



Research Report

# IN THE ABSENCE OF JUSTICE

Embodiment and the Politics of Militarized  
Dismemberment in Occupied East Jerusalem



December 2016

 **SAWASYA**  
UNDP/UN Women Joint Programme  
Strengthening the Rule of Law: Justice and Security for the Palestinian people

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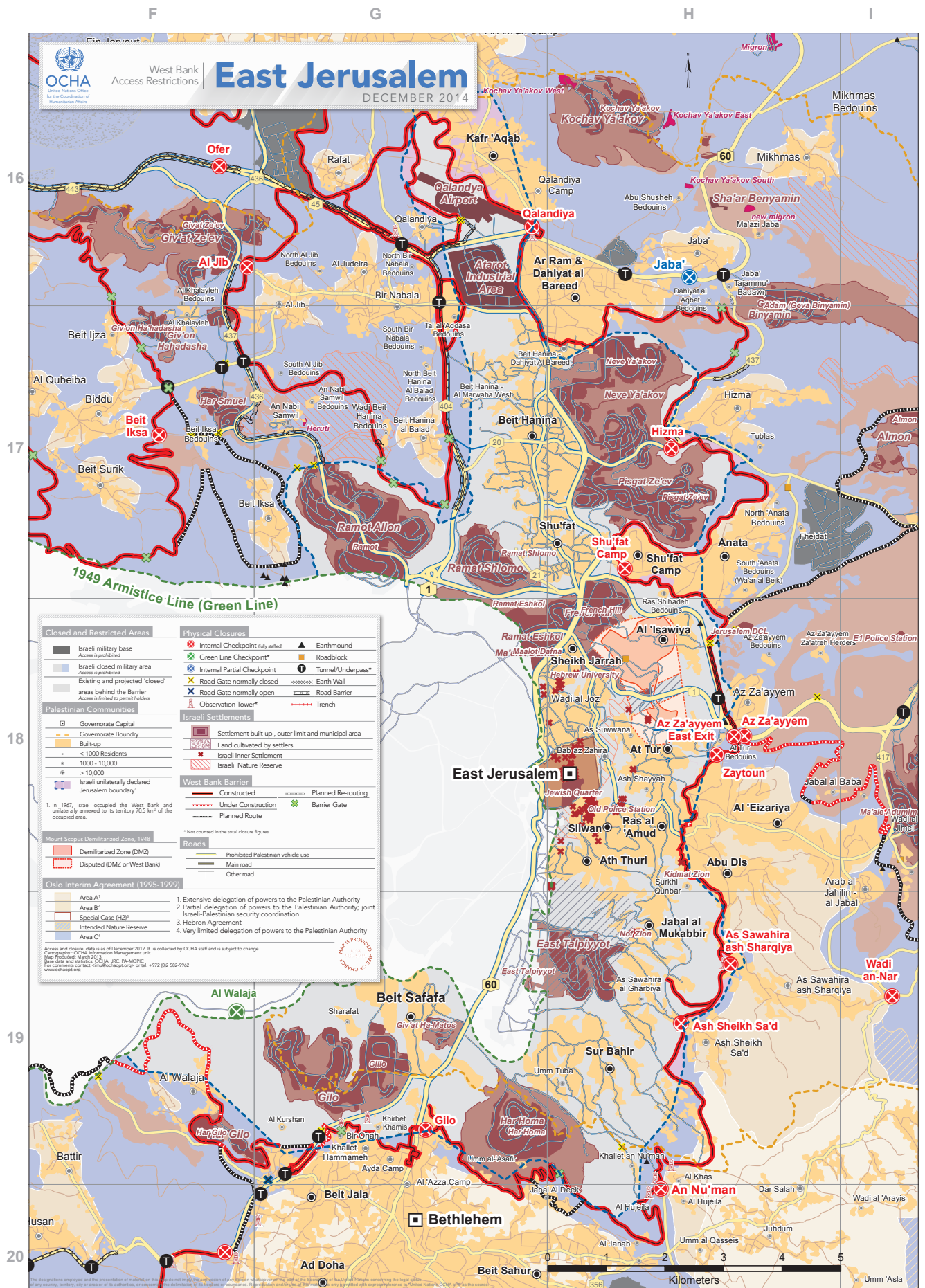
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# Map of Occupied East Jerusalem



Credit: map by OCHA oPt (2014)

# **TABLE OF CONTENTS**

<b>GLOSSARY OF TERMS &amp; CONCEPTS</b>	<b>5</b>
<b>EXECUTIVE SUMMARY</b>	<b>6</b>
<b>INTRODUCTION</b>	<b>10</b>
<b>CONCEPTUAL FRAMEWORK: ACCESS TO JUSTICE IN COLONIAL AND CONFLICT CONTEXTS</b>	<b>12</b>
I. A LEGACY OF HISTORICAL VIOLENCE/ OBSTACLES IN ACCESS TO JUSTICE	
II. THE SOCIOPOLITICAL & LEGAL CONTEXT FOR THIS STUDY—OCCUPIED EAST JERUSALEM	
III. INTIMACY, SURVEILLANCE AND EVERYDAYNESS	
IV. JERUSALEM’S CONSTANT “STATE OF EMERGENCY”	
<b>METHODOLOGY</b>	<b>16</b>
<b>FINDINGS</b>	<b>19</b>
I. PALESTINIAN WOMEN NAVIGATING THE ISRAELI LEGAL SYSTEM	
II. WOMEN, POVERTY AND THE WORKPLACE	
III. ISRAEL’S PERMIT SYSTEM AND THE MAZE OF INJUSTICE	
IV. GIRLS IN EAST JERUSALEM	
V. POLITICAL VIOLENCE	
<b>DISCUSSION &amp; CONCLUSIONS: THE POLITICS OF MILITARIZED DISMEMBERMENT</b>	<b>52</b>
<b>APPENDICES</b>	<b>54</b>
A. QUESTIONS USED IN FOCUS GROUPS AND INDIVIDUAL SEMI-STRUCTURED INTERVIEWS	
B. QUESTIONS FOR NGOS/ORGANIZATIONS	
C. TABLE OF RESPONDENTS	
<b>REFERENCES</b>	<b>58</b>

# Glossary of Terms & Concepts

<b>Adverse Childhood Experiences (ACE)</b>	potentially traumatic life events that occur during childhood that can have negative, lasting effects on health and well-being. These experiences, for the purpose of our study, may range from political violence, incarceration, and physical, psychological or sexual abuse as well as other events.
<b>Biopolitics</b>	the processes and technologies through which human life is managed by regimes of power and knowledge, as defined by Michel Foucault (1990).
<b>CSO</b>	civil society organization
<b>ISF</b>	Israeli security forces is an all-encompassing term used throughout the report to refer to various agents of the state, including police, border police, military, and paramilitary, governmental and intelligence agencies.
<b>Liminal, Liminal space</b>	characterized by in-betweenness; a space in between.
<b>Masarat al-haaden (Arabic)</b>	“politics of containment”: a concept developed by the research team that aims to deepen understanding of the various processes and techniques through which women attempt to regain their power, and alternative mechanisms women create to rebuild and reestablish social networks and protection mechanisms in order to survive and access justice in everyday life.
<b>Masarat al-taa’riya (Arabic)</b>	“politics of being stripped down”: a concept developed by the research team that aims to deepen understanding of the various processes through which women are stripped of power and resources. This includes socio-legal, political and economic structural factors, as well as the bureaucracies and practices that limit or curtail women’s access to justice.
<b>Militarization</b>	the militarized organization of society around conflict and violence, shaped by interlocking forms of power. As Nadera Shalhoub-Kevorkian argues, “facing a military occupation in which schools, homes, hospitals, and other everyday spaces of life become militarized complicates Palestinian women’s ways of resisting coercion and the way patriarchal Palestinian powers act and react...” (2009: 115).
<b>Militarized dismemberment</b>	a concept developed by the research team that centers the embodied, gendered social body politics at the nature of the blockages facing Palestinian women in occupied East Jerusalem in their attempts to access justice, and the constant losses while facing such blockages, as what we term the politics of militarized dismemberment. Such blockages “amputate” women’s ability to proceed in accessing justice. Dismembering not only fragments Palestinian women’s individual body and psyche, but also the larger Palestinian social body of which each is a part.
<b>oPt</b>	occupied Palestinian territory
<b>PA</b>	Palestinian Authority
<b>Post-traumatic growth</b>	the ability to change the effect of trauma to a more positive, empowering and emancipating experience.
<b>Post-Traumatic Stress Disorder (PTSD)</b>	a psychological disorder that can develop after a person is exposed to a traumatic event; for the purpose of this report, traumatic events are not only inter-familial violence or abuse, but also structural factors such as political violence and poverty.

