areas tend to have especially low levels of education.
- The government should establish an Arab university in the Galilee and/or Triangle region, near Palestinian population centers, to enable more young Palestinian women to pursue higher education (by having a university closer to their families' homes).
- Special scholarships or study grants should be established for Palestinian women students (where none currently exist) to pursue higher education in all fields.
- The Ministry of Education should hire more Palestinian women educators and promote those who currently work in the ministry to higher-ranking decision-making positions. Israeli universities should also institute an affirmative action policy to hire Palestinian women academics for the positions of lecturer (currently 1) and professor (currently none), and allocate funds to nurture Palestinian female junior faculty members and graduate students.

- A long-term goal of the Palestinian community in Israel is autonomy for the Arab educational system, separate from the Israeli national government, with a pedagogical council, independent budget, and Arab woman educators in decision-making positions. With this structure in place, the system can be much more responsive to all of the educational needs of Palestinians, and especially Palestinian girls.

Palestinian Women and Employment

- The government should encourage and invest in industrial and infrastructure development and other work alternatives in Palestinian localities to create more job opportunities for women. These opportunities should include more possibilities for Palestinian women with a range of skills, including advanced university degrees.
- Ensure compliance with “equal pay for work of equal value” laws to prevent gender and national discrimination in wages and benefits. The minimum wage laws, already in effect, should be fully enforced.
- The government should carefully monitor all work environments, including “sweatshops,” for poor working conditions, salaries below minimum wage, and harassment/mistreatment of Palestinian women workers.

Simplified procedures should be instituted for workers to file complaints about work conditions.

- Labor officials in the government should devise and institute an appropriate mechanism to ensure basic rights not only for workers in the formal sector, but also for those in the unwaged (e.g. family context) or unregistered informal sector (e.g. care-giving, housecleaning). These informal-sector workers are disproportionately Palestinian women, and they are often left unprotected, vulnerable, and subject to abuse.
- As women are dramatically under-represented in the workplace, the government should institute a quota or affirmative action policy to hire Palestinian women for all levels of government posts, government corporations, and academia, including more senior decision-making positions.
- The government should fund support mechanisms for Palestinian working women (e.g. child care), which will allow women already working to advance according to their full potential and which will encourage those not yet employed, to seek positions outside of the home or area of residence.
- The government must establish and/or expand existing vocational training centers in Palestinian localities to provide professional training (e.g. computer skills) in areas

other than only the stereotypically “feminine” fields (e.g. care-giving, hairdressing).

- The government should provide up-to-date, disaggregated statistics and other information on the status of Palestinian women in the work-force so that needs and trends can be assessed and studied by researchers, and acted upon by the government, private businesses, and educators.

Palestinian Women's Health

- The Compulsory National Health Insurance Law of 1995 affirms a commitment to universal access to health care and equal health services for all communities. The government must enforce compliance with these principles, so that the quantity and quality of health services (particularly gynecological and emergency services) available in Palestinian cities, towns, and villages are comparable to those in Jewish communities. The lack of health services, as well as adequate sanitation and infrastructure, is especially critical in the unrecognized Arab villages, which are severely deprived of necessary services.
- The means-based method of payment for national health insurance must be continued, so that those least able to

pay (e.g. many Palestinian women), can maintain health-care coverage.

- The government should appoint more Palestinian women and men to the National Health Council (responsible for monitoring implementation of the Compulsory National Health Insurance Law) to make sure that the needs of the Palestinian community are heard and addressed.
- The government (perhaps in conjunction with NGOs) should institute a national public-health campaign to encourage Palestinian women to continue to visit their physician even after their children have grown beyond toddler age, to emphasize the importance of prenatal and postnatal care to address the disproportionately high Palestinian female infant mortality rate, and to address the negative attitudes in the Palestinian community concerning certain types of services (e.g. psychological services).
- The government should employ more Arabic-language speakers in health care centers, so that all Palestinian women can effectively communicate with their health care providers. Public-health information and brochures detailing the availability of health care treatments and services and how to minimize risks of disease (particularly heart disease, cancer, diabetes, and high blood pressure - the major causes of death among Palestinian women) should be published and disseminated in Arabic.

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- The government should improve Palestinian girls' education, and promote respect for women health professionals, in order to encourage more women to pursue careers in health, especially at the higher levels. As more Palestinian women enter the health profession, other Palestinian women will become more comfortable using health-care resources, and women's concerns may be promoted to higher levels of importance on research and public-health agendas.
- To ensure that Palestinian (and Jewish) women have access to a full range of reproductive health options, public health insurance must be expanded to include coverage for contraception (which is currently not funded) and to improve accessibility to full reproductive care (including abortions).
- The government should increase and upgrade health education programs and health-service availability in Palestinian schools. These centers should offer family planning education, including lessons on HIV and AIDS.
- Many unsafe situations can be prevented through more stringent regulations. The government must overhaul its public-safety regulations (e.g. fire codes, building codes), and enforce those already in existence, to prevent accidents in the home. The government should also

allocate funds for safe kitchen and heating equipment for families in need.

- The government should promote research, with both financial and institutional support, and should disseminate information on Palestinian women's health (including disaggregated statistics).

Personal Status and Family Laws

- The government should withdraw its reservation to Article 16 of the CEDAW Convention, and seek mechanisms, in conjunction with the Moslem, Christian, and Druze religious communities and courts, to afford Palestinian women equal treatment and justice in personal status and family matters.
- Legislation should be enacted which gives Moslem Arab women the choice of using the civil or religious courts for cases involving personal status issues (as is already the practice for Jewish and Druze citizens, and in some instances for Christian citizens of the state).
- The government should adequately fund and disperse all allocations made to the Moslem, Christian, and Druze religious courts so that they may function professionally. The MCD communities received only 2% of the total budget of the Ministry of Religion in 1997; the courts are chronically under funded and understaffed. In the case

of the Shar'ia courts, partial funds from the Waqf (the Moslem community funds and properties confiscated in 1948 and currently held by the Israeli government) can be allocated to the court system.

- No court of appeal currently exists in the Druze legal system. Such a body must be created and funded to ensure appropriate judicial processes to protect women's rights.
- To promote gender equality in influential positions and to help to ensure that women's voices are heard in the legal system, the government should encourage religious courts to consider women as judges. Legislation should be amended concerning the hiring of religious court judges to ensure that the judges chosen are qualified (e.g. possess extensive knowledge of both civil law and religious law).
- The government should seek ways to ensure that the religious courts comply with applicable civil laws.
- Since the practice of polygamy works to afford women a status inferior to that of men, the government should enforce the anti-polygamy criminal law to discourage this practice. The Ministry of the Interior has information on these cases (as it is documented in the marriage registry),

and based on this information, it should initiate investigations.

- Legislation should be enacted to prohibit forced marriages (i.e. marriages against a woman's will or without her consent).
- All polices or the government should prohibit practices, which discriminate against divorced women. One such practice is the requirement, in the case of a Palestinian divorced couple, that the father must give his consent in order for the mother to register their a child in her passport.
- The government must initiate prosecutions against the appropriate parties in cases of child marriages, without waiting for a girl child or woman to complain. The Ministry of the Interior has information on at least some of these cases (as it is documented in the *Statistical Abstract*), and based on this information, it should initiate investigations.
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- A comprehensive program should be instituted in Arab schools to educate Palestinian students - both boys and girls - regarding girls' and women's rights to equality in marriage and family, as provided for in Article 16.

