

Israel Defects from Judaism: Impact of Occupation on Palestinian Female Livelihood



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The treacheries of war are undoubtedly painful to all who experience them. In particular are the unacceptable pains that afflict the mothers and sisters of all warring parties, regardless of who they are. The grief of a Jewish mother is no greater than that of a Palestinian mother, both are offensive and intolerable. With the liberation of the Auschwitz concentration camp, the commanding Soviet Union officer uttered “Never Again.” Since the condemnation of the horrors of the Holocaust, the phrase has been employed by politicians, theologians, and human rights activists alike as a stern cry to the moral abominations that have been exacted against the human race in the contemporary “modern” age following World War II. While the Palestinian-Israeli conflict may be incomparable to the Holocaust in magnitude and scope, Israel’s treatment of Palestinians is driven by the same overarching themes of oppression and dehumanization underpinning the Nazi philosophy. Regardless of the wanton killings of civilians during the Gaza War or the death of a single mother unable to reach a healthcare facility due to the mobility restrictions imposed on her under occupation, neither human suffering nor a single death can be quantified. And hence, there exists grave tension between Israeli policy governing the occupied Palestinian territories and its pride as a Jewish democracy ingraining the values of Judaism. The thread of common humanity imbedded within Judaism is of no consequence to Israel’s execution of law over the territories, effectively demonstrating Israel’s defection from Judaism. Israel’s treatment of civilians—not suspected terrorists—is irreconcilable with the tenets of equality and common humanity which Israel, as a Jewish State, purports to uphold. Women and children unjustly, and in breach of Judaism, share the brunt of the burden—a burden that subjects them to health and life insecurity, leaving their livelihood not at the mercy of God, but Israeli lawmakers.

The plight of Palestinian women is unique to that of other political calamities attributing impoverishment a gendered face in that the Convention Relative to the Protection of Civilian

Persons in Time of War, “Fourth Geneva Convention,” binds Israel, the occupying power, under international law to provide unprejudiced health services to the occupied, un-naturalized Palestinians of the occupied Palestinian territories, including Palestinians holding Israeli residency in east Jerusalem. Furthermore, Article 38 of the convention even goes as far as to legally compel Israel to afford Palestinians “if their state of health so requires...medical attention and hospital treatment to the same extent as the nationals of the State concerned,” in this context, Israel.¹ Consequently, the convention affords Palestinians health security irrespective of the occupation. William Shakespeare too offers a logical and applicable equivalence among individuals founded on the mere grounds of being human in his play the Merchant of Venice, in which Shylock, a Jewish merchant, pleads for recognition to his Christian rival, Antonio:

And what’s his reason? I am a Jew. Hath not a Jew eyes? [H]ath not a Jew hands, organs, dimensions, senses, affections, passions? [F]ed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer as a Christian is? If you prick us, do we not bleed? [I]f you tickle us, do we not laugh? [I]f you poison us, do we not die? [A]nd if you wrong us, shall we not revenge?²

¹ United Nations, Convention Relative to the Protection of Civilian Persons in Time of War: Art. 4. Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals; Art. 27 Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion; Art. 38. With the exception of special measures authorized by the present Convention, in particularly by Article 27 and 41 thereof, the situation of protected persons shall continue to be regulated, in principle, by the provisions concerning aliens in time of peace. In any case, the following rights shall be granted to them: (1) they shall be enabled to receive the individual or collective relief that may be sent to them. (2) they shall, if their state of health so requires, receive medical attention and hospital treatment to the same extent as the nationals of the State concerned.

² William Shakespeare, *The Merchant of Venice*: Act 3, Sc. 1.

Shylock's plea for recognition alludes to the holistic conception in Judaism of the image of God in all humans that have come to being.³ This innate equality by virtue of the divine presence that unites humanity into one common breed—irrespective of sex, race, creed, religion, or nationality—conveys the Jewish values of egalitarianism. And hence, hath not a Palestinian hands, organs, dimensions, senses, affections, passions? Hath not a Palestinian bleed if pricked? The analogy of the Jew to the Christian and the Palestinian to the Jew illustrates that a Palestinian is as human and vulnerable as any Jew—more is shared between them than the discourse of mere politics permits. Thus given the cemented morality and merits of equality within the Jewish scriptures, should not the Israeli public health infrastructure mirror that of the Palestinians'? Should not mothers of either side of the Separation Wall be able to give their children an equal chance at life through adequate neonatal care? Israel's current execution of healthcare within its state suggests to the common person that an Israeli mother's worth is indeed greater than that of a Palestinian mother's. It is in this framework that Israel deserts the Jewish scriptures demanding justice, equality, and peace in favor of those calling on Jews to strike their enemy.⁴ As this analysis moves forward, it will become clear that Israel deliberately forfeits the tenets forging a common humanity, and thus, defects from the ethical norms of Judaism.

