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Palestinian arab women in Israel

THE ARAB ASSOCIATION FOR HUMAN RIGHTS

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Israel is a State Party to the UN Convention on the Elimination of Discrimination Against Women, and was an active participant in the drafting of the Beijing Platform for Action. The Beijing Platform requires states to take the necessary measures to address 12 critical areas of concern, which include: women and poverty, education, violence against women, and women and power and decision-making.

Palestinian Arab women and girls account for 572,000 (1) of Israel's citizens. They are the most disadvantaged sector of the population, facing double discrimination both as Arabs within the Israeli state, and women within Palestinian society. These combine to make Palestinian Arab women in Israel the poorest, least paid, least educated portion of the community who are subject to forms of legal abuse, with inadequate protection by the courts. Their situation is made worse by their lack of political representation, and lack of access to decision-making and positions of power. As a consequence, their perspectives and needs are continually neglected.

Economic Rights

Incomes & Poverty: In 1997 28.3% of Arab families were living under the poverty line, while only 16% of Jewish families were. In 1996, average income per capita for Arab household was 44.1% of the average per capita "The Committee notes that no clear plan of action exists which addresses the situation of the most disadvantaged group of women, namely those belonging to the Arab minority. The Committee recommends that targeted measures be considered to accelerate progress towards equality, in particular for Arab women.." UN Human Rights Committee (7) income for Jewish households. (2)

Arab women suffer from a higher proportion of this poverty since they have less of their own sources of income. In 1997, 80% of Arab women (3) of working age did not work (compared to 45.8% nationwide). While the State does not maintain regular statistics for Palestinian women's employment, it is commonly accepted that they occupy the bottom rung of the employment ladder: the average income for women in Israel is 57% of the average male income; just as the average income of an Arab man is 68% of that of a Jewish man.

Minimum Wage Law: gives everyone the right to a minimum wage, set at 47.5% of the national average wage. Results of a 1998 HRA research (4) on the conditions of women working in the private sector in Nazareth, the largest employer for Arab women, found that 61% of women receive less than the legal minimum wage, 72% work without any legal contract, and only 35% receive payment for any kind of overtime they work. Further, when asked what and how much the minimum wage was, only 30% of the women could answer correctly.

Equal Opportunities Law: The majority of Arab do not work in part due to a lack of available workplaces in Arab areas and a lack of State efforts to encourage them. The Arab community, and in particular Arab women, are not a priority for national economic policy. Mothers and children from Ein Hod Picture: Peter Fryer, Association of the Forty archives For example, in 1998 90% of state investments were in Jewish areas; and of the 429

localities granted development status A to encourage investment, only 4 were Arab. (5) It is also due to difficulties Palestinian women face in travelling. Despite their limited options, 80% of Arab women in employment work within their home localities. They face social and practical obstacles in travelling far, due to a lack of public transport to Arab towns and villages and social conservatism.

Childcare: Currently, 95% of Jewish 3 year olds attend kindergarten, while only 44% of Arab 3 year olds do. (6) The lack of childcare provisions has a serious consequence on Palestinian women's ability to work. The Compulsory Education (Preschools) Law Amendment extends free education to children from 3 years upwards. Its implementation was delayed until 1999, and initially implemented only in 5 Arab localities. After public pressure, this was increased to 36; however, this still compares unfavourably with the 146 Jewish settlements in the Occupied Territories where the law is implemented.

Education Rights

Compulsory Education Law: made the government responsible for providing free compulsory education to children from age 5. Despite the achievements of Israel's education system, there are great disparities within it between Arabs and Jews in terms of facilities, funding allocations, number of pupils per class and academic achievements. In particular, there is a failure to implement the Compulsory Education Law within the Arab community. In 1997, 42% of Arab students dropped out of school, compared with 12% of Jewish students. (8) This situation is worse among Arab girls, particularly those living in the unrecognised villages and the Negev (see inset box). According to 1997 statistics, 11.7% of Arab women are illiterate while only 4% of Jewish women are; 22.2% of Arab women completed only elementary school, whereas 9.7% of Jewish women did.

Case Study: Women's Education in the Negev The education system in the Negev is commonly recognised to be the most disadvantaged in the country: 23% of teachers (11) unqualified, 40% of teachers not from the Bedouin community, a 60% drop out rate (after 8th grade truant officers do not pursue Bedouin students) and a 10% Bagrut pass rate. In a number of unrecognised villages there are no educational facilities at all, so students are compelled to travel between 6-50 km to reach school.