# Executive Summary

## General Background

This study is a continuation of a comprehensive project investigating Palestinian women's access to justice in the occupied Palestinian territory (oPt). While the first phase of the research was conducted in the occupied West Bank (see UN Women 2014), this phase of the study examines women's access to justice in occupied East Jerusalem.

The research examines the socio-political factors affecting Palestinian women's access to justice in East Jerusalem. Occupied by Israel in 1967, East Jerusalem exists in a liminal space where intersecting legal systems contribute to a complex machinery of bureaucracy, law and justice systems. The aim of this project is to deepen understanding of Palestinian women's experiences in Jerusalem as they attempt to access justice through both formal institutions and informal paths. The research collected data prior to, during, and after the beginning of the escalation of violence in Jerusalem in October 2015. The data was compared and analyzed not only to map the banality of violence women face in a conflict context and the way it affects women's access to justice, but also to learn women's "countermaps"—the everyday strategies that Palestinian women living in Jerusalem employ to survive and resist violence, and navigate power structures, in their attempts to access justice.

## Methodology

The study draws on a decolonizing feminist methodological approach that is based on the voices and experiences of native Palestinian women and girls in occupied East Jerusalem. Decolonizing methodologies challenge the major tenets of positivist research and thus, the very politics of knowledge production. Feminist interventions have found that it is impossible for the researcher to occupy an "objective" or "neutral" position in relation to her research subjects. Rather, our representation of "others" is always a product of our own social positioning. In using this methodological approach, the research team decided that, rather than impose a standard definition of "justice" or "access to justice" on our research participants, we would ask them to define justice and access to justice themselves. This process amplified and enabled us to garner insights from their voices to help build a more effective research methodology in understanding women's access to justice.

The data collection began in December 2014 and ended in June 2016. The lead researcher was supported by a team of researchers and fieldworkers from the Jerusalem-based Women's Studies Center. Members of the research team were experienced in conducting research and fieldwork in conflict and colonial contexts, and working with female victims/survivors of various forms of violence. Due to the

fragmentation of space and security concerns in occupied East Jerusalem, the team drew on multiple methods of qualitative data collection, including: semi-structured interviews with women and girls; engagement in focus groups, meetings, schools, community centers and other groups; interviews with professionals and legal activists, including lawyers, human rights advocates, feminist activists and leadership of Jerusalem-based NGOs; the collection of letters from Palestinian Jerusalemite girls and boys; and finally, participant observation in streets, schools, and courts.

Participants in the study were Jerusalemite women and girls from five areas within the Israeli-defined municipal borders of Jerusalem, including city neighborhoods, the city center and refugee camps. Research was conducted in stages: 16 initial focus groups were conducted to gain general insights into the topic of Palestinian women's access to justice in occupied East Jerusalem. Subsequently, 116 semi-structured interviews with informed consent were conducted with women residents of East Jerusalem, leaders of civil society organizations active in the city, and legal entities serving women in the city. This was followed by participant observation by the team of researchers, a snowball sample with female victims of domestic violence, case study follow-up on three court cases and five families that were particularly representative of a number of the complexities identified by women living under occupation in East Jerusalem, letter gathering from Palestinian Jerusalemite girls and boys, freedom of information requests from Israeli authorities, and secondary source research among reports published by various Israeli human rights organizations.

Data collected using the above tools was validated using three follow-up focus groups, the first with formal social control agents in Jerusalem (social workers, lawyers and others that work in Israeli social institutions), another with staff of Palestinian organizations located in Jerusalem, and a final focus group with Palestinian university students and recent graduates from East Jerusalem. In addition, interviews were conducted with two local lawyers dealing with Palestinians in the Israeli criminal justice system.

## Main Findings

Occupation and patriarchy work together to create significant obstacles for East Jerusalemite women in realizing their social, legal, political and economic rights as well as physical safety. The Israeli ID card system holds women hostage in a bureaucratic trap where they cannot access justice without the "right" ID card or are constantly in fear of their family members being deported from Jerusalem. Women are stigmatized by their communities if they report gender-based violence to Israeli authorities. Women don't report workplace abuse and harassment for fear of stigma, ridicule, evictions and/or residency revocations. Women living behind the wall in East Jerusalem have limited access to services or justice even though they are East Jerusalem residents. Women and girls feel the most intimate aspects of their lives are constantly



under surveillance and describe living with the constant pressure of racism and discrimination.

The first-hand accounts of East Jerusalemite women in this research study give critical voice to the challenges Palestinian women are facing after more than 50 years of occupation. Concrete progress towards the goals of gender-responsive rule of law and improved women's access to justice cannot be made without addressing the occupation regime and its human rights violations, as well as the patriarchal control mechanisms women struggle with daily. The hope is that this research study will serve as an important advocacy tool to raise awareness of the challenges Palestinian women face in accessing justice and increase momentum towards a just and sustainable peace.

The main findings of the research are organized thematically, based on themes that emerged during data analysis of the primary and secondary data sources.

## **Palestinian Women Navigating the Israeli Legal System**

Palestinian women and girls' experiences navigating the Israeli legal and justice systems demonstrated the extent to which the Israeli legal structure upholds structural inequalities. Women's lives are penetrated by the power of law, while they are consistently stripped of their power before the law, because the law is made by the occupying force.

In cases where some semblance of "justice" was achieved for these women—for instance, in cases of domestic abuse where women were entitled to some form of protection from the state—new layers of violence were created, as women described the state's infiltration into the intimate spaces of their homes and family lives. Moreover, women and their communities were distrustful of going to the Israeli authorities for support, as this was often seen as an act of adherence to, strengthening of, or worse, collaboration with the occupying regime.

Despite all the difficulties they faced, and the stripping away of their power by various mechanisms, women interviewed came up with new ways of subverting power or resisting state control over their lives. In some cases, women chose to exercise their right to family by staying in Jerusalem even if they, or their loved ones, were not "permitted" to do so by the Israeli state—that is, undocumented. Some women were unable to register their children, or apply for family reunification, for fear of coming in contact with Israeli bureaucracy. Indeed, our wish to preserve the privacy and security of the women interviewed prevents us from conveying all of the coping mechanisms women shared with us, or the strategies that they employ in everyday life to subvert the power and surveillance of the Israeli permit regime. Yet the very act of survival in these socio-economic and political conditions (i.e., working in the informal labor market, struggling to feed their families, and navigating the maze of bureaucracy) must be

seen as nothing short of everyday resistance by these women.

## **Women, Poverty and the Workplace**

Palestinian women's labor force participation among those ages 35-44 in East Jerusalem actually exceeds that of Palestinian men of the same age. This is extremely unusual (women's labor force participation in the rest of the West Bank is relatively low, and a fraction of men's). It can be explained by the challenges Palestinian men face in finding formal work in the city, while the low-wage care economy employs almost exclusively Palestinian women who then become primary breadwinners.

This data demonstrates how the occupation and settler violence and expansion deeply affect the racialized gendering of both the Israeli and Palestinian labor markets. Israel recruits Palestinian women in East Jerusalem as cleaners, teachers, and workers. Employing these women in low wage labor allows the state's social control machineries to penetrate Palestinian communities. The narratives from women working in the Israeli system suggest that the entirety of family life is affected by security, race and socio-economic class. They suggest that Palestinian women's poverty, the Israeli view of their poverty, and the way in which laws are codified, all operate to regulate women's individual conditions in their own homes and families, as well as their productive and reproductive labor.

Our overall analysis illustrates that women's access to justice in the labor market in East Jerusalem is affected by a multiplicity of factors, including the multiple legal systems, the lack of trust in the various political economic systems, the accessible but discriminatory low wage labor market, local cultural ideologies about women and paid work, the role of education in mitigating women's access to labor markets, and racism against Palestinians.

## **Girls in East Jerusalem**

Letters collected from Palestinian girls and young women throughout various areas of occupied East Jerusalem, in addition to focus group discussions and participatory observations, suggest continuous mundane trauma, fear, indignities, and insecurity resulting from the prevailing socioeconomic conditions, the political violence of Israeli security forces and settlers, and daily humiliation resulting from obstacles placed on freedom of movement, education, and more.

The everyday control over their lives by the state and the continuous injustice of political violence, family violence, poverty and aggression on children were all factors described by girls as "stripping away their power." These conditions have affected the Palestinian familial structure, in some cases transforming traditional social roles, and enhancing patriarchal control and abuse within the household. Taken together, these factors severely limit Palestinian girls' access

to justice and protection, adversely affecting girls' right to a safe and dignified life and placing severe restrictions on their dreams for the future. However, despite the obstacles and many layers of violence, girls find ways to resist oppression and maintain hope for a better future, in their daily attempts to reach school, support each other and their families, better themselves through education, and continue fighting for dignity.

