



WOMEN UNDER SIEGE

A review of violence against women in Palestine and its extreme expression
in the form of 'honor' killings

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ABSTRACT

Gender violence has taken root all over the world and has emerged in different forms of structural, psychological, physical and sexual violence. Women are usually the targets of these types of violence. The problems facing the Palestinians are well publicized, but little attention is directed towards the situation of Palestinian women. Instead, international attention is focused primarily on the occupation and human rights violations committed by Israel. The occupation is also used as an excuse for neglecting to address discriminatory structures and patriarchal traditions in Palestinian society.

Recent surveys reveal that domestic violence is a pervasive problem in Palestine. The perceived right of men to control the movement and behavior of women leads to female exclusion from the political and economic sphere in Palestinian society. Consequently, women are heavily dependent on men. The most extreme expression of male control is the murder of a woman in order to preserve or restore family (male) honor.

The family's honor is believed to rest upon the virginity of female members. Therefore, women must abstain from any behavior or act that threatens their reputation and brings shame onto her family. This conception of honor and shame has devastating effects on women's lives, as she is not only restricted in her actions, but she is controlled via societal pressure (i.e. gossip and fabrications) regardless of her actual behavior.

The killing of women in order to preserve male 'honor' is practiced throughout the world, although it is not always referred to as 'honor' killings. The names given to these types of murders shift the focus from the actual crime to the perceived crime of the murdered woman. In Palestine, the integration of traditional tribal laws and the establishment of official laws through the PA result in an unstable and inconsistent application of law. Being based on patriarchal and tribal structures this legal fusion the system is highly discriminatory against women. Domestic violence is considered a 'minor' offence, 'honor' killings are regarded as a family matter, and if a rapist marries his victim, he escapes punishment.

These structures provide a portrayal of the pervasive and systemic nature of gender violence in Palestinian society. In Palestine, the extreme practice of 'honor' killings serves to uphold the male dominated structures by instilling fear in women. In order to alter this reality, the patriarchal foundations of society must be challenged and all types of gender violence must halt.

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1. INTRODUCTION

Discrimination against women is a global phenomenon. It is present in most, if not all, societies and the level of its visibility varies. The patriarchal system on which the globalized world bases its structure upon influences how individuals think and act and thus it shapes our society. These fundamental structures are not only upheld by legal systems and practices but also by our mental perceptions and interactions.

Gender discrimination is expressed differently throughout the world, however, male violence against women remains a common factor. There are many theories that attempt to explain this phenomenon. Some theories attribute violence against women to traditions, cultural practices, and religion while others focus on male dominance and the patriarchal need to suppress women. The most extreme expression of violence against women is murder. In the majority of cases involving the death of a woman, the perpetrator was the husband, a close relative or a friend.

Because the majority of modern societies are based on a history of male dominance and patriarchy, the structures upholding them inherently discriminate against women in order to benefit men. Consequently, women are being targeted both from societal structures – laws, law implementation, court systems, employment, economical structures, and from the domestic sphere.¹

Palestine is a society living under inconsistent, abnormal conditions. The constantly unstable economic, political and security situation effectively halts ordinary life. Since the start of the second Intifada in 2000, Palestine has suffered from severe economic decline, unemployment, and movement restrictions. The 2006 election in which Hamas gained public support lead to further instability. The election resulted in economic sanctions by the international community and violent clashes between Hamas and Fatah. Today, the situation in the West Bank is slowly moving back to pre-Intifada conditions. In contrast, the situation in Gaza is deteriorating. With a closure of all borders the Gazans have been trapped in the territory since June 2007. The crisis peaked in January 2008 when all transports to and from Gaza were stopped, leading to massive fuel and food shortages.

The occupation and persistent societal difficulties have taken a tremendous toll on the lives of Palestinian women. They suffer from different forms of gender based discrimination within their own society and from Israel. Patriarchal traditions place the family at the centre of society, and men at the center of the family. The control of men over women manifests itself in a variety of forms. The most extreme form of this control is understood via the practice of ‘honor’ killings, the killing of a girl or a woman under the pretext of protecting family honor. According to a UN estimate, about 5,000 women throughout the world are victims of ‘honor’ killings every year.² It is difficult to calculate the exact number of ‘honor’ killings in Palestine because it is a sensitive subject that is

¹ Shalhoub-Kevorkian, 2002:577

² MADRE

not openly discussed. The influence that the family has over individuals often prevents them from seeking outside help or reporting abusive crimes to the police. This creates an enormous number of dark figures when it comes to both domestic violence and ‘honor’ killings.

1.1 THIS STUDY

This study intends to outline the scope of violence against women in Palestine and its expression in the form of ‘honor’ killings. The PHRMG believes that in order to effectively address a problem, one must fully understand its background, social context and rational. The murder of women in order to uphold ‘honor’ has occurred throughout history in many countries around the world. This study attempts to analyze this phenomenon in a larger context of male violence against women within Palestinian society. Furthermore, the report examines what obstacles in the legal system prevent gender equality and what organizations and institutions are doing to tackle these difficulties.

This paper is based on an inductive research conducted by the PHRMG during January and February 2008. A variety of interviews were carried out in the West Bank area with various organizations and institutions addressing the issue of domestic violence and women’s rights. The organizations were mostly based in the West Bank. However, one organization, the Palestinian Working Women’s Society for Development (PWWSD), also has an office in Gaza. Only one organization, the Women’s Affairs Centre (WAC), was exclusively based in Gaza, and the interview was held in Ramallah.

Representatives from the Social Affairs’ offices in Nablus, Tulkarem and Bethlehem have been interviewed regarding their work, methods and experiences. In addition, the Director of the Central Police Station in Tulkarem was asked about his understanding of the trend and relevant cases. Workers at the newly established women’s shelter, Mehawar, in Beit Sahour were also interviewed.

1.1.1 STATISTICAL PROBLEMS AND LIMITATIONS

The constantly changing conditions in Palestine make it difficult to provide an absolute and accurate account of the current situation. The statistics used in this study were collected in 2002 and 2005, before the election of Hamas in 2006, the radicalization of Islam, and the closure of Gaza. It is vital to examine how these new conditions affect the lives of Palestinian women today.

An individual’s situation, feelings, and perception can never be fully captured in interviews, statistics or reports. Therefore, it is very difficult to provide a comprehensive account of gender violence. Because women often perceive male superiority as natural and accept the notion that they are male ‘property,’ many abused women recognize the violence as the husband’s or father’s right. Consequently, the responses provided in

surveys or during interviews are highly subjective to each woman's perception of her unique situation. Furthermore, the ideas of shame and honor prevent people from openly discussing family affairs.

1.2 PREVIOUS RESEARCH

Domestic violence is described as “any act or intended act of a household member against another member for the purpose of causing psychological or physical harm or any other types of pain and abuse.”³ It can be divided into three main categories of violence: psychological, physical, and sexual. Psychological violence, maybe the hardest form to define, ranges from shouting, name-calling, and insults to threatening behavior or comments, and action. Physical violence includes acts directed against the body, any act from hair-pulling to beating or killing. The third category, sexual violence, refers to acts of sexual harassment, refusal to use contraceptives or any form of forced sexual relations (not only intercourse), including forced sex within marriage. Gender violence, on a broader scale, also includes structural violence against people based on their sex. Structural violence takes form in political, economic and legal dimensions and acts as a discriminatory factor that usually targets women by failing to grant them equal rights. All these forms of violence are interconnected and they serve to reinforce one another in promoting a highly insecure situation for women.⁴

Violence permeates local and domestic spheres of Palestinian life under Israeli occupation and Palestinian Authority control. Even though violence is not normalized, it greatly influences daily life and activities. In many cases, violence starts from childhood when people are exposed to violence either directly or indirectly within their homes. The use of violence as a tool for ‘discipline’ is often transferred from parents to children, proliferating violence among future generations.⁵

