



مركز الدراسات النسوية  
Women's Studies Centre

مركز شؤون المرأة - غزة  
Women's Affairs Center - Gaza



**Project: Combating Violence and Discrimination  
against Women in the West Bank and Gaza Strip**



# **Palestinian Women in the Cycle of Violence**

An analytical study of cases of Palestinian women who suffered from violence and discriminatory policies in the West Bank and Gaza Strip

Prepared by Researcher

Donia Al Amal Ismael

**December 2012**

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# Introduction

Sama Aweidah

## On Behalf of the Women's Studies Centre and the Women's Affairs Center

As women's centers that are interested in empowering Palestinian women and rejecting any coercive division of the West Bank and Gaza Strip, we had to work together in spite of this geographical division, siege and blockade. We had to defend our vision and mission using all possible strategies. Research is considered one of the key strategies aiming at revealing and analyzing the status quo in order to specify limitations that impede the progress of Palestinian women and their full participation in different developmental capacities.

The Palestinian feminist movement is a deep-rooted movement associated with the political, social, economic and cultural progress of the Palestinian society. It goes side by side with all political developments and difficulties experienced by the Palestinian. The Palestinian feminist movement contributed to enhancing the right of women to participate in, and benefit from the liberation movement, construction and development processes. Women participated as equals along with men in this historical struggle.

The establishment of women's centers was a response to the demand for developing feminist activities that promote integration between the institutional work and public action with the aim of conducting research and setting up programs that empower women and enhance their political, social and economic participation. The Palestinian feminist movement translated this demand into action. The establishment of women's centers is the result of feminist public actions working towards institutionalizing part of the human rights-based feminist agenda through centers specialized in research, training, capacity building and in the provision of social, legal and other programs.

Violence against women is a reality that has a long historical and cultural past. It is a phenomenon that prevents women from achieving full self – realization and impedes their efforts aimed at leading a decent life. Therefore, it prevents them from having a normal life. This reality negatively reflects on them, their families and the society as a whole.

Because of this, the protection of women from violence should be actively pursued. Different programs have been set up to face violence and provide support for female victims; however these efforts were not enough to meet the demand for protection and equal rights. These programs initiated the idea of establishing women's centers to fulfill this objective together with the growing number of related objectives.

The project of combating violence against women in the West Bank and Gaza Strip is jointly implemented by Women's Affairs Center in Gaza Strip and Women's Studies Centre in Jerusalem. It aims to break the wall of silence regarding violence exercised against women in all its forms. Violence against women is still a low priority issue, often disregarded for different reasons and under different pretexts. Sometimes the reasons for limiting the fight against violence against women are due to customs and traditions, however, other times it is due to harmful and erroneous religious interpretations, yet still, other reasons for its low priority are due to ignorance, indifference or conspiracy theory linked to foreign influence that aims at undermining the Palestinian social values, culture and priorities. However, even while holding women's priorities low on the political agenda, there are still women suffering from violence, homeless children, separated families and a society that loses its values and cohesion. The society continues to fall even further away from achieving the objectives of freedom, dignity, and equality. Freedom is a door with one key, dignity. This key is the

same for all people regardless of their gender, religion or age.

This project, that we aspire to turn into a permanent program, aims at spreading awareness in the Palestinian society on the risks of the continuation of exercising violence against women, by working and networking with different public, youth and women's organizations. In the process, we stress the integrity of the two parts of the Palestinian homeland (West Bank and Gaza Strip), coordinating work for a unified project comprising young men and women from the West Bank and Gaza Strip. These young men and women will try to fulfill the same objectives and unified strategies with the aim of eliminating violence against women in the Palestinian society.

In this project, we worked together with groups of young men and women. We decided to start from a study of the status quo through training a group of young women on documentation of cases of violence in the Palestinian society. We worked through two groups: one in the West Bank and the other in Gaza Strip. They started to move from house to house, from village to village and from camp to camp to document different cases of violence. Then they shared those cases together. The material collected by different women and youth groups constituted the main discussion material to be used in education and promotion of awareness on combating violence against women. These groups and participants started to realize the importance of the cases and how they reflected the real situation of women in Palestinian society. It was decided that we could no longer ignore the situation, turn a blind eye to young women and female children who suffer from violence and turn a deaf ear to the impact of this violence on women, their families and society as a whole.

All the stories documented have been used in awareness workshops and as a basis in the advocacy campaigns. A large number of those stories have been documented in a booklet issued by the two centers under the title of "Women in the Cycle of Violence."<sup>1</sup> It has been distributed and used in different awareness workshops. In order to advance towards our goals and in order to have a deeper impact on our work, we analyzed the cases and derived results and recommendations. We hope that this qualitative study will represent a key element in setting up programs and creating interventions that aim to combat violence against women on the formal and non-formal levels.

We would like to extend our thanks for Researcher Dona Al Amal Ismael for conducting this magnificent study. She has worked with us since the very beginning. She trained field research teams and followed up their work in the Gaza Strip, then analyzed the results and submitted them to us. We would also like to express our gratitude for Researcher Maha Al Tamimi, who trained the field research teams and followed up their work in the West Bank. We would also like to thank all project coordinators Sahar Omar from the Women's Studies Centre, and Wissam Jouda from the Women's Affairs Center in Gaza. We would also like to thank the working teams of the two centers who spared no effort in supporting this project and its different activities. We are also grateful to young women and men of partner organizations who worked hard for providing those cases and discussing them with groups of young men and women with the aim of promoting awareness about the risks of exercising violence against women and working together to fight and eradicate this phenomenon.

We would also like to thank the Swiss CFD for its unconditional support for this project.

**We worked together, and we shall continue to work together to create a violence-free society that enhances gender equality.**

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1 Sama Aweidah, and Sahar Omar: "Women in the Cycle of Violence", Women's Studies Centre and Women's Affairs Center Gaza, 2012.

# Chapter One

## Plan and Methodology

In spite of the wide range and high level of violence exercised against women in all parts of the world, women have not given in to pressures to stop combating and addressing all forms of violence.

In 1999, women managed to urge the UN to designate November 25th as the International Day for the Elimination of Violence against Women. It was a momentous achievement that was the result of a long struggle by women's emancipation movements in all parts of the world, with the effective and important support of advocates and supporters of women's rights.

In 2007, the UN Secretary General, Ban Ki-Moon launched an international campaign, in collaboration with several international organizations, to eliminate all forms of violence against women (as outlined in the Convention for the Elimination of Discrimination Against Women, CEDAW) by 2015 in the hope that the world would achieve the change required to put an end to all forms of discrimination against women.

Palestinian women participated in international movements and were involved in different internationally publicized initiatives for combating violence and other violations against women. They participated in various struggles on domestic and international fronts that took place within the intricate and complicated circumstances related to the long Israeli occupation and the consequential coercive policies and measures aimed at defacing national and collective identity; threatening their lives, wellbeing and their families; demolishing houses, forcing evictions and displacement; and uprooting any sources of income. In addition to these pressures, women continued being active in combating violence while suffering categorically from male hegemony due to the prevalence of inherited social values in the absence of gender equal legislations that guarantee women's rights as equal citizens.

This report monitors several violations against Palestinian women in Gaza Strip and the West Bank. The occurrence of violations represents a flagrant threat to women's right to enjoy their lives and their physical and psychological welfare. Through depicting life stories and true cases, the report stresses many causes and consequences – expressed by the respondents – of exercising violence against women and the mechanisms used by women to address this issue.

The report also reveals the extent to which women are suffering due to lack of knowledge of their rights and measures to be followed to protect those rights from different violations, whether inside or outside the family. Respondents who met with field researchers, under the supervision of the main researchers in the Gaza Strip and the West Bank, indicated that the household is the most common place for exercising violence against women and that physical violence is the most common form of domestic violence exercised against them.

## Subject of Study:

In spite of the mounting interest in the issue of violence against women, literature on this subject is still very limited in the Palestinian society. Official and non-official perspectives of violence against women and mechanisms of combating it are different. This difference is reflected on justifying violence and leniency towards violence exercised by the spouse and other relatives.

Therefore, the Study seeks to answer the following questions:

1. What are the types of violations women are exposed to in Gaza Strip and the West Bank?
2. What is the impact of those violations on the conditions of the women's rights in Palestine?

## Study Objectives:

The study aims to:

1. Identify the reality of the different types of violations that Palestinian women are subject to in Gaza Strip and the West Bank.
2. Identify the mechanisms used by Palestinian women to combat violence exercised against them.
3. Produce recommendations that could be used in the future by official and non-official institutions to raise awareness in the society regarding violations against Palestinian women and the means to reduce them.

