

## **Palestinian Women Under Occupation**

### **Basic Analysis of their Status**

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#### **Introduction**

Women in Palestine find their situation particularly challenging and sometimes disillusioning. While some women have been able to push through the forces that would suppress them, others have been caught up in them and been silenced. In the midst of a chaotic world of oppression from occupation, societal patriarchy, and legal inequality the effects of a women's rights movement have been limited. Should women patiently forgo their rights and freedoms until the vision of a free Palestine is established? Have they the power to decide this for themselves or has the culture in which they live and the Israeli occupation determined their status for them? What has been the cost to women for this delay of rights and voice? What has been the cost to society? What is changing within the society that may show a more equitable future?

#### **Current Context**

Lucy Mair, a researcher on Israel and the Palestine for New York-based Human Rights Watch, points out, that verdicts determined by the U.N.'s Human Rights Committee and the International Court of Justice placed the obligation of protecting the rights of women living in the Palestine on Israel, the occupying power.<sup>1</sup> Israel denies this obligation and consistently rejects the applicability of the Fourth Geneva Convention, the UN Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights (ICESR), the International Covenant on Civil and Political Rights (ICCPR), and the International Convention on the Elimination of All Forms of Racial Discrimination in regard to the Palestinian population which remains under their 'supervision' since 1967.<sup>2</sup> Within this vacuum of responsibility and the imposed ordeals to the Palestinian National Authority (PNA) erected by the Israeli government, women are left stripped of protections afforded to women who unlike them are not refugees and have a working state that can actively invest in and push for their rights and freedoms in society. In 1994 when the PNA was recognized at Oslo as the governing body for Palestinians, the PNA took responsibility for civil affairs and works, in the face of the imposed ordeals presented by Israeli occupation. Given the continuance of occupation, the ability of the PNA and the women's rights movement within the territories to make great strides has been dramatically set back.

Despite the more current context of occupation that dilutes the energy and attention given to women's issues, such as the construction of the 'Separation Wall', the expansion of settlements, the imposition of checkpoints, and the destruction of homes and livelihoods, there have been many positive changes for women under laws adopted by the Palestinian Authority. Extant legislation, inherited from Jordanian and Egyptian contain discriminatory practices within them and have yet to be reformed. Religious courts determine personal status law which governs marriage, divorce, parentage, inheritance, child custody, or guardianship. Muslim Palestinians derive this from Shari' a Law, while different ecclesiastical courts rule on personal status issues for Christians. Within a legal environment stagnated by the interminability of occupation; women have managed quite sizeable gains while additionally shouldering greater familial hardships.

1,425,177 Palestinian women of all ages and social classes live in Palestine. The literacy rate amongst women was recorded at 87.4 percent in a 2003 study by the Palestinian Bureau of Statistics.<sup>3</sup> At the beginning of the first Intifada the participation rate of women aged over 25 years

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<sup>1</sup> Women's eNews International, Bojana Stoparic: Palestinian Women's Rights Lost in Power Shifts; 24 June 2005: <http://www.womensenews.org/article.cfm/dyn/aid/2246/context/archive>

<sup>2</sup> Israel and the Occupied Territories Conflict, Occupation, and Patriarchy: Women Carry the Burden, Amnesty International; 31 March 2005.

<sup>3</sup> Palestinian Central Bureau of Statistics: 2003. [www.pcbs.org](http://www.pcbs.org)

in the Labor force was 15.8 percent which has now fallen to 10.5 percent.<sup>4</sup> The average age of marriage according to the Health Status in Palestine, Ministry of Health Annual Report of 2003 was 18.7 years of age. Statistics show that 30 percent of Palestinian women are getting married at ages below 17. 52.7 percent of the population is under the age of 17. With a pseudo-economy, supported in its entirety by foreign aid and constant societal oppression from the occupation and the traditional patriarchal customs that allow for a modicum of control and authority to men, women have become the fulcrum on which two weights are balanced. Externally, Israel occupation requires a submission to this imposed authority on the one hand while internally women face imposed societal inhibitions and stereotypes that limit their rights and freedoms, using the excuses of tradition and propriety to shelter the dignity and power that men are truly trying to retain by clinging to these immoral and destructive mentalities.

## **1. Personal Status and Representation of Women**

Amnesty International describes the situation of Palestinian women as a triple challenge: (1) as Palestinians under Israeli military occupation which controls every aspect of their lives (2) as women in a society governed by patriarchal customs, (3) as unequal members of society subject to discriminatory laws.