There are many different approaches to addressing the problems associated with domestic violence. One of the most prominent Palestinian researchers on the subject is Nadera Shalhoub-Kevorkian of Hebrew University's School of Social-Work. She has produced numerous articles and greatly contributed to the understanding of violence targeting women. She defines the term ‘honor crimes’ as all forms of violence against women that drive them to fear for their lives due to honor. In addition, the focus on honor and shame often results in blame directed towards the victims of the crime rather than towards the perpetrator. In the case of rape victims, many girls and women do not dare to speak about the crime because they are scared of being held responsible for the act itself. Seeking help outside the family can also be problematic because there is a constant fear that the crime will be publicly exposed, thus tarnishing family honor and risking the girl's life.⁶

³ PCBS, 2006(b):5

⁴ WCLAC, 2005

⁵ Interview with Ohaila Shomar, SAWA, Jerusalem, 2008-01-23

⁶ Shalhoub-Kevorkian, 1999(a):165

A coalition of women's organizations, Al-Muntada, published a report in 2007 that found 32 cases of honor killings in Palestine between 2004 and 2006. The qualitative information about each case provides a gripping account of the difficulties facing women in Palestine. The majority of women (15) were between the ages of 21 and 28. The youngest woman was 15 and the oldest was 55 years old. Out of the 32 victims, 14 were unmarried revealing the perceived threat of single women to societal norms. Furthermore, results showed that half of the victims came from Gaza and half from the West Bank. The majority of women (15) lived in rural areas, while nine women came from refugee camps and eight from urban areas.⁷

In comparison to Palestinian Central Bureau of Statistics (PCBS) findings, the rate of domestic physiological abuse is higher among women who had been or were currently married (61.7% compared to 52.7% of unmarried women), while physical violence is more common among single women (25% and 23.3% respectively).⁸ A notable difference between the two studies is also that the PCBS found violence to be more widespread in the West Bank than in Gaza, with the highest rates found in the southern region.⁹

The PCBS notes the complexity of studying violence, gender, and discrimination against women. It is easy to generalize women's situations throughout the world thus blinding oneself to local differences, historical and social development and the uniqueness of women's experiences. In literature concerning violence against women in Palestinian society, male frustration due to the occupation is often used as the primary explanation for domestic abuse.¹⁰ While the Israeli occupation plays an important role in the prevalence of violence against women, other factors also affect domestic and systemic violence in Palestine.

Motivations for killing women differ among various cultures and countries. These arguments include honor, passion, reason, and sudden delusion. However, they are all expressions of male superiority and their inherent power over the actions, lives, and deaths of women. These 'explanations' have serious implications in a legal context as the legal system is biased in favor of men and is used to excuse and enable murder.¹¹

The murder of a woman in order to restore family 'honor' is usually committed by a close male relative such as a father, brother, paternal uncle or nephew. However, the murder is often discussed and planned in cooperation with other family members (usually men) prior to the act. Therefore, 'honor' killings is a family matter in which older members exercise power over younger members and the murder can be attributed to either party, not necessarily the perpetrator.¹²

⁷ Al-Muntada, 2007:17

⁸ PCBS, 2006(a):31, 37, 55

⁹ PCBS, 2006(a):37, 55

¹⁰ PCBS, 2006(a):26f

¹¹ Welchman & Hossain, 2005:13

¹² Al-Muntada, 2007:33ff

It is important to separate the terms ‘honor crimes’ and ‘crimes of passion,’ as they have different connotations. The latter indicates a spontaneous act committed by one individual, usually a partner, in response to another person’s actions. The former is a crime committed by one or more of the victim’s (usually a woman’s) family members. It is a pre-meditated action. Spontaneous actions and murders resulting from a lovers rage are often understood and excused in courts (often male dominated). When a man claims honor as his motivation for murder, he excuses his own actions and redirects blame onto the female victim.¹³

Purna Sen writes that honor crimes must be understood within a wider perspective that includes all forms of violence against women, not only murders. She also argues that in focusing solely on culture as an explanation for honor crimes, one loses the global scope of the situation of women. This particular explanation suggests that in order to reduce violence against women, a complete cultural transformation from Islamic to Western tradition is necessary. However, this idea is utterly blind given that no culture in the world has effectively eliminated violence against women.¹⁴

2. HONOR, SHAME AND MURDER

Honor and shame are complex concepts devoid of fully encompassing definitions. They are well integrated into all aspects of Palestinian life and can broadly be defined as the relationship between the family and society and the perceived status each has in relation to the other.¹⁵ Simply put, the idea is based on male honor as upheld by the women of the family, primarily focusing on the virginity or hymen of an unmarried woman but also the sexual conduct and behavior of married women. “Females embody male honor in their social and sexual behavior.” Men are expected to protect honor from being stained, i.e. protect women from impurity, while women are expected to conform to social norms, i.e. asexuality before marriage, chastity, modesty and obscurity.¹⁶

Codes of honor and shame are so fundamental in Palestinian society that even progressive and secular families sometimes feel obliged to adopt social norms when in the public sphere in order to prevent rumors or dishonor. For example, a woman can not openly show friendship with men other than her male relatives, especially when accompanied by her husband because such relations would be shameful for him.¹⁷

The responsibility of honor is one which effectively restricts girls and women in their behavior, movement, and choices. If a girl has or is rumored to have, committed an act which is socially unacceptable for women, both she and her mother will carry the blame.¹⁸ With the family’s reputation at stake, attempts to hide the “shame” range from

¹³ Al Muntada, 2007:8f; Welchman & Hossain, 2005:10

¹⁴ Sen, 2005:61f

¹⁵ Warnock, 1990:22

¹⁶ Al-Muntada, 2007:20; Shalhoub-Kevorkian, 1999(b):1278; Warnock, 1990:23

¹⁷ Interview with Nadia Katana, PWWSD, Tulkarem, 2008-02-04

¹⁸ Shalhoub-Kevorkian, 1999(a):162

keeping the issue within the family (i.e. not reporting crimes to the police), to locking women in the house, to murder in order to cleanse the family name.¹⁹ Shame and honor are thus perceived mostly in relation to other people. Therefore, obscuring the crime from the society is more important than supporting the victim or punishing the perpetrator. As a result, many gender-related crimes go undetected and unreported. The victims of these crimes receive minimal or no help and the perpetrators go unpunished.

2.1. PUBLIC ATTITUDES TOWARDS HONOR AND CORRECT BEHAVIOUR

A survey conducted by the PHMRG in 2002 investigated attitudes towards honor. The results suggested that in Palestine, there is a widespread understanding of the need to conceal (even if resorting to murder) an act or crime in order to protect the family name. The support is stronger among men than women with 25.9% and 16.3% respectively saying that they agree that families must kill their daughter to erase the induced shame. More women than men agreed that they would prefer to conceal the act, and in that way, preserve the family honor.²⁰ In addition, the statistics revealed strong male support for the family's *right* to decide over the woman's destiny. 43.9% of the surveyed men agreed that "The family has the right to murder the girl who committed an obscene act," 25.3% of the surveyed men *strongly* agreed with a family's right to commit murder. The percentage was lower among female supporters of this right. However, 31.7% still agreed that the family possesses the right to murder a woman who has breached social norms and disgraced her family, 15.4% of whom strongly agreed.²¹ This perceived right that families have over their female members' lives and destinies undermines any attempts to improve women's conditions. These findings support the statements made by the interviewees that it is considered better socially to ignore and hide the act than to make it public, regardless of the crime's severity.