One significant and perhaps surprising issue raised in the girls' letters and subsequent focus group discussions is the "performance" of the Israeli system, and the "performance" of the Palestinian Authority (PA), the teachers, bureaucrats, health workers and social workers. The Israeli state performs as a democracy in the international and national public arena, presenting itself as protecting children's rights while at the same time discriminating against Palestinians in general, with gendered implications for Palestinian girls. Meanwhile the PA, Palestinian teachers, and others perform advocacy to expand the rights for Palestinian women and children, yet have no power to effect any amount of social change in East Jerusalem due to the intense political obstacles created by Israel's military occupation and the international community's support, tacit or otherwise. Even at a young age, these girls demonstrate an intuitive understanding of the socio-political context in which they live and must endure.

## Political Violence

Law and justice, as explained by women and girls, have not only failed them, but have actually worked to create new tools and modes of dispossession and oppression and to sanction political violence. Respondents discussed the way law, when it exists, is not on their side, even when they have been exposed to sexual and physical violence. The law's relationship to the body was a major factor, as young women talked about being stripped of their veils by police and soldiers, witnessing the humiliating undressing of men in public by police and soldiers, and more. The undressing of men and women was perceived as a mode of "stripping down" the community and its members' right to safety and security. Such attacks and the resulting exposure have traumatized many respondents. The eviction and revocation of residency has likewise dismembered society, blocked solidarity and togetherness, and exiled families and communities. However, what struck the researchers was the strength that prevailed: the way in which women and girls consistently attempted to open up new spaces of resistance, whether on social media (Facebook, WhatsApp, and more), through music, writing and other modes of cultural resistance, or via spiritual praxis and religious beliefs.

## Conclusion

Our general findings suggest that Palestinian women in Jerusalem are subjected to various forms of violence, including the violence of law, the violence of bureaucracy, and

the penetration of militarized violence into the mundane and intimate spaces of everyday life, through policies that limit women and girls' access to protection, education, healthcare, basic services, adequate housing, adequate standard of living, economic prosperity, freedom of expression, movement, right to family, right to mourn and provide a dignified burial for the dead, and much more. The gendered social, legal, political, economic and cultural expressions of violence emanate from the longstanding Israeli military occupation of East Jerusalem, which has strengthened patriarchal power within Palestinian society and affected women's access to justice in a conflict context governed by multiple, intersecting formal and informal legal structures.

We propose understanding the gendered social body politics facing women in East Jerusalem, and the constant resulting losses as what we term the "politics of militarized dismemberment." Such blockages "amputate" women's ability to proceed in accessing justice. Yet at the same time, women are constantly attempting to "re-member" the self and the social body through daily acts of survival and the creation of countermaps to access justice in the microspaces of the Israeli occupation.

The politics of militarized dismembering, as we define it, has several key features:

- It is systematic: a continuous, structural process that strips away women's power to the extent that it is at times impossible to generate the vocabulary to describe one's suffering, or one's access to rights in the context of a militarized regime.
- It requires that we examine the history of injustice and the local and global politics of dispossession that inform the present policies, bureaucracies, and blockages facing Palestinian women in their attempts to access justice in East Jerusalem. It is important to emphasize the historical roots of the structure of the Israeli occupation where political space is occupied by those that have perpetrated injustice on the bodies and lives of Palestinians in contravention of international laws.
- It operates within a permanent state of emergency in East Jerusalem, where there is a constant suspension of the rule of law at the same time that the "right to dismember" the native Palestinian is legalized.

Israel's regime of militarized dismembering in East Jerusalem is being maneuvered by political powers. Those causing the dismembering are generating political and legal space. As a result, women who must navigate this system find themselves in a suspended space where it is extremely difficult to create and maintain social networks. This regime of militarized dismembering is carried out through several key technologies:

- Surveillance (e.g., the ID card regime)
- Bureaucracy (e.g., regulations related to accessing arnona or property tax, and national insurance)
- The violent inscription of militarized power onto women's bodies (e.g., attacks on women's bodies and lives by soldiers or settlers)
- The use of "emergency rules" against individuals and families (e.g., stop and frisk, the freeze on family unification, etc.)
- Collective punishment (e.g., curfew, withholding the bodies of the dead, punitive demolitions, child arrest)
- Trapping/imprisoning

The gendered price of surviving such a system of dispossession and entrapment is high, as militarized violence invades the most intimate spheres of women's lives—their family life, homes, bodies, and psyches. These women, our study found, have little faith in the Israeli justice system, no protection from the Palestinian Authority, and willful failure by the State of Israel in its obligations under international law and accountability. In this atmosphere, women turn to alternative measures to access justice, working to re-member what is dismembered.

# Introduction

This study examines the socio-political factors affecting Palestinian women's access to justice in East Jerusalem.<sup>1</sup> Occupied by Israel in 1967, East Jerusalem exists in a liminal space, where intersecting legal systems contribute to a complex machinery of bureaucracy, law and justice systems. Our aim is to deepen understanding of Palestinian women's experiences as they attempt to access justice through both formal and informal institutions. In doing so, we map women's navigation of a web of social norms, official policies, bureaucracies, and other facets of power, as well as their strategies for obtaining justice in everyday life. We argue that investigating women's access to justice in a military occupation and conflict context requires that we attend not only to intersecting legal systems, but also to structural factors that shape justice systems, laws, bureaucracies and other mechanisms of power. In the context of occupied East Jerusalem, these structural factors are inevitably shaped by Israeli military occupation which, since 1967, has strategically limited Palestinians' access to systems of justice and the power of law, and services such as education, healthcare, welfare and more, by classifying them as residents, rather than citizens of the state.

Israel's continued occupation of East Jerusalem, and the Palestinian struggle to survive in increasingly challenging and difficult socio-economic and political conditions, provide the backdrop for this study. Thus, women's access to justice cannot be simply defined as a matter of establishing legal protection mechanisms, or expanding rights and opportunities. As a space central to Israel's military occupation of the West Bank, East Jerusalem experiences amplified policies of surveillance, political, economic and cultural exclusion of Palestinians. Moreover, a marked increase in violence in Jerusalem over the past two years has made daily life and access to justice all the more challenging. Thus, in examining women's access to justice it is imperative that we investigate structural factors that enhance or hinder women's right to legal protection, family, the workplace, land, safety in the home space, education, cultural and religious practices, and more.

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1 Following the occupation of the West Bank in 1967, Israel occupied East Jerusalem, in contravention of international law. Palestinians living in Jerusalem were given the status of "permanent residents" of Israel, which typically provides them with greater freedom of movement than Palestinians from other parts of the oPt and allows them to pay into the social services system, to receive health and social security coverage. However, this status can be revoked on various grounds; 14,000 people have had their residency revoked since 1967. Other Israeli policies have negatively affected Palestinians' ability to plan and develop their communities and enjoy the services they are entitled to, further undermining their presence in the city. In addition, Israeli measures have increasingly cut off East Jerusalem, once the focus of political, commercial, religious and cultural life for the entire Palestinian population of the oPt, from the rest of the West Bank and from the Gaza Strip. See <http://www.ochoapt.org/location/east-jerusalem> for more information.

2 Here, we refer to the escalation of political violence since October 2015 (see above, OCHA 2016).

Our study aims to develop a more nuanced understanding of how Palestinian women perceive their daily acts of surviving the occupation, and the gendered effects that surveillance, militarization and various modes of exclusion have on their identity, belonging and survival, in relation to their access to justice. We rely on an interlocking feminist approach that attends to the often invisible "intimate politics of the everyday" (Shalhoub-Kevorkian 2015: 2), drawing attention to the "routine, intimate and private sites where power is both reproduced and contested (ibid.)." In doing so, we aim not only to map the everydayness of violence women face in the context of a military occupation and the way it affects women's access to justice, but also women's "countermaps" — the everyday strategies women employ to survive and resist violence, and navigate power structures while seeking justice.

This study seeks to identify the primary obstacles Palestinian women face in their daily attempts to access justice in occupied East Jerusalem, which is characterized by competing legal systems, amidst Israel's demographic and security policies, social, political and economic restrictions, and political violence. Second, given that women's access to justice is affected by the relationship between Israeli state power and internal mechanisms of patriarchal control (e.g. Shalhoub-Kevorkian 2009, Shalhoub-Kevorkian and Daher-Nashif 2013), we aim to deepen understanding of the relationship and interactions between state power in occupied East Jerusalem and patriarchy. Finally, we hope to develop a deeper understanding of the gendered strategies women employ to achieve justice through both formal and informal mechanisms.