## Importance of the Study:

The importance of the Study lies in the fact that:

1. It is one of the qualitative studies which focuses on human rights violations committed against Palestinian women especially violence against women.
2. This study deals with the demographic of women, a large, underrepresented and important demographic of the Palestinian society that is a key segment in the development of Palestinian society.
3. There has been an increase of acts of violence within society and against the Palestinian women, in particular, due to the violent conditions related to the Israeli occupation and the Palestinian territorial division in addition to prevailing culture and unfair legislations. The occupation and segregation of territories threatens the society and hampers the capabilities and capacities of its people and institutions to promote progress and growth.
4. The study of this phenomenon shall have an impact on the fabric of the Palestinian family due to its impacts on children and society. Therefore, such studies are important for addressing social problems and may contribute to avoiding, combating and eradicating them in the future.
5. The results of this study may help in setting up programs that aim to alleviate problems resulting from the practice of violence against women, whether inside or outside the household. Furthermore, it will provide background support for researchers and policy-makers to help women secure their rights with national laws in accordance with international conventions.

## Scope of the Study:

The current study is confined to a sample size comprised of 36 cases from different governorates of Gaza Strip and the West Bank. The tools used in the Study are:

1. Collection of information, data and statistics related to the study.
2. Individual interviews with respondents.

## Limitations of the Study:

1. Shortage in analytical studies related to the subject of the study in question.
2. Resources are scattered in the West Bank and Gaza Strip leading to wasting extra efforts and time to collect information and data.
3. Political, administrative and physical difficulty in movement between West Bank and Gaza Strip.
4. Social and cultural difficulties in exposing cases of violence against women because of the prevailing cultural norms and fear of the societal penalties imposed against women who expose their experience with violence, especially domestic violence.

## Methodology and Tools Used:

The Researcher used the analytical descriptive method because it suits the subject and objectives of the study. It addresses current events, phenomena and practices that could be studied and measured without intervention from the researcher. She can interact with and analyze them.

Direct interviews have been conducted with 36 women subject to violence and violation of rights in different parts of Gaza Strip and the West Bank. These were in four locations in the Gaza Strip (Gaza and the north, central Gaza, Khan Younis, Rafah with four cases each) plus 16 other interviews conducted in Nablus and Hebron.

## Target Group:

The target group is women suffering from domestic or non-domestic violence within the age group (15-49), regardless of their educational or financial status.

## Sample:

36 women who suffered from gender-based violence in the age group (15-49) were interviewed from the different regions in Gaza Strip and the West Bank.

## Concepts and Terms:

### Violence against women:

The Declaration on the Elimination of Violence Against Women issued by the UN on December 20<sup>th</sup>, 1993 defined violence against women as: "...any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"<sup>2</sup>. This definition was mentioned in the document issued by the Fourth World Conference on Women held in Beijing in 1995 "Violence against women is any act of violence based on gender and probably leads to physical, sexual, psychological harm and suffering by women, including threatening to perform such acts, and deprivation of freedom in a coercive way, whether in a public place or in private life".<sup>3</sup>Violence against women is not inevitable or a part of natural society life, as it is an expression of values and standards related to certain cultural cues that are difficult, but not impossible to change.

2 The Declaration on the Elimination of Violence against Women.

3 Report of the Fourth World Conference on Women, Beijing, 1995.

## Convention on Elimination of All Forms of Discrimination against Women (CEDAW):

This is an agreement ratified by the UN in 1979 and came into effect in 1981.

### Discrimination against women:

The term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women – on a basis of equality of men and women – of human rights and fundamental freedoms<sup>4</sup>

### Gender:

Gender refers to the classification of functional roles inside the society between men and women. It implies that priority should be given to those who are more efficient to practice those roles. Thanks to the ILO, the term gender is being used to refer to relationships and differences between men and women due to differences in their societies and cultures although they are frequently subject to change.

### Previous studies:

1. A study prepared by the Palestinian Agricultural Relief Committee (PARC) (2011) and was entitled “Integrating men in programs of gender and combating violence against women– a needs-assessment study.”

The importance of this study emanates mainly from its being the first study to address the importance of the role of men and integrating them in gender-related programs as well as programs that combat violence against women. Men play a key role and are a part of an integral system that exercises violence and discrimination against women in which men uphold customs and traditions, cultural heritage, wrongful religious interpretations, violent family upbringing, and educational curricula that do not give this issue the attention it deserves. Unfortunately, there is lack of proper legislations in this matter and the existing ones are not enforced.

The study confirms the need to integrate men in gender-related programs because of the power-imbalance in traditional relationships between men and women and the exercise of gender-based violence and discrimination.

The study reached a number of important conclusions. It found conclusions related to institutions and challenges facing projects implemented by those institutions, the perspective of the society towards the issue of gender and the role of men and women.

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4 Convention on Elimination of All Forms of Discrimination against Women, 1981.

Concerning institutions, the most important results are:

1. Men represent 10% of the institutions' staff.
2. Women are the main beneficiary of the institutions' services and the number of female beneficiaries highly exceeds the number of male beneficiaries.
3. Institutions in question work in the field of reproductive and sexual health, physiological and social support, and provision of economic opportunities for women.
4. These institutions do not implement any economic projects for men, do not integrate men and do not tackle issues related to the educational aspect, enactment of legislations, pressure, advocacy and media in a systematic way.
5. The discourse of the institutions is mainly of a human and social tone.

As for the challenges facing those institutions as mentioned in the study, they are as follows:

1. The prevailing thought in the society always linked gender issues only to women.
2. There is disapproval of activities that mix men and women.
3. Some training was conducted by trainers who are not adequately qualified.

The main results from the perspective of society are that:

1. There is a clear division in Palestine of the roles of men and women. A high percentage on both sides believe in the traditional division of roles;
2. There is disparity in understanding the roles depending on the level of income, education and the residential area;
3. Women's work has not led to their financial independence. The decision related to management of expenses and administering the income is mostly taken by the man;
4. Lots of men believe that women compete with them in job opportunities;
5. Some men believe that woman's work leads to the breakup of families, rendering women, and not men, accountable;
6. There is an absence of a supportive environment, children care centers, incentives at work or social insurance laws that regulate women' work;
7. The family believes that providing university education for young women is a secondary issue and depends on availability of extra financial resources after providing these opportunities for young men in the family;
8. Some men and women believe that attempts taken by women to change the prevailing concepts would have grave consequences on their families;
9. Respondents referred to the importance of religious institutions and its key role in the issue of gender and social justice;
10. The illegal occupation has contributed to degradation of the status of women (oppression exercised against men, the sense of imminent danger and other more pressing priorities);
11. The continuance of societal practices of transient negative values is due to weakness of political powers, continuation of occupation, weakness of the moral deterrence, rule of law, and the sense of belonging;
12. The current decline of the role of political parties is having an effect on violence against women;
13. The Palestinian Authority does not enact laws that protect women, and there are no practical mechanisms and measures of legal redress;

14. There is a general feeling of raising doubts regarding the feasibility of the projects related to promoting awareness regarding women's rights and eliminating violence;
15. Men admit that any change in the status of women in the society directly affects men;
16. Men indicated that any progress achieved by women might lead to the loss of the status of man in society. Without the ability to convince men that this change is for the benefit of the family and society as a whole, men will oppose it.

## 2. Report of Geneva Center for the Democratic Control of the Armed Forces (DCAF) (March 2010):

This report surveys women perspectives regarding legal organizations and bodies that seek to protect them and is based on interviews conducted with young ladies and girls in the West Bank and Gaza Strip during June/November 2009. The report mentioned that "women and girls revealed that their feeling of insecurity is linked to the current conflict in society and the implicit acceptance of violence against women. Those women were unaware of protection service providers and they mistrusted [any other] services provided. Women and girls explained – according to the report – that they were hesitant to resort to women's and human rights organizations or law enforcement bodies such as the police and courts due to the social stigma that would affect them as a result of reporting maltreatment."

## 3. Report of the Palestinian Woman's Information and Media Center (December 2009)

The report revealed escalation in violence against women since Israel imposed an economic siege on Gaza in June 2007 after Hamas took power there. The study, based on 24 workshops and interviews conducted with 350 women in the last quarter of 2009, revealed that 77% of women in Gaza Strip were exposed to at least one type of violence. It reported that 53% of women were exposed to physical abuse and 15% were exposed to sexual assault.

## 4. Nahda Shehata's Study "Women, the judiciary and the law – an anthropological study of Sharia Court in Gaza (2009):

The researcher focused on the importance of the legal actions in changing women's conditions. She explained, through her field study, how the legal practice of Family Law is different from theoretical law. She reviewed the impact of social discrimination of defendants and judges on the mechanisms of the application of Family Law. She concluded that the controversy about legal reforms led to drawing up three draft family laws to be submitted to the Legislative Council.