Violence Against Women

Preventative Measures:

- The government must institute a national campaign (media, education, and service programs) against all forms of violence against women (domestic violence and abuse, honor killings, rape, sexual assault, and other gender-based violence) with funds allocated specifically to meet the needs of the Arab community. Most urgently, the Arab community needs a specific campaign against honor killings.
- In order to eradicate the root causes of violence against Palestinian women, broad-based school education programs (as part of the curriculum and/or NGO-run and funded by the government) are needed to bring about changes in society's norms and attitudes, and in the status of Palestinian women. Community-based programs must also be conducted to teach the public how to detect and/or prevent domestic violence, and make women aware of the services available to them should they become victims of any form of gender-based violence.

Protective Measures:

- Procedures must be amended to make it easier for Palestinian women victims of violence to report the crimes committed against them. One step is that more Palestinian women police investigators must be hired (there are currently 2 in all of Israel) and trained to work with Palestinian women victims of violence.

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- Regulations and guidelines must be instituted so as to give clear direction to law enforcement officials on how to handle cases of domestic violence and other forms of gender-based violence within the Palestinian community.
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- Special units within the judiciary, law enforcement, and health care centers should be established to handle domestic violence and other forms of gender-based violence cases. Personnel in these units should receive mandatory gender-sensitive training for handling these cases. Specific attention must be paid to eradicating the myth that violent crimes against women can be justified by “the norms of Palestinian society” or “Palestinian culture” (e.g. family honor killings). These public officers need to be more accessible and responsive to complaints of gender-based violence, and be trained to provide the needed professional services, support, and treatment. The police must guarantee immediate protection to Palestinian women whose lives are in danger.
- Arabic speakers must be employed in the police force and in the courts to make the complaint procedure and court hearings more accessible for Palestinian women. The courts must provide translation into Arabic for all Palestinian women who request it.
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- Restraining orders must be more effectively issued and enforced to allow for the adequate protection of

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Palestinian women, and should be sensitive to their unique circumstances.

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- The government should allocate more funds to Palestinian shelters for battered women and other support services for victims of gender based violence. The number of social workers, health care workers, counselors, and legal advisors who speak Arabic must be increased, and all of these services must be available at all shelters, so that there is no more discrepancy in the services available to Palestinian and Jewish women. Additional shelters and support systems must be funded to ensure access to Palestinian women in rural or isolated communities.
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- The number of social workers who are trained to handle cases related to domestic violence should be increased to at least one per social-welfare office. The Division of Services for Women and Girls (DSWG) should be maintained as a separate unit within the Ministry of Welfare, and not placed within the Division of Services for the Individual and Family (DSIF). The DSWG views violence against women as a gender-based offense in contrast to the DSIF, which views it as a family matter. The DSWG's women-centered approach is essential for effectively assisting women victims of violence.

Punitive Measures:

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- Judicially imposed sentences for those convicted of crimes involving gender violence must be more stringent. Mandatory minimum sentences must be legislated and applied for violent offenders.
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- The defense of honor, in the case of so-called family honor killings, should not be considered in the decision to prosecute, to prosecute for a lesser offense, or as a mitigating circumstance in sentencing. Men who are suspected of committing these crimes must be prosecuted, and those convicted must receive the maximum allowable punishment.

Remedial Measures:

- Rehabilitation programs for perpetrators of domestic violence and other forms of gender-based violence must be available.

Research:

- Government funds must be allocated to researchers and NGOs to study issues of violence against women in the Palestinian community. Statistics and research on the extent, causes, and effects of violence, and on the effectiveness of measures to prevent and deal with

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violence must be compiled, published, and broadly disseminated.

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The Working Group on the Status of Palestinian Women in Israel

NGO Report: Critique of Israel's Combined Initial and Second Report To CEDAW

NGO Report: The Status of Palestinian Women Citizens of Israel

**Submitted to the United Nations Committee on the
Elimination of Discrimination Against Women
17th Session, July 1997**

For Consideration by the CEDAW Committee
in its review of the Government of Israel's Initial and Second Report

The Working Group on the Status of Palestinian Women in Israel

Critique of Israel's Combined Initial and Second Report to CEDAW

The Working Group on the Status of Palestinian Women in Israel, a national network of Palestinian Arab human and women's rights organizations, submits this critique of the "Combined Initial and Second Report of the State of Israel Concerning the Implementation of CEDAW" (IR) to the 17th session of the CEDAW Committee. This critique supplements the Working Group's NGO report entitled, "The Status of Palestinian Women Citizens of Israel" (WGR).

The Working Group recognizes the efforts of the Israeli government in preparing this expanded version of its report. A prior draft obtained by the Working Group in the Spring of 1996 consisted of 14 pages; it mentioned "Arab women" only once, commenting on their disadvantageous position as seasonal agricultural workers, and the government's difficulty in implementing the Compulsory Education Law for "Bedouin girls." The government's report submitted to CEDAW at this time includes many issues of importance to Palestinian women in Israel, none of which appeared in first version, and a self-critique, particularly in the area of the lack of budgets allocated to governmental committees and NGOs that provide services to women.

The Working Group's critique is organized around eight main themes discussed below. Several comments refer to the scope of the report itself,

whereas others discuss the underlying policies of the government toward the Palestinian minority in general, and Palestinian women in particular. For the sake of brevity, this critique highlights main themes and major illustrative examples.

1. Israel's Report Represents Palestinian Women as 'Non-Jews', 'Arab Women', 'Israeli Arabs', 'Arabs & Others', 'Moslems', 'Christians', 'Druze', and 'Bedouin', and not as Palestinian Women in Israel.

The way in which Palestinian women are represented in the government's report reflects Israel's policy of not recognizing the Palestinians living in Israel as a national minority. The significance of this fact is that, by doing so, Israel has denied the Palestinian community rights as a national minority according to international law. Moreover, because of this policy of non-recognition, there is no consistent way in which the government documents the situation facing Palestinians in Israel in general or Palestinian women in particular. This reflected throughout Israel's report.

2. Israel's Report Tends to Shift the Discussion of Discrimination to the Cultural, Religious, and Traditional Norms of Palestinian Society.

(I) In explaining the low official employment rate of Palestinian women, IR (p. 148-149) states that "many Arab women of working age, and specifically Arab village women, do not register themselves at the Employment Bureau, and consequently they do not enjoy

unemployment benefits.” IR offers the following reasons as to why Palestinian women fail to register:

“(1) The women’s parents or husbands do not allow them to leave their village for this purpose. (2) The high rate of unemployment creates pessimism in terms of their chances of finding work even through the Employment Bureau. (3) In many cases, the expense of the trip to the Bureau is a deterrent, since it is usually far from the village.”

Large numbers of Palestinian women work in undocumented, unregistered, low-wage positions; these jobs are most easily accessible and open to them. Few registered job opportunities exist in Palestinian villages (due in large part to governmental neglect), and a limited number of jobs are open to Palestinians in general throughout the country. Further, employers do not register many employees so that they do not have to pay taxes. Thus, women cannot subsequently go to the Employment Bureau to collect unemployment benefits. Mechanisms must be devised and implemented to monitor and enforce work laws to prevent abuses against Palestinian women workers.

(II) IR (p. 179-183), in its discussion of Palestinian Bedouin women, raises a number of important issues to women within the community, but essentially abdicates the government from any responsibility for what it describes as “cultural practices,” even where these practices are prohibited by law. These include polygamy, forced marriages (often child marriages), ritual female genital mutilation, and so-called “honor killings.”