Our study approaches these issues through two concepts. The first, "*masarat al-taa'riya*" or the politics of stripping down, aims to understand the various processes through which women are rendered without power and resources. This includes socio-legal, political and economic structural factors, as well as the bureaucracies and practices that limit or curtail women's access to justice. The second, "*masarat al-haaden*," or the politics of containment, aims to understand the various daily processes and techniques through which women attempt to regain their power, and alternative mechanisms women create to rebuild and reestablish social networks and protection mechanisms. Both concepts grew out of our engagement with women and girls throughout the course of the study.

This study is a continuation of a comprehensive research project that investigates Palestinian women's access to justice in the oPt. While the first phase of the research was conducted in the occupied West Bank (see UN Women 2014), this second phase of the research examines women's access to justice in occupied East Jerusalem. This study uses the terms "occupied East Jerusalem" and "East Jerusalem" interchangeably (the eastern part of the city is within the boundaries of the occupied West Bank).

Where the first phase of the research project found that Palestinian women's access to justice is denied, this study explores East Jerusalem's context of intersecting legal systems and how they work together to deny women's access to justice. The hope is that this research study will serve as an important advocacy tool to raise awareness of the challenges Palestinian women face in accessing justice and increase momentum towards a just and sustainable peace.



# Women's Access to Justice in Colonial and Conflict Contexts

Strengthening the rule of law, building a responsive justice system, and advancing women's rights and participation have been the focus of global initiatives aimed at expanding women's access to justice (see for example UN Women Report, "Progress of the World's Women: In Pursuit of Justice," 2011). Yet for women in colonial and conflict contexts, justice systems and the power of law can reflect and preserve colonial ideologies and their accompanying structural inequities. Thus, understanding access to justice for women in colonial and conflict contexts requires understanding the politics of law and justice systems, including the rights-based framework.

Much legal scholarship has focused on the extent to which rights-based legal regimes and justice systems are regulated by colonial ideology or structural inequity. Colonialism has played a critical role in the conceptualization of modern law (Hussain 1999: 95), as the development of the rule of law and legal protections has been concomitant with legitimating regimes of conquest (ibid: 100). Indeed, law has ensured the safety and stability of colonial regimes (ibid: 101). As such, the very language of law, what Shalhoub-Kevorkian refers to as the "grammar of rights" and in our case, the grammar of law (2012) is infused and regulated by the enduring legacies of those regimes, "constraining the mode, space, place, and time in which rights may be articulated and... shaping, authorizing, and impeding the conditions of advocacy for rights (ibid: 4)."

Access to justice for women from marginalized or colonized communities cannot be achieved by merely strengthening the rule of law in such contexts, as the rule of law is shaped by those in power. Thus, as feminist scholars have emphasized, the interlocking effects of race, gender, sexual and colonial power must be centered in examining both crimes against women and women's access to justice (Razack 2007, Shalhoub-Kevorkian 2009, 2012).

## I. A Legacy of Historical Violence and Obstacles in Access to Justice

Historical structures of power such as racial slavery, colonialism and militarization, and geopolitical conditions such as military occupation and war shape contemporary conditions affecting women's lives. As feminist scholars have pointed out, contemporary manifestations of violence against native women are in part a legacy of past injustices—from the theft of native lands to the violation of native women's bodies—within a colonial power structure (e.g. Amnesty International 2006, Ramirez 2007, Shalhoub-Kevorkian 2009, Smith 2005). Impunity for past atrocities, that is, a legacy of colonial violence against native communities, has made native

women all the more vulnerable to contemporary modes of violence, be it at the hands of the state or private actors, as the persistence of colonial ideology continues to shape women's access to protection and justice.

As a result of the ongoing legacy of colonial ideology that naturalizes violence as a "cultural" issue (e.g. Amnesty International 2006), native women and those of racialized communities face obstacles in accessing state services. Culturalization of violence against women is used to minimize native women's experiences with sexual violence. This stems from a colonial imaginary, where native bodies are considered inherently "violable and rapeable" (Smith 2003, p. 73).

Cultural insensitivity and lack of inclusion within the formal legal system has meant that native women are often hesitant or directly discouraged from seeking redress through state channels, often due to a historical distrust of state practices, language barriers, or fear of retaliation from male members of the minority community (Patterson, 2012; Spohn & Tellis, 2012; Shalhoub-Kevorkian, 2011). Members of these groups often face abuse, including excessive use of force and sexual violence, at the hands of police and other power holders when seeking recourse from the state (Lievore, 2003 in Shalhoub-Kevorkian 2015). When state law enforcement officials are responsible for ensuring women's accessibility to justice, and when these officials practice discrimination against the otherized female population, women fear the formal system and hesitate to seek help from it. This distrust in the legal and police systems, in turn, causes women to disbelieve in the legal system's ability to ensure justice.

Moreover, as members of a colonized minority, when attempting to achieve justice for sexual violence, survivors are *frequently faced with the challenges of navigating plural and intersecting legal systems. For instance, native women in the United States context frequently have to navigate a maze of tribal, state and federal law. The US federal government has created a complex interrelation between these three jurisdictions that undermines equality before the law and often allows perpetrators to evade justice. In some cases this has created areas of effective lawlessness which encourages violence.* (Amnesty International 2006: 8). A plurality of legal systems, compounded by a maze of bureaucracies and informal social norms, in addition to colonial ideology, creates blockages in women's attempts to access justice.

For these reasons and others, black and native feminist scholars have analyzed the historical connections between colonial violence and violence within Native communities and problematized the exclusive use of legislative and juridical processes of the nation-state in obtaining justice for racially othered women (see Razack 2007, Smith 2005, Shalhoub-Kevorkian 2009, Crenshaw 1993). Approaches to gender justice that turn solely to the state for solutions, without recognizing the interlocking structures of power that support multiple forms of violence against racially othered women, ultimately

strengthen heteronormative patriarchal power and violence, as well as the masculine power of militarized colonial regimes. Colonized women are caught in a double bind: advocacy for rights and justice within the power structure “strengthens the very oppressive powers of the state it sought to challenge” (Shalhoub-Kevorkian 2012: 7). Thus feminist scholars have argued that ending gender violence in Native communities, for instance “will not happen simply through a government-funded program but through political organizing that transforms the conditions of colonialism that enable gender violence in the first place” (Smith 2014: 100).

Palestinian women’s access to justice in occupied East Jerusalem is inevitably shaped by Israel’s settler violence and ongoing military occupation. When Palestinian women attempt to access justice within the Israeli legal system in East Jerusalem, they face obstacles not only as women, but also as members of a group that is subjected to a regime of Israeli military occupation. As such, previous studies have demonstrated that Palestinian women, like native women in other contexts, neither trust the Israeli legal system, nor believe in its ability to address their concerns or hardships (Mokari-Renawi and Shalhoub-Kevorkian 2015, Shalhoub-Kevorkian 2011, 2014). Rather, they use the system selectively to manage and subvert the system of oppression, and counter violence against them, knowing that the mere use of the system might help on one level, but strip them of power and control over their lives on another (ibid.). Hence, based on literature on crimes against native women elsewhere, a critical analysis of the socio-legal complexity facing women when accessing justice is imperative.

## II. The Sociopolitical and Legal Context for this Study—Occupied East Jerusalem

Understanding Palestinian women’s access to justice in occupied East Jerusalem requires understanding Israel’s justice system and legal regimes as influenced by the interests of the state, and as such, inherently discriminatory and promoting Jewish dominance over the native Palestinian population (see Erakat 2015, Shalhoub-Kevorkian 2012, 2015, Zureik 1979). The relationship between Israel as the occupying power and Palestinian residents of occupied East Jerusalem would normally be governed by the rules of international law with regards to military occupation, namely international humanitarian law (IHL) and the Fourth Geneva Convention (see Halabi 2012: 15).

*Under the relevant IHL, there is no difference between the status of East Jerusalem and that of the West Bank and Gaza Strip: all have become occupied territories following the war of June 1967. Having ratified the Fourth Geneva Convention, as the Occupying Power, Israel has the duty to respect and ensure the rights of Jerusalem’s population as “protected civilians”... Moreover, Israel as the Occupying Power is obligated to respect the laws in force in the occupied territory as long as there is no “absolute deterrence” inhibiting this. (ibid.)* Israel, however,

has disregarded its obligations under IHL, which “unequivocally prohibits Israel’s annexation of East Jerusalem and the application of Israeli laws, administration and jurisdiction to the occupied city (ibid).”

The result of this prolonged abnormal situation is that the lives of women in East Jerusalem are penetrated by numerous socio-legal and justice systems: international law, Israeli law, Sharia (Islamic) law, the informal tribal system, and the unofficial political leadership in the city established in lieu of formal Palestinian leadership.