Since 1965, measures to improve Palestinian women's political involvement and representation have consistently been deferred to a 'later stage' in the national liberation struggle and the fight against occupation. This has been the case across the political spectrum and among all political factions. In the Battle of Algiers after 130 years of French colonialism marked by French settler exploitation of indigenous Algerian Arabs, their lands, and their resources, Algerians exercised their right of resistance. They succeeded in releasing themselves from the oppressive French colonial stranglehold and in routing the French settlers. However, women in the interest of the resistance to the occupation did not organize to secure their own rights. Zahira Kamal, Secretary General of the Palestinian Federation of Women's Action Committees and a founder of the modern Palestinian women's movement, has pointed out that there was no Women's Movement in Algeria, no theoretical political base or history of struggle for women's rights in Algeria; only a nationalist consciousness. Consequently, when the war for national liberation was won, women were relegated to the subjugated position of pre-liberation days. They had not organized to prevent it.<sup>5</sup>

In Palestine as a result of this deferent attitude toward patriarchal authority, the mobility and freedoms of women have been guided and determined by religious and socio-cultural norms, and antiquated legislation. For example in the very simple case of physical movement outside the home, the norm is that it is prescribed by male relatives' appraisal of safety, because many families are simply afraid to allow their daughters to leave the home. As a result, whether out of an interest to protect or a more autocratic impulse to control, the outcome is the same, women having diminished freedom of movement. Moreover, by the current legislation that is Jordanian and has been amended in Jordan, women are considered minors under the authority of male relatives. Such that, in the case where legal recourse is sought, such as the crimes of rape or even honor killings, and other matters that exclusively pertain to women, such as pregnancy and breast cancer; there is resultant diminished attention to women's issues in light of occupation's ordeals, the unprotected and variant social standing of women, and these outdated and discriminatory legislative statutes. Laziness, complacency, and ignorance in regard to these circumstances have allowed the development of a dangerous cultural and societal framework for women and caused a profound and worrisome effect on Palestinian society.

In 1976, after Israeli occupation of the West Bank in 1967, the Military Order 627 of the occupying power, Israel, granted women in the Palestine voting rights and candidacy rights for municipal posts. Here, Israel acts in compliance to the principle of obligation that the ICJ places on occupying

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<sup>4</sup> Israel and the Occupied Territories Conflict, Occupation, and Patriarchy: Women Carry the Burden, Amnesty International; 31 March 2005.

<sup>5</sup> Palestine Papers, Women in the Intifada; Marianne Torres; Issue: August, 1989

powers, enacting and updating necessary legislation in recognition of their interference in the region and therefore their presence as an impediment for the region itself to act sufficiently on behalf of its populace. This requisite act of Israel was in harmony with the actions of other Arab nations in the immediate region which granted women suffrage in response to the current political trends, Jordan in 1974, Iran in 1963, Yemen in 1967, Egypt in 1956, Syria 1953, and Lebanon in 1952. The extant 1955 Jordanian electoral law used in Palestine until its abolishment by this order did not recognize women's voting or candidacy rights. But as it became antiquated by the changes in trends and politics was repealed and amended was annulled by Jordan in 1974. Palestine not being a state or having adequate government at that point relied on Israel to keep its legislation up to date. However, the only occasion when Palestinian women did vote was in the municipal elections of 1976 since after this year municipal elections were banned by Israel. Palestinian women voted again—and ran—in the historic 1996 presidential and legislative elections, comprising 42 percent of voters and 4.5 percent of candidates.<sup>6</sup> Continued use of this extant Jordanian law, inherited before the occupation in 1967 is detrimental to the situation of women and to Palestine.

On top of the extant antiquated legislation, discriminatory laws passed by Israel add insult to injury to women's status. Israeli legislation enacted in July 2003 by the Israeli Knesset bans the family unification for Israeli citizens married to Palestinians from the Occupied Territories; the law put into legislation a practice in effect since early 2002.<sup>7</sup> So that where, old traditions haunt women from behind, discriminatory efforts to unsettle Palestinians and encourage emigration from Palestine cut off their progress forward.

Women are underrepresented in the leadership of the main Palestinian political parties despite high levels of political activism among women. Yet while women have been historically underrepresented in party politics, women have been active through non-governmental organizations and in civil society, where they have established a network of services for women to provide support while the conflict continues, and to help them play a larger role in building a Palestinian state. These services include job creation initiatives, micro-credit loans, facilitating small business establishment, education and skills training, health and counseling, childcare, meeting centers for the community, awareness campaigns on such topics as women's human and legal rights, advocacy for legislative change, and numerous other activities to help Palestinian women build better lives for themselves and their families. However these activities cannot be seen as guaranteed proof of equal status before the law and in the eyes of men. Algerian women were equally implemental in the resistance of colonialism but their failure to secure guaranteed legislated rights for themselves prior to the end of occupation resulted in a damaging re-establishment of extreme patriarchal customs at its end. To their credit, Palestinian women in the 80s have strongly protested against the mandatory wearing of the hijab, pushed by Hamas, while recognizing the right of a woman to 'choose' to wear one for religious or political reasons and also have persistently pushed to empower women in politics and in their society through educational initiatives and by organizing.<sup>8</sup>

## **2. Political Participation**

Thanks to the work of numerous NGOs that seek to empower women politically, by teaching the necessary skills to enter politics, in January 2005, in the first of four phases of municipal elections, held throughout 26 areas in the West Bank, women won seats in all but one. To ensure the representation of women, there was a quota system set up by the Central Elections Committee that requires at least 2 women per locality, perhaps surprisingly, 32 out of the 51 seats gained by women were not based on quotas, but rather on the popular vote; it seems that women have won a place in the political realm.