Support for the idea that murder erases the shame of the dishonorable act is stronger in rural (27.4%) and refugee camp (37.9%) areas than in urban ones (23.1%). However, the percentage of uncertain individuals is higher among the urban residents, 10.1%. Thus, the percentage of strong opposition is highest among the rural population (67.4%) compared to 66.7% in the urban areas and 59.3% in the refugee camps.²² These findings are supported by the PCBS survey that states that half of the women questioned agreed to a husband's right to use violence against his wife in cases of "more negative conduct." While there is wider support for this idea in Gaza than in the West Bank, the rates of actual violence indicate the opposite.²³

The PHMRG survey further indicates that education level and religious dedication are not factors that influence attitudes towards honor, but that tradition still has a strong

¹⁹ Shalhoub-Kevorkian, 1999(b):1278

²⁰ A'jlouni, 2002:Table 1

²¹ A'jlouni, 2002:Table 2

²² A'jlouni, 2002:Table 1A

²³ PCBS, 2006(a):37

influence. This is further demonstrated in the strong influence of traditions over people's attitudes towards women's clothing. Over 65% of survey participants agreed that "women should be fully covered and wear a veil." The strongest support came from men. (69%).²⁴

Inequality in Palestinian society and the lower status of women is upheld by perceived differences of gender. 56.8% of surveyed Palestinians strongly or slightly disagreed when asked if women should have the same freedoms as men. Again, the men comprised the highest level of opposition; 35% of the men strongly disagreed to the statement in comparison to 23.8% of women.²⁵

Male fear of female empowerment and strength is conveyed throughout the survey supporting the notion that the societal system and its structures are constructed and upheld by men for their own benefit. Because women are socialized to adapt to the norms of a patriarchal society and its institutions, they come to support their own inferiority and thus uphold it.

3. SOCIETAL AND STRUCTURAL VIOLENCE

Palestinian society is based, like most societies today, on patriarchal structures in which women hold a secondary position. Traditionally, women have been regarded as beings incapable of independent action and living and in need of male protection and guidance. A woman is first in the care of her family, then she is to be protected by her husband. Marriage is thus a central component of Palestinian life, especially for women. In order to ensure women's security and purity, women would traditionally spend most of their days in or near the house, separated from public and political life.²⁶

Many norms regarding women are based on her sex, sexuality, and virginity. Contradictory notions of her societal status emerge as she needs to be both controlled and protected. These measures are often interconnected and overlapping i.e. controlling measures are often referred to as protection. This originates in the notion that women can not be trusted with the responsibility of guarding their own sexuality. The ascribed power of women's sex posed a threat to social and patriarchal structures. Kitty Warnock (1990) indicates that this serves as a critical motive for blaming women for breaches and crimes of a sexual nature.²⁷ The social effects of these norms are often restrictive for woman excluding her from full societal participation as well as political and economical activities thus effectively keeping her from influencing or changing her situation. As explained by Nadia Katana, regional director of PWWSD in Tulkarem, a city where most political meetings take place at night when it is dark, "What would a woman be doing in the dark with a group of men?"²⁸

²⁴ A'jlouni, 2002:Table 4

²⁵ A'jlouni, 2002:Table 8

²⁶ Warnock, 1990:20f

²⁷ Warnock, 1990:24

²⁸ Interview with Nadia Katana, PWWSD, Tulkarem, 2008-02-04

The Israeli occupation has both positively and negatively affected the role of women in Palestinian society. Warnock writes that Israel's constant denial of Palestine increases the need to protect and uphold national heritage and traditional family values. After 1967 and the increase of Israeli soldiers in the public and private spheres in the Palestinian territories, more women began wearing the *hijab* (the modest head and body cover worn by Muslim women. While the custom takes different forms throughout the Arab World, the *hijab* always includes a veil).²⁹ However, the new resistance movement against the occupation encouraged women to participate in Palestinian political and social development. In the national struggle before, during, and immediately following the first Intifada, women and men could congregate almost as equals. In addition, the participation of women in the work force increased and women's organizations were founded. However, political development did not coincide with social equality, meaning that a woman could take on a strong leadership role in political organizations but not within the family. Within the Palestinian family, women were still regarded as submissive to male control.³⁰

The struggle for women's liberation peaked in 1987 and the start of the first Intifada.³¹ It marked a significant change in gender roles, the women's movement, and the creation of women's organizations. However these transformations did not have a lasting impact on Palestinian society.³² The family is still regarded as the central unit in society in regards to economic, social and religious life. Additionally, due to the lack of social security and other protective measures provided by the government, the family also serves as an important supportive unit. Palestinians, particularly women, often must sacrifice personal needs, desires, and aspirations in order to uphold family unity and reputation.³³ The traditional patriarchal structures are strongest in rural areas but still influence life in cities due to the importance of extended family and blood relations.³⁴

In conjunction with the improvement of education and living standards, there was positive progress for the situation of women. However, women's participation was not sufficiently taken into consideration upon the establishment of the Palestinian National Authority (PA) nor did women seize the opportunity to strengthen their influence.³⁵ Further setbacks emerged when the second Intifada broke out in 2000. The second Intifada differed from the first in that it was no longer based on broad community support. In contrast, the resistance movement during the second uprising was divided into organized groups, comprised mostly of men, expressing their dissatisfaction using more advanced methods and weapons.³⁶

²⁹ Warnock, 1990:50ff

³⁰ Interview with Diab Zyed, PWWSD, Ramallah, 2008-01-22; Jad, 1998:57ff; Sabbagh, 1998:3ff; Warnock, 1990:71f, 77f,

³¹ Shalhoub-Kervokian, 2005:162

³² Sharoni, 1995:71

³³ Shalhoub-Kervokian, 2005:163

³⁴ Shalhoub-Kervokian, 2005:167

³⁵ Interview with Naila Ayesh, WAC, Ramallah, 2008-01-24

³⁶ Interview with Diab Zyed, PWWSD, Ramallah, 2008-01-22

The second Intifada has had devastating effects on Palestinian society and most particularly, on women. Soaring poverty rates, a result of imposed restrictions on movement and increasing unemployment, have suppressed the struggle for women's rights for many years. Furthermore, the increased popularity and influence of Hamas over the last few years (especially following the party's election to the PA Legislative Council (PLC) in 2006) have led to increasing setbacks. The society turned to more traditional values which have influenced all aspects of public life. When discussing the effects of increased support for Hamas, Manal Toffaha at the Social Affairs office in Nablus simply said: "We died for one year."³⁷ The effects of the second Intifada and the 2006 elections will be discussed in further detail in the sections below.

3.1 WOMEN, EDUCATION, ECONOMY AND POLITICS

The systematic bias towards men and discrimination against women are easily detected in all areas of Palestinian society. In addition to the legal obstacles that women face, the entire structure of social and economic life is built on discriminatory grounds that serve to benefit men and disempower women.

3.1.1 EDUCATION AND WORK OPPORTUNITIES

From a statistical standpoint, equality of the sexes does not appear to be a distant possibility for Palestine. Official statistics from the PCBS indicate that the percentage of women who receive preparatory and secondary education is steadily increasing, and is very close to the percentage of men receiving similar levels education. 5.8% of women achieve a bachelor degree or higher in contrast to 9.2% of Palestinian men. However, the gap is narrowing due to a high rate of gross enrollment of women to higher education institutions.³⁸ The female enrollment at Palestinian universities is equal to that of male enrollment, but, as pointed out by Shalhoub-Kevorkian, the percentage is offset by the increasing number of families sending their men to universities abroad, thus indicating a continued gender gap.³⁹

However, these education factors do not have an equalizing impact on the Palestinian workforce. Only 12.7% (2006) of women participate in the workforce, compared to 66.8% of men. Furthermore, women who have attained a university degree are likely to encounter difficulties when seeking employment. 31.2% of women with 13+ years of education were unemployed during the first quarter of 2006 (in contrast to 17.1% of men). The unemployment rate for women who have received less than 13 years of education is less than half of the rate of women had received more than 13 years.⁴⁰ These figures reveal how unaccommodating the Palestinian labor market is for women. It also

³⁷ Interview with Khawla Nabluzi and Manal Toffaha, the Social Affairs office, Nablus, 2008-02-11

³⁸ PCBS, 2006(c):36, 43

³⁹ Interview with Nadera Shalhoub-Kevorkian, Hebrew University, 2008-02-12

⁴⁰ PCBS, 2006(c):57

demonstrates that holding a university degree will encourage women to join the labor force and seek employment.