Some additional comments must be highlighted here concerning the approximately 100,000 Bedouin citizens of Israel who live in the south (the Negev) in government-planned towns or as described in IR (p. 179), “scattered across the desert.” Land expropriation, forced sedentarization and relocation to government-planned towns, house demolitions, and the denial of basic services (water, electricity, telephones, health care, schools, etc.) have characterized and continue to characterize government policy toward Bedouin communities in the Negev (WGR p. 54-55). Uprooted from their ancestral lands and compelled to move to other areas, Bedouin land claims remain disputed issues with the state. IR (p. 181) describes this policy as the “government-sponsored transition of Bedouin communities from semi-nomadic lifestyles to permanent residence,” and its effect on the lives of Bedouin women - “these traditional women are unequipped and unable to enter into the labor market or pursue formal education” - without providing the full picture.

3. In Several Fields, Israel’s Report Offers Incomplete and Thus Misleading Information.

Overall, IR omits facts and figures, which illustrate huge gaps between Palestinian and Jewish citizens where these disparities are due to governmental discrimination. IR also provides only partial information in numerous areas where the full picture reflects poorly on the government.

(I) IR (p. 94-95), in discussing Article 10 of the Convention, states that the content of studies in non-Jewish sectors reflect the necessary differences in languages and cultures of different populations. Contrary to this claim, overall, the curriculum in most Palestinian schools reflects the ideology of the state. Palestinian students learn much about Jewish

and Zionist history, literature, and culture, and very little to nothing about their Palestinian heritage. Palestinian students are thus not given any opportunities to strengthen their own ethnic identity or their sense of belonging to the Palestinian community.

Moreover, IR's miss-characterizes the declared objectives of State Education Law by only including one part of it. IR (p. 95) claims that the State Education Law (1953) "states that State education is to be based on building a society on the foundations of freedom, equality, tolerance, mutual assistance, and the love of mankind." The State Education Law also declares that the education system in Israel will emphasize the "values of Jewish culture" and "love of the homeland and loyalty to the State and Jewish people."

The Netanyahu government, in line with these objectives, has formulated education guidelines and implemented policies designed to entrench these values. The guidelines state that:

"Education will be grounded in the eternal values of the Jewish tradition, Zionist and Jewish consciousness, and universal values. The Book of the Books, the Bible, the Hebrew language, and the history of the Jewish people are the foundation stones of our national identity, and will take their rightful place in the education of the young generation."

(II) IR notes that Israel lacks a constitution. However, it also states: "most chapters of the prospective constitution have already been written and enacted as Basic Laws." (IR p. 9) As interpreted by the courts thus far, these Basic Laws have not afforded constitution-like protection to the Palestinian minority. Moreover, contrary to the representations made in

IR (p. 11), the Supreme Court has not yet definitively declared that the principle of equality - the most important principle for eliminating discrimination against the Palestinian community - is part of the Basic Law: Human Dignity and Freedom. This same Basic Law declares that Israel is a Jewish state. This provision of the Basic Law read together with the enumerated rights explicitly stated in the law creates a contradiction - can Israel be a Jewish and democratic state?

Israel's Declaration of Independence also raises this question. IR (p. 11) states that Israel's Declaration of Independence was "one of the first of its kind to include sex as a group classification for the purpose of equal social and political rights. The document states: "The State of Israel will maintain equal social and political rights for all citizens, irrespective of religion, race or sex.'" What is omitted in IR is that the Declaration also refers specifically to Israel as a "Jewish state" committed to the "ingathering of the exiles" (the Jewish people).

A reader unfamiliar with the Israeli legal system might interpret the statements in IR pertaining to the Basic Laws and the Declaration of Independence to mean that principles such as equality and non-discrimination are fundamental rights, and that Israel's courts adequately enforce them. This is not the case. (A brief overview of the Palestinian Minority in the Israeli Legal System is attached as an appendix).

(III) IR (p. 60) notes that the government funds 75% of the budget of women's shelters in the State. This allocation took effect this year. This fund apportions money to the shelters per woman, without providing funds for fixed personnel costs (which may not be covered if a shelter is not operating to maximum capacity). Omitted from IR is also the fact that with this increased allocation, a woman seeking assistance from a

shelter is required to obtain the signature of a social worker in her village or town before funds for her stay are provided to the shelter. This requirement imposes an undue burden on Palestinian women as social workers in their villages are oftentimes-family members or at least know the woman's family (WGR p. 72). This situation jeopardizes the woman's confidentiality, and increases the chances that she will be encouraged to return to her home to work it out without involving the authorities.

(IV) IR (p. 37) notes the initiation of a 3 million shekel (approximately US \$1 million) Media Campaign Against Violence by the Prime Minister's Office. IR ignores the fact the budget was subsequently cut to 1.5 million (WGR p. 70), and that no suggestions offered by Palestinian women to aid in reaching the Palestinian community were implemented by the Prime Minister's Office. These recommendations included the establishment of a professional committee of Palestinian women to prepare specialized materials in Arabic, with a message relevant to the Palestinian community, and the allocation of a portion of the budget specifically for an Arabic media campaign. Moreover, the government's message in encouraging women to seek help - "The State is with you" - has negative connotations for the Palestinian community because of the historical situation. The government's campaign against violence has not reached Palestinian towns and villages. Moreover, the government's campaign directs women to call the police and social welfare offices, and does not provide information about NGO services for women in need.

(V) IR (p. 56) notes the existence of police guidelines and regulations for police handling of domestic violence cases. When Working Group members tried to obtain a copy of these guidelines, they were told that these directives were not in written form and were not available to the public or NGOs.

(VI) In its section on Rehabilitation Programs for Women in Girls in Distress (IR p. 66), IR mixes rehabilitative services for prostitutes and drug addicts with shelters for Palestinian girls in distress. IR dramatically overstates the problem of drug abuse, prostitution, and other crimes among Palestinian girls, as it notes Arab women comprise 20% of the population in these facilities. Palestinian girls generally find shelter in these homes for family violence related issues. Moreover, IR notes that this service is under the Ministry of Labour and Welfare; it ignores the fact that Women Against Violence, a Palestinian women's NGO, operates it.

(VI). In discussing the Poverty of Women (IR p. 176-177), IR notes that among "non-Jewish working women the poverty rate is 20%, and among non-Jewish working men, it is 23%. These figures do not portray an accurate picture of Palestinian working women who live in poverty, as a large percentage of Palestinian women are undocumented and unreported workers. Moreover, IR ignores the fact that over 60% of Palestinian families live below the poverty line. The Working Group in a report prepared for and published by the Prime Minister's Office found this figure.

4. Israel's Report Ignores the Role of the State in Discriminating Against Palestinian Citizens.

A prime example of this occurs in the section on Women's Employment among the Arab Population in Israel (IR p. 148). IR states:

"Most Arab villages are located in Israel's periphery, far from Israel's centers of economic activity. In the past, agriculture was

an integral source of income for Arab villages ... Down-sizing in the agricultural industry, which occurred as a result of the expropriation of farm lands, shifted the main focus of the villages to city work and left a vacuum in the job market for Arab women.”