The third of the books in the Torah, Leviticus, further serves as evidence of the divine ordainment of equality before the law—"You shall have one law for the stranger and citizen alike; for I the Lord am your God."⁵ Removing ourselves from the debate of liberatory hermeneutics, the literal interpretation of this text supports the Fourth Geneva Convention in that it implies that Palestinians, the stranger, ought to possess the same rights afforded to citizens, Israelis. However, the realities on the ground tell a drastically different tale. The challenges

³ Kovitz, Milton R., ed. *Judaism and Human Rights*. Transaction Publishers, New Brunswick: 2001, 348.

⁴ Book of Esther 9:5.

⁵ Ibid 3 at 33; Book of Leviticus 24:22.

posed to women through increased poverty, malnourishment, and overstrained health clinics demonstrate that while Judaism in its authentic form may recognize the Israeli and Palestinian woman as being of equal worth, the Israeli government is not seeing eye to eye with the word of God. Palestinian women are subject to a number of injustices unknown to the average Israeli: acute humanitarian need, severe mobility restrictions, segregated transportation systems, inadequate living conditions, and soaring unemployment. Although in a state of protracted war, sustainable access to optimal healthcare is essential; an urgent need remains that Israel alone can alleviate. Given that maternal and child health are indicative of the present and future populations of Palestinians, an argument can be made that mobility restrictions, for instance, are being implemented under the guise of security with the actual aim being to dwindle the procreativity of the perceived enemy. Whatever the true motivation of the Israeli government, one thing is clear: basic health entitlements must be afforded to women and children, and avoidable deaths must be prevented. In a region where nearly 40% of the Palestinian population consists of women of reproductive age and children under five years, and greater than a third of the population is deemed food insecure, Israel commits a wrong not only against the “others” but Judaism.⁶

The implementation of the Oslo Accords took a paradoxical turn that further deteriorated the livelihood of Palestinian women. Despite reaching high education levels in which 89% of Palestinian women over the age of 15 are literate, the restrictions ensuing the Aqsa Intifada in terms of tightening mobility restrictions and the erection of the Separation Wall coupled with gender social roles and limited employment opportunities help explain the particularly high

⁶ Rahim, Hanan, et al. “Maternal and Child Health in the Occupied Palestinian Territory.” *The Lancet*. Volume 373, Issue 9667: Mar 14 2009, pg. 967.

fertility rate among Palestinian women of 4.5 births per woman in 2006.⁷ The high fertility rate is alarmingly problematic given the poor quality of maternal and child care in the occupied Palestinian territories. An adverse effect on neonatal mortality—death in the first 28 days—has also been observed in the occupied Palestinian territories, including the West Bank and Gaza Strip. Neonatal mortality has risen by 3.7% in nearly a decade from 16.3% in 1990-1994 to 20% in 2002-2006.⁸ The low infant mortality rate in Israel of 4.22 deaths per 1,000 live births in comparison to that nearly 6.5 times greater in the territories of 27.6 deaths per 1000 live births buttresses the argument that the main causes of death in infants—prematurity, low birthweight, and congenital malformations—have largely been augmented by the political, social, and economic realities of the occupied Palestinian territories.⁹ Unlike the average Israeli mother who has regular access to medical care, mobility restrictions and inadequate funding have gravely diminished access to not only tertiary, but primary and secondary care centers as well. The reality on the ground is lucid. Israeli mothers are bound by neither checkpoints nor walls separating them from a hospital in times of pregnancy or child emergencies, unlike the Palestinian mother incapable of reaching a health clinic if it is past the checkpoint's operating hours. Intentional or not, Israel strays from common humanity and dehumanizes the lives of the Palestinian people when impairing access to health facilities.

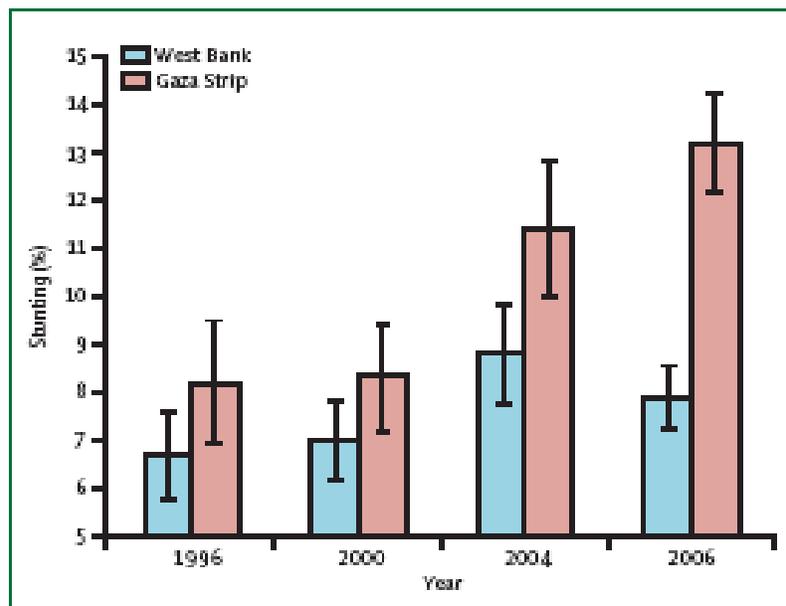
The grave economic state of the territories subjects countless Palestinians to malnourishment. Israeli disengagement from the Gaza Strip in 2005 followed by an imposed blockade has led to a dire humanitarian need, classifying 56% of Gazans as food insecure in comparison to 25% in the West Bank largely as a result of high unemployment and mobility

⁷ Ibid, 968.