## 5. Donia Al Amal Ismael's Study (Women's rape in the Gaza Strip)2008:

The study was issued by Women's Affairs Center in Gaza. It is one of the earliest feminist studies that tried to identify the conditions of the raped women in Gaza Strip, whether by relatives (incest) or by non-relatives. The study revealed several reasons why women are exposed to rape. The most significant of elements that expose women to the risk of rap is inheritance, absence of deterrent laws, in addition to the prevailing culture related to blaming women for dishonoring families.

## 6. Aysha Al Refae's Study (Sexual violence against female children and teenagers in the West Bank from a gender perspective) 2007:

The study was issued by the Women's Studies Centre in Jerusalem. It gave several recommendations that highlighted the importance of securing schools for boys and girls, supported measures ensuring that official and non-official support systems for children who suffer from violence should be enhanced; gave priority to the prevention of sexual assault against children; concluded that different mass media should be used for education and assisting in order to break the silence regarding those violations; and encouraged wide-range discussions on this issue.

## 7. Fatema Al Moa'qet's study supervised by Dr. Hadil Al Qazaz (Sexual assaults in the family between reality and the law) 2006:

The study was issued by the Women's Studies Centre in Jerusalem. It concluded that violence against women is linked to their marginalization in society. This means that eradicating violence against women requires ending this marginalization through a long-term struggle based on gender equality and legislations securing equal rights.

## 8. Discrimination against women in the Palestinian Penal Code(2002):

This publication was issued by Women's Center for Legal Aid and Counseling. It is comprised of a number of articles written by Palestinian female and male journalists tackling the Palestinian Penal Code and its serious methodological loopholes that render it incapable to address women's rights violation cases in a gender equal manner. It also tackled the official and public mechanism that does not penalize men in cases of femicide. The Penal code does not support accountability for crimes against women by favoring men in the Palestinian society. It addresses a number of examples of femicide, under the pretext of "honor killing" and the legal perspective for punishing murderers.

## 9. A Study of Women, armed conflicts and bereavement, 2004, Dr. Khawla Abu Bakr et al<sup>5</sup>

This study was issued by the Women's Studies Centre within the program of "Women, occupation and bereavement" following the massacre in Jenin Camp. The study addressed cases of bereavement in three governorates in the West Bank (Nablus, Jenin, and Bethlehem). It concluded that there are phenomena related to political conflicts and they have a deep impact on the ability of women to deal with daily violence and incessant threats such as the physical separation of family members. These phenomena also have an impact on women's feeling of wellbeing, security and ability to communicate, especially in society strongly based on the group belonging. In addition, feelings of bereavement transfer from one generation to another to the change of the hierarchical roles in the family.

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5 Dr. Khawla Abu Bakr, Dr. Nadera Shalhoub Kevorkian, Prof. Sama Aweidah, and Dr. Elias Dabeet.

## 10. Study of Women's Unit at the Palestinian Center for Human Rights (PCHR) (2003): The legal status of the Palestinian woman in the Personal Status Laws

This study aimed at contributing to the efforts meant to amend and unify personal status laws in line with international standards. The study concluded the need to review the personal status laws in their entirety, including the law on fundamentals of Sharia-compliant trials and complementary provisions in the journal of judicial rulings.

## 11. The report of Women's Center for Legal Aid and Counseling (2003)

"A report about the status of Palestinian women based on the Convention on Elimination of all Forms of Discrimination against Women (CEDAW)" where the conditions of the Palestinian women in the territories under the Palestinian National Authority were reviewed and compared to the rights approved by the Convention of Elimination of All Forms of Discrimination Against Women (CEDAW) for women all over the world regardless of their local peculiarities.

## 12. A Study by Women's Affairs Center on violence(2001):

The results of the study revealed that the husband is primarily accountable for about 97% of the cases of violence and that 10.5% of battered women suffered from violence at the hands of the parents in-laws. There is a link between the degrees of affinity, whether the spouses are relatives and the number of violators a woman is battered by. Women who married to a first degree relative and are battered by different family members reached 16.5% compared to 12.9% of battered women who married from just the same clan and 10.3% of women who married into different clans. Violence in all its forms is more recurrent among younger wives than older ones. The average age of husbands was 22 years and the average age of battered wives was 18 years. This indicates that early marriage (and characteristics associated with this practice) is one of the key risk factors that foretells of domestic violence. In addition, unemployment, death, and imprisonment of a family member all contribute to and increased prevalence of violence against women within the family.

## 13. The report of the Palestinian women status based on the Convention on Elimination of All Forms of Discriminations Against Women (CEDAW):

The report stressed the interrelationship between political violence and social violence in the Palestinian society and the impact of each of them on the other. It also reviewed different forms of violence women and girls suffer from in the society and inside the family as well as the policies, measures, laws and legislations relevant to violence especially the disciplinary legislations that contain flagrant discrimination against women.

At the end, the report revealed the drawbacks found in the Palestinian society regarding violence against women based on the Convention on Elimination of all Forms of Discrimination against Women (CEDAW). It suggested a number of recommendations for treating the problem of gender-based violence including promoting awareness and education for changing behavioral and social concepts that lead to low status of women in the Palestinian society; setting up policies and measures for the protection of battered women and defense of their rights; developing training and rehabilitation programs especially for law enforcers on the means of dealing with the gender-based violence cases; and suggesting recommendations for adopting laws and legislations based on equality, indiscrimination, and observance of human rights for the protection of battered women and girls.

## 14. Survey conducted by Bisan Center in (1998)

It revealed that 21% of women were forced to have sex with their husbands against their own will, within the year prior to the conducted survey.

## 15. Study of Bisan Center for Research and Development on the volume of domestic violence (1995)

35% of respondents admitted that they suffered from recurrent verbal and psychological violence. 21% admitted that they were exposed to physical violence. 9% were exposed to severe physical violence whereas 7% admitted that they were subject to sexual harassment from one of their brothers. 4% of the respondents were raped by their fathers.

## The key conclusions of the previous studies:

Upon reviewing the previous studies, the following conclusions were made:

1. The previous studies confirmed that violence, in its different forms, against women is a prevalent phenomenon among all women regardless of their social class, education, residential area, or age.
2. The previous studies have shown that there is a difference in degree of violence against women according to the socio-economic factors.
3. Studies confirmed that violence against Palestinian women is mostly inside the family and is inflicted by the husband or one of the first degree relatives.
4. In spite of the important contributions provided by those studies in the field of women's research, they could not address all aspects of violence inflicted on Palestinian women in the West Bank and Gaza Strip indicating that further study is needed on violations against women.

## Research stages:

### First: the preparatory stage:

In this stage, focus was placed on training the researchers... The Researcher Donia Ismael trained the female field researchers in Gaza Strip, while researcher Maha Al Tamimi trained female field researchers in the West Bank over three consecutive days (four hours daily). They trained them on field research, monitoring and documentation mechanisms in the field of violations of human rights with a special focus on women's rights, use of affidavits, preparation of research papers, and linking all these with the feminist perspective/framework of analyzing women's issues within the social context.

### Second: The practical stage:

In this stage, the focus was placed on conducting field work. The researchers were distributed on geographical locations covered by the field research, in Gaza Strip and the West Bank. There was continuous follow up – by Donia Al Amal in Gaza Strip and Maha Al Tamimi in the West Bank – of the details of each case and guidance about mechanisms required for dealing with each case separately. Copies of a form containing thirteen questions were distributed to researchers to use in interviewing cases in addition to using their own notebooks to record any victim-related information or data that

they believe to be important for the research.

### Third stage:

After collecting stories of different cases and editing them as per researcher's instructions, information related to cases were centrally gathered. Twenty research forms were collected from Gaza Strip and twenty four from villages, cities and camps in the West Bank. Interesting stories of varied cases of violations were documented.

### Fourth stage:

In this stage, the coordinating researchers extracted data from forms collected by field researchers and reconstructed information and data related to each case in order to construct a complete set of short accounts focusing on the target of the research while discarding any side stories that were irrelevant to the research topic. This process was pursued until the separate accounts become full stories with social and psychological structure.

### Fifth stage:

In this stage, field researchers analyzed information and data drawn from the field reports/forms. The researcher based her analysis of the stories of women's rights violations and the practice of violence against women. This analysis was conducted through the use of gender analysis tools that investigate differences between men and women while taking into consideration the conditions, needs, and means that affect their different life decisions and linking all those factors within a certain social, economic and political context.