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<sup>6</sup> Commission on the Status of Women; New York, Monitoring the Implementation of the Nairobi Forward-Looking Strategies for the Advancements of Women: Situation of and assistance to Palestinian women; Note by the Secretary-General; 28 February 1994: <http://www.un.org/esa/gopher-data/esc/cn6/1994/1994--6.en>

<sup>7</sup> Citizenship and Entry into Israel Law (Temporary Order) 5763 -2003, passed on 31 July 2003.

<sup>8</sup> The Veil: Resistance or Repression? Silja J.A. Talvi, 2002

According to the Central Elections Committee, 143,000 people were eligible to vote, 49.7 percent of them were women. Among the 887 open seats, 17 percent were won by women.<sup>9</sup>

The second phase of municipal elections took place on May 5, 2005 in 84 towns and villages: 76 in the West Bank and 8 in Gaza. A total of 2500 candidates, 399 of whom were women, competed over the 906 municipal seats. The number of eligible voters was 400,000 of whom 130,000 reside in Gaza. 168 female candidates were elected.

The third phase of municipal elections, due in August, but more importantly, in July the vote for the Palestinian Legislative Council (PLC), could allow for greater female representation and thereby a say in national policy. One hopes to see an increase in the number of women in the PLC which at the time of this writing is 5 of 88 seats. A vast majority of Palestinians polled support a quota for women in the PLC election, showing that the popular consciousness is amenable to the leadership of women and that a portion of the society want to go so far as to guarantee it.

- A little less than 80 percent support the allocation of a specific quota to designate a percentage of seats for women in the PLC. Support in the West Bank (82 percent) is higher than Gaza (74 percent). Women are more supportive of the quota (84 percent) than men (73 percent).
- Over 58 percent supported a quota to guarantee 30 percent or more seats in the PLC for women. In fact, the largest group of respondents (30 percent) supported the allocation of half of the seats for women. Another 10 percent supported a quota of 40 percent, 18 percent supported a quota of 30 percent, 19 percent supported 20 percent, and 23 percent supported 10 percent quota.
- The percentage support for a women's quota increased from 62 percent before the PLC approved a similar quota designating seats for women in the recent Local Council Elections, to 79 percent now. This might be due to an increase in the perceived success by citizens of the implementation of the quota during the last local council elections.<sup>10</sup>

"Palestinian women of all ages and social classes have taken part in the national struggle against Israeli occupation. Their actions challenged the social and cultural definition of female roles within Palestinian society. Women participated in the demonstrations of the first Intifada, and their actions were sometimes violent and often involved serious confrontations with the army, for example when women formed human shields between Palestinian youths and Israeli soldiers. Palestinian women used their networks to call one another to confront Israeli Forces when they came to beat or detain a young man, usually in the middle of the night. Among women's forms of involvement were: participating in marches, demonstrations, and funeral processions; being trained in methods of first aid and sanitation; and setting up literacy and other training programs, including developing innovative ways of teaching and learning to mitigate the effects of school closures. Amid the increased violence of the second Intifada, young Palestinian women have begun to participate in the universally condemned practice of suicide bombings against Israel (once an exclusively male strategy)."<sup>11</sup>

Women represent half of Palestinians and have been just as inextricably involved in the resistance to the Israeli occupation and in the propping up of Palestinian society in the midst of extreme hardship as men, to deny them their due place and position as equals within this society in its extant legislation is wrong, dangerous, and damaging and should be immediately remedied.

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<sup>9</sup> Palestine News Network, Women still strong from Local Elections, Amin Abu Wardeh; 13 January 2005

<sup>10</sup> Bizreit University, Development Studies Programme Poll, <http://home.birzeit.edu/dsp/opinionpolls/>

<sup>11</sup> UNIFEM Gender Profile: The Impact of the Conflict in the Occupied Palestinian Territory on Women: 2005.

### 3. Inclusion of Women in Peace Process

The PLO and its various factions since their origins have been male-dominated and patriarchal by nature, with men controlling decision-making processes while women were excluded. Women's involvement was always procrastinated justifying this by saying that the struggle for national liberation needed all resources concentrated in the fight against occupation, inadvertently insinuating that the involvement of women should be relegated to traditional female roles as dictated by patriarchal customs. This mentality was the case across the political spectrum and amongst all political factions. In 1992, criticism of women's inadequate representation in the various technical committees of the PLO paved the way for the formation of the Women's Affairs Technical Committee. By 1995, the WATC orchestrated a project which aimed to achieve 30 percent female representation on the Legislative Council by improving women's abilities for political participation. The election brought women only 5.7 percent representation, but the WATC's electoral project was nonetheless judged successful for the skills and information that it imparted to women and the encouragement that succeeded in convincing women that they could run for election.