Although IR mentions ‘expropriation of farm lands’, there is no discussion of the fact that the Israeli government expropriated over 80% of Palestinian owned land, and did not develop industry or recognize Palestinian towns and villages as development areas where investors are entitled to enormous tax incentives and government grants. The Israeli government created centers of economic activity in Jewish areas and neglected Palestinian localities, segregated from Jewish cities, towns, and villages. The issue of lack of industrialization and infrastructure affects the entire Palestinian minority in the country - men and women. The Jewish economy is strong, in large part, due to the central role that the government plays in developing industry and incentives for private investors.

In general, the Education section of IR (p. 94-119) details the progress made by Palestinian women from the 1960s through the 1990s in obtaining greater levels of education. Although not noted, this trend is true for women throughout the world. While the details provided in IR are accurate, the section completely ignores the enormous gaps that still remain - in large part due to the policies pursued by the Ministry of Education - between Jewish students and Palestinian students, and Jewish girls and Palestinian girls in particular in terms of drop-out rates; poor facilities; quality of education; scholarships, etc. The section also ignores the lack of funding for Palestinian students to attend university (and military service preferences enjoyed almost exclusively by Jewish

students), and the lack of Palestinian academics appointed to university positions.

IR (p. 146) notes that the “Arab population suffers from a serious shortage of day care centers, and most of the centers that do operate in Arab sectors are only open until 2 p.m.” The Ministry of Labour and Welfare is responsible for operating thousands of day care centers throughout the country. Thus, the government is to be held accountable for not providing appropriate day care facilities for Palestinian communities, which makes it more difficult for Palestinian women to hold full time employment and limits the early childhood educational opportunities for Palestinian youngsters.

5. Several sections of Israel’s report completely neglect any mention of Palestinian women as a group, ignoring their unique situation and problems.

Articles 2, 4, 5, 7, 8 & 13 of IR do not include any discussion about Palestinian women. In other sections, where Palestinian women are mentioned, to some extent, IR offers no suggestions for improvement of the situation or any analysis as to why the situation is as it is, and the role of the government in creating it.

Some examples include:

I) Background Facts & Figures About Israel - The recent history of the Palestinians in Israel is not documented (IR p. 7);

II) Article 2 - Obligations to Eliminate Discrimination (IR p. 15-22): This section discusses various mechanisms established to promote the

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status of women in Israel. In noting the Ben-Israel Sub-Committee, which offered proposals the improvement of civil service opportunities for women (IR p. 17 & 20), IR states that today almost 60% of civil servants are women. IR does not answer to how many Palestinian women are employed as civil servants? What is the specific government policy regarding the recruitment and promotion of Palestinian women in the civil service? how is the State Service Appointments Law (1995), which introduces a policy of affirmative action into the civil service, being implemented as to Palestinian women?

III) Article 5 - Sex Roles & Stereotyping (IR p. 30-36). This section discusses women and the media. It offers no information as to the number of Palestinian women employed in the media; their respective positions/rank as employees or managers; or the representation of Palestinian women by the media.

IV) Article 7 - Political Participation (IR p. 68-75). This section offers no discussion of the dramatic under-representation of Palestinian women in political power, and nothing about Palestinian women's activism in the peace movement. It notes that 10.5% of women hold senior staff positions in the civil service, while neglecting to mention that this percentage pertains solely to Jewish women. It also emphasizes that 40% of the judiciary are women, while omitting the fact that only three Palestinian women of 146 women judges (and 229 men) are judges. Of these three Palestinian women judges, two are recent appointments.

V) Article 8 - International Representation (IR p. 89-91). This section does not mention the lack of Palestinian women recruited to international delegations (i.e. no Palestinian women participated in the government's delegation to Beijing). Moreover, the section does not discuss the fact

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that no Palestinian women in Israel are involved in the peace talks or international organizations although Palestinian women were and are a major force in promoting peace activities.

VI) Article 13 - Social & Economic Benefits (IR p.172-178) - This section ignores the fact that no Palestinian women are members of governmental Boards of Israeli companies; no mention is made of Palestinian women's small business initiatives; and no statistics are offered as to the specific circumstances of Palestinian women single family households or Palestinian elderly women living in poverty.

VII) Article 16 - Equality in Marriage and Family Law (IR p. 200) - This section does not discuss any of the problematic issues for Palestinian Moslem, Christian, or Druze women such as polygamy, forced marriages, divorce, child custody, marital property, or child marriages.

6. Israel's Report Oftentimes Takes a Paternalistic and Traditionally Stereotypical Approach Toward Palestinian Women.

In its discussion of Organizations for the Advancement of Arab Women (IR p. 25), the Government's Report states:

“Few women's organizations have been set up by Arab women for Arab women in Israel. Recently, non-governmental Arab movements have begun to encourage women's participation in order to obtain foreign aid and support from international organizations that provide funds for weaker sectors in developing societies, such as women.”

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This statement completely ignores Palestinian women's consciousness of the struggle for rights; portrays Palestinian women as needing Palestinian men or 'Arab movements' to act on their behalf; reduces the goal of Palestinian NGOs to that of obtaining money from overseas sources; and insinuates that Palestinian women are being used by Arab movements solely for monetary purposes.

Further, the government chooses to highlight only three Arab Organizations for the Promotion of Women (IR p. 25-26), one of which is a Jewish-Arab organization (Movement of Democratic Women); the other of which is a local community organization and not a women's NGO which offers training in sewing (Arraba Almostakbal Association); and the last of which is Al Fanar, a small group of women not involved in any nationwide organized activities at this time.

Contrary to the representations made in IR, many independent Palestinian women's organizations exist in Israel (WGR pp. 14, 16, 71-74), including Palestinian Bedouin women's organizations (Cf. IR p. 182), such as the Lagiya Women's Committee. These groups offer services and educational programs (not offered by the government) and conduct advocacy campaigns. None of these groups were mentioned; all were completely ignored, even Women Against Violence, which runs two, shelters for Palestinian women and is funded by the government.

7. Israel's Report Emphasizes the Government's Role in Service Provision to Women in Need and Marginalizes the Significant Role Played by Women's Rights and Human Rights NGOs.

In its discussion of Violence Against Women (IR p. 44-61), IR portrays the government as the initiator, operator, and funded of services for

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women who are victims of gender-based violence; the report does not mention the tremendous role played by NGOs in this area (WGR pp.71-74).

Further, IR's does not mention that government support for NGO services is conditional and supervised by the government. In order to receive funds, an NGO needs to show that it operates services for abused women in a manner which is consistent with the government's family-oriented approach to violence, rather than a feminist approach which views abuse as a violent criminal act and seeks to protect women from this violence.

Moreover, IR emphasizes the government's role in providing vocational training for Palestinian women, while neglecting to mention that NGOs, prior to the government's involvement, conducted such training for women (i.e. as kindergarten teachers, for secretarial skills, etc.)

8. Israel's Report Highlights Proposals for the Implementation of the CEDAW Convention, None of Which are Currently in Place.

The governmental mechanisms described in IR to promote the status of women read, to the average layperson, as quite thorough and comprehensive. It must be noted that Article 2 of IR's, which details these mechanisms, is built upon a proposed bill - Authority for the Advancement of Women Bill (1996) - that has made its way only through a first reading in the Knesset. As IR points out, there is no provision for a separate budget for the Authority contained in the bill.

There is currently no mechanism in place in Israel to monitor the government's implementation of the CEDAW Convention or any other international human rights treaties, declarations or platforms for action,

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which obligate the government to take measures to eliminate discrimination against women.