In the gender analysis, the researcher focused on addressing the relationship between the two sexes as one of male dominance or hegemony over women. Husbands, brothers or fathers practice authority inside the family and society with the aim of dominating women. In this type of relationship—which is based on predefined and socially accepted roles—the woman is a subordinate.

### Sixth stage:

In this stage, focus was placed on preparing the report. It is the final stage for the researcher's work. It involved using the findings from the analyses and examples from field research to provide a final draft of the study.

# Chapter Two

## Theoretical framework of the study

### On the concept of violence against women:

The UN report on violence against women issued in 2005 defines violence based on gender as “includ[ing] acts that cause physical, mental or sexual harm or pain to women or threatening to do so, in addition to coercion, and all forms of deprivation”.

The World Declaration on Elimination of Violence Against Women, signed by the UN in 1993, states that sexual-based violence refers to “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

The declaration provides a comprehensive definition for violence against women as including acts that may inflict harm on women even though they do not lead to tangible harm.

The degree of violence experienced against women is determined by the level of progress or backwardness of the social context where it takes place. Violence increases when with higher rates of female poverty. Yet it is evident that violence against women is not linked to a single social factor, but a network of social, economic, cultural, political, and religious factors in addition to the degree of enjoyment of freedom.

Violence against women is not confined to a certain culture or country. It is almost everywhere, but its severity, and degree of acceptance differs from society to society and from one social context to another. Social factors interact to form the reasons and trends that support the continuation of violence against women. This phenomenon leads to the presence of more than one perspective related to directions, visions and standards which should work together to reveal violence against women such as feminist studies, criminology, development, human rights, public health, sociology, psychology, history, religion, and legal and legislative researches.

Violence against women should not be taken lightly, but should be addressed as violence against the society. It is dangerous to the sustainability of society on the long run. Therefore, it is necessary to use all research perspectives and specialties to understand what leads to the increase of the level and practice of violence against women.

It is necessary – from the researcher’s point of view – to link violence against women with the violations of human rights. If communities accepted the woman as an important and effective element and treated her as an equal, the issue of violence against women would gain more sympathy from society as a whole. It would be seen in the community as a social and international problem that should be combated due to its negative impact on human communities in general.

If this was the case, women would be fighting for a fair cause and with nationally protected rights, and no one would consider it a favor to help her, or help her out of kindness and charity. In addition, turning the case of violence against women into a recognized human rights case makes the state responsible for protecting its female citizens. The new burden of accountability for state would involve improving women’s conditions and curbing violence directed towards them. In addition,

because women's rights are also human rights' issue linked to international laws and conventions, the burden would be supported by international tools and mechanisms for violations of human rights.

Violence against women is not confined to the boundaries of the family, although this is the first and most dangerous area of origin because of difficulty of verification or tracking of incidents taking place there. It also encompasses the surrounding society. Women are exposed to flagrant violations that increase discrimination between men and women, on the one hand, and support the authoritarian male patriarchal structure, on the other. Because of the nature of domestic violence in a patriarchal society, the daily normalized practice exercised by the society against women is merged into the social, cultural and political framework of the community.

## Forms of violence against women:

Forms of violence against women include a varied and large number of actions that ranges from minor actions and to femicide.

### Physical violence:

This represents any harm to the body of a woman including punching, slapping, kicking, throwing hard objects on her, using or threatening to use sharp tools, or beating or killing women.

### Psychological and moral violence:

This includes belittling women's role through name-calling and threatening. It also includes insults, marginalization, abandonment, and all forms of violence against women, and intimidation causing women to feel afraid through the use of verbal and body language, shouting at them, and breaking objects in the house.

### Sexual violence:

When we talk about sexual violence, we start to think of rape. Rape, however, is just one form of sexual violence against women. There are other forms of sexual violence that women are subjected to daily. Sexual assault is defined as any act, or communication that humiliates the woman or violates the privacy of her body. This includes verbal harassment made in the street, or over the phone, or any attempt to touch any part of her body, against her will, or forcing a woman to perform sexual acts, criticizing her style in performing sexual intercourse, forcing her to have sex, to practice prostitution, or sexual harassment of women at the work place or inside the household.

### Legal violence:

This includes provisions and articles in laws that discriminate between man and woman. Difference of laws regarding men and women are evident in cases related to adultery, the right of child custody, family law related to divorce and laws related to the right of women to move and travel freely.

## Economic violence:

This involves the practice of economic pressures on a woman to prevent her from, or force her to, work or to lose autonomy over her possessions, her right to inheritance, and control over her finances (e.g. taking her monthly salary) and not allowing her to participate in the projects of the family or depriving her of money to attain her needs.

## Social violence:

This includes imposing a number of values and thoughts restricting the freedom, independence, and dignity of woman. The society grants men privileges allowing them to deal with women as inferior to them and make decisions related to women, the household and the children. One of the forms of social violence is preventing divorced women from going out of their homes or having control by the husband or father over the woman regarding her marriage, travel and education. Social violence also includes the society's practice of certain customs and traditions that guarantee women's obedience and submission to authoritarian male patriarchal culture.

## Cultural violence:

This includes a number of rules which are not written in the constitution or laws. They are considered the severest form of violence exercised against women. French Sociologist Pierre Bourdieu described this form of violence as:

"A quite, invisible, and intangible, form of violence even for its own victims. The victim and the oppressor share the same visions about the world and they have the same classifications. They consider hegemony as one of the unquestionable constants. Symbolic violence imposes postulations as self-evident. But if we focus and reflect on them, we will find out that they are not self-evident. These postulations make us consider cultural and historical phenomena as natural and everlasting or trans-temporal. The gravest form of cultural violence is the symbolic one."

Thus cultural violence exercised against women emanates from cultural and historical heritage that is expressed through popular sayings and proverbs that support the patriarchal system and control over women. The Arab world is considered one of the societies that practice this type of violence due to adherence to stereotyped popular culture with its powerful impact that goes beyond the influence of religion and law. This attempts to give some explanation of the prevalence of the practice of committing crimes against women under the pretext of maintaining honor for instance.

Lots of popular stories and sayings support wrong social concepts which are sometimes supported by the law. These are known as the "social norms and conventions." Concepts of social conventions allowed the man to perform lots of bad behaviors because of his status as a man and to deprive women of simple rights. The traditional Arab society for instance consider adultery by man as an expression of masculinity, while it considers it a crime deserving murder if performed by a woman.

## Political violence:

This is a direct or indirect form of violence, practiced against women by the ruling regime or political parties. It includes depriving women of the right to vote, marginalizing their political role or eliminating it intentionally so that men could monopolize high posts in the state, political parties

or institutions. Coercive practices and imposing measures curbing women's rights are among the forms of political violence. One of the most salient practices of violence against women is imposing a certain code of dress on women with the pretext of "combating vice".

Violence practiced by the State against women at times of wars is classified under political violence and war crimes. Many women are raped, imprisoned or killed as was the case in Palestine and Iraq.

Enacting laws or regulations depriving women from their rights is considered one of the forms of political violence. It is worth mentioning that any measure taken by the authority against women that affects them psychologically, medically, legally or socially is considered a form of political violence.

For instance, the occupation forces imposing house arrest on women during the first uprising and deprived mothers and wives from visiting their sons and husbands in the occupation prisons constitutes a form of political violence. This includes instances of local authorities preventing women from travel and restricted their right of movement.

# Chapter Three

## Violence against women in the Palestinian society

### First: The reality of violence against women in Palestine in general

The phenomenon of violence against women is one of the key problems the Palestinian women suffer from. It is a phenomenon that transcends geographic, economic, class, and cultural boundaries and makes all Palestinian women unified in facing the prevalent patriarchal culture that is passed from one generation to another.

The problem of violence against women is one of the major challenges facing the Palestinian society in view of technology, information and telecommunication revolution that impacted the pattern and role of the family. The traditional culture was mixed with the global culture that carries new values, ideas and customs, leading to a social structural dysfunction due to the inability of the individuals, families, and groups to match between the inherited traditional values and knowledge, with a contemporary culture that is growing too fast for all to be safely grasped.

Violence against women is not inevitable or natural, as it is an expression of values and standards related to a certain stage and culture that need a lot of efforts to be oppose and to be changed.

In spite of the official recognition of the presence of violence against women in the Palestinian society, there is a social denial of the presence of gender-based violence, in general, and against women, in particular. There are no national comprehensive statistics documenting acts of violence against women, except for some cases that were documented through different sectorial studies prepared by neutral institutions or organizations supporting victims.