In 1991, Dr. Hanan Ashrawi was made the first female spokesperson for the PLO. She was instrumental in the Madrid Conference Peace Process, but the Madrid negotiation team's efforts were undercut by the secret Oslo negotiations of 1993, between the government of Yitzhak Rabin and the PLO. In a 1999 report of the Commission on the Status of Women it was found that, "Although women have begun to play an important role in conflict resolution, peace-keeping and defense and foreign affairs mechanisms, they are still underrepresented in decision-making positions. If women are to play an equal part in securing and maintaining peace, they must be empowered politically and economically and be represented adequately at all levels of decision-making."<sup>12</sup> As a direct result of this belief and the evident value women have added to the political realm and the peace process, there was a quota system set up by the Elections Committee for at least two women to be ensured a place in local districts.

### 4. Patriarchy

Challenges to patriarchal norms, within the context of conflict and militarization, are often answered with threats of violence and in worst cases, murder. It is in the arena of law where women are most vulnerable. "The crisis of the male breadwinner is a gendered crisis and a family crisis... This places enormous stress on gender roles."<sup>13</sup>

Within this context of the systematic breakdown of social institutions and because law is not enforced, women become the tools of the patriarchal elite to reclaim their power. Traditional roles and responsibilities become entrenched. Girls are pulled out of schools and early marriages were a trend for a time. Development of institutions, systems, and legislation that protect and empower women find resistance within society. In a report by Bridges, the Israeli Palestinian Health Magazine, the incidence of domestic violence and gender-based violence is increasing with recent research noting the correlation between political violence as a predictor of violence in the family.<sup>14</sup> Not to mention, the increased practice of honor killings.

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<sup>12</sup> UN Commission on the Status of Women; Fourtieth session; Item 5 of the provisional agenda; 11-22 March 1996;

<http://domino.un.org/UNISPAL.NSF/0/810f0a8607819123852562ed0050fd46?OpenDocument>

<sup>13</sup> Gender and the Intifada; Penny Johnson and Eileen Kuttub; 2002 Review of Women's Studies published by the Institute of Women's Studies of Bizreit University.

<sup>14</sup> Bridges, The Israeli Palestinian Health Magazine, A World Health Publication: 24 June 2005.

<sup>15</sup> Survey of Women's Rights in the Middle East and North Africa PALESTINE, Suheir Azzouni, 2005.

### **a. The Failure of Legislation**

In the law, women are discriminated against in laws governing marriage, divorce, custody of children, inheritance, and violence against women, commonly referred to as the "personal status laws" which are governed by religious doctrines in the Occupied Territories. As a result of this, Palestinian men and women do not have equal access to justice. Women in particular are not afforded rights or adequate protections in the penal code, which is antiquated in that it is derived from Jordanian and Egyptian law in use since before 1967 and considers them to be minors. The law enforcement structure is male dominated and often biased against women. Women are marginally represented among judges and police, which may make women hesitant to turn to the courts or law enforcement for help. Access to justice has proved a challenge for both men and women throughout the second Intifada in that it is governed ultimately by Israel (2000 to present). Given, the existing political situation, lack of legitimacy and general weakness of the Palestinian police and security forces, in addition to Israeli incursions and the inability of the Palestinian Authority to enforce the law properly, has made the judiciary and the rule of law superficially authoritative but actually inept, leaving women in particular vulnerable to suppression and inequitable civil rights.<sup>15</sup> The current legislation is intolerable and should be changed immediately recognizing increased sentences for honor crimes which presently provide a maximum of six months in prison for killings in defense of "family honor." Recent calls to change this legislation have met resistance in parliament where religious Palestinian MPs argue that reform will lead to a collapse in the moral fabric of society.<sup>16</sup> If Israel is interested in the demise of Palestinian society it only needs to wait for continued inaction by Parliament on this issue and others regarding the protection of women and Palestine will certainly cripple itself by its own lack of action to protect its weakest citizens according to the law. If Israel were to act in accord with its international jurisdiction to protect the rights of women per its obligation as defined by the ICJ, not one international body would protest, but it has not and most likely will not act. Complacent inaction such as this is why women must not ease their protest or relax the intensity of their movement.

### **b. Women's Movement**

According to Ellen Fleischman, writer of *The Nation* and its "New" Women: The Palestinian Women's Movement, 1920-1948, the Palestinian women's movement began as early as the 1900s. Rita Giacaman, the director of the Department of International Community Health at Birzeit University says, "The social change resulting from the intifada has created new roles for women. The women's organizations and the committees taught women the skills needed to be politicians and strategists, and the intifada taught them how to be political leaders. The movement of women into leadership roles in the male arena was necessitated by the mass imprisonment of male political leaders." At the signing of the Oslo Accords, in September of 1993, Palestinian women had already drafted and approved a "Document of Principles on Women's Legal Status," showing a perspicacity that exposes the realization that they appreciated the need to assert their rights in order to be incorporated at the onset of any future Palestinian state. In 1987 it was the indigenous organization of women that created a successful boycott of Israeli goods, as women organized and mobilized to provide viable alternatives. At the start of the first Intifada, the women's movement began to break apart, while money poured in to local NGOs there was little effort made to coordinate liberation from occupation with liberation for women. For the Palestinian elections on 20 January 1996, women's organizations undertook their own preparations. Non-governmental organizations had closely observed the elections in South Africa and the role of the women's charter there. The introduction of a quota system in the Palestinian elections was regarded as controversial at the level of the women's movement. There was concern that, through the quota system, women candidates who were not gender-sensitized would be appointed to governmental posts. It was also asked whether women would stand for election from within their political parties or independently of any political party. Despite the limitations, a view in favor of the quota system prevailed. Women led protests demanding a quota for women on the Palestinian Council, arguing that women faced difficulties in competing with men in the elections because of the historical inequalities in the male-