In the immediate aftermath of its occupation of the city, the Israeli government signaled its intention to implement permanent Israeli rule over East Jerusalem by applying a series of laws that expanded the city’s eastern boundaries and attached them to the Israeli Jerusalem municipality, described in law as the “reunification” of Jerusalem (see Lustick 1994: 45). The expansion of Israeli jurisdiction into East Jerusalem, according to former Israeli leadership, had two primary goals: “to rapidly increase the Jewish population in occupied East Jerusalem” and to “hinder growth of the Arab population and to force Arab residents to make their homes elsewhere” (Cheshin et. Al 1999: 10). These principles have thus guided Israeli policies shaping Palestinians’ legal status, access to education, healthcare, employment and other basic rights.

Palestinians who were present in East Jerusalem during the initial period of occupation were granted the legal status of “permanent residency” rather than citizenship,<sup>3</sup> a status that can be revoked at any time, does not allow the right to unite with family members, is not automatically passed down to children, and does not allow the right to vote or run for election in the Israeli Knesset.<sup>4</sup> Jerusalem’s 300,200 Palestinian residents constitute 36.8% of the city’s population but suffer socio-economic hardship as a result of Israel’s systematic lack of investment in Palestinian communities and the restrictions East Jerusalem development (ACRI 2015, p. 4). In 2013, 75.4% of all Palestinian East Jerusalem residents and 83.9% of children were living below the poverty line, a significant increase over the last decade. This has been attributed in part to the construction of

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3 The Israeli law on Entry to Israel (Permission of entry and residence no. 5712 of 1952) was applied by Israel on the Jerusalemite Palestinians in 1967. According to this law, Israel treated the occupied population as “newcomers” to Israel and thus granted them residency. Only Palestinians who were physically counted within the annexed area of East Jerusalem were entitled to legal status in the city. Those counted elsewhere in the OPT and those outside of the country, including Jerusalem refugees, were—regardless of their origin, family ties or habitual residency in the city—excluded from legal status. Approximately 30,000 Palestinian residents of East Jerusalem were absent at the time of the 1967 Israeli population census. They and their descendants currently have no right to return and stay in the city under Israeli law.” (CCPRJ et. Al. 2014: 16) Jerusalemite Palestinians were offered citizenship by the state, but largely refused as a political decision, as doing so would in effect recognize Israeli sovereignty over East Jerusalem, which Palestinians claim as the capital of a future state.

4 Since 1967, Israel has revoked the residency status of 14,416 Palestinian Jerusalemites, preventing them from returning to live in their place of birth (ACRI 2015, p. 3).

the separation wall, a massive wall and fence that separates Jerusalem's neighborhoods and has further severed residents' social, economic, cultural and religious ties and access to services (ibid). In 2012, 33% of Palestinian men and 86% of Palestinian women over the age of 15 in Jerusalem were unemployed (ibid.).

Discriminatory housing and zoning policies have limited Palestinians' ability to construct a safe home space in Jerusalem. More than one-third (35%) of East Jerusalem land has been expropriated for Israeli settlement construction (OCHA 2015). Palestinians are limited to building on 13% of East Jerusalem land, systematically denied building permits, and thus forced to build without them thereby risking demolition. A review conducted by Bimkom - Planners for Planning Rights, indicates that between the years 2005-2009 only some 55% of requests for building permits in the Palestinian neighborhoods were approved, compared with some 85% in Israeli neighborhoods (ACRI 2015, p. 8). Approximately 20,000 Palestinian houses, or 39% of all houses in occupied East Jerusalem, lack a building permit and are at risk for demolition (ACRI 2015, p. 7). In 2014 alone, 98 structures were demolished and 208 Palestinian residents uprooted from their homes (ibid.). Between 2001 and 2006 alone, the Jerusalem Municipal Court collected a massive NIS 153,240,833 (USD 34,053,518) from Palestinians in fines. These fines were issued as penalties for "illegal" building in East Jerusalem (ICAHD, 2007). "Due to the exorbitant costs imposed on families when the authorities arrive to demolish their houses, recent years have seen a rising phenomenon of residents who receive demolition orders and decide to demolish their houses themselves" (ACRI 2015, p. 9). Forced evictions also threaten Palestinian families in occupied East Jerusalem; Israel's propagation of settlements and settlement construction causes Palestinians to be forced from their homes under dubious legal pretenses. Moreover, occupied East Jerusalem is systematically denied proportionate municipal budget allocations. Palestinians pay the same amount of taxes as Jewish citizens in West Jerusalem, yet receive a fraction of municipal services (Halabi 2007: 26).

Such policies have been guided by an official doctrine of "demographic balance," which aims to promote a ratio of 30% Palestinians and 70% Jews in the city to allow the permanent annexation of East Jerusalem (see Gafni Committee in CCPRJ et Al. 2014: 9). Within this context, Palestinian women's bodies and reproductive capacities are intimately connected to state biopolitics (Shalhoub-Kevorkian 2010, 2015). Palestinian women are portrayed as dangerous entities, their bodies and sexuality comprising part of the Israeli state's imagined "demographic threat" that can challenge the Judaization of Jerusalem (Shalhoub-Kevorkian 2015, Ihmoud 2015). Studies have demonstrated that Palestinian women's portrayal as a threat to the Judaization of Jerusalem has manifested itself through discriminatory Israeli policies and treatment that limits women's access to healthcare, medical facilities, and safety. Moreover, women's adverse treatment during pregnancy

and childbirth has detrimental physical and psychological effects on women's bodies, and the lives of their unborn and newborns (Shalhoub-Kevorkian 2012). These studies illustrate the complex machinery of violence that saturates Palestinian women's everyday lives in East Jerusalem, factors that must be considered when assessing the promotion, exclusion or prohibition of women's access to justice.

### III. Intimacy, Surveillance, Everydayness

The invasion of the intimate and the everydayness of violence in the city affect birth, marriage, family and communal life—even death. Militarization and violence are infused into everyday practices and experienced in the intimate spaces of everyday life (Shalhoub-Kevorkian 2015). Thus, understanding Palestinian women's access to justice requires that we center on their everyday experiences navigating militarized zones in a context of settler violence.

Existing studies on gendered aspects of military occupation in East Jerusalem reveal that even in times of death, Palestinian women are stripped of dignity and security, and their safe burial is jeopardized by the militarized regime (Shalhoub-Kevorkian 2013). Women are prevented from safely reaching health professionals and finding a safe place to give birth, and face humiliation in Israeli hospitals during treatment, operations, giving birth, miscarriages and more (ibid.). Gendered violence was also apparent when examining the effects of surveillance over women, mainly in relation to the immense security devices and cameras in and around homes, schools and streets (Shalhoub-Kevorkian, 2015). Sexual and psychological abuse and harassment of women at checkpoints, by Israeli soldiers was also another factor affecting women. Harassment by Israeli soldiers, including being made to undress when crossing checkpoints, was found to have increased women's sense of loss of their bodily integrity and added to their humiliation and oppression (ibid., p. 63).

The Israeli politics of exclusion revealed by these studies left women feeling "trapped" in Jerusalem's militarized spaces (Shalhoub-Kevorkian 2010, 2015), where *to live in a trap means to live in a space that is incoherent and lacking in any clear organizing principles. Indeed, in the context of East Jerusalem there was found to be a plurality of traps and trapped spheres that retain their own separate logics, but that remain dependent on and entangled within other logics when they operate in conditions of constant uncertainty in specific times, spaces and contexts* (Shalhoub-Kevorkian, 2010, 67).

Taking these factors into consideration shows that studying Palestinian women's access to justice in occupied East Jerusalem requires an examination of the interlocking effects of the existing socio-political structure on women's bodies and lives. Conditions of ongoing political violence have simultaneously opened up "new spaces for gendered political, social and economic transactions. In certain situations, necessity has dictated the entry of Palestinian women into

seek help and search for service-providers, thereby expanding their knowledge and providing them with additional survival tactics” (ibid.: 61).

#### IV. Jerusalem’s Constant “State of Emergency”

Over the past two years, Jerusalem has witnessed a marked increase in political violence. The escalation began in July 2014 following the kidnapping and murder of the Palestinian child Mohammed Abu-Khdeir by Israeli settlers in the Shu’afat neighborhood of East Jerusalem and against the backdrop of Israel’s most recent military assault on the occupied Gaza strip.<sup>5</sup> During daily confrontations in Palestinian neighborhoods of the city, Israeli security forces used excessive force, injuring children with sponge bullets, using “skunk water” to spray entire communities, and blocking off neighborhoods, further limiting Palestinians’ freedom of movement (ACRI 2015, p. 14-15). In the second half of 2014 alone, 1,184 Palestinians, including 406 minors, were arrested in East Jerusalem for “involvement in demonstrations and public disorder” (ibid, p.