They give indicators that there is a problem of gender-based violence in the Palestinian society. However, it does not necessarily reflect the magnitude of the problem especially because the nature of Palestinian society and its prevalent culture that considers these issues to be taboo. Although it indicates its widespread presence in the Palestinian society, the available statistics do not reflect the magnitude of the problem.

The Women's Center for Legal Aid and Counseling documented 10 murders cases since the beginning of 2012 up till now. There is yet another murder case in Hebron that is currently being investigated. The recorded cases distribution across the Palestinian territories includes seven cases in Gaza Strip and four cases in the West Bank.

The prevalence of "honor" crimes and femicide highlight how important it is for society to move towards changing the practice of killing women. There have been three recent cases in less than one month. The last occurrence was a particularly heinous crime whose victim was a woman slaughtered in public by her husband (Bethlehem). Following this painful crime, President Mahmoud Abbas formed a committee comprising Hassan Al Ori, the legal advisor of the President, and Ali Mahanna, Minister of Justice, to study the personal status law and other laws, in consultation with Farid Al Galad, Chairman of the Supreme Judicial Council, to set up legal mechanisms providing protection for Palestinian women, to prevent any assault against them, and protect them from persecution, violence, and discrimination, in addition to disciplinary actions against perpetrators of such incidents.

It is worth mentioning that the Palestinian laws which were passed by the Palestinian authority, especially the basic law, civil service and labor law, guaranteed equality between men and women in a way that protects women from discrimination and gender-based violence. The implementation of these laws, however, are not monitored and related regulations are not in place.

On the other hand, the Palestinian Penal Code no. 74 of 1936 which is applied in Gaza Strip and the Jordanian Penal Code no. 16 of 1960 which is applied in the West Bank include several legal provisions imposing penalties on those who commit acts of violence against women. These laws established penalties according to the type and form of the crime, whether they are murder crimes or attempted murders, sexual assault in all its forms including battering, wounding or slapping, crimes that expose life and health to danger, crimes against public ethics such as rape or attempted rape, encouraging women in prostitution and crimes related to the sanctity of marriage and family commitments such as forcing young girls to marry, marriage through deceit, detention, kidnapping, libel and defamation.

The law determined punishments for felonies or misdemeanors, ranging from execution for murder to simple detention or a fine for misdemeanor.

However, we notice that the law does not provide ample and deterrent penalties for assault perpetrators because the current penalty is imprisonment or a minor fine. For instance, if a man wounded a woman, this shall be considered a misdemeanor and he shall be imprisoned for three years maximum or shall be fined or get both penalties according to Article no. (241) of the Penal Code, while the law prescribed that wounding an animal is a felony that is punishable with 3 years at least in prison.

As for honor killing, the applied laws in Palestine protect the perpetrator and accept excuses alleviating the penalty when committing such a crime. This is eminent according to Article no. 18 of the Penal Code applied in Gaza Strip or Article no. 34 of the Penal Code applied in the West Bank.

In spite of the existence – although limited— of legal protection in the Penal Code, what little laws exist are not actually being implemented for the following reasons:

1. Ignorance of the majority of women of their rights and the possibility of filing complaints to benefit from protection. This observation has been drawn from practical experience through awareness and education programs provided by women's centers and feminist institutions.
2. Social and family restrictions prevent women from requesting legal protection. Going through the files of the Public Prosecution till May 2007, we found out an average of 32 cases were submitted daily to the Public Prosecutor in Gaza Strip from battered women against their husbands and other family members, but the complaints are withdrawn the following day, before allowing the Public Prosecution to help the women submitting the complaints.
3. The police and Public Prosecution do not deal seriously enough with different complaints submitted by women. Several women abstain from going to police stations due to the complexity of procedures required for filing complaints, the interference of the police members trying to dissuade the women from filing complaints, and harassment of the women or young ladies who go to police station to file complaints against their husbands or one of their family members.

There were lots of recorded cases of women being murdered, or attempts on their lives were made, home imprisoned, battered and received death threats from relatives who work in the police or have connections in the police offices.

During the political instability due to increased security and economic threats in addition to absence in the rule of law, there was an increased rate of assaults against women through murder, harm, threat or accusations of dishonorable behavior. This necessitates a wide-range mobilization of legal, feminist and youth NGOs to expose those crimes so that their perpetrators get punished. There is no doubt that the media at this time shoulder a great responsibility in exposing those crimes and their perpetrators with a high degree of objectivity and credibility. They have the responsibility to assist in providing women with protection from violence in its different forms.

Field evidence demonstrates how violence against Palestinian women is not confined to a certain class, but is prevalent in different social classes with different cultural and economic backgrounds. Moreover, it takes several forms and dimensions based on the pattern of distribution of social roles played by men and women. Then, positive laws supported these assumptions, which made them, in most cases, unable to overcome the intrinsic fallacies especially given the political, social and economic conditions under which the Palestinians have lived and are still living. The status quo has hampered lots of legislative and public efforts, and prevented the adoption of a well-defined work methodology with clear standards to face this phenomenon, in spite of the many efforts exerted by women, legal and public institutions in a bid to alleviate the occurrence of gender-based violence. Up till now, Palestinian women still suffer from violence exercised against them inside and outside the family. The legislative and institutional frameworks are still unable to provide legal protection for battered women especially in the case of domestic violence, although the number of complaints submitted by women to legal and women's institutions has increased.

This trend has not resulted in drawing up a national strategy for combating violence against women in Gaza Strip and the West Bank. All the efforts exerted in this field were sporadic efforts and decentralized. Because of the decentralization of the approach of separate organizations in addressing violence against women there was a decreased effectiveness of the efforts exerted for combating violence. Statistics reveal that there is an increase in the number of cases of violence. This occurrence may be interpreted negatively as an increase in cases of violence, or alternatively, it may be interpreted positively as an increase in reported cases with an undefined interpretation of the change in violence.

## Second: Social, economic and cultural background of Gaza Strip in particular

The Gaza Strip is considered one of the poorest regions in Palestine. It has the highest population density due to the high level of fertility of women and the confined geographical area (36 square kilometers). The Gaza Strip is exposed to reoccurring Israeli assaults that placed the human and agricultural resources of the Gaza Strip under permanent risk, making its citizens lose the sense of stability and security. In addition, the deteriorating economic conditions worsened successively with every Israeli invasion, forcing the unemployment rate to increase to between 60 to 80%. Furthermore, the category of active individuals capable or working (excludes discouraged and long-term unemployed individuals no longer able to enter the labor market) is decreasing, demonstrating how the unemployment rate is only a first-level analysis of the dire situation of the labor market and financial stability for the inhabitants of the Gaza Strip. The percentage of women supporting their families is also increasing due to the economic and social changes resulting from the highly unstable political environment.

In spite of the fact that women joined the labor market in Gaza Strip, and they managed to realize several achievements in the field of education, this progress was not reflected in a qualitative way on the type of prevailing concepts related to the status of Palestinian women in Gaza. It was only reflected in a limited manner and did not lead to structural changes in the balance of power in the

society. Several tangible conclusions indicate that women are in need of a long struggle to recover the rights they were deprived of and need to rebuild their social identity within an enlightened context where they are to be seen as a citizen with full rights and responsibilities.

Women in Gaza Strip work, study, raise children, but also sacrifice their lives to increase their human dignity as citizens, wives, and mothers. Women in Gaza are still in need of legal and institutional support from state institutions to protect them from human rights violations. In spite of the presence of various types of support, they do not address the key questions but only deal with the surface of violence against women on a limited temporal basis. In Gaza, family and clan relationships dominate social cultural rules and norms. This is similar to the situation in the rest of Palestine. Women's issues are discussed in clan councils with a purely male perspective that does not take the interests and rights of women into consideration. As a result, women's rights are often ignored or dismissed, without waiting for the approval or disapproval of women.

When the Palestinian Authority took power, more opportunities for women to participate in local governance were made available in different fields. However, this was not enough to improve women's conditions in Gaza Strip and did not have a strong impact on the policies and laws in place or those drafted after the formation of the Palestinian Authority.

Women are the premier victims of the deteriorating economic, social and political conditions. However, they are not taken into consideration when making new policies or given the opportunity to object to old policies. Raising their voices to protect their interests is looked down upon and any objection to the status quo is considered a "devilish act." In spite of all this, select courageous women voice their opinion and have demands although they are threatened. These women are socially chastised and considered to be disbelievers in God. They are considered "betrayers" according to the prevalent social norms. They suffer from social isolation, ridicule of legal system, curses in Friday congregation prayers, and indignation from conservative parties. Nevertheless, there are women who oppose these discriminatory norms by standing up against abuse of women in any manner. They are against any stereotypes of women's roles, falsifying women's rights and issues, and the suppression practiced by society against them.