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<sup>16</sup> **Guardian** Murdered in name of family honour, Chris McGreal; **June 23, 2005**

dominated society. With two of four phases of the local elections passed, with women performing strongly, it remains to be seen if women will secure more seats in the PLC elections.

The women's movement in Palestine should be reinvigorated and supported by international organizations but recent patterns of aid have not linked development and the empowerment of women together as closely as is necessary to activate and ensure necessary changes, unfortunately the reality on the ground is the opposite. In 1994, one year after the Oslo Accords were signed, there were 800 NGOs in the territories—one for every 3,500 people. They were receiving over \$200 million, with explicit conditions imposed by their donors calculated to exclude the sort of activism that had been a hallmark of the 1980s where women were implemental agitators and demonstrators that led to the First Intifada, in particular a boycott of Israeli products in 1987. The United States, through the U.S. Agency for International Development, "donated" millions of dollars to NGOs in the West Bank and Gaza, aiming to influence Palestinian society away from agitation and resistance toward simply meeting 'humanitarian needs.'

These well-funded NGOs did not recognize or link humanitarian aid and support with the feminist and national aspirations of Palestinian women. This disconnection of the two primal drivers of the feminist movement resulted in the de-politicization and fractionalization of the movement. The movement split between those women's groups who continued to work through the NGOs and those that wanted to incorporate anti-occupation in their actions. These women insisted that the root cause of their oppression was linked to their occupation. International aid undermined the movement by not recognizing the intertwined nature of the struggle for rights and against occupation as inextricably linked. One must support women and an end to occupation, not one or the other. By disconnecting them or aiding one at the expense of the other, the other is compromised.

## **5. Occupation**

The occupation is exceedingly damaging to the fabric of Palestinian life and one edge of the two-edged sword that threatens women. Livelihoods are disrupted and dismantled. Family disintegration grows as families are separated by physical barriers, checkpoints, curfews, closures, and by psychological barriers where each person responds and reacts to the occupation in different manners searching for control, dignity and peace. Women as the mothers and sisters in these families bear a very particular role in the life of occupation. As caregivers, they hold families together, and as peacemakers they absorb the frustrations and strains on their family members, endeavoring to maintain family life and normalcy amidst an environment that strips away family and disrupts normal life, all the while exacerbating the oppression to women and stagnating the progress of the women's movement.

### **a. Curfews and Closures**

Most significantly for women, a curfew and closure has an important consequence if one is pregnant or if a family member becomes sick or injured. Local curfews sometimes lasted for weeks. Women became nurses but also midwives during the imposition of curfews and closures in the Palestine. While Article 38 and 16 of the Fourth Geneva Convention reads, "pregnant women and mothers of children under seven years shall benefit by any preferential treatment to the same extent as the nationals of the State concerned," and, "the wounded and sick, as well as the infirm, and expectant mothers, shall be the object of particular protection and respect.." in actuality Palestinian women in labor were delayed at checkpoints or refused permission to reach medical facilities resulting in 69 documented cases of women giving birth at checkpoints according to the Palestinian Ministry of Information. Since the beginning of the Intifada a 29 percent increase in home deliveries in the West Bank has been recorded. Health workers in the occupied territories noted a great deal of anxiety amongst pregnant women about the lack of accessibility of hospitals and medical care as they approached their due dates.<sup>17</sup>

### **b. Israeli Settlers**

In 1980, Israel unilaterally annexed Jerusalem, which the Security Council condemned in resolution 478 (20 August 1980) as a violation of the Fourth Geneva Convention (according to the Council, the

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<sup>17</sup> The Policies and Practices of Normal Childbirth in Maternity Facilities in the West Bank: Implications for Safe Childbirth, Institute of Community and Public Health, Bizreit University, 2004.

Geneva Convention applies in the territories occupied since 1967, including Jerusalem). According to testimonies collected from Palestinian women in Jerusalem by the Jerusalem Center for Women in November 2001, Israeli settlers in East Jerusalem have broken into Palestinian homes and seized them by force. Women, who spend most of their time at home, are most vulnerable to the disruptions and stress that result from these house confiscations. Settlers have waged a continuous campaign of verbal and physical harassment against Palestinian residents of East Jerusalem. Women and girls endure sexual harassment, physical violence, restricted movement, and continual tension at the hands of settlers, within Jerusalem and elsewhere in the OPT.