3.1.2 ECONOMY

Because female work force participation is very low, women are usually economically dependent on their husbands, fathers, or families. The majority of women stay at home to provide for the needs of their children and their homes. Palestinian women first and foremost serve as mothers and wives.

With increasing unemployment and poverty rates, women have acquired a different role in family life. Because it is easier for women to receive social welfare than men, women are sometimes the sole providers for their families. When looking at this particular trend, there appear to be more female-headed households than statistics demonstrate. However, women do not often reflect on their position as income providers.⁴¹

More than half of employed women work within the service sector, working as “professionals, technicians, associates and clerks.”⁴² However, even if a woman performs the same job as a man, she receives less payment. The average wage for women is 63.1NIS per day compared to 78.1NIS for men. This reality makes female-headed households more vulnerable to societal and economical declines. Statistics show that female-headed households are poorer than the average household.⁴³

3.1.3 POLITICAL PARTICIPATION

Women’s participation in political life and decision making is limited. Although the electoral laws have been amended to accommodate a mixed electoral system and a woman quota has been introduced, female representation and influence are not proportional to their political participation. However, the percentage of seats in the PLC held by women has increased from 6% since 1996 to 13% in 2006.⁴⁴

Women’s ability to actively influence policy making at high political levels is also limited as only 3% of top decision making positions are held by women. Within the legal sphere women are also underrepresented. Only 13% of prosecutors and 15.7% of lawyers are women.⁴⁵ On the community level, in village and town councils and rural committees, female representation is even lower. Only 13 positions out of 3,081 were held by women in 2005. That same year, there was only one female ambassador, one female

⁴¹ Interview with Hadeel Qazzaz, HBF, Ramallah, 2008-02-14

⁴² PCBS, 2006(c):54

⁴³ HRW, 2006:26f

⁴⁴ Abed-Hussein, 2005; PCBS, 2006(c):63, Passia, 2008:370f

⁴⁵ PCBS, 2006(c):62

representative for Palestine abroad, and three female judges. In addition, no women were represented in the religious courts.⁴⁶

3.2 LEGAL SYSTEM

Palestine's unique political circumstances generate confusion about the applicability, legitimacy, and implementation of laws. The combination of Ottoman, British mandate, Jordanian (West Bank), Egyptian (Gaza), new Palestinian laws and the old traditional tribal laws create a complex network of legal considerations. Due to security restricted areas and Israeli military interventions, the effective implementation, promotion, and upholding of laws are undermined. Consequently, the PA does not have absolute control over the use of violence in Palestine, but rather is restricted by Israeli occupational forces and civilian use of violence.⁴⁷

Under the Oslo agreement the PA is not authorized to sign international conventions of human rights. Therefore, the PA is not bound to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) adopted by the UN in 1979. However the Palestinian Draft Basic Law states the PA's commitment to human rights and its desire of becoming "an instrument for the protection" of them.⁴⁸

3.2.1 THE OFFICIAL LEGAL SYSTEM

The applicability of law in Palestine is highly discriminatory. However, it is the adaptation of the laws and their effect that are of more interest than the wording itself. This section briefly outlines legal practices in Palestine, what structures support the system, how they are implemented, and their effects. Only a small sample of discriminatory laws is mentioned.

The Palestinian jurisdiction has been subjected to many influences as a result of a long history of foreign imposed systems and control. After gaining authority in 1995, the PA was faced with the skeletal remains of a legal composition that had been neglected for years of foreign control and Israeli occupation. With the signing of the Oslo Accords agreement, Palestine was divided into Areas A, B and C. The PA held security and civilian control over Area A and civilian control over Area B. However, Israel continued to hold security control in Area B and full security and civilian control over Area C. This division fragmented Palestine and prevented the establishment of a legitimate legal system.⁴⁹ This fragmentation does not dissolve the PA of its responsibility for establishing stability, nor does it excuse the PA's failure to do so.

⁴⁶ Abed-Hussein, 2005

⁴⁷ HRW, 2006:15

⁴⁸ Palestinian Draft Basic Law, article 10, quoted in WCLAC, 2005

⁴⁹ HRW, 2006:12; Rayyes, 2003:51, 54

The PA has yet to pass a unifying code of law for the Palestinian Territories. Therefore, the old Jordanian and Egyptian laws are still applicable. Egyptian and Jordanian Penal and Family laws are highly biased towards men, making women dependent and vulnerable. The Jordanian Penal Code in article 340, Law 16, 1960, excuses a man who kills his wife if he finds her in bed with another man. This law only applies to men, thus a woman in a similar case is not supported by the law.⁵⁰ Furthermore, there are no specific laws prohibiting domestic physical or sexual violence, and cases of rape and incest are tried under laws concerning “public morals and ethics.” A distinction is also made between virgins and non-virgins. Men receive longer sentences in cases of broken virginity. There is also no legal recognition of rape within marriages. Rape will be ‘forgiven’ if the perpetrator agrees to marry the victim (article 308). In addition, crimes committed in order to protect or cleanse ‘honor’ are regarded as less severe. Restrictions are also imposed due to articles 285 and 286, which prevent girls from filing an official complaint (it must be filed by a male relative). The implications of this restriction, particularly in cases of incest, are severe for the victim.⁵¹ Ultimately, this creates a very hostile legal environment which puts girls and women in danger. Perpetrators are aware that they will receive a light charge, if they are charged at all, and thus, nothing from within the legal context restricts or prevents them from committing the crimes.

3.2.2 THE TRIBAL LEGAL SYSTEM

The informal structures of Palestinian society act as supplements and sometimes undermine the formal legal system. It is based on kinship, patriarchy, and tribal hierarchy. However, it is important to understand the deep-rooted structures and history of these customary laws as they have persisted through 500 years of foreign rule. The system is based on family, clan, and village structures rather than individual interests. It is managed by clan heads that use mediation and conflict resolution methods to resolve disputes and address committed crimes.⁵²

In explaining the strong-hold of the tribal law system, Robert Terris and Vera Inoue-Terris draw on the years of foreign influence over Palestinian jurisprudence. Rather than conforming to occupational laws, especially after the Israeli occupation in 1967, the people of Palestine turned to traditional means of settling and resolving disputes. The influence of tribal jurisdiction further increased after the first Intifada when it became a symbol and instrument of the national struggle against Israel. In the absence of a strong, legitimate government, these structures have served to uphold societal order. Therefore, these old structures still remain strong today in the advent of the PA rule.⁵³

These traditional practices have devastating effects on female victims. The tribe elders are the upholders of traditional values and social norms, including the notion of honor and female and male behavior. In regards to cases with a female victim, not only does the

⁵⁰ Shalhoub-Kevorkian, 2002:5

⁵¹ Al Muntada, 2007:28f; HRW, 2006:25

⁵² Terris & Inoue-Terris, 2002:465ff

⁵³ Terris & Inoue-Terris, 2002:470ff

family honor come before the individual woman's best interest, but she can also be blamed for the crime as a result of this traditional perspective of female sexuality.⁵⁴ The female victim is perceived as having failed to protect herself and foremost her family's honor. Solutions to rape can therefore be a marriage between the victim and the rapist or the sanction of her murder in order to cleanse the family and village name.⁵⁵

3.2.3 THE INTEGRATION OF OFFICIAL AND UNOFFICIAL LEGAL STRUCTURES

Traditional mediation is integrated into contemporary Palestinian jurisdiction. As the official legal construction is yet to be completed, there is no clear separation between the executive and judicial powers, and there is a lack of educated, well-trained staff.⁵⁶ As a result of the courts' limited resources, local mediation is understood as an effective tool for solving disputes. Sometimes, the police also promote traditional means of resolving problems. If a reconciliation document is signed between the parties' families and presented to the police or court, the perpetrator is either free or receives a reduced sentence.⁵⁷