12). “Cruel, inhuman and degrading treatment” of Palestinians held in military detention, including of children, was widely reported (HRC 2015, p.17). In addition to increased violence from Israeli security forces, settlers stepped up ethnically-motivated attacks (ibid.).

The situation prompted the European Union to issue a report that warns Jerusalem has reached a dangerous boiling point of “polarization and violence” not seen since the second intifada in 2005, motivated in part by the continued “systematic” illegal settlement activity in “sensitive areas” of the city (Beaumont 2015). Within this context, attacks on Palestinian women and girls have been on the rise. The current political climate, in which Israeli repression of Palestinian communities has become more visible and heightened, provides the immediate context for our study.

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5 We mark this case as important in understanding the escalation in political violence in Jerusalem because the murder of Abu-Khdeir was not an isolated act of violence, but rather a symbolic political act of terror that, combined with the assault on Gaza, sparked the largest wave of Palestinian social protest in the occupied territory since the second intifada (Ihmoud 2015). This case and the assault on Gaza were constantly referenced by research participants, regardless of age or location.



# Methodology

This study draws on a decolonizing feminist methodological approach that foregrounds the voices and experiences of native Palestinian women and girls in occupied East Jerusalem (e.g. Shalhoub-Kevorkian 2010, 2012, Tuhiwai-Smith 2012). Decolonizing methodologies challenge the major tenets of positivist research and thus, the very politics of knowledge production, by interrogating the positionality of the researcher. Feminist interventions have made clear that it is impossible for the researcher to occupy an “objective” or “neutral” position in relation to her research subjects. Rather, our representation of “others” is always a product of our own social positioning, or “situatedness” in relation to those we choose to represent (Haraway 1988; Moraga and Anzaldúa 1989; Speed 2008). Moreover, research itself and the process of knowledge production are embedded in a global system of power relations. Critical analyses have pointed to the “historical collusion of the social sciences...with colonial power, by producing representations that supported colonialist logics and rationalities (Asad 1973; Gough 1968; Said 1978, cited in Speed 2008: 2).” Thus, as Linda Tuhiwai-Smith emphasizes, the primary concern of decolonizing methodologies is not the technique of selecting a method, but rather the “context in which research problems are conceptualized and designed” and the implications of such research for its participants and the communities of which they are a part (2012: 19-20).

In following this methodological approach, we decided that, rather than impose a standard definition of “justice” or “access to justice” on our research participants, we would ask them to define justice and access to justice themselves. Our choice to center the voices of Palestinian women and girls in defining access to justice throughout this study was not only an attempt to make the experiences of the occupied heard; this process enabled us to garner the insights of these voices to help build a more effective research methodology in understanding women’s access to justice. However, it should also be noted that political conditions both limited data collection, and hindered the research team’s ability to share some primary findings. In particular, while women’s experiences with the Sharia court system formed an important site of analysis in our study, we are unable to publish this section of the report in its entirety, as both the court system and women interviewed expressed deep fear of increased surveillance by state authorities. As the entire research project was built on the team’s ability to collect data in a context of pervasive surveillance by the occupying power, research ethics demanded that we prioritize the safety and security of research participants above all other factors.

The study began in December 2014 and ended in June 2016. It is important to note that data collection was initially scheduled to end approximately nine months after the start date, however, conditions in the field changed dramatically in the final stages with a new period of intensified political conflict

emerged in September 2015. This intensification prompted us to return to the field and continue data collection. Thus, in some sections, we note a marked difference in results from one period to the next. It should also be noted that there were serious limitations placed on the collection of data during periods of intensified political violence. Though we followed the same methodology as previously, given that the research team was itself composed of women from occupied East Jerusalem, researchers took additional measures to ensure both their own safety and that of the research study participants. Pseudonyms are used throughout the report. Detailed information on women’s use of the Israeli legal system in occupied East Jerusalem (cases of incest, domestic violence, and political violence) was collected by the research team in the initial phase of data collection. However, much of this data was not used in order to protect research participants, and to refrain from causing harm, especially in light of the increasingly sensitive political climate.

The lead researcher was supported by a team of researchers and fieldworkers from the Jerusalem-based Women’s Studies Center. Members of the research team are experienced in conducting research and fieldwork in conflict contexts, and working with female victims/survivors of violence. Due to the fragmentation of space and security concerns in occupied East Jerusalem, the team drew upon multiple methods of qualitative data collection, including: semi-structured interviews with women and girls in occupied East Jerusalem; engagement in focus groups, meetings, schools, community centers and other groups; interviews with professionals and legal activists, including lawyers, human rights activists, feminist activists and leadership of Jerusalem-based NGOs; the collection of letters from young Jerusalemite women; and finally, participant observation.

Participants in the study were Jerusalemite women and girls from five areas within the Israeli-defined municipal borders of Jerusalem, including city neighborhoods, the city center and refugee camps. The neighborhoods are divided here into five circles around the city center:

1. The Old City of Jerusalem (Center)
2. Silwan, Atur, Abu Tor, Wadi Joz, Ras al-Amoud (Second circle);
3. Beit Hanina, Shu’afat, Shu’afat Refugee Camp (Third circle);
4. Kufr Aqab, Qalandia (Fourth circle).
5. Jabal al-Mukaber, Sur Baher, Beit Safafa (Fifth circle)

## Stages of Research

Research was carried out in the following stages:

### 1. Conducting Initial Focus Groups

In order to gain general insights women’s access



to justice in occupied East Jerusalem, and the complexity of life under military occupation, the research team conducted a series of eight focus groups with women from various areas in the city. The women who participated in these initial focus groups came from diverse backgrounds (different ages, educational backgrounds, religious identifications and other factors). We asked questions including: How do you define access to justice for Palestinian women in occupied East Jerusalem?

Based on our analysis of the primary issues raised by women during these initial focus groups, we identified the main themes for the study: the Israeli ID system and family unification; women, poverty and the workplace; the girl child; and political violence. The research team also identified violence as a cross-cutting theme.

## 2. Building the Semi-Structured Interviews

Based on insights garnered from our initial focus groups with women, we designed and prepared a series of semi-structured interviews, one for women participants and one for East Jerusalem leadership organizations and legal entities that serve women on the various justice issues raised. We distributed our core interview questions to the research team for their review, and incorporated their feedback into the final version of the interview questions. We decided to interview women first, in order to learn about their experiences, and identify the primary organizations and legal entities they consult with when attempting to access justice.

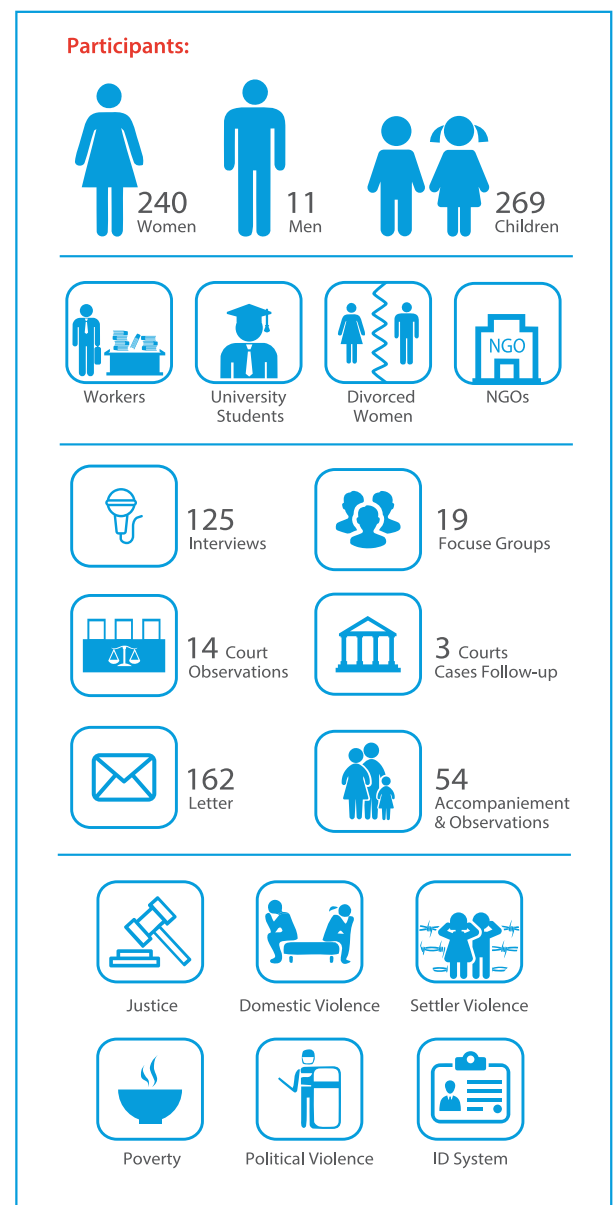
## 3. Obtaining Informed Consent

Before carrying out individual interviews with women and representatives of organizations and legal entities, the research team obtained informed consent from all potential participants. Participants were assured that data gathered and information revealed would be scrutinized and protected to preserve the rights and privacy of the respondents. Organizations and legal entities were provided with a letter from the Women's Studies Center outlining the primary objectives of the study, and requesting permission to interview representatives of the organization or legal entity. Potential participants were also informed of their right to decline participation at any stage of the research process. Participants verbally consented to participation in the research.