According to the Israeli Human Rights group B'Tselem, 145 Palestinian civilians were killed by Israeli civilians in the OPT between December 1987 and May 2003. This figure shows the discrepancy in how figures are compiled when compared to the figure provided by Al Jazeera's Information Center--an independent USA news and research organization--which reports that from Sept. 28, 2000 to Jan. 5, 2004, Israeli troops killed 2,782 Palestinians. It is important to note the dates and overlaps, but the disparate numbers would still not precipitate this large of a difference in margin except for the use of different criteria on what victims count. Al Jazeera notes that 1,283, Palestinians were reported killed in the first Palestinian intifada which lasted six years, from December 1987 to 1993. The Palestine Monitor records that from 28 September, 2000 and 5 May, 2004, 3020 Palestinians were killed. It is quite typical for these statistics to vary by as much as one thousand from one organization to the other, making the documentation of the numbers alone an additional source of contention in an already contentious context. The difference is whether one includes bystanders to violence or not, disproportionately bystanders are women and children.

Clashes between Israeli settlers and Palestinians have also led to indefensible threats. One example of graffiti in Hebron reads, "Watch out Fatima—we will rape all Arab women." As well as being the direct victims of settler violence, women are affected by the conflict that can arise within families as they face the decision of whether to stay in their communities and endure it or abandon their homes and lands. These sorts of threats create additional grounds for male relatives to limit the mobility of female relatives outside the home.

### **c. The Israeli Separation Barrier**

In June 2002 Israel began construction of a wall between Israel and Palestinian territory with the stated goal of 'improved Israeli security.' The barrier, does not coincide with the Green Line, and in some places is located as much as 6 km inside the West Bank, it cuts across roads and water networks and will form a barrier between Palestinians on each side and their agricultural lands, water wells, urban markets, and public services. For women, this barrier adds to decreased mobility and increased isolation from education, social networks, economic activity, markets and information, as well as from the numerous support services that women's NGO's now offer Palestinian women, from education and skills training to community meeting centers.

Surveyors from the Palestinian Bureau of Statistics and field workers from UNRWA have reported that many Palestinian families express fear that marriage customs will be affected by the separation barrier. Parents are reluctant to allow their daughters to marry men from towns and villages even a few kilometers west of the barrier, comparing it to sending their daughters "to prison". Families worry that the wall will be an obstacle to regular and free visits with their daughters and grandchildren. The Bureau of Statistics found that such effects on social and family ties have already been found to be legitimate fears for at least a third (and up to 90 percent) of families separated by the barrier.

Palestinian women who must pass through new military checkpoints erected as a result of the barrier on their way to and from work must undergo manual checks by Israeli soldiers when the metal detector is not working. Women that object to being examined by men have reported waiting hours until female soldiers arrive to check them.<sup>18</sup>

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<sup>18</sup> UNIFEM Gender Profile: The Impact of the Conflict in the Occupied Palestinian Territory on Women: 2005.



#### **d. Violence**

The Israeli occupation is a primal cause of violence against women in the Palestine, UN special rapporteur on violence against women's Yakin Erturk said in a report detailing a visit to the Palestine in June 2004. Erturk said that while persistent conflict has eroded the quality of life for Palestinians and Israelis alike, the burden falls disproportionately on the Palestinian people.

"This has generated an atmosphere of legitimized violence as a method of conflict resolution," Erturk said. "As a consequence, an integrated system of violence which disproportionately singles out women in both the public and private spheres has emerged."

"Women are direct and indirect victims of the occupation, liable to be killed or harassed because of affiliation with certain men and vulnerable to having their homes demolished," Erturk said, "the frequency, arbitrariness and unpredictability with which the attacks are conducted exacerbate the trauma of a life in constant uncertainty."

#### **As Direct Victims of Occupation**

##### **209 Palestinian women and girls killed by Israeli forces , September 28, 2000 - September 25, 2004:**

<b>Female Deaths by Residential District</b>	<b>#</b>	<b>percent</b>
Bethlehem	10	4.78
Gaza	93	44.5
Hebron	12	5.74
Inside Green Line	2	0.96
Jenin	26	13.88
Jericho	1	0.48
Jerusalem	1	0.48
Nablus	31	14.83
Qalqilya	3	1.43
Ramallah	20	9.57
Tulkarem	6	2.87
Unknown	4	1.91
<b>Ages of Females Killed</b>		
17 and under	74	35.41
18 and over	132	63.16
<b>Site of body injury</b>	<b>#</b>	<b>percent</b>
Head and neck (including 17 from behind)	38	18.18
Chest (including 51 from behind)	32	15.31
Abdomen	5	2.39
All over body	80	38.28
Lower limb	1	0.48
Unknown/unspecified/ Not Applicable	53	25.36