Due to traditional concerns, many families do not permit their daughters to learn outside of their villages, which has devastating consequences on their education. In 1997, only 45% (12) of the school age girls in the Negev were at school. A 1999 HRA survey (13) of 55 Arab Bedouin women in the Negev, aged 15-65, and from both unrecognised and recognised villages found the following:

43% of the women interviewed were illiterate. Only 16% of the women interviewed had completed high school. Only 4.5% had passed their Bagrut school matriculation exams. Only 2% had begun some form of further education. When asked what they felt was the most important need for them and their community, 65% responded that their most essential needs were educational: providing schools, kindergartens and also adult education and literacy classes.

Curriculum: (14) The curriculum of the Arab school system is problematic for Arab girls since it reflects the ideology of the State, "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.”

UN CEDAW Committee (10) and maintains gender stereotypes both in course materials and its subject options. Whereas Jewish students have over 90 educational tracks to choose from, including many technological tracks, only 19 are offered in Arab schools, which have stereotypical gendered assumptions about what is suitable for girls. This situation remains unchanged despite much pressure from Arab women’s groups. Since Beijing, all attempts to make the curriculum more appropriate for Arab girls have been sidelined due to redirected funds.

Personal Status Rights

Status of Religious Courts: In Israel religious courts have predominant jurisdiction on personal status issues among Moslem and Christian communities. The Arab religious courts are characterised by a lack of funding, staff and unsuitable appointments. The Ministry of Religious Affairs allocates only 2% of its budget to Arab religious communities. For the 900,000 Moslems in Israel there are 7 courts but only 6 qadis (judges), none of whom are women. Over 1,500 cases per court per year are dealt with by a staff of 1 qadi and 1 secretary. Under Israeli law any married Moslem man can be a qadi, and as a consequence, the majority of appointments are political rather than specialists. In this situation, women are subject to a number of violations of their legal rights:

Marriage Age Law: prohibits marriages under the age of 17. According to the National Council of the Child, 33% of Arab women aged 17-18 are married. Accurate data for age groups younger than this is difficult to obtain, since underage marriages are not registered with the Ministry of the Interior. During the years 1990-96, only 16 complaints of underage marriages were registered in all the police departments in Israel. 13 of these cases were closed and only 3 were committed. It is police policy to take no action if the girl is 16, in direct violation of the law.

Article 176, Penal Code: stipulates that polygamy is a felony punishable by up to 5 years in prison. There are few cases of prosecutions in Israel. Despite this, according to an HRA 1999 survey in the Negev, 40% of Arab Bedouin women answered that they are in polygamous marriages.

Violence Against Women

Prevention of Domestic Violence Law: was drafted to regulate against domestic violence and provide for procedures for restraining violent men. However, statistics (16) prove that 50% of Arab married women are beaten at least once a year; 25% are beaten at least once every six months. Few women come forward to report this violence. In 1997, 179 women came to Arab crisis centres as a result of beatings and threats on their lives.

Honour Killings: In 1998, 6 Arab women were murdered in the name of what is known as family honour. Women’s groups have recorded 66 cases of murder in the last seven years. The murder of Arab women is the ultimate conclusion to the processes of discrimination that Arab women in Israel face. The authorities fail to offer women sufficient protection. In a number of cases in recent years, when women went to the police for their own safety, the police returned them home, only to find a few days later that they had been killed.

Status of Women in Court: The police response is mirrored by women’s treatment in Israeli courts. A recent study (17) undertaken by the Israel Women’s Network found that women’s testimonies, bodies and “Women’s equal participation in decision-making is not only a

demand for simple justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account. Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved." Beijing Platform for Action (18) even lives had less value than men's in the Israeli justice system. Among the list of findings, the researchers discovered that lower standards of proof were required to convict women rather than men, judges interrupted female witnesses more frequently than male ones, and more importantly challenged their credibility far more frequently. For victims of violence, the fact that the defendant and victim were romantically involved was often taken as a mitigating factor. Violence against a family member was treated less seriously than violent crimes against strangers.

Access to Decision-Making

At the Beijing Conference for Women, States undertook obligations to ensure women's equal access to and full participation in power structures and decision-making. The reality of Arab women in Israel is still far removed from these undertakings.