Dispute settlements reached via the tribal manner are often published in newspapers. They usually contain a statement that relays that the suffering party will not proceed with the case in an official court. Hesitation among the police force to intervene in what they consider minor matters bolsters Palestine's unofficial legal system. The police force sometimes disregards judicial proceedings and often takes responsibility into its own powers and imposes judgment.⁵⁸ The Director of the Central Police Station in Tulkarem conveyed this respect for traditional law and an unwillingness to interfere in sensitive cases. When asked about cases of honor killings and murdered women, the Director became visibly uncomfortable and claimed that families solve those kinds of problems themselves. He stated that the police try not to get involved.⁵⁹

The patriarchal structure of the Palestinian police force further contributes to the hesitation of female victims to report crimes. It has been reported that women, particularly rape victims, filing complaints against their husbands have not been taken seriously. Even if police believe a female victim, they can do little to assist her. One common response is to call the husband into the station and have him sign a promise that he will refrain from hurting his wife again. However, there is little or no follow up on these cases, and thus, no enforcement of the signed document.⁶⁰ The limited resources and poor training of police have also resulted in confidentiality problems. By approaching the police, a woman could risk full disclosure of her case to her village or neighborhood, thus putting her life in extreme danger.⁶¹ Investigations into murders of

⁵⁴ Al Muntada, 2007:13

⁵⁵ Shalhoub-Kevorkian, 1999(a):160

⁵⁶ Al Muntada, 2007:12f

⁵⁷ Terris & Inoue-Terris, 2002:489

⁵⁸ Terris & Inoue-Terris, 2002:485f

⁵⁹ Interview with Munif Zerew, Tulkarem Central Police Station, Tulkarem, 2008-02-04

⁶⁰ Al-Muntada, 2007:44f; Interview with Ohaila Shomar, SAWA, Jerusalem, 2008-01-23

⁶¹ HRW, 2006:18

women that are rumored to have been motivated by 'honor' are sometimes stopped or interrupted by higher authorities and influential people.⁶²

The broad concept of honor and shame as well as the official structures' reluctance to intervene in traditional practices provides very unstable conditions for women. As pointed out by many researchers, organizations, and feminists, the Palestinian dual structures of PA jurisdiction and tribal laws based on family and honor victimize women on two levels. Because the official structure fails to legally protect women and the tribal system holds women responsible for securing family honor, women have few options if they fall victim to a crime, especially one of a sexual nature. Disclosing such crimes can lead to a victim's murder because the crime itself as well as its disclosure brings shame to the family.

The legal and societal disregard for women's rights is sometimes used to disguise other crimes or to simply remove women. By claiming that the murder was committed to protect family 'honor,' the perpetrator most likely receives a reduced sentence. Women are murdered for being victims of incest or rape, but they are also killed on the sole basis of their gender for inheritance reasons. There have been several cases in which a male relative killed a woman because he did not want to share the family inheritance, but claimed the murder was based on the woman's dishonorable conduct.⁶³

Although new laws have been issued in order to address gaping legal holes left from previous rulers, the PA has not devoted sufficient effort towards securing women's rights. Due to the remainder of the Family and Penal laws from Jordan and Egypt and the application of tribal laws outside of the courts, women's security and individual rights are not sufficiently protected. Accommodation and respect for customary laws are both enhanced by and serve to undermine the establishment of a legitimate and stable legal system by the PA.

4. WOMEN IN CONTEMPORARY PALESTINIAN SOCIETY

Palestinian society, particularly women, have suffered greatly throughout the turmoil of the last eight years. Every interviewee stated that they had witnessed changes in society and people's behavior since 2000. Therefore, in order to understand the current realities of women within Palestinian society, the impact of the second Intifada and the increasing popularity of Hamas must be examined.

4.1 THE INTIFADA

The second Intifada, beginning at the end of 2000, brought many lasting changes to Palestinian society. The optimism and hope that the Oslo agreement had triggered was

⁶² Al-Muntada, 2007:45

⁶³ Interview with Munif Zerew, Tulkarem Central Police Station, Tulkarem, 2008-02-04; Al-Muntada, 2007:32

destroyed and quickly replaced by anger and violence. The instability led to increased unemployment and poverty, movement restrictions, and an increase in dependency on foreign aid.

The heightening of societal violence has, according to many, also led to an increase in domestic violence. The frustration and humiliation spurred from occupational force, checkpoints and political instability of the PA take a heavy toll on women as a result of the attempts of men to regain lost masculinity. The rising unemployment rates prevent men from fulfilling their main societal roles as family providers and thus threaten the patriarchal structure.⁶⁴ This consequence is enhanced by the fact that women are more often granted social welfare. While the shift further challenges the traditional male role in the Palestinian family, women rarely acknowledge their newly acquired status as economic providers. These disturbances to the family structure may also be associated with an increase in the number of divorces within Palestinian society.⁶⁵

Nadera Shalhoub-Kevorkian declares that the Intifada has led to an increased politicization of Islam and a failing respect for human rights.⁶⁶ On a similar note, Diab Zyed of the PWWSD claims that the international community perceived the second Intifada as a conflict between two armed powers, rather than a conflict between an oppressor and victim.⁶⁷

Since 2000, there has also been an increase in the number of women murdered. However, it is difficult to determine whether or not the murders were honor related. In 2007, 51 women were murdered compared to 48 cases documented by Al-Muntada between 2004 and 2006 (of which 32 were officially claimed as ‘honor’ killings).⁶⁸ Regardless of the motivations behind the murder, the increase points to a correlation between increased political and social instability and the rise of gender violence. The Intifada led to heightened restrictions on prior freedoms enjoyed by Palestinian society at-large and, most particularly, women. According to some of the interviewees, in recent months, these social restrictions have been slowly easing in the West Bank.⁶⁹

4.2 THE 2006 ELECTION OF HAMAS

“Hamis is made up by men feeling castrated by the occupation and trying to find ways to empower themselves”

Nadera Shalhoub-Kevorkian

⁶⁴ Interview with Zahira Kamal, PWRDC, Ramallah, 2008-02-05, Interview with Nadia, PWWSD, Tulkarem, 2008-02-04

⁶⁵ Interview with Hadeel Qazzaz, HBF, Ramallah, 2008-02-14

⁶⁶ Interview with Nadera Shalhoub-Kevorkian, Hebrew University, Jerusalem, 2008-02-12

⁶⁷ Interview with Diab Zyed, PWWSD, Ramallah, 2008-01-22

⁶⁸ Al-Muntada, 2007:16; Interview with Diana Mobarak, Ministry of Social Affairs, Bethlehem, 2008-02-18; Interview with Ohaila Shomar, SAWA, Jerusalem, 2008-01-23

⁶⁹ Interview with Manal Toffaha, Ministry of Social Affairs, Nablus, 2008-02-11

After more than ten years of failing to implement stability and create a legitimate political system, Fatah lost the 2006 election to Hamas. Hamas, who based their campaign on social issues, highly critiqued the politics of Fatah, especially their social policies. However, Hamas, a political and highly religious organization, enforces the patriarchal structure and has grave democratic problems. Despite Hamas' failure to uphold key democratic values, many women strongly supported Hamas.⁷⁰ People sought refuge in the religious and traditional values represented by Hamas because when all else was lost, the very basics in life became more important. Those basics were found at the community level, a level neglected by Fatah.⁷¹ Political division in Palestinian society has resulted in the excessive use of violence in clashes between Fatah and Hamas forces. The political conflict, "worse than civil war," has also destroyed the social fabric of communities and families.⁷²

The conservative influence of Hamas has also impacted the public sphere. Religion became more public and an increasing number of women began wearing the *hijab*. The social rule became stricter as messages threatening and demanding women to conform to traditional norms started to proliferate. As a result of increased threats, the women's movement regressed for ten years.⁷³ In addition, the number of women wearing the *hijab* increased after 2006 in the Gaza Strip. Naila Ayesh, director of the WAC, explains that the increase was not a result of religious belief but rather of fear. Hadeel Qazzaz at the Heinrich Boll Foundation (HBF) claims that some women wore the veil for self-protection, both out of societal pressure and in order to be treated more equally. In wearing the *hijab*, many women feel that they are treated less like sexual objects and are able to engage in more intellectual meetings with men. Qazzaz also notes that there are more fashion options for women that cover themselves.⁷⁴ Consequently, social norms influence and indirectly encourage women to conform by providing few options for alternative behavior and appearance. Ultimately, the conservative influence of Hamas enhanced societal limitations imposed on women.