## Social dimensions of violence against women

It is clear that Palestinian society is ruled by an authoritarian male patriarchal system that is proud of the male values, and gives priority to male citizens over females. This is quite clear in several aspects of life, from birth till death, in the house and in the street, and at work. This discriminatory pride enhances the magnitude and types of differences in rights and privileges experienced by both sexes.

The discrimination in rights and benefits against women has encouraged a number of practices that are of formal and popular, harmful and humiliating which have become prevalent occurrences that has impacted society laws and government legislation. Because these norms are adopted in popular culture, demonstrations of violence such as battering wives and "honor" killings are socially legitimized. Despite the difference between the two cases of violence, both of them are based on the same principle, namely, social justification and approval of violence against women. They are effective tools used intelligently by the perpetrator to assert his/her power.

Culturally accepted traditions are used as an official and popular justification for exercising violence against women. It is important to consider the perception of popular culture towards women in terms of women's rights. Emphasis should be placed on focusing on good aspects of popular

culture instead of those aspects that ignore human rights. Individuals should learn to not follow traditions out of habit, but to analyze them in a human rights based context that properly addresses grievances associated with violence against women as well as all the women's and social issues. Violence against women reveals specific values and standards that reflect, in a way or another, what part of the cultural norm in society should be combated or changed.

Awareness of violence is not enough for overcoming it. However, we need effective mechanisms and strong will by individuals/groups, male and female citizens to take concrete actions that can contribute to deep societal change.

New challenges are added everyday to those facing the issue of violence against women. This requires a new feminist and social vision capable of creating a cultural and social movement that eradicates violence and revives the feminist movement from its slumber and routine work.

Addressing violence against women today requires a new vision that focuses on eliminating archaic concepts to make room for new points of view that take into consideration contemporary values based on equal and human rights. These issues should be taken up in the context of the changing national issues and social dimensions.

There is nothing original about saying that the dominant male culture in the Palestinian society constitutes an obstacle and a major challenge to any effort to change the prevailing stereotypes about the social roles of both genders. In addition, it is not uncommon to use social stereotypes for justification of violent behavior. This critique includes the prevalence of resorting to "passion" as a justification for violence against women, especially domestic violence, which still is an acceptable means in the process of upbringing and marital relations.

## Legal dimensions of the phenomenon of violence against women

Generally speaking, the absence of legislation does not mean the absence of "laws." There are always laws that are effective in one way or another. In case of violence exercised against women, positive law does not form a deterrent to perpetrators of violence and does not provide protection for female victims.

When a male patriarchal culture sets up laws, it is sure that this law will not breach the patriarchal culture. Therefore, any attempt to address this taboo would be faced with adamant opposition starting with the insistence on the implementation of old laws, procrastination of issuance of new laws (such as the draft personal status law and penal code), and finally opposing any man or woman who objects the current status. It is true that some achievements have been made here and there and that this is a grave issue that will need time to come into fruition, but it is important to change the premise upon which new legislation is drafted, whether they deal directly or indirectly with issues that affect women. It is important to perform public consultations with participation of lawmakers and social partners who are well aware of gender issues and future impact of such laws; so that one may restore the rule of law over perpetrators of violence and restore confidence in the presence of legal protection for battered women.

There is no doubt that there are huge impediments facing the solution of the problem of violence against women and that these impediments require a lot of efforts to overcome. Firstly, there needs to be a stable political system, a stable judiciary system, unified laws in Gaza Strip and the West Bank.

Moreover, women need social and cultural duty-bearers and laws that are capable of spreading, promoting and protecting them. The laws that contained provisions related to one or more aspect of violence exercised against women are not enforced or implemented in an effective way even though they involve discrimination regarding many issues as we find in the penal code and the personal status law which are the most criticized and opposed laws at the grassroots and religious levels.

Here, we can make a number of observations regarding the legal aspect of the phenomenon of violence against women in the Palestinian society, namely:

1. There are several different laws in place in the Gaza Strip and the West Bank due to its historical institutions. Although the Palestinian Authority came to power in Palestine several years ago, Jordanian laws are still in force in the West Bank, while the Egyptian laws and Ottoman mandate laws are applied in Gaza Strip. This disconnect has a negative impact on efforts exerted to fight this phenomenon.
2. In spite of the fact that the absence of unified laws in the West Bank and Gaza Strip represents a real problem, the gravest problem is represented in the absence of tools that protect women. Law enforcement institutions do not shoulder their responsibilities regarding preventing violence and protecting women victims.
3. The Jordanian penal code applied in the West Bank and the Egyptian penal code applied in Gaza Strip does not provide real protection for violence against women. They do not include sufficient punishments for perpetrators of violence. On the contrary, they include provisions encouraging male perpetrators to repeat their crimes and avoid punishment.
4. The international conventions and agreements related to human rights and women are not being applied on the national level. Their impact is confined to the behavior of the elite and theoretical arguments. They are neither implemented on the ground nor are accepted by local authorities.
5. The political division between the two parts of the homeland led to the emergence of problems related to the adoption of laws in the Legislative Council. This has also lead to difficulties in reform of current legislation and policies that encourage violence instead of alleviate it.
6. Appropriate and effective mechanisms should be put in place for reducing honor killings and enforcing punishments against perpetrators, with no leniency.

## Religious dimensions of violence against women

Palestine recognizes the three officially practiced religions, but positive laws consider the Islamic Sharia Law as one of the sources of legislation. Yet, there are information circulated about the vision of the other two religions regarding women and family issues. This is particularly important when addressing issues including violence against women, which is interpreted and justified by the official religious institution and is wrongly sympathized by the public due to the prevalent religious discourse provided in mosques and other religious institutions.

The relationship between the religious institutions and the women's issues is one of artificial animosity, which is enhanced by the absence of true understanding of religion and the spread of unofficial types of education and culture which are not subject to the secular control of the State. This represents an opportunity for every party with vested interests– and they are many – especially religious stakeholders, to spread false information and harmful concepts about women's rights. Those information and concepts found a fertile soil to spread in view of the deteriorating economic conditions, wide-range poverty and unemployment, instability, and insecurity. This led to the domination of supernaturalism over logic mostly attributed to the need for stability while searching

for basic life requirements. This discourse found it convenient to encourage social and domestic violence, with women as the most targeted victims.

## Statistics of violence against women

The Palestinian society with its prevalent culture, just like many other societies, still considers violence against women as a family and private issue. Therefore, the available statistics do not reflect the magnitude of the problem. However, they indicate the presence of the problem and its spread. In spite of surveys conducted by the Palestinian Central Bureau of Statistics (PCBS), we confirm that the data related to violence exercised against women does not accurately capture the nature or extent of the problem. We encourage the development of a more comprehensive national database that enables us to monitor everything related to violations against women around the world. Conducting comprehensive surveys of all acts of violence against women will assist in revealing the hidden and unannounced forms of violence practiced against women. Once this information is brought to light, we will be more capable of combating those violations and address them legally, politically and socially.

There is a wide-range of denial in the Palestinian society of the presence of violence based on gender. However, as we mentioned before, we do not have comprehensive national statistics documenting the range of spread of violence against women. The Palestinian Central Bureau of Statistics (PCBS) exerts a lot of efforts in this direction, but they are still not sufficient.

We can, however, focus on the available statistics and field reports that are indicators of the presence of the problem of gender-based violence in the Palestinian society which include:

### 1- Honor killings

Regardless of the occurring femicides cases due to “honor killings,” this indicator is highly biased and is considered a critical indicator regardless of the number of cases that are being documented.

### 2- Domestic violence

The basic results of the study conducted by Palestinian Central Bureau of Statistics (PCBS) on domestic violence during the period from 18/12/2005 till 18/1/2006 on a sample of 42122 families in the West Bank and 1440 families in Gaza Strip revealed the following observations. In 2005, 61.7% of women in the Palestinian territories who were previously married said that they were exposed to psychological violence; 23.3% were exposed to physical violence; and 10.9% were exposed to sexual violence once at least before marriage. More than half of the Palestinian families (53.6%) were exposed to political violence (e.g. confiscation of land and house or workshop demolition); 25% of unmarried women, 18 years and older, were exposed to physical violence in the Palestinian territories whereas 52.7% were exposed to psychological violence once at least at the hands of one of a family member.

### 3- Negative gender-based discrimination

Negative discrimination related to work opportunities and decision-making positions is one of the forms of gender-based discrimination exercised against Palestinian women. The percentage of working women is 15%, compared to 76% for men. Half of the working women are employed in the service sector which pays relatively lower salaries. In all sectors, women get lower salaries than men for the same job.