Political Representation: There is no law, or system to guarantee women's representation in elected fora. Equally, Arab representation in Israel in elected positions is not consistent with their electoral power. In the 1999 Knesset elections, 12 Arab members entered parliament out of a total of 120, only one of them was a woman. Proportionally, Arab women should have 9 representatives. Similarly, in the 1998 local elections only 2 Arab women were elected from among 800 elected positions. Since 1948, only one woman has ever been elected as Head of an Arab local council.

Senior Employment: The proportion of Arab women in senior positions within State employment is negligible. From 641 managing directors of government companies, only 3 are Arab and none of them are Arab women; of 1059 directors of government companies, 15 are Arab, and only one of them is a woman. (19) The proportion of Arab judges is also small: Only 19 Arab judges are currently employed by any State Court, and only 4 of them are women. Even in spheres where women are relatively well-represented such as education, Arab women have little senior representation. Currently, there is only one Arab woman university lecturer in Israel, and there are no Arab women principals of state high schools.

Affirmative Action: The State Services (Appropriate Representation) Law secures a suitable representation for women in all government companies. Through judicial interpretation, suitable representation has come to mean 30%. The law has largely Recommendations for Action:

The government should encourage and invest in industrial and infrastructure development in Arab localities to create more job opportunities for women. The minimum wage laws already in effect should be fully enforced.

Israel should ensure that education funds are allocated equally between the Arab and Jewish education systems. In particular, a special plan must be implemented to deal with the severe educational problems in the Negev and among Arab Bedouin girls. The Ministry of Education should institute a new curriculum for Arab schools that promotes gender equality and expands traditional images of women.

To comply with the CEDAW Convention, and its commitments under the Beijing Platform, there is a need for Israel to undertake affirmative-action policies to address the discrimination that currently confronts Arab women and communities.

Further Information:

The Working group on the Status of Palestinian Women in Israel, The Status of Palestinian Women Citizens of Israel, (Nazareth, 1997) Al-Tufula Center, PO Box 2404, Nazareth, 1600, Israel; Tel: +972 6 645 3943; Fax: +972 6 656 6386

benefitted Jewish women of high classes, since they have access to these jobs. Only one Arab woman has so far gained from the law. A more effective mechanism for Arab women, such as a law safeguarding suitable representation or a principle of affirmative action for Arabs or Arab women has never been proposed successfully.

Notes:

1. Statistical Abstract of Israel, No. 49, (Jerusalem, 1998) Tables 2.1, 2.10 These statistics include East Jerusalem.
2. Fiona McKay, The Palestinian Arab Minority in Israel: Economic, Social and Cultural Rights (Nazareth, 1998) p. 100
3. Statistical Abstract, Tables 12.7, 5
4. Arab Association for Human Rights & A. Farris, The Status of Arab Women Working in the Private Sector in Nazareth, (1998).
5. Fiona McKay, p.67
6. National Council for the Child, Young Children in Israel (1998) p.49
7. Concluding Observations of the Human Rights Committee: Israel 18/8/98, CCPR/C/79/Add.93 para.15
8. Center for Bedouin Studies and Development: Facts About Negev Bedouin Arab Education (1998)
9. Statistical Abstract, Table 22.1
10. Concluding Observations, UN Committee on the Elimination of Discrimination Against Women: Israel, (July 1997) para. 30
11. Facts About Negev Bedouin Arab Education
12. Ron Hose & Anat Keenan & others, Personal and Social Aspects Influencing the Education of Bedouin Girls, Kay College, (1997) p. 4
13. HRA, Survey: Perspectives and Needs among Bedouin Women in the Negev, unpublished data (1999)
14. Information taken from The Working group on the Status of Palestinian Women in Israel, The Status of Palestinian Women Citizens of Israel, (Nazareth, 1997) pp. 33-36
15. Information on personal status rights taken from the Working Group for Equality in Personal Status Issues. There is currently an amendment to the Personal Status Law before the Knesset which would ensure Moslem and Christian women the same rights to go to civil

courts. The Amendment passed its first reading on 26 October 1998.

16. Status of Palestinian Women p. 83

17. Bryna Bogoch and Rochelle Don-Yechiya, The Gender of Justice: Bias against Women in Israeli Courts (1999)

18. Beijing Platform for Action, A/CONF.177/20 (1995) para. 181

19. Sikkuy - The Association for the Advancement of Equal Opportunity, Equality and Integration, (1997), p. 28

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