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The Working Group on the Status of Palestinian Women in Israel

**NGO Report:
Critique of Israel's Response to Questions
Presented by CEDAW**

NGO Report: The Status of Palestinian Women Citizens of Israel

**Submitted to the United Nations Committee on the
Elimination of Discrimination Against Women
17th session, July 1997**

For Consideration by the CEDAW Committee
in its Review of the Government of Israel's Combined Initial and Second
Report

Critique of Israel's Response to Questions Presented by CEDAW Committee 23 July 1997

The Working Group on the Status of Palestinian Women in Israel, a national network of Palestinian Arab human and women's rights organizations, submits this critique of Israel's written Response to Questions Presented by the CEDAW Committee (RQ), dated 21 July 1997.

Part I of this critique specifically addresses points raised in Israel's RQ. It is organized around four themes, with illustrative examples from Israel's RQ. Part II notes questions posed by individual CEDAW Committee members during its 17 July session which remain unanswered by the Government of Israel.

Part I - Main Themes of Critique

I) Misleading or Inaccurate Information Presented

1. Article 5 - Sex Roles and Stereotypes (Question 16-25; pp. 9-15)

The 1995 inter-ministerial committee, noted in Q 17, offered numerous recommendations regarding violence against Palestinian women, however, these suggestions have not been implemented.

While the police may maintain explicit prohibition against officers handling cases of domestic violence involving friends of family members,

in practice, this is done all the time (Q17). Palestinian villages are generally comprised of a small number of extended families, and police are oftentimes relatives or close friends of those seeking assistance.

Contrary to the government's claim, extensive resources are not allocated to the Palestinian population to combat violence against women (Q17). The seven-fold increase in budget allocations to help centers amounts to only 10%, in real terms, of the centers' budgets. The one shelter for Palestinian women (as compared with 12 for Jewish women) is not financed 100% by the government; personnel salaries are not covered and voluntary contributions are not calculated. The twenty Palestinian women social workers who treat girls in distress share only 10 full-time positions; in comparison, 130 positions are allocated for Jewish women social workers. Two hotlines specifically serve Palestinian communities - one in Nazareth and one in Haifa; the hotline in Taibe has closed.

No workshops for judges or attorneys on domestic violence are being conducted (Q19), and the Beer Sheva model of community-police interaction in domestic violence cases (Q22) is not being implemented in Palestinian communities. The Beer Sheva model itself is very problematic, as it does not fit the needs of Palestinian women; the community response to violence in the home is more likely to encourage returning home & to facilitate 'sulha' (reconciliation) in the family.

'Restrictive social mores' do not explain the difficulties in recruiting Palestinian women to the police forces (Q24). Many Palestinian women who applied to the force found no job vacancies or long waiting periods for acceptance.

2. Article 11 - Employment (Questions 41-43; RQ pp. 24-25)

Contrary to representations made to Q42, no industrialization plans for the economic and social development of poor Palestinian communities are underway. In fact, the government's Master Plan for the Northern district (the Galilee region where more than 50% of the population is Palestinian) allocates US \$249 million for agricultural development, with only \$24 million for the construction of housing, with only \$135.9 for the Palestinian community; and provides US \$597 million for industrial development in urban areas, with \$0 for Palestinian towns.

In terms of direct employment opportunities, all priorities are given to new Jewish immigrants. No alternatives are being offered to the thousands of Palestinian women textile workers who have found themselves unemployed due the closing of 150 factories or workshops in Palestinian village.

3. Article 12 - Equality in Access to Health Care (Questions 44-54; RQ pp. 26-31).

Several mobile family health clinics, operated by Palestinian NGOs, used to provide health services to Bedouin communities in the unrecognized villages; currently, only one mobile clinic continues to run in the south (Q44). Moreover, the government is trying to cancel the license for this one remaining NGO mobile clinic. Tens of thousands of residents of unrecognized villages in north & south have no health services. Tens of Bedouin communities in the south are no longer nomadic; they live in permanent settlements, although unrecognized by the government (Q47).

Domestic violence is not taught about extensively in social work schools (Q48), and no sexual health education programs are conducted in Palestinian schools (Q53).

II) Non-Recognition of the Palestinian National Minority

1. As in Israel's Combined and Second Report to CEDAW' (IR), Israel's RQ did not use the term "Palestinian women".

2. Although Arabic is an official language of the State, Israel's Report has not been translated to Arabic ("Considering publication in Arabic"), and the CEDAW Convention is published only in Hebrew and English. No Knesset proceedings, laws or court decisions are published in Arabic. None of the governmental ministries or agencies regularly disseminates publication in Arabic.

3. Contrary to representations made (Q34), the unit headed by the Supervisor of Arab Education does maintain the uniqueness of Palestinian education. The government admits that "many of the Arabic textbooks are translated from other languages" (Q38), a clear sign that a distinctive Palestinian identity is not communicated through educational materials offered to Palestinian students.

III) Advancements Cited Were Those of the Previous Government; No Specific Plans of the Current Government to Improve the Situation Were Presented

In answering Q35 regarding plans to enlarge resources for education for the Palestinian community, the government relies exclusively on figures from 1992-1995 and offers no futures plans. The previous Labor-Meretz

government, in power during that time, increased budget allocations and services to Palestinian schools. All budget increases had been made because of tremendous disparities between the resources allocated to Palestinian and Jewish schools throughout the history of the State.

The government is still far from narrowing the gap between communities. The government repeatedly emphasizes the correlation between the percentage of the Palestinian population (noted as 16.6%), and the percentage of funds allocated for Palestinian schools for specific programs (i.e. 15.7% of the budget allocated for the purchase of computers was given to “Arab” schools (p. 20) to highlight equal treatment. However, using the percentage of the population and the percentage of budget allocated is not showing equal treatment, as huge disparities continue to exist. A needs-based distribution of funds is not made, nor are funds apportioned to bring the Palestinian schools up to the standards (i.e. facilities, equipment, number of personnel) of Jewish schools.

Similarly, while the budget allocated for existing kindergartens and preschools may be equal (Q35), there is a tremendous lack of preschools for Palestinian children. Over 80% of Palestinian children under five years of age do not attend preschool, as there are no facilities.

IV) Incomplete Answers

Numerous questions posed were only partially answered in the government’s RQ. Examples include Q13, Q29, Q35, Q47, Q54, and Q62.

Part II - Unanswered Questions

- Why is the right for equality not included in the Basic Law:
Human Dignity and Freedom?
- As Israel lacks a constitution, how will it ensure the implementation of CEDAW?
- What laws exist concerning discrimination against women by private actors?
- What laws exist concerning legal protection for minorities? Please discuss the interaction between gender and minority communities.
- What impact has the rise of religious fundamentalism had on women's rights?
- What are the government's plans to advance the peace process? What is the role of Palestinian women in peace building? in the negotiations?
- What is the situation of Palestinian women in the Occupied Territories?
- What is the government's targeted overall policy to respond to inequality against Palestinian women in Israel

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- Why does the government refer to Palestinian women as Arab, Moslem, Christian, Druze, Bedouin, Israeli Arab, and non-Jews, but not as Palestinians?
- Please provide specific statistics regarding the incidence of honor killing, female genital mutilation (FGM), and polygamy. What specific measures will the government take to modify these social and cultural practices that discriminate against women?
- What measures will the government take concerning the 'black list' (re: honor killing)?
- Why are Palestinian women under-represented in political life? What measures will the government take to increase their participation?
- What plans are in place concerning budget allocations to local women's councils?
- Please discuss Palestinian women workers and decision-makers in the civil service.
- Is there any government plan to create new work opportunities for Palestinian women; in the civil service?
- What measures are in place to ensure compliance with Israel's 'equal pay for work of equal value' law?
- ◆ Please provide statistics regarding Palestinian women who work in the informal sector.