Immediate Cause of Death	#	percent
Live ammunition*	77	36.84
Heavy weapons**	61	29.19
Rubber-coated metal bullets	-	-
Prevention of medical treatment	29	13.88
Tear Gas	6	2.87
Other/Unknown***	36	17.22
<p>* Includes 5.65 mm (223 caliber) bullets, 7.02 mm bullets, 9 mm bullets, 50 caliber bullets, 500 mm bullets, 800 mm bullets.</p> <p>** Includes tank fire, bombs, missiles from helicopter, and F 16's.</p> <p>*** Includes explosions, being hit by car or stabbed, or having a heart attack after being attacked or unknown.</p>		

There are now altogether approximately 100 Palestinian women political prisoners<sup>19</sup>

#### As Indirect Victims of Occupation

"Women are also subjected to heightened violence in the home and stringent patriarchal control by their family, the wider kinship network, local power groups and the community at large," Erturk added.<sup>20</sup>

A poll conducted by the Palestinian Working Women's Society for Development (PWWSD) among 1,100 women showed that there had been an 86.6 percent increase in the number of women who had been subject to domestic violence from 2001 to 2002 – showing a high correlation between increasing domestic violence and the Intifada.<sup>21</sup>

A ground-breaking research project funded by the International Development Research Centre (IDRC) shows that violence against women is "rampant" in Gaza, the tiny coastal area between Israel and Egypt. The Gaza Community Mental Health Program, through its Women's Empowerment Project (WEP), undertook the 18-month project to discover why such violence is prevalent in this impoverished region. The research indirectly arose from efforts to analyze the impact on women from nearly 30 years of Israeli occupation and isolation during the Intifada, the Palestinian uprisings between 1987 and 1992. WEP Director, Nuha Saba stated, "Women were really the target of violence during that period, not only from within the family but also from Israelis." Using gender-based research methods to interview women, a representative sample of 120 women from refugee camps, villages, and cities in the Gaza Strip was collected to determine the incidence of gender-based violence. The preliminary results are alarming: half of the women interviewed to date have been victims of violence.

<sup>19</sup> Palestine Monitor: [http://www.palestinemonitor.org/new\\_web/factsheet\\_intifada.htm](http://www.palestinemonitor.org/new_web/factsheet_intifada.htm)

<sup>20</sup> Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk E/CN.4/2005/72/Add.42 February 2005  
<http://domino.un.org/UNISPAL.NSF/5ba47a5c6cef541b802563e000493b8c/de053af256d980ed85256fdc006e27d2!OpenDocument>

<sup>21</sup> Ecumenical Accompaniment Programme in Palestine and Israel (EAPPI); Palestinian Organization works to draw Attention to the Problem of Violence against Women; Maria Fahmy; 26 November 2004

"Violence against women in Gaza basically means domestic violence," says research consultant Aitemad Muhanna. "Women are beaten by their husbands, beaten by their fathers, and even beaten by their brothers." Women are beaten for not fulfilling traditional roles — such as cooking, cleaning, or tending to their appearance — to a husband's satisfaction. Other abuses include harsh insults, sexual abuse among family, and marital rape.<sup>22</sup>

"Cases of domestic violence in the Palestinian territories have almost tripled throughout the Intifada," says Falak Khayat, director of the Family Defense Society. Documented domestic violence cases have gone from 233 in 1999 to 641 in 2003. Documented incidents of psychological violence have risen by 223 percent while physical abuse rose by 157 percent in comparison to the years before the Intifada. Documented cases of sexual abuse rose by 38 percent. The difficulty is that the incidence of domestic violence can only be estimated because of the taboo inherent in reporting it.

This rise in the rates of domestic violence in Palestinian families, says Khayat, must basically be attributed to the years of escalating Israeli assaults and violence. The deteriorating economic and political conditions in the Palestine coupled with the ongoing Israeli measures of assassinations, incursions, demolitions and other forms of violence have contributed to the overall feeling among fathers that they cannot fulfill their roles as protectors of the family. This feeling of inadequacy often generates violence in turn, mostly against women and children.

Dr. Nader Saeed, director of the Development Studies Program at [Birzeit University](#), says a survey conducted in September to October of 2004 with 1,500 interviews in 75 locations in the West Bank and Gaza found shocking results. The interviewees were school students, housewives and teachers.

"The results were incredible," says Saeed. Physical abuse in West Bank districts reached 42 percent and 33 percent in Gaza.<sup>23</sup> The statistical correlation between the rise in abuse and the increasing oppression during the years of the Intifada lead most experts to conclude that while the occupation is not the only cause of domestic violence, it is the main cause and its end will contribute to the undeniable improvement of the situation of women.

### **Additional Variables**

Palestinian women have survived Israeli occupation despite violence in public and private life, expropriation of their freedoms by Israelis and limitation of their freedom by family, inequitable societal norms and antiquated legislation, and chronic inattention to issues of particular importance to them.