## 4. Conducting Semi-Structured Interviews, Focus Groups, and Participant Observation

In total, 119 semi-structured interviews and 16 focus groups were conducted with women in different Jerusalem locations from February 2015 to August 2015, and again from November 2015 to June 2016. A sample of convenience was gathered for cases of domestic abuse. At the same time, researchers conducted participant observation, taking ethnographic notes on daily life in spaces where interviews were conducted (neighborhoods, schools, streets of the Old City, and more). In the process, the research team identified the primary organizations and legal entities that serve women. Accordingly, outreach was conducted to organizational leadership to request permission to include them in the study. If permission was granted, the research team interviewed its representatives. Representatives of 13 local organizations were included in the study.

## 5. Following-Up on Case Studies



In addition to carrying out semi-structured interviews, focus groups and participatory observation, the research team conducted follow-up visits concerning three court cases and five families. These cases were identified as representative of primary topics raised by women during the initial interviews.

#### **6. Collecting Letters from Palestinian Schoolchildren**

Parallel to the research activities outlined above, the research team collected 268 letters from Palestinian girls and boys (162 girls and 106 boys) throughout East Jerusalem, primarily from schools. Consent to collect the letters was granted by both parents and teachers. Twenty-eight letters were collected before September 2015, and 240 letters were collected afterwards. The children were prompted to write a letter responding to the following questions: “What does it mean to be a young female or male in occupied East Jerusalem? What does justice mean to you?” We analyzed the girls’ letters as reflecting the lives of girls in occupied East Jerusalem and how they access justice.

#### **7. Making Freedom of Information Requests**

In the period of renewed political violence, based on the Israeli law for freedom of information (*Hofesh Ha Mida3*), we filed a request to the Israeli police to obtain statistics on youth and arrests in East Jerusalem. Through this, we sought to learn more about what the media defined as a new trend of young girls getting directly involved in acts of political resistance. We also consulted reports

published by various local Israeli organizations such as the Association for Civil Rights in Israel (ACRI), the Israeli National Council for the Child, and the Jerusalem Institute for Israeli Studies.

#### **8. Validating Data**

In order to validate data collected during focus groups and interviews, in advance of conducting data analysis, the research team held three focus groups. The first was with Israeli social control agents in Jerusalem (social workers, lawyers and others that work in Israeli social institutions) addressing women’s access to justice, another with representatives of Palestinian organizations based in Jerusalem, and a third with Palestinian university students and newly graduates from East Jerusalem. In addition, in order to deepen understanding of the workings of the Israeli criminal justice system (mainly its internal bureaucracy when dealing with violence against women), we consulted two local lawyers, Ala Mahajneh and Hadeel Badarni.

#### **9. Analyzing Data and Content**

The lead researcher and the research team carried out data and content analysis by reviewing interviews, focus group discussions, and other data to identify common themes. The following sections present our primary research findings. These findings are organized thematically, based on concepts that emerged during data analysis. Pseudonyms are used throughout the text, with the exception of individuals related to cases that have already entered the public discourse.

# Findings

## I. Can the Master's Tools Dismantle the Master's House? Palestinian Women Navigating the Israeli Legal System

Law and order are often seen as tools benefitting the equal rights of women. Equality before the law (including the criminal justice system), non-discrimination legislation, state protection and proportionality are intended to assist women in accessing justice. In this formula, the establishment of clear rules and their fluid operation prevent abuses of power and help women maintain their safety and dignity. Protective laws and an equitable criminal justice system can guarantee citizen's access to goods and services. But what of women who, in contexts of colonization and conflict, are positioned outside of the law? What happens when the law contains multiple legal systems and orders are not clear? How do women and young girls navigate these multiple legal systems and hierarchies of power? This section analyzes cases of Palestinian women who became trapped in the numerous existing legal systems operating in East Jerusalem while trying to access justice after experiencing abuse.

### Living and Driving While Illegal

Hadeel is a woman in her thirties who leads a local organization and is married to a Palestinian man from Jerusalem. She is originally from a West Bank city, and lives with her two children and husband in East Jerusalem. Though her husband and children hold Jerusalem permanent residency status, she does not, which means (among other things) that the Israeli authorities do not recognize her Palestinian driver's license and do not allow her to apply for an Israeli driver's license. East Jerusalem has inadequate public transportation, making a driver's license essential. She views law as an important tool for preserving her rights, yet:

*“Just think about a small issue such as getting a driver's license in East Jerusalem. I am not allowed to drive here [because I am not a resident], and can't drive my children to school. Last week when my son fell and hurt his leg, I took my husband's car, rushed to his kindergarten, took him to the hospital, and—sure enough—while parking the car, a police officer stopped me... If my son had not been bleeding, I would have ended up in jail. I still needed to contact a lawyer, go to the police station, pay the ticket, explain that it was an emergency, and deal with the fear of losing my permit to be in Jerusalem, or my husband losing his license.”*

Her case illuminates the daily hardships faced by Jerusalem women in their everyday movements and behavior. She concluded:

*“You see, if a man were facing this situation, he could catch a ride with anyone, men or women, early morning or late at night, and everyone will understand his situation. I am a woman: I must be careful about who I ride with, what I am wearing, when I am leaving, what route the driver is taking, how much money I am spending on taxis and transportation, and much more. I am always asking others to get me medicine, to take me to the doctor, the mall, etc., if I were allowed to drive, have my own car, I could take care of my needs and those of my family.”*

Hadeel's narrative relates how in East Jerusalem, moving through life “by the book”—i.e., in compliance with Israeli law—slows down basic, mundane tasks and obligations. Following the rules of the state might lead to social and psychological problems, and tension with those in power, within the community, and in families. The capacity of the law to transform Hadeel's life and actions into one persecuted and under scrutiny reproduces social and economic challenges that carry severe psychological tolls. Hadeel's narrative demonstrates structural discrimination, as any Israeli Jewish woman who settles in Jerusalem is able to acquire a license, move freely, and receive social and economic support. Hadeel says:

*“Keep in mind that when I first got married, I even did not have a right to ride in my husband's car, and if I did so, we would have been fined, and punished. Keep in mind that when I cross the checkpoint, I can't take my children with me, as they are registered on their father's ID. I have reached high in life, achieved higher education, married the man I wanted, but my identity as Palestinian has turned me into a number, an animal that must be constantly tamed.”*

Hadeel's description of her daily reality shows how under Israeli military occupation, the production of regimes of separation creates two different worlds within a single space, even between Palestinians. Differences facilitate new modes of subversion of this increasingly legalized and formalized separatism. In the absence of an entity that governs all Palestinians in occupied East Jerusalem, the city is made up of varied patches, each with its own modes of subverting and challenging the system.

### Home and the Politics of Racist Legality

The circumstances surrounding building permits in East Jerusalem expose a similar bind of the rule of law. Sameeha lives in a Palestinian neighborhood in East Jerusalem and wanted to enclose her balcony in order to make a small room for her daughters. She explained:

“They will do everything, including burying us alive, and not give us a building permit...see...I used to sell embroidery and saved money just to enclose a small area to give the girls the feeling of privacy. I worked for three years, got a lawyer, and [then] he started the process of getting a permit. He tried for over four years, and every time they said they would approve it. One time, I went with my brother and realized they had lost all my papers and wanted me to start the process from zero. I got so frustrated as I followed their rules, gathered all needed permits, paid the municipality, got a letter from the ministry of interior, from the national insurance, from the VAT, from the property and other related taxes, paid the municipality engineer, installed water and electricity pipes—and they lost it all. I realized that Israel will never give us a permit in this area, and we will never be able to leave to a larger place, as I am a single mother, a widow, and can’t afford to move. My brother and I closed the balcony and built a small room, and I managed to give the girls their space to dress, study, and sleep without the interruptions of my extended family.”