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- ◆ How does the government account for the unpaid work of women?
- ◆ What is the situation of Palestinians in the military?
- ◆ What is the government's position regarding the NGO reports to CEDAW?

Appendix I

The Palestinian Arab Minority in the Israeli Legal System¹⁸⁴

The Declaration of the Establishment of the State of Israel (1948)¹⁸⁵ states two principles important for understanding the legal status of Palestinian Arab citizens of Israel. First, the Declaration refers specifically to Israel as a “Jewish state” committed to the “ingathering of the exiles.” At the same time, the Declaration promises that the new state will maintain complete equality of political and social rights of all its citizens, irrespective of race, national origin, religion or sex. There is a tension between these two principles, in that the first emphasizes the national character of the state which privileges one group - the Jewish people - and the second emphasizes the universal status of each citizen in a democracy.

An examination of Israeli law shows that the Jewish character of the state is evident in many respects. The most important immigration laws, The Law of Return (1950) and The Nationality Law (1952), allow Jews to freely immigrate to Israel and gain citizenship, but exclude Palestinians, even though they were born here. Israeli law also confers special quasi-governmental standing on the World Zionist Organization and the Jewish

¹⁸⁴ This document was adapted from a grant proposal written for Adalah: The Legal Center for Arab Minority Rights in Israel in January 1997 by Rina Rosenberg and Hassan Jabareen, Legal Director of Adalah.

¹⁸⁵ The Declaration does not have the status of a law, however, it has been used by the Supreme Court of Israel as a legal interpretative tool to find constitution-like support for the protection of civil liberties rights. See e.g. *Kol Ha'am v. The Minister of Interior*, (1953) 7 P.D. 871.

Agency, organizations, which by their own charters cater only to Jews.¹⁸⁶ Various other laws such as The State Education Law (1953), The Chief Rabbinate of Israel Law (1980), The Flag and Emblem Law (1949) give recognition to Jewish educational, religious, and cultural practices and institutions, and define their aims and objectives strictly in Jewish terms.

In addition to these laws, a multitude of other laws and government policies contain facially neutral criteria but have a discriminatory effect on Palestinian citizens in Israel. Most prominent of these criteria is the requirement of military service for obtaining preferences and benefits.¹⁸⁷ Most Jewish Israelis - male and female - serve in the military whereas the Arabs of Israel (except Druze and some Bedouin men) are not drafted. Consequently, about 90% of the Arabs are excluded from receiving substantial benefits including enlarged housing loans; partial exemptions from fees in state-run occupational training courses; and preferences in public employment and acceptance to university, educational loans, and campus housing.

Further, the discretionary powers entrusted to various governmental ministries and institutions -- including budgeting policies, the allocation of resources, and the implementation of laws -- result in significant de facto discrimination between Jews and Arabs. Huge gaps in the Interior

¹⁸⁶ The World Zionist Organization (WZO) and Jewish Agency (JA) Status Law (1952). The WZO, the Jewish National Fund (JNF), an organ of the WZO, and the JA encourage Jewish immigration, and supervise immigrant absorption and land and settlement projects.

¹⁸⁷ Many countries provide discharged soldiers with benefits not available to those who do not serve in the military. However, in the Israeli context, the use of the military service criterion for the provision of benefits or services means dividing the society at large - overwhelmingly - on the basis of ethnic-national lines. Oftentimes there is no reasonable connection between the payment of benefits or the award of special services.

Ministry's contributions to local government budgets exist between Jewish and Arab municipalities and local councils;¹⁸⁸ the Ministry of Education allocates substantially less funding to Arab schools than to Jewish schools¹⁸⁹ and provides a very limited number of educational programs for weak Arab students in comparison to Jewish students;¹⁹⁰ and the Ministry of Religious Affairs affords a small fraction of its budget to the Muslim, Christian, and Druze religious communities.¹⁹¹ Funds for special projects such as the renewal and development of neighborhoods and improvements in educational programs, services, and facilities are also disproportionately allocated to Jewish communities. Moreover,

¹⁸⁸ See Evelyn Gordon, "Tax Collection Decreasing in Arab Councils," *Jerusalem Post*, 17 December 1996, p. 4 and David Harris, "Local Authorities on Strike Today", *Jerusalem Post*, 14 May 1997, p. 12. Palestinian municipality local council heads estimate that they have accumulated debts totally some 450 million NIS, and many have been unable to pay their workers for a number of months. Professor Rubenstein, one of the most distinguished scholars of Israeli constitutional law and the former Education Minister, argues that the government's policy of allocating unequal funding to Arab and Jewish municipalities is illegal and he doubts that the Supreme Court of Israel would uphold it. See Amnon Rubenstein, *The Constitutional Law of Israel*, (Shoken House Ltd., 1991), p. 320-321 (in Hebrew).

¹⁸⁹ According to the State Comptroller's Report of 1992, for every dollar spent on a Jewish child by the Ministry of Education, only 55 cents is spent on a Palestinian child. According to the Follow-up Committee on Arab Education, in 1994, expenditure was NIS 308 (\$103) per Jewish child and NIS 168 (\$56) per Palestinian child.

¹⁹⁰ Adalah recently filed a petition to the Supreme Court alleging discrimination in the provision of educational programs for academically weak Palestinian students. The Court, within days, issued an 'order nisi' in the case which indicates the Court's willingness to accept the petition and requires the Attorney General's office to respond within 60 days. See *The Follow-up Committee on Arab Education in Israel, et. al v. The Ministry of Education, et. al.*, submitted 8 May 1997, on file with Adalah.

¹⁹¹ Just 2% of the Religious Ministry's 1997 budget is allocated for the Muslim, Christian, and Druze communities in Israel. See *The Law of the Budget of the State* (1997), passed on 31 December 1996. See footnote 16.

certain statutory powers related to the provision of services are unevenly implemented and various laws are selectively enforced. To date, the Israeli authorities to benefit the Arabs in Israel have rarely used discretionary powers.

These examples amply illustrate entrenched discrimination against the Arab community, which seemingly contradict the principle of equality. Although the Supreme Court of Israel¹⁹² has recognized the equality principle as a fundamental right, Israel lacks a formal constitution or a Bill of Rights, which entrenches the rights of equality. In the few Palestinian cases brought before the Supreme Court alleging discrimination, the Court has generally favored Jewish interests. A notable example is *Wattad v. Minister of Finance*¹⁹³ in which Palestinian Arab members of the Knesset challenged a government policy of paying benefits, reserved by law for those who served in the army, to yeshiva students (ultra-orthodox religious Jews) who had not served. The petitioners argued that this policy violated the principle of equality and constituted discrimination because it exempted Palestinian students who do not serve in the army but benefited non-enlisted yeshiva students. The Supreme Court ruled that special treatment for yeshiva students was justified because of the traditional place of the study of Torah in Israeli society.¹⁹⁴

¹⁹² The Supreme Court of Israel fulfills two main functions: it sits as a high court of appeal in criminal and civil actions and as a high court of justice with original jurisdiction over disputes between individuals and the state. Thus, a citizen may directly file a petition against the state or its authorities to the Supreme Court in constitutional and administrative matters.