In Gaza, women's organizations have experienced increased resistance towards their work since the summer of 2007 when Hamas took effective control over Gaza. Today, these organizations can no longer operate as openly. However, the WAC has noticed an increase in participation in its workshops, most likely because women are more in need of a place to meet, talk, and receive information.⁷⁵ The social pressure for women to wear the *hijab* is also noticeable. Inhabitants of Gaza do not anticipate a return to pre-Hamas conditions, and women who do not wear the *hijab* constantly avoid public areas by taking taxis in order to avoid accusations and hassle.⁷⁶

⁷⁰ Interview with Hadeel Qazzaz, Ramallah, 2008-02-14

⁷¹ Interview with Ohaila Shomar, SAWA, Jerusalem, 2008-01-23

⁷² Interview with Hadeel Qazzaz, HBF, Ramallah, 2008-02-14

⁷³ Interview with Ohaila Shomar, SAWA, Jerusalem, 2008-01-23

⁷⁴ Interview with Hadeel Qazzaz, Ramallah, 2008-02-14

⁷⁵ Interview with Naila Ayesh, WAC, Ramallah 2008-01-24

⁷⁶ Interview with Naila Ayesh, WAC, Ramallah 2008-01-24

4.2.1 GAZA, THE FEAR OF LOSS OF HONOR PASSED DEATH

The situation in Gaza differs from that in the West Bank in that the region is more traditional, religious, and is closed off from the world. Following the Intifada and Hamas' takeover, Gaza has become so extreme that women no longer move freely within the public sphere for fear of getting caught in Israeli cross-fire. However, it is not death itself that these women fear, but rather the possibility of having rumors spread about their deaths being related to tainted honor. This fear reveals that girls and women also regard the family and the family's reputation as more important than their own lives. Hamas uses social pressure to protect the family from shame as an effective way of keeping women within their homes and away from social, political and public life.⁷⁷

The lack of rule of law in Gaza, puts further strains on women and their security. Hadeel Qazzaz notes that the unilateral withdraw from Gaza had a negative impact on the situation of women throughout the territory. Qazzaz believes that the increase in violence strongly correlates with the normalization of violence in society and the domestic sphere. Predominant male values and societal ideals regarding women prevent Palestinian women from reporting crimes committed against them, particularly because police sometimes take advantage of women seeking their help.⁷⁸

5. WHAT IS BEING DONE TO COMBAT 'HONOR' CRIMES?

This segment is a compilation of results retrieved from interviews with different organizations in the West Bank and Gaza. There is a distinction between non-governmental and governmental institutions. While conducting the interviews, large differences in information and work focus among the different organizations, institutions and feminist activists became clear. Because exact statistics and information on the issue of honor crimes and violence is limited, much of the research within this report is based on experience, individual cases, and expected outcomes.

Explanations for the increase in domestic violence and 'honor' related cases are homogenous throughout the interviews, apart from one response. Most organization members and activists stated that a loss of male self-respect, sense of masculinity, and family influence were results of political instability and economic hardship. In order for men to regain their faltering status, they begin to exercise increased power over the family. Increased unemployment means that men spend more time in the homes, scrutinize the activities of female family members, become more frustrated, and use violence as an outlet for that frustration. In contrast, one interviewee said that that political *stability* leads to an increase in domestic violence and female murders because during stable times, people have more time to think about their family, neighbors, and rumors.⁷⁹

⁷⁷ Interview with Hadeel Qazzaz, HBF, Ramallah, 2008-02-14

⁷⁸ Interview with Hadeel Qazzaz, HBF, Ramallah, 2008-02-14

⁷⁹ Interview with the depute director at the Social Affairs Office, Tulkarem, 2008-02-04

One problematic factor that arose during the interviews was that many responses were based on assumed realities. Because accurate data is not available and statistics on the subject are not consistent, experience serves as the primary source. For example, the interviewees in the West Bank stated that the situation for women was much worse in Gaza. In Ramallah, interviewees claimed that women were suffering more in the villages. In Tulkarem and Nablus, interviewees noted that there are more problems in the South. However, these statements are not consistent with PCBS findings. PCBS statistics reveal that women are more frequently subjected to violence in the West Bank than in Gaza and that there is little regional difference between urban and rural areas. However, the PHRMG attitude survey and the Al-Muntada report findings appear to be more consistent with the interviewee claims. It is unknown as to whether inconsistencies can be attributed to differences in thought and action or individual perceptions. Perhaps strong, traditional values in more conservative areas make women adhere more closely to cultural norms. In the West Bank, closer to Israel and with more international presence, women's freedom is greater and traditional female values are secondary to city development and prosperity. This could be perceived as a threat by those wanting to preserve the traditional notions and thus spark their control needs.

5.1 WOMEN'S ORGANISATION, HUMAN RIGHTS ORGANISATIONS AND FEMINIST ACTIVISTS

Organizations focusing on women's issues have revealed a more comprehensive understanding of the gender violence phenomenon. These organizations address numerous cases each year and try to reach as many women as possible through hot-line services and community awareness. Leaders of these organizations say that there has been an increase in the number of phone-calls and cases received over the past few years. The reasons behind this increase can not be exactly pinpointed, but the rising number of calls and reported cases reveals that these organizations are successfully reaching out and helping women in need. Furthermore, it proves that awareness is spreading, enabling more women and girls to contact help outside of the family.

Organizations that do not specialize in women's issues can support individual women, but their expertise is limited. Although human rights are closely related to women's rights, there are differences in how to approach violations in order to avoid gender bias. Without expertise in women's rights, the societal impact is limited, preventing long-term change.

Feminist activists serve as valuable sources of information, and continuously prioritize gender violence and women's rights on the national agenda.. A lot of their work focuses on research, lobbying, and theory building. All such components are vital to their case management and community awareness efforts.

Every interviewee noted the word 'empowerment,' as both a means and a goal of the organization. 'Empowerment' is based on the idea that through information and awareness, women have the opportunity to change their own situations within their

families and society. Discussions, lectures, and work-shops are held in local community centers, schools, and organizations in order to access women. While husbands and the community at-large are sometimes resistant, in general women's organizations can continue their efforts without direct interference. However, many activists also noted that the amount of women that actively continue in politics, for example, is limited. On a domestic level, women have been able to influence their situations at various times. However, such influence has sometimes led to divorce or driven husbands to prevent women from continuing contact with the organizations.

Throughout the interviews with women's organizations, the structural obstacles they face in carrying out their efforts became apparent. Most resistance comes from Palestinian legal institutions, courts, and police. However, professionals and social workers have also opposed their work. Ohaila Shomar, director of SAWA, relayed how a young girl was accused of indecent behavior when she disclosed that she had been a victim of incestual abuse for many years to a school counselor. Some social workers are biased and use culture and traditions as references when judging sexual abuse cases.⁸⁰

5.2 THE MINISTRY OF SOCIAL AFFAIRS

The Ministry of Social Affairs (interviews were conducted at three offices in Tulkarem, Nablus and Bethlehem) is developing methods to cope with the increasing number of women that seek its help. In Tulkarem, a system of cooperation with the police is now employed in which a representative of the Ministry goes to the police station in order to protect the interests of women that have filed complaints.⁸¹ Women are sent to protective shelters in Nablus or Bethlehem, (Beit Sahour). When possible, social workers and psychologists work with the women and families in order to "rehabilitate" all parties involved and enable the women's return to their home.