Women are surviving occupation and all its ordeals, but not thriving. In the fields of education and health, it becomes evident that while women may perform exemplary in education and in resisting the occupation, they still belong to a society that inordinately favors men. Despite all the reasons discussed as to how women would justifiably fall short of distinction, presently, at the end of secondary school, 80 percent of the best pupils are girls and 35 to 50 percent of university enrollments in the West Bank and Gaza are women. Yet, while most women have thirteen years of schooling, 27% of men who have more than 13 years of schooling are outside the labor force, compared to 55.7% of women. Traditions alone cannot explain that margin. Moreover, the majority of women (88.7%) aged 15 years and over are outside the labor force compared to 29.7% of men, showing that the tradition of women not working outside the home may have some influence, but also the general lack of inclusion or acceptance of women in working society helps determine employment when choosing between a man or a woman.

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<sup>22</sup> International Development Research Centre (IDRC); Addressing Violence Against Palestinian Women  
*Doug Alexander* 2000-06-23

<sup>23</sup> Palestine Report; Volume 11 Number 37 Victims of violence, Ahmad Sub Laban March 16, 2005

As a consequence of the Intifadas, women heads of family rose from 7 percent in 1997 to 11 percent in 2003<sup>24</sup>. These households are most prone to suffer from poverty, due to the mentalities and attitudes toward women that work and the wage discrimination and gender discrimination in employment. Here, is where the insult of occupation meets the oppression of traditionalism and results in the indirect punishment of women.

In the health care field, women suffer from inattention to their health needs. Sixty percent of all cases of breast cancer in Gaza are diagnosed at a late stage, when the cancer has already spread, while in Israel, this figure is only 5 to 7 percent. The breast cancer survival rate for women from Gaza is extremely low - 30 to 40 percent, or even less. According to Palestinian Health Ministry figures, 60 percent of the women in Gaza who have been diagnosed with breast cancer were diagnosed after the cancer had already spread in their bodies. Focusing only on the variation between Arab and Israeli women in Israel, the survival rate (a measure of access to diagnostic services, the quality of the diagnosis and the quality of the treatment) for breast cancer among Jewish women in Israel is 70 to 75 percent, and for Arab women in Israel, 60 to 65 percent.

## Conclusions

Occupation must end, but women's rights and women's issues cannot be postponed pending the end of occupation. The PNA has shown adherence to this principle given that the Legislative Council has adopted an article in the electoral law for local councils that guarantees a quota for women.

2 seats, at least, for women in each council whenever there are women candidates and in the electoral law for legislative council they have approved a 20% quota for women in the lists. Palestine has been steeped with debate over the electoral process between the presidency, the Parliament, and the parties and in fact Palestine is showing the Arab world and the Western world that in democracy the rules of the political game are not commanded by those in power but are sharply contested, examined, and re-examined amongst multiple parties. The resulting confusion may not seem enviable, but it is entirely democratic. While, the occupation exacerbates and stagnates a pre-existent culture of women's oppression, Palestinian democracy is giving women the chance to be free. Occupation and women's oppression are intertwined making efforts at a remedy necessarily simultaneous and bi-pronged to enable the toppling of the two in one coordinated move. Otherwise, women and resources will be divided, dramatically slowing the results.

The report, "Women's Rights in the Middle East and North Africa: Citizenship and Justice" by Freedom House, found a substantial deficit in women's rights in 16 countries and the Palestine.<sup>25</sup> Arguably, the situation of Palestine is much more complex than that of a recognized 'state'. The study argues that gender inequality in the region is compounded by high levels of illiteracy among women, apathetic governments, and patriarchal traditions, all of which conspire against women, leaving them unaware of their rights and ill-equipped to advocate for them. Consider, that in Palestine the literacy rate among women is at 87.4 percent, according to 2004 surveys which ranks Palestine higher than all other countries reviewed. And moreover, despite its status as an occupied territory it still managed to score in the mid to high range with a score of 2.7 on average on a scale of 1 to 5, and--in recent changes that occurred after this report's publication--elect more women than 'required' by recently reformed progressive electoral laws that demand the representation of at least 2 women in local districts.

Palestine sets an example in the education levels for girls and young women amongst other Arab nations and women's employment opportunities have expanded despite the efforts of Israel to isolate it economically from the world and separate people from their livelihoods with the Separation Wall, expropriation of land, and checkpoints. Occupation and prevalent social norms limit the possible progress women have the capacity to make but it is evident by the recent public opinion polls regarding changes to electoral laws that the Palestinian public is maturing and supportive of women in politics. Notwithstanding, problem areas that need improvement include:

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<sup>24</sup> Aljazeera.net, Palestinian women face daily battle, Indlieb Farazi, Tuesday 08 February 2005

<sup>25</sup> Freedom House, **Women's Freedom in the Middle East**, May 20, 2005

- Inferior status of women due to legal discrimination
- Discrimination in nationality and citizenship laws
- Domestic violence
- Lack of information; Absence of voice
- Women's inferior status in family law
- Mechanisms for women to file complaints of gender discrimination

Palestine continues to exist despite the systematic oppression by Israel and the lack of consistent support from its Arab neighbors; its women show the same resilience, potential, and strength.