¹⁹³ (1983) 38 P.D. III 113.

¹⁹⁴ See also *Bourkhan v. Minister of Finance*, (1978) 32 P.D. II 800. In this case, the Court ruled that an Palestinian who applied to purchase an apartment in the newly re-constructed Jewish Quarter of the Old City of Jerusalem could be barred from

In 1992, the Knesset passed the most important law protecting civil liberties: 'The Basic Law: Human Dignity and Freedom'.¹⁹⁵ This law empowers the Supreme Court to overturn Knesset laws, which are incompatible with the following enumerated rights: the right to dignity, life, freedom, privacy, property, and the right to leave and enter the country.¹⁹⁶ The right to equality is not expressly included, however, a 1994 Amendment to this Basic Law states that the principles enunciated in the Declaration of the Establishment of the State (1948) are part of the values protected by the Basic Law. As the Supreme Court stated in 1994, "The equality principle is incorporated in the Basic Law: Human Dignity and Freedom. This incorporation means that the principle of equality is raised to the level of a high normative constitutional right."¹⁹⁷

Numerous landmark decisions delivered since 1994 appear to indicate an increased willingness on the part of the Supreme Court to apply the

consideration as a potential buyer because the state has a national interest in developing and maintaining this area exclusively for Jews.

¹⁹⁵ As Israel lacks a formal constitution and a bill of rights, Israel's 'quasi-constitutional' legal framework is based on a series of 'Basic Laws' enacted by the Israeli Knesset and judge-made law.

¹⁹⁶ This Basic Law does not give the Supreme Court the authority to strike down laws passed prior its enactment, but requires the Court to interpret previously existing laws in a manner compatible with this Basic Law.

¹⁹⁷ See *Hoffert v. Yad Va'Shem*, (1992) 48 P.D. III 353 (Decision delivered in 1994). The Court's holding in this case is the majority opinion of the three-judge panel that delivered the decision. In Israel, three justices and not all eleven justices who comprise the entire Supreme Court bench decide Supreme Court cases, in general. The Supreme Court's eleven justices do not all agree that the equality principle is part of The Basic Law: Human Dignity and Freedom because it is not explicitly stated in the law.

equality principle in controversial cases.¹⁹⁸ However, the Supreme Court has not delivered a decision in a case, since the passage of The Basic Law: Human Dignity and Freedom, which involves the principle of equality and governmental discrimination against the Palestinian community in Israel.¹⁹⁹ Further, Israel has recently ratified the most important international human rights conventions, which contain minority rights protections.²⁰⁰ According to these international instruments, the Palestinian Arab community in Israel constitutes a national (Palestinian),

¹⁹⁸ See *El Al Airlines v. Dannilovitz*, (1994) 48 P.D. V 749 (holding that the partner of a homosexual must be recognized as a “spouse” to avoid discrimination based on sexual orientation for purposes of receiving benefits from an employer); *Miller v. The Minister of Defense*, unpublished decision delivered 11 August 1995 (holding that the army’s policy of prohibiting women soldiers from registering for pilot courses is illegal gender discrimination); and *Shdulat Hanasheem in Israel v. The Government of Israel*, (1994) 48 P.D. V. 525 (holding that women must be afforded appropriate representation on government corporate boards).

¹⁹⁹ In the few Palestinian cases alleging discrimination brought before the Supreme Court between 1992-1996, the parties settled their disputes without a ruling on the merits by the Supreme Court. In February 1997, a petition was filed by Adalah: The Legal Center for Arab Minority Rights in Israel, on behalf of five leaders of the Muslim, Christian, and Druze (MCD) religious communities, against the Minister of Religion concerning the budget. The petitioners asked that Court declare four provisions of the Knesset Budget Law (1997) unconstitutional, as these articles give the MCD religious communities only 2% of the total budget. This case squarely raises the issue of whether The Basic Law: Human Dignity and Freedom includes the principle of equality, and is currently pending before the Supreme Court. See *Adalah, et.al., v. The Minister of Religion, et. al* (petition on file with Adalah). Several legal scholars agree that since the passage of The Basic Law: Human Dignity and Freedom and its 1994 Amendment, there exists a strong legal basis on which to mount a claim.

²⁰⁰ These include The International Covenant on the Elimination of All Forms of Racial Discrimination (CERD) in 1979 and The International Covenant on Civil and Political Rights (ICCPR); The International Covenant on Economic, Social, and Cultural Rights (CESCR); The Convention on the Rights of the Child (CRC); and The Covenant on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1991.

as well as an ethnic (Arab), linguistic (Arabic), and religious (Muslim, Christian, Druze) minority, and as such are to be afforded rights protections. While Israel's international human rights obligations are not currently binding on Israeli domestic courts,²⁰¹ these principles provide persuasive authority for mounting minority group rights claims.²⁰²

Historically, the Palestinians in Israel have infrequently used legal measures as a means of asserting their rights. Legal cases have primarily been brought in order to defend individual rights such as property rights and restrictions on movement and expression, or to protect group rights to participate in the political process. In these cases, Palestinian citizens have no way but to defend their rights by using legal means, as the Israeli authorities have issued orders, which directly infringed their rights. The Palestinians in Israel, in general, have not used the court system to initiate cases that relate to group discrimination - such as disproportionate budget

²⁰¹ Israel's international human rights treaty obligations have not been incorporated into Israeli domestic law. Under Israeli law, incorporation occurs only when the Knesset passes a specific act or acts to that effect. However, principles which reflect provisions of customary international law are binding on Israeli courts as long as they do not clash with positive laws adopted by the Knesset. Israeli courts have referred to particular provisions of the Universal Declaration of Human Rights (UDHR) as reflecting principles of customary international law. Justice Barak, the President of the Supreme Court, has stated that local law must be interpreted, wherever possible, in accordance with the state's international obligations. Moreover, he has stated that only express, clear and unequivocal language in local law which contradicts an international obligation will override an international obligation. See A. Barak, "Interpretation in Law, Vol. II, Statutory Interpretation", cited by E. Abraham, "The Right to Family Unity and Immigration Law" in "Palestinian Residency and East Jerusalem," Hamoked, Jerusalem, 1994, p. 20.

²⁰² See also The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly, Resolution 47/135, 18 December 1992.

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allocations or disparities in the awarding of benefits - or to positive claims of minority rights - such as language rights, culture rights or religious rights. Recent developments in Israeli domestic law and international human rights law provide support to claims of group discrimination and the state's obligation to afford positive rights to the Palestinian Arab minority in Israel.

**UNITED NATIONS
CEDAW CONCLUDING COMMENTS
AND RECOMMENDATIONS FOR
ISRAEL**

Concluding Comments of the Committee

Introduction

1. The Committee thanked the State party for its very comprehensive and frank report, which dealt with all the articles of the Convention from both the juridical and sociological perspectives. It also appreciated the high level of the delegation and complimented the representative of the State party for her lucid presentation.
2. The Committee appreciated the fact that the report was submitted on time and followed the Committee's guidelines.
3. The Committee was pleased that non-governmental organizations had been given an opportunity to consider the report and that they were able to submit supplementary reports.
4. The Committee was disturbed that all the questions put forward by members to the representatives of Israel were not responded to in the Government's written answers. The Committee is of the view that response to all the questions would have clarified issues and problems.

Factors and difficulties affecting the implementation of the Convention

5. The Committee considered the fact that no basic law embodies the principle of equality or prohibits discrimination hindered the implementation of the Convention.