Rehabilitation, reunification of the family, and marriage are the primary goals of the Ministry of Social Affairs when they address such cases. These aims correspond with the social norms and standards promoted by traditional advocates. These measures prevent women that are victims of gender violence cases from being deemed social outcasts or being killed. However, such solutions have extremely short-term impacts. The promotion of marriage as a solution for gender violence cases does not serve the best interest of women and does not improve societal treatment of women.⁸²

5.3 MEHAWAR, WOMENS SHELTER⁸³

Mehawar is the first women's shelter in Palestine. Since the shelter's opening one year ago, it has received 50 women and 14 children. In the majority of cases, the women were

⁸⁰ Interview with Ohaila Shomar, SAWA, Jerusalem, 2008-01-23

⁸¹ Interview with the Ministry of Social Affairs, Tulkarem, 2008-02-04

⁸² This view was not promoted by all three offices.

⁸³ Interview with Majida O'dha and Nagem Molouk, Mehawar, Beit Sahour, 2008-03-03

escaping family problems, including incest, rape, and childhood sexual harassment and domestic violence. In the case of the latter, women often come after many years of abuse. In addition to women who located the shelter on their own, some women were directed to the center through the assistance of the police force and the Ministry of Social Affairs. There is a one year policy regarding the women's stay at Mehawar. Some women whose situation and safety improves stay shorter periods of time. It is very difficult for many women who are still in danger to leave the shelter. However, when leaving the shelter, the women are provided with work, a home, and the continued support of the shelter staff.

The shelter provides psychological, medical, and social assistance. Because the shelter serves as the women's home, the house work is divided among the women and is interspersed with daily activities such as education, vocational training, and fitness training. At first, women are hesitant to reveal the depth of the abuse they have experienced. But as trust and friendship emerge, women more openly discuss their experiences with the shelter staff. Because of the deep-rooted insecurity of many abused women, the shelter works hard to increase self respect among residing women. Through empowerment exercises, women can grow to understand that they deserve respect and equal treatment. The shelter also provides legal support. At the time of the interview, Mehawar had 25 cases in court. The cases vary from heritage disputes, child support, rape, incest, and divorce cases. Thus far, the organization has had one success- in a divorce case.

In cases where the woman's life is at risk, the shelter does not address or negotiate with the family. The woman's safety always comes first. Sometimes, the family can be involved in the process, for example, if a rape has been committed outside of the family. In the discussion groups at the center, social concepts are discussed, such as love and honor. Nagem Molouk points out that it is important that the women understand that honor is a state of mind, something found in a person's attitude and not in a woman's virginity.

The shelter also actively fights to raise awareness among surrounding communities. Mehawar is currently directing its discussion towards women, but its members hope to include men and youth in their future activities. Mehawar staff members go out to schools, villages, institutions, and camps in order to discuss gender, violence, and sexual abuse. The goal of the program is to spread information about the centre and their services and to encourage women to seek help. Majida O'dha says that women in Palestinian society can not speak about violence that they experience or their lives in general because it is not socially accepted. She continues by saying that violence against women is pervasive in society, even in schools where teachers do not know how to address the problem and do not want to interfere in order to avoid responsibility.

6. CONCLUSIONS

The Palestinian situation is unique, and therefore, women in Palestine are experiencing a life that many outsiders cannot fully grasp or understand. The patriarchal foundation of the society in addition to the stress of the occupation and the constant failure of the P.A. to address gender issues makes Palestine a complex and often dangerous environment for women. This paper has attempted to contextualize the practice of 'honor' killings in order to enable a more in-depth understanding of the phenomena. Through greater understanding, gender violence and 'honor' killings can be more effectively tackled in the future.

6.1 'HONOR' KILLINGS AS A PHENOMENA

Honor is a broad concept deeply integrated within Palestinian society, creating a culture heavily based on shame and the avoidance of shame. This traditional concept sometimes leads to threats against or deaths of women, and is sometimes employed to justify the murder of girls and women. Therefore, it is difficult and almost irrelevant to distinguish 'honor' killings from other forms of gender violence. It should be understood as an extreme expression of a larger societal problem.

Today, most focus is being directed towards the worst forms of domestic violence. However, the most common form, psychological abuse, may deserve the most immediate and widespread attention. Psychological abuse is disregarded not only by men and societal structures, but also by women. Violence needs to be addressed on every level in order to construct an effective long-term solution to the problem. The disregard of psychological violence in homes upholds discrimination, promotes a sense of worthlessness among women, and thus undermines possibilities for resistance and change. Furthermore, structural violence, i.e. emanating from economical, political and legal restraints, effectively stops any improvement of the situation of women in Palestine. It appears as though the occupation often serves as an excuse not to deal with gender issues or other societal problems facing Palestine. Additionally, structural violence targeting women forces them to be economically and politically dependent on men and undermines their ability to access information and empower themselves.

The perceived male right to use and abuse women is a global phenomena. However, expressions, perceptions, and understandings of it are different in all cultures. The practice of killing women due to a violation of family 'honor' is an effective tool that forces women and girls into their traditional roles as daughter, wife, and mother. As the case in Gaza reveals, women restrict their movement due to pervasive fear.

Honor is a powerful societal concept and the understanding and respect of it is conveyed through the collection of statistics in this report. Due to statistics regarding the high levels of male support for traditional ideas of female behavior and the harsh punishments for breaking such norms, male dominance over women in Palestine is still widely practiced. Consequently, honor is more than a family or village matter. Honor is a vital part of

female submission to men, which serves as the foundation of Palestinian society. Gender violence should be understood, not only as a women's problem, but also as a societal obstacle for development. Equality in Palestine would have positive effects on economic, political, and social spheres in addition to Palestinian unity.

6.2 WHAT ARE THE LEGAL SURROUNDINGS AND OBSTACLES?

Honor crimes are difficult to distinguish. As relayed above, honor is sometimes used as an excuse to murder a female relative because such a claim reduces the perpetrator's sentence. Sometimes an honor related crime is marked as an accident or suicide. Consequently, there is no guarantee that a woman who abides by all social rules and expected norms will not be accused of tarnishing 'honor' if there are other factors, like money, influencing the case. To kill a woman for 'honor' has little or nothing to do with perceived family 'honor.' 'Honor' killings are an expression of perceived male superiority over women and their power to decide their fate

Official legal structures and institutions sustain mechanisms that uphold male superiority. The police are not properly trained to deal with domestic violence, and it is sometimes perceived as a family or minor matter that does not deserve police attention. The few women who are able to get their case to court face additional problems. Resources are limited, making victims wait long periods of time (often years) before being heard. Consequently, traditional mediations methods are promoted as an effective method for resolving the cases.

The dual legal system not only fails to provide protection for women and girls, but also sanctions the right of men to control women within their families. The right to discipline women for perceived misconduct is part of traditional tribal norms that are not addressed in the official legal system. Murder, in this case, is understood as disciplinary action rather than a crime, which reduces or eliminates the perpetrator's punishment. This reinforces the idea that women are male property, enabling men to pass laws and execute sentences regarding the perceived crimes.

6.3 PROBLEMS IN COMBATING 'HONOR' CRIMES

Opposition to women's rights in Palestinian society is comprised of a complex net of effective countermeasures that prevent improvement in the lives of women. Traditional tribal structures are part of Palestinian history and the struggle against foreign occupants. These structures are not only accepted by society as providers of legal solutions, but also welcomed by the official jurisdiction. In addition, the strong social structures and gender roles that impact how individuals perceive themselves and others uphold the notion of female subordination and male supremacy.

The work performed by NGOs is impressive, but insufficient. State institutions are not properly equipped or qualified to cope with the problems of gender violence. While

NGOs are primarily responsible for addressing the phenomena, they are limited geographically, economically, and politically in their scope. The responsibility must be attributed to the Palestinian Authority, which, at this time, does not prioritize women's issues. Due to the legal gaps and strong societal discriminatory structures, women are being excluded and their rights disregarded. The national struggle against the occupation is used as an excuse for the neglect of and discrimination against women. Therefore, organizations and institutions need to work together in order to effectively combat these issues. Governmental institutions need to learn from the experience of NGOs and organizations must benefit from the economic and political capacity of the PA. Ultimately, it is the fundamental responsibility of the government to provide for and protect its people through its institutions. Thus far, the PA has failed in its responsibility to the Palestinian people, and particularly to Palestinian women.