#### Confronting violence:

Confronting violence should be addressed through a comprehensive approach that incorporates all branches of government, social culture, economic growth or political democratic strategic stability goals. All state bodies, NGOs and associated institutions should work together to eradicate violence through incorporation of intellectual, educational, political and economic projects. We have to find an advanced objective perception for the status of women on the human and national levels. We should guarantee supporting positive choices of women in their life roles and developing qualitative gains earned by women in different fields especially the educational field.

Additionally, we have to adopt a comprehensive policy for development of human resources that is capable of creating citizens with good judgment, who are productive, and capable of coexistence and achieving continuous development. It is a social and national mission that requires creating comprehensive programs and projects that take all development factors into consideration whether political, economic or cultural. Any developmental progress shall help overcome the obstacles faced by women in their human and national journey.

Feminist education has an essential role in confronting violence. Women should know their human and national rights and means to defend them and not to be lenient or to keep silent on the deprivation of such rights. Women should also create conscious visions of their existence and moral values. The feminist groups should also work on setting up serious and purposeful programs for defending women and maintaining their rights.

The conscious religious, intellectual and political elites have an important role to play in formulating a lifestyle based on tolerance, security and peace. Within this context, we should publicly denounce the violence to which women are exposed and to listen to women and support them in acquiring their rights. We should also confront officials if they fail to prevent violence against women, and punish perpetrators and be fair to victims. Ideas and traditions underestimating women, belittling them or not treating them with human dignity should be eradicated.

# Chapter Four

## Case studies

### Step 1: Collecting cases

Interviews have been conducted with 36 women who faced one or more form of violence in the West Bank and Gaza Strip. Sixteen of these women were from Gaza Strip, in four geographical areas distributed between four female field researchers with four cases each. Interviews were also conducted with 20 battered women from different parts of the West Bank (Nablus, and Hebron governorates). The cases included women belonging to different age groups, education levels, residential areas, social status and levels of feminist issues awareness. They also suffered from different types of violence. During data collection, there appeared some similarities as well as differences between stories collected and used in writing this analysis. Therefore, the researcher stresses that the result of this research cannot be generalized on all the women living the West Bank and Gaza Strip. However, those cases depicting suffering, oppression and persecution give an indication of unrevealed facts about violence against women that do not reach media and are not punished by law. Sometimes the law is used as a tool for abusing women and disregarding their rights instead of being a tool for maintaining their rights and protecting them from harm and violence that may be inflicted upon them by family members and society.

### Step 2: Case Analysis

#### 1- Regarding awareness of women's rights

Interviews conducted with women respondents revealed that there were different degrees of awareness of the concept of women's rights. The difference ranged between poor awareness due to level of education or to those who had knowledge of the issue due to attending workshops or symposiums. In some cases, level of education did not enable women to give a precise or nearly precise concept of women's rights. On the other side, acts of violence inflicted on respondents, especially in some parts of the West Bank, led to building individual and social defensive mechanisms. These mechanisms emanate from feeling oppressed, insecure, and unprotected especially from family members who continue the cycle of violence in the family by inflicting further violence or reporting to a violent husband. Some of the women internationalized their feelings of helplessness by responding to violence by being violent, while others reported incidents of violence to police stations, building their educational and knowledge capabilities through training, and self-realization through work.

#### 2- Regarding women's the awareness of violations

The answers of the respondents about violations and rights were similar. They did not realize that there is a contradictory relation between them. They did not realize that they had the right to live free of violence. Each respondent defined violation through the type of violence she was exposed to including battering or humiliation. They gave experience-based definitions, expressing the lack of rights women understood through experience.

### 3- Regarding reasons of violence

Reasons of violence varied from one respondent to another and they were different in Gaza Strip as compared to the West Bank. Violence exercised by the Israeli occupation does not directly impact Gaza Strip as they continue to live in a blockade. The most salient violations Palestinian women are exposed to in the West Bank governorates, due to the physical presence of the Israeli occupation and daily contacts between the Israeli occupation forces and Palestinian citizens including arrest, house invasions, public humiliation, frequent investigations and imprisonment without due process or right of parole. As for the domestic affairs of the Palestinian society, the difficult economic conditions, siege, and unemployment of men were among the top reasons for violent behavior cited by respondents, in both the West Bank and in the Gaza Strip. Daily incidents continuously refer to the negative impact of the deteriorating economic conditions experienced by the Palestinian society on the family dynamics, on the nature of family relations and on the quality of life of the family. In the end, this leads to a domestic environment conducive for breeding violence, particularly against women. A few respondents stated that reasons for violence are due to lack of education or backwardness of the society.

### 4- Regarding the violence perpetrator

Husbands ranked first among perpetrators of violence against women, in both the Gaza Strip and in the West Bank. This is followed by brothers, fathers, and stepmothers. This means that violence against women is committed both by men and women, however, the two types would vary in frequency, severity and tools used. It is worth mentioning that violence exercised by husbands against their wives is usually due to social and economic reasons. It is verbal, sexual and physical violence that may include depriving wives of going out their homes, visit their families, or continue their work or study.

### 5- Regarding the type of violence:

Physical violence occupied first rank among types of violence respondents were exposed to. There were implicit references to other forms of violence that are classified under moral violence such as deprivation of going out of the house and ridicule. These other types of violence come in second place after physical violence and incorporate the use of different tools and restrictions. Some of the examples of acts of violence exercised against respondents interviewed included pulling and cutting the hair, beating in all parts of the body using hands, legs or sharp tools like knives, sticks, tasers, and tools used for burning the victim.

### 6- Regarding type of tools used in violence:

Hands were mostly used in exercising violence followed by legs, sharp tools, burning, and electrocution at home. Verbal violence accompanied all other forms of violence against women especially during beatings, which is considered the most violent physical violence women are exposed to. Battering husbands used cigarettes to torture their wives through putting them out in their bodies after tying them with ropes.

## 7- Regarding the way the victim faces violence against her

Silence is the most prevalent mechanism used by women in dealing with violence exercised against them. This was more evident among the women living in Gaza Strip. Women in the West Bank governorates were more daring in responding to violence with verbal responses or physical response (the woman who is beaten beats the perpetrator). The next mechanism followed by women was leaving to parents' house and leaving kids to husband which is called (Harad) in the Palestinian society, followed by verbal response, and physical response using hands, in most cases. The interviewed respondents never used sharp tools in response to violence. This means that the type of response is limited, temporary and is not in parallel with the volume and type of violence exercised. They are mostly individual responses during which no one supports the victim. In the end, the woman accepts violence exercised against her so as not to antagonize or endanger the rest of the members of the family, especially if there are female children in the household. Then silence becomes the most prevalent means used by respondents.

## 8- Regarding the reaction/behavior of the perpetrator of violence against the victim

One of the respondents said that the perpetrators increased the volume and type of violence when they responded with similar violence. This makes them unwilling to repeat this action and they resort the following times to silence to avoid more violence against them. Some of them said that the verbal response is a kind of "giving vent to their anger", as one of them expressed it, or else they will burst out of fury.

## 9- Regarding the analysis by the victim of the violence exercised against her

Women respondents tended to justify violence when it was practiced against them. They believed that the unemployment of men and their not having a job that maintains their (masculine) dignity made them vent their anger and express their depression in the form of violence against their wives, if they are married, and against their sisters if they are not. Therefore, they believe that solving the problem of violence against women lies in finding a job for men to get busy. This explanation emanates from the prevalent popular culture that believes that women should be patient when their husbands are undergoing hardships and a good woman should not talk badly about her husband or complain against him even to family members. As a matter of fact, this is the case with all women in Palestine. Social upbringing plays a key role in spreading and enhancing this kind of culture and conduct.

## 10- Regarding social and legal mechanisms applied by the victim in confronting violence

Women were divided between accepting violence as destiny and responding with similar violence but they were all using several forms of defense mechanisms. Silence was the most popular form of defense mechanism, followed by violent responses. Filing complaints to the police, was not widely pursued due to the prevalent social culture preventing women from resorting to legal action against violence. Women justify violence in order to "save" their marriage.

## 11- The viewpoint of the victim regarding response to violence

Some respondents did not have enough confidence that the law could protect women from violence and they strongly believed that the society suppresses women who confront their husbands, however bad he is. Having children plays a decisive role in determining the way the battered mother/wife/women deals with the situation. In most cases, a mother takes into consideration the negative effects of addressing domestic violence and exposing her husband acts to her children. In most cases, such fears determine her decision regarding the confrontation. We found out that women keep silent for long years till their children grow up and lead private lives. However, by this time, their chance to have a new life is almost gone. However, at a more mature age, husbands would still be able to establish a new family without fears or feelings at any time he wants.