⁸ Ibid.

⁹ Ibid, 968-970; "Israel Infant Mortality Rate," http://www.indexmundi.com/israel/infant_mortality_rate.html.

restrictions.¹⁰ The fact that these staggering statistics represent the state in the Gaza Strip prior to the outbreak of war in December of 2008 can only lead one to imagine the steep cliff in which the humanitarian situation now finds itself. Also alarming is the stark increase in stunting—the reduced growth rate relative to age—from 1996 to 2006. Serving as an indicator of chronic malnutrition and risk factor for inadequate cognitive development, the implication of stunting to the Palestinian society is grave given the finding of stunting in one in every ten children in 2006. From 1996 to 2006, stunting alone increased from 8.2% to 13.2% in the Gaza Strip in comparison to 6.7% to 7.9% respectively in the West Bank during the same time period.¹¹



Stunting in Children Younger than 5 years in the Occupied Palestinian Territory by Year and Region¹²

The acute malnourishment in the occupied Palestinian territories is of interest to us in discussing Israel's defection from Judaism in that the Israeli government's policies perpetuating poverty and

¹⁰ Ibid, 971-972.

¹¹ Ibid.

¹² Ibid, 972: "Data from Palestinian Central Bureau of Statistics: 1,69 Stunting (height-for-age index) was determined by use of the international reference population defined by the US National Center for Health Statistics, as recommended by WHO and the US Centers for Disease Control and Prevention.37 Children who were below -2 SD from the reference median were classified as stunted, and those who were below -3 SD from the reference median were classified as severely stunted."

its effects blatantly contradict the Jewish *duty* of alleviating poverty, an obligation said to be ordained by God in the Jewish faith. The fifth book in the Hebrew bible, Deuteronomy, conveys the tenets of just help—“Cursed be he that perverts the justice due to the stranger, fatherless, and widow.”¹³ As Rabbi Richard G. Hirsh, Honorary Life President of the World Union for Progressive Judaism suggests, almsgiving and charitable acts are the means to the end of “restore[ing] the image of the divine to every man. The essential ingredient is human dignity.”¹⁴ In attributing relief of the poor as an agency for recognizing the divine presence of God, the simple tenet of helping the poor alludes to the common humanity that unites all mankind, both the Jew and non-Jew. In incessantly breaching the tenets of ameliorating poverty by perpetuating it onto another Abrahamic populace, Israel can be accused of sacrilege.

Despite Israel’s commitment to Jewish ethics, its prejudiced application of these moral norms is teeming with tension between the scriptures and Israel’s conduct. Any justification of Israel’s exploitation of the gentiles as being reconcilable with the notion of being God’s “chosen people” is contrary to the ordained image of God in all of humanity. Others rationalize Israeli conduct with the Book of Esther, in which “the Jews smote all their enemies with the stroke of the sword, and slaughter, and destruction, and did what they would unto those that hated them.”¹⁵ And yet, Prophet Amos asserts the common linkage among all peoples through God:

Are you not as the Ethiopians to me, O children of Israel, says the Lord; Did I not bring up Israel from the land of Egypt; And the Philistines from Caphtor, and the Syrians from Kir?¹⁶

¹³ Ibid 3, 240-241; Deuteronomy 27:19.

¹⁴ Ibid, 240.

¹⁵ “The Jewish Virtual Library,” <http://www.jewishvirtuallibrary.org/jsource/Bible/Esther.html>; Esther 9:5.

¹⁶ Ibid, 57; Amos 9:7.

Prophet Amos avers the common humanity between the “chosen people” and Israel’s traditional enemies, the Philistines and Syrians, as a declaration of their same footing as the children of God. A blatant contradiction is perceived between the two aforementioned scriptures. Which does God hold in higher esteem, the human rights tenets within Judaism branching off from common humanity or the demise of the enemy? Also, are vulnerable women and children Israel’s actual enemy? The answers to these questions are nonetheless subjective and open to political manipulation. While Israel can resort to scriptures suggesting the striking of the enemy, true Jewish values are not executed through violence but peaceful efforts. The enemy and friend alike embody the divine image of God, and so a wrong against man is too said to be a wrong against God.