The increasing number of reported gender crimes and 'honor' killings could be a reaction to the societal changes and increased stress on daily life. It may also be the result of the increased commitment of NGOs to spreading information and helping women in need. The increase in reported cases is most likely a combination of the two explanations. As more women suffer from domestic violence and are fatally threatened by their families, more women are encouraged to seek help. As the knowledge and experience of women's rights NGOs expand, more women are protected from psychological and physical violence in their homes and within society at-large.

Organizational efforts and community work are vital because Palestinian society possesses limited knowledge about addressing gender violence cases, especially cases involving sexual abuse. Because sex and women's sexuality are not publicly or privately discussed, there are not mechanisms in Palestinian society that address gender violence and help women. The clash between honor codes and societal shame leads to the blame, isolation, and death of women. The fear of female sexuality results in the quick redirection of blame onto women regarding any committed crime. By resorting to these very destructive solutions, women, girls, and their families live in constant fear of having their honor tarnished. Although the family might be able to manage the case without violence, the surrounding community might demand more radical action, and pressure male relatives into 'cleansing the family name'.

6.4 CONCLUDING REMARKS

Palestinian women are experiencing violence in structural, occupational, and domestic arenas, which affect every sphere of life in the Occupied Territories. Male superiority, which lies at the base of most gender violence, penetrates women's lives on a global, regional, and local level, making it very hard to combat or change. Working for women's rights is a process that requires a lot of time and patience, especially in Palestine where outside influences constantly change political and economic conditions.

The practice of killing women and girls in the name of 'honor' is an extreme expression of gender violence. It is a control mechanism used to keep women in line with traditional

behavior and uphold patriarchal structures within society. Structural violence imposed by society and domestic violence strongly reinforce one another. The Palestinian legal and political systems pardon men who commit murder in order to protect their 'honor.' In Palestinian society, traditional laws and practices are encouraged and promoted. In addition, these traditional norms serve to uphold the male dominated political system emerging in Palestine today.

In combating the use of 'honor' killings as a tool of female suppression, all forms of violence must be targeted. Female empowerment will not make a lasting impact if the system is not altered on a fundamental level. The realization of equal rights for men and women has to come through mutual understanding and cooperation, as both sexes play a role in upholding discriminatory structures and preventing progress.

7. RECOMMENDATIONS

- The PA must recognize the societal problem of violence against women and address it accordingly. The PA must promptly issue a Palestinian Family and Penal law that recognizes and promotes women's rights.
- The PA must fulfill its commitments to Basic Law and work to implement and ensure the respect of human rights, especially women's rights. This requires an integration of the Convention of Women's Rights, CEDAW, into all of its work and policies. Women's rights should not be regarded as supplemental to the general agenda, they must be regarded as an inseparable component of political and social life.
- The official institutions, such as the Social Affairs office, Ministry of Women's Affairs, and the police, must be given adequate and relevant education on the subject of women's rights.
- Social awareness must be raised on all societal levels, at all ages, and among both men and women. To combat gender violence via long-term female empowerment is not enough because societal structures will remain male dominated. Therefore, it is of outmost important to include men in discussions when reaching out to communities. In addition, by beginning education about women's rights and violence against women at an early age, Palestinians will grow up with a greater understanding and respect for one other.
- In order to for a long lasting change in the Palestinian society human rights, gender equality and respect must be integrated parts of all levels of education. Schools play an important role in shaping the future of a community and a state, if these issues can be addressed at this early point of a child's life the effect are more likely to have a long-term impact.

- In their efforts and work within Palestine, international organizations must understand and acknowledge the traditional elements of the legal system in order to establish a legitimate working ground. Contextualizing a societal problem enables community cooperation and provide for a more effective means of combating it.
- Community support must be developed in the form of local women's centers with psychologists and social workers who are specially trained in dealing with domestic violence and abuse. Mehawar is a good example of such a centre, but it does not have adequate resources to address the increasing number of reported cases. Therefore, regional shelters should be established with local centers providing immediate help and counseling.
- The traditional legal community should not be disregarded. But, it must be subjected to the regulation of official legal structures, so that the traditional legal community no longer sanctions discrimination and violence against women. Official Palestinian laws must stand above the traditional legal system.

8. SOURCES

- Abed-Hussein, Suraida, 2005, "The Civil and Political Rights of Women", *The Legal and Social Status of Palestinian Women, A Gap Analysis Report Using CEDAW as Reference*, WCLAC, http://www.mediterraneas.org/print.php3?id_article=278 2008-03-11
- A'jlouni, Luna, 2002, "Honor Killing", *The Monitor*, PHRMG, http://www.phrmg.org/PHRMG%20Documents/Honor%20Killing/English/honor_killing.htm 2008-02-30
- Al Muntada, Palestinian Non-Governmental Organization Against Domestic Violence Against Women, 2007, *Crimes of Women's Killing in Palestine in the Period 2004-2006*, Ramallah
- HRW, Human Rights Watch, 2006, "A Question of Security, Violence Against Palestinian Women and Girls", *Human Rights Watch Report 18:7(e)* <http://hrw.org/reports/2006/opt1106/opt1106web.pdf>
- Jad, Islah, 1998, "Patterns of Relations Within the Palestinian Family During the Intifada", *Palestinian Women of Gaza and the West Bank*, Indiana University Press, Bloomington
- Passia, 2008, *Passia Diary 2008*, Passia, Jerusalem
- PCBS, 2006, *Domestic Violence in the Palestinian Territory Analytical Study*, PCBS, Ramallah
- PCBS, 2006, *Domestic Violence Survey (December, 2005-january, 2006) Main Findings*, PCBS, Ramallah
- PCBS, 2006, *Women and Men in Palestine Issues and Statistics, 2006*, PCBS, Ramallah
- Rayyes, Naser, 2003, "The Rule of Law and Human Rights Within Palestinian National Authority Territories", *Palestine-Israel Journal* 10(2), p. 50-57
- Sabbagh, Suha, 1998, *Palestinian Women of Gaza and the West Bank*, Indiana University Press, Bloomington
- Sen, Purna, 2005, "Crimes of Honour' Value and Meaning", *'Honor' Crimes, Paradigms and Violence Against Women*, p. 42-63, Zed Books, London
- Shalhoub-Kevorkian, Nadera, 1999, "Towards a Cultural Definition of Rape: Dilemmas in Dealing with Rape Victims in Palestinian Society", *Women's Studies International Forum* 22(2), p. 157-173
- Shalhoub-Kevorkian, Nadera, 1999, "The Politics of Disclosing Female Sexual Abuse: a Case Study of Palestinian Society", *Child Abuse and Neglect* 23(12), p. 1275-1293
- Shalhoub-Kevorkian, Nadera, 2005, "Researching Women's Victimization in Palestine – A Socio-Legal Analysis" *'Honor' Crimes, Paradigms and Violence Against Women*, p. 160-180, Zed Books, London
- Shalhoub-Kevorkian, Nadera, 2002, "Femicide and the Palestinian Criminal Justice System: Seeds of Change in the Context of State Building?", *Law and Society Review* 36(3), p. 577-606
- Sharoni, Simona, 1995, *Gender and the Israeli-Palestine Conflict, the Politics of Women's Resistance*, Syracuse University Press, Syracuse

- Terris, Robert; Inoue-Terris, Vera, 2002, "A Case Study of Third World Jurisprudence – Palestine: Conflict Resolution and Customary Law in a Neopatrimonial Society", *Berkeley Journal of International Law* 20, 462-495
- Warnock, Kitty, 1990, *Land Before Honour*, MacMillan Education Ltd, Hong Kong
- WCLAC, 2005, *The Legal and Social Status of Palestinian Women, A Gap analysis Report Using CEDAW as Reference*, 2008-03-11
http://www.mediterraneas.org/article.php3?id_article=278
- Welchman, Lynn; Hossain, Sara, 2005, *'Honor' Crimes, Paradigms and Violence Against Women*, Zed Books, London