### General observations

1. The most dangerous point raised in interviews conducted with battered women is that the house and the family have not become a source of security and protection for women. On the contrary, women need protection from their families, in view of the absence of choices and lack of a fair law. Sexual harassment takes place inside and outside the family, but it is more painful when it is through one of the relatives. It gets more and more painful if it is inflicted by one of the relatives who are forbidden to marry the woman. The woman and the girl feel insecure and they feel afraid to resort to other men to protect them for fear that they might be similarly violent. As for resorting to the police, it is a farfetched option for victims, in light of deeply rooted social considerations. (S.T.) A participant in the West Bank gave an account of her experience.

“When my father harassed me, my options were very few. The only thing I did is to lock myself in my room or escape to the roof. Our community is unfair and always blames us. Even law was not fair to me. I am afraid and worried and shall always feel like this all my life.”

2. Interviews with victims indicate that violence against women, and other violations accompanying it, whether direct or indirect, represent one of the most dangerous violations committed against women. This violence is deeply rooted in the Palestinian culture and is reflected on all details of daily life of Palestinian families and it varies in severity and type.
3. There are women suffering from complex types of violence committed against them. For example, a divorced woman is exposed to violence, first because she is a woman and second because she is divorced. In case she has children, her suffering will be largely aggravated due to the bureaucratic judiciary procedures that prevent divorced women from getting her rights such as alimony and custody of children. We read in Soha's case that her husband divorced her due to her inability to have multiple sexual intercourses. He divorced her and then procrastinated in payment of her and the children's alimony.
4. In most cases, battered woman resort to the court to get alimony from husbands, after leaving the matrimonial house, but not before, whether the woman is still married or have been divorced. In most cases, the women does not know that she can file a lawsuit to get alimony from her husband while they are still married and she is still living in the matrimonial house. In case of divorce, the woman does not file a lawsuit to get alimony until she waits for the husband to reconsider and after she has exhausted all options that may prevent the aggravation of dispute.

5. Marrying another woman is the traditional way a man deters a wife from acting in a manner that does not satisfy him. In case the woman adheres to her stance, his last weapon to use shall be divorce.
6. It is worth mentioning that there is a large number of battered women in the study who were married to relatives and that the violence they were exposed to from those husbands/ relatives is mostly more severe.
7. Money is one of the major reasons for struggle between men and women and one of the major reasons for violence against women in particular, especially in the West Bank cases. Evading payment of children's alimony was quite common in cases of divorce due to domestic violence, although it is clear that the husband could afford to pay it.
8. One of the forms of violence and violations a woman is exposed to is depriving her from her inheritance. This is particularly prevalent in agricultural areas in the West Bank, and northern and southern regions of Gaza Strip. Deprivation of inheritance— as one of the forms of violations the Palestinian woman—further deprives the woman from getting married and forming a new family as a means of preventing the inheritance to be taken by a stranger and his children. Social and family relationships between brothers and sisters are negatively affected when the woman who has a right to her father's inheritance resorts to court as we see in the story of R.S, a 50 years old woman, from Tarqumia.
9. Interviewed cases revealed the absence of support of the relatives except in rare instances. This forces a battered woman to face her problems and exposes them to the whole community. On the contrary, relatives exercise another type of violence against battered married women that ranged between blaming her for what happened; returning her to her matrimonial house; using her to do chores; or taking her income directly or indirectly through asking her to provide for the needs of members of the family or buy objects for the house.
10. The interference of the husband's relatives, especially mother-in-law played a large role in expanding disputes and violence inside the family and against the wife especially when she is living with her husband's family in the same house. In most cases, the relationship ended with divorce.
11. Study cases referred to and those attached to them indicate that the dominance of man is driven by the culture that formed his way of thinking and not just his biological formation. Violence exercised by man against woman is due to social and historical reasons based on the dominance of males, and ways of upbringing that make men more domineering and controlling. This way of male-dominated thinking supports the ideology that men should control things, institutions and women (Hassan, 2001, 21).
12. Abu Alia (2000) believes that the Arab communities instill in men discriminatory gender concepts in favor of men which enable them to have more power and oppression over women.
13. As for the Palestinian society, the social and cultural traditions stress the sanctity of the family and that it is a taboo to discuss marital relationship issues, or to expose violent practices especially when they are conducted by men to glorify his male power. Our society considers this violence issue a private family issue that is not dealt with legally or in court. It is only addressed inside the family. The society holds woman accountable for the main reasons of practicing such violence against her. Lots of battered women fail to admit that they are exposed to violence and

feel ashamed to talk about it. When a woman is abused, she resorts to her parents or relatives to protect or support her and give her counseling for fear that she may be exposed to social isolation in case she resorts to another party for solving her problem. The positive thing about this is that we have to admit that significant changes have taken place to the stance of women towards violence against them, especially after the bitter experiences of women who resorted to families and clans seeking protection and security but they were soon disappointed. We found them taking unfamiliar and unacceptable action through resorting to the police stations and legal and social support centers such as human rights centers and women's institutions. This is an indication of the development of the women's awareness of their rights. This process may be slow and confined but it is growing and is making small but promising achievements.

## Conclusion:

From all of the above we conclude that there are lots of grey areas that have not been highlighted yet in the phenomenon of violence against women in the Palestinian society due to a number of premises and reasons. The most important of these premises is that the Palestinian government does not adopt any policies that can curb violence against women and consider it a crime punishable by the law. In addition, women do not trust law, legal or women's institutions, and they feel socially isolated from the family or society. We also realized that physical violence ranked first among all forms of violence against women and led to occurrence of other forms too and that domestic violence is considered a family matter that the police and legal institutions should not interfere in.

## Outcomes:

- 1- Violence is spreading in the Palestinian society, regardless of the level of education, number of members of the family, or age group. However, it increases within families with low economic conditions and decreases among families with better economic and educational conditions.
- 2- Silence is the most common tool used by battered women to address violence committed against them regardless of their social and economic condition.
- 3- There is mistrust in the capability of law to protect women from violence due to negative experiences resulting from reporting cases to the police.
- 4- The deteriorating economic conditions in Gaza Strip and the West Bank in general and the imposed Israeli siege are considered one of the main reasons of violence against women, from the point of view of victims.
- 5- There is a dire need on the part of respondents to augment their awareness of their rights as women and means of protecting these rights in case they are violated.
- 6- There are recurrent requests made by respondents regarding the necessity of providing training for men about the women's rights in a bid to alleviate their practice of violence against women.

# Recommendations

- 1- Hold intensive workshops for educating women and men especially in places where citizens cannot move outside those areas due to poverty or restriction of movement and other reasons.
- 2- Conduct a comprehensive survey for the regions where domestic violence spread, regularly using data accurately and transparently in preparing studies and researches related to violence against women and women's rights.
- 3- Train policemen on how to document complaints reported by battered women.
- 4- Oblige policemen by law to receive women's complaints and give them ample chance to protect their rights without pushing them to abstain from submitting complaints, withdrawing, postponing processing these complaints, or ridiculing their content
- 5- Work on the issuance of a law for combating violence against women that guarantees that there are strategies for the state to prevent violence and eradicate its sources.
- 6- Expedite the establishment and inauguration of the Women's Protection Houses, providing physiological, health and financial support for them in such house so that women could run their own affairs.
- 7- Educate mosque orators about women's rights and get orators to avoid discussing controversial issues about women and society in mosques before getting ample counseling to guarantee that the mosque sermon will not encourage violence.
- 8- Expedite the issuance of personal status law so as to put an end to arguments about lots of controversial matters related to custody of children, matrimonial house, alimony, and marital property after marriage.
- 9- Put an end to violations and violence inflicted upon Palestinian women in all fields, on the official and non-official levels.
- 10- The National Authority should adhere to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) which was approved by the Chairman of the Palestinian Authority in 2009.
- 11- Pass family protection law to put an end to the murder crimes committed against women and any form of violence against women in general.
- 12- Pass laws that provide protection for women against violence and inflicting severe penalties on those who murder women.
- 13- Pass a new Palestinian penal code that takes the issue of violence against women into consideration and eradicates it through adhering to the international standards of human rights including basic laws that do not discriminate between men and women regarding domestic violence, incriminating perpetrators and protecting victims.

- 14- Develop mechanisms for processing lawsuits related to domestic violence and violence against women to guarantee public rights and support victims who cannot file lawsuits by themselves.
- 15- Build up a national database on violence against women, and create an electronic website that shall include all the judicial rulings issued in cases related to violence against women to be a reference source for lawmakers and judges.
- 16- Collect and publish reliable data on the number of domestic violence crimes, violence against women, and honor killings which are committed or plotted every year.

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