6. The Committee regretted the fact that Israel has maintained its reservations to articles 7 (b) and 16 of the Convention. It also regretted the fact that women cannot become religious judges and that the religious laws that govern family relations to a large degree discriminate against women.

7. The Committee considered that the persistence of conflict and violence hinders implementation of the Convention. Moreover, as a consequence of the ongoing conflict, power is concentrated in the armed forces. Women who are not represented in senior leadership in the armed forces are discriminated against and their perspective on peacekeeping and their negotiation skills are not utilized.

Positive aspects

8. The Committee commended the fact that Israel has developed progressive legislation, as well as comprehensive programs on violence against women and equal employment opportunities.

9. Although equality is not part of the basic law of Israel, the Committee commended the fact that the Supreme Court can give effect to the principle of equality in its judgments.

10. The Committee noted with satisfaction that most Israeli women have a high level of education, especially at the tertiary level.

11. The Committee commended the very extensive analysis of women in the media and the programs to reorient society against stereotypical images of women.

12. The Committee commended the existence compulsory National Health Insurance Law of 1995 which guarantees universal access to health care to all communities.

Principal areas of concern

13. The Committee noted with concern that the Government has not yet formulated an overall plans or measures to implement the Convention and the Beijing Platform for Action.

14. The Committee is very concerned that there is no specific governmental machinery responsible for promoting and coordinating policies for women.

15. The Committee noted with concern that non-Jewish women have worse living conditions than Jewish women. They receive a lower level of education, participate less in the government service and occupy limited decision-making posts.

16. The Committee was also concerned that non-Jewish women enjoy poorer health, resulting in very high maternal and infant mortality rates. There are also fewer employment opportunities available to them.

17. The Committee was concerned that there are still instances of polygamy, forced marriage and genital mutilation, as well as “honor killings”.

18. The Committee noted with concern that a very low percentage of women occupy political decision-making posts and that this situation has barely changed over the years.

19. The Committee was concerned that a marked disparity exists between the average earning of women and men in many sectors and that women are also disproportionately represented in part-time employment.

20. The Committee was concerned that many more women than men work in the informal sector and perform unpaid work thereby prospectively limiting their access to benefits associated with the formal sector.

21. The Committee noted with concern that the public health system allocates considerable resources to in vitro fertilization, yet contraceptive are not free of charge.

22. The Committee was concerned that a large number of women are arrested for prostitution. The Committee was likewise concerned with the large number of advertisements for sex services in daily newspapers, which contributed significantly to the spread of prostitution.

23. The Committee was concerned that despite the existing legislation, cases of violence against women still occur frequently, due in large measure to traditional ideas of the roles of women and negative societal attitudes towards the problem of violence against women.

Suggestions and recommendations

24. The Committee recommends that the Government of Israel should ensure that the Convention is implemented throughout the territory under its jurisdiction.

25. The Committee recommends that the Government should adopt an overall plan for the implementation of the convention and the Beijing platform through specific measures and within a definite time frame.

26. The Committee recommends that the right to equality and the prohibition of both direct and indirect discrimination against women should be reflected in a basic law.

27. The Committee suggests that in order to guarantee the same rights in marriage and family relations in Israel and to comply fully with the Convention, the Government should complete the secularization of the relevant legislation, place it under the jurisdiction of the civil courts and withdraw its reservations to the Convention.

28. The preamble of the Convention states that full development and the cause of peace require the maximum participation of women on equal terms with men in all fields. The committee thus recommends that all necessary measures be taken with the full participation of women, Jewish, Christian, Muslim and Druze alike. This is necessary to create an environment where women may enjoy their rights fully and where equality of opportunities in economic and social development, especially of rural women can be assured.

29. The Committee looks forward to the adoption of the bill creating the governmental machinery to be known as the “Authority on the status of Women” and hopes that this machinery will be given sufficient resources to carry out its work.

30. The Committee recommends that measures to guarantee the exercise of human rights of non-Jewish women, including those living in the rural

areas, particularly in relation to health, education and employment should be intensified. Special measures should be taken to close the gap between Arab and Jewish schools and address higher drop-out rates of Arab and Bedouin girls. Adequate resources should be allocated for school facilities and education opportunities, including scholarships. Further, the participation of Arab women in the civil service and in decision-making posts should be increased.

31. The Committee recommends that Government strengthen its efforts and expand its actions to eliminate violence against women, especially violence within the family, in all communities.

32. The Committee strongly suggests that the Government of Israel take necessary steps to eliminate practices which cannot be justified on any grounds, such as forced marriages, female genital mutilation, crimes of honor and polygamy.

33. The Committee recommends that satellite accounts should be used to evaluate the value of unpaid work and incorporate these into the national accounts.

34. The Committee recommends that some of the resources allocated to the treatment of infertility should be used to study its causes and its prevention.

35. The Committee recommends that public health services provide free and accessible contraceptives.

36. The Committee requests that the Government of Israel address the following issues in its next report:

- The status of disabled women;
- How indirect discrimination in the workplace is dealt with;
- The leave entitlement of mothers and fathers for the birth of a child or when they have young children, and the actual use made of such entitlement;
- The impact on the social roles of women and men of programs aimed at changing stereotypes;
- Programs for gender sensitization of the judiciary, police and health professionals;
- Financial support provided by Government for all NGOs in the territory of Israel.

37. The Committee requested wide dissemination of these concluding comments in Israel so as to make individuals aware of the steps that had been taken to ensure de facto equality for women and the further steps that are required in this regard.

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Appendix II

Convention on the Elimination of All Forms of Discrimination against Women

*Adopted and opened for signature, ratification and accession by
General Assembly resolution 34/180 of 18 December 1979*

ENTRY INTO FORCE: 3 September 1981, in accordance with article 27
(1)

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discriminations against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neocolonialism, aggression, foreign

occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual cooperation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:

PART I

Article 1

For the purpose of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field,

Article 2

States parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to insure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women;

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

PART II

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the

country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country/

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

Part III

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in preschool, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gaping education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a bases of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- (c) The right to free choice of profession and employment, the tight to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training recurrent training;
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of childcare facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repeated or extended as necessary.

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a bases of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;
- (b) The right to bank loans, mortgages and other forms of financial credit;
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health-care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, *inter alia*, the benefit of all community and extension service, in order to increase their technical proficiency;

(e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

PART IV

Article 15

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children or similar institutions

where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

PART V

Article 17

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3, and 4 of this article, following the thirty-fifth ratification or accession. The

terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the States Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

8. the members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

Article 18

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

(a) Within one year after the entry into force for the State concerned;

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(b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention.

Article 19

1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

Article 20

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.

2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place determined by the Committee.

Article 21

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present

Convention as fall within the scope of their activities. The Committee may invited the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

PART VI

Article 23

Nothing in the present Convention shall affect any provision that are more conducive to the achievement of equality between men and women may be contained:

- (a) In the legislation of a State Party; or
- (b) In any other international convention, treaty or agreement in force for that State.

Article 24

State Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25

1. The present Convention shall be open for signature by all States.
2. The Secretary-General of the United Nations is designated as the depository of the present Convention.
3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 26

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27

1. The present Convention shall enter into force on the thirtieth day after the date of deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 29

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of them, be submitted to arbitration. If within six months from the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

In Witness Whereof the undersigned, duly authorized, have signed the present Convention.

NGO Report: The Status of Palestinian Women Citizens of Israel

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