In Sameeha’s story, we see her repeated attempts to abide by the rules. Yet the Jerusalem municipality and other government offices marked her as an undeserving other, creating bureaucratic blockages that made obtaining a permit impossible.

Sameeha was forced to demolish the small addition she had constructed with her own resources, losing the money and time she had invested. She concluded:

“When I demolished the room with my own hands, I felt as if I had lost my husband one more time. I sensed deep pain. I had tried to abide by all the rules, pay the best lawyer, beg my family to help me, do a million things; and now I live like a naked woman searching for a dress to cover her... after all, I am a woman, and need my privacy, [I] want to make sure my daughters are safe. My youngest started getting her period, and it eats up my heart that she can’t sleep in a place without being watched by family members. Yesterday, when she woke up, she was bleeding. She felt so ashamed, and I cried with her so much. If only we had been able to keep the girl’s room. If only they [the Israeli authorities] had mercy in their hearts.”

## Intimate Partner Violence in East Jerusalem

To understand the maze of injustice, the previous case studies can be juxtaposed with the case of Nawal, who was abused by her husband but had no place else to go. Her husband’s violence exacerbated with time, and he routinely took all her salary, put the family in debt, and forced her to sponsor

him as a guarantor at the bank to obtain an additional loan. The persistent physical, psychological, and financial abuse for 15 years, and the loss of all means to prevent it made her finally seek the help of the Israeli police. When asked what happened when she called the police, she explained:

“They were very good to me. I was in bad shape, crying and shivering, with my youngest son in my lap. I explained to them how abusive he is, and how much he tortures the children and myself. I told them about the last incident, when he hit my seven-year-old son with a stick, pulled me by my hair, took my bracelets and gold and sold them. I explained how his parents can’t stop him and fear challenging him, although they protect me most of the time. I told them that had I tried everything possible, I talked to his brother, I begged his uncle to intervene, I even spoke to the clergy at the mosque, but [my husband] has no God. He doesn’t fear or respect anyone. I threatened to call the police on him, and did so, and they came very fast. The moment I told them “My husband is beating us, please come!” they arrived.”

Nawal shared her feelings of being trapped with her husband’s violence and her unending attempts to stop him from abusing her and the kids, to no avail. Seeking the help of the Israeli police was, as she continuously stressed, her last recourse. She explained:

“I hesitated so much before calling the police. But, on that day, I just could not see and live with his abuse anymore...could not handle my children’s tears, and could not accept him beating me and pushing me with his legs, treating me like an animal. I stopped myself from crying, took my kids with me to my in-laws’ side of the house, and called the police. His mother heard me, but did not react. They came fast, in less than 15 minutes, and took him with them. He was shocked and very angry, and kept on cursing me, telling me, “You called the Israeli police on me?!”

Nawal’s husband was arrested and not released until he signed a letter committing himself not to touch her, and to stay with his sister in Beit Hanina (a neighborhood that is some distance from their home). She explained how calling the Israeli police became a major issue in her family and the larger neighborhood. Palestinian women are discouraged from seeking support from Israeli authorities, as this is seen as strengthening the state that oppresses the larger community to which they belong. To report on a family member or a member of the community, even in cases of abuse, carries great social stigma. As Nawal explained, the police customarily arrest Palestinian children, and harass women and men. She gave many examples of the police acting as an oppressive entity before further defending her actions as a last resort.

The police officers behaved in what Nawal called “a professional way.” She explained that they brought her

water when she was shivering and telling her story of abuse, and were kind to her son, closing the doors to allow her to speak freely and helping her leave the home without further problems. They also called the social welfare office on her behalf and asked them to work closely with her and prevent her husband from abusing her:

*“The social workers were very attentive. They talked to my children, and came and visited us at home. They helped me enroll my son in a daycare, and apply for a job. They followed my case, got me a restraining order against my husband, and worked with both of us in closed meetings in the welfare office to figure out a better way to stop his abuse. I learned and gained a lot of power from their support, but also always feared them, feared their visits to our house, feared their knowledge about our intimate problems, such as my brother-in-law’s lack of a Jerusalemite ID, my mother-in-law’s travel schedule, and our sources of income.”*

Nawal used Israeli law to get a restraining order, and was happy with the way the police and social worker handled her case. At the same time, she worried about the use of information against her family. She explained: “I always felt a heaviness in my heart. It was hard, always hard—mainly because the Israeli welfare department became regular visitors to the house.”

A year after this incident, Nawal’s brother-in-law was arrested after being accused of involvement in political activism online, and her husband’s first reaction was to accuse her of exposing the family to official Israeli scrutiny. Her brother-in-law’s condition turned the entire family, including her own children, against her:

*“Today, I feel I am a stranger in my own house. I feel my entire family, my in-laws, and my husband mistrust me. Every time we get into an argument, they say, ‘So, are you calling the Israelis against us?’ I really regret calling the police, although I had at that time no other choice. But we women live in the worst conditions ever. If I was in Ramallah, or Bethlehem, calling the police wouldn’t be such a big deal—here in Jerusalem, you might get help, they might support you, but you end up losing your family, your own children, you even lose yourself. Just listen to my 12-year-old son, he accuses me of bad things. His words pain me, make me cry. How can I explain myself [to him]?”*

Nawal’s case exemplifies the spiral maze of justice Palestinian women in Jerusalem live in, and the divided and uncertain world they experience when authorities that are supposed to protect them from violence are mistrusted.

Nawal explained that before going to the Israeli police, she asked for help from a local Palestinian women’s organization and they were unable to intervene to ease the violence or

work closely with the abuser, as he refused to cooperate with them. Facing these hardships, she tried to muster a bit of agency to escape her sense of entrapment, and free herself from her abuser’s abuse and control by using the Israeli law, the police, and other formal services. As a result, she ended up ostracized in her own home among her family and children, treated like a criminal. Nawal tried to prevent her abuse, but ended up with an additional and new kind of abuse and violence, the violence of exclusion, and lost her immediate social support system. She was forced to remain in an uncertain abusive space. The ontological schizophrenia that characterized her condition makes it impossible to live a dignified life.

Cases of domestic abuse recorded for this report all had similar characteristics. In most cases, women’s complaints were taken seriously by the Israeli police, who rushed to arrest the abuser/s. In interviews with five welfare officers who work in the Israeli system, the impression was given that detention of Palestinian domestic abusers occurs much more quickly than the arrest of Israeli Jewish abusers. Abusers are then supervised by the welfare department and the social workers that belong to Jerusalem municipality, and even fast-tracked through the Israeli court system (One high-ranking official in the Israeli welfare system said that “even the prosecutors prepare the indictment much faster for Palestinian male abusers, than Jewish male abusers.”). When asked why there is this disparity between the treatment of Palestinian and Israeli abusers, a state social worker suggested that perhaps “they want to win Palestinians’ trust when dealing with domestic abuse” but also that the accusation poses “a chance to incarcerate a Palestinian man and humiliate him, when the complaint comes from his own family.” Another social worker suggested that this tactic is used to invade the Palestinian family and learn more about them, including intimate information, without the use of power, and/or emergency rules.” Shame, too, was cited as a motive by social workers working closely with women victims of abuse, who argued that Israeli officials seek to make families feel shame while offering help.

## Rape, Incest, and the Oslo Agreement

Noura was sexually abused by her grandfather and uncle at the age of nine, but was afraid to disclose her abuse for three years. The abusers lived in an area that is considered by Israeli law as outside the jurisdiction of East Jerusalem. The drive from the abusers’ house to Noura’s house in East Jerusalem is less than 10 minutes long. Noura and her sister decided to inform their father about the abuse, and the father in turn reported it to the Israeli police. The police managed to find the two suspects, brought them to the police station, and investigated the attack. An expert in child sexual abuse investigated Noura and her sister, and learned that the abuse had continued for years, but that she had been unable to inform anybody, fearing their reaction.



Following the investigation and the arrest of the abusers, the Israeli police decided to call the Palestinian police and transfer the offenders to the Palestinian Authority to continue the investigation, claiming that according to the Oslo Agreement, the Israeli police have no jurisdiction over them, and that only the Palestinian Authority can process the case. Meanwhile, Noura was suffering from severe post-traumatic reactions, abdominal pain, and constant fear of meeting the abusers. A social worker from the municipality tried to meet with her and help her deal with her trauma. The social worker explained, “Noura is a young child, and the fact that the abuse was in the family caused her much trauma and pain.”

In an interview with the Israeli investigator that dealt with the case (a Palestinian with Israeli citizenship, and a specialist in child/family issues), he explained:

*“If the case had stayed with me, I would have called the prosecutor’s office, and sought the help of state law in keeping the two accused under arrest until we finished our investigation and decided whether or not to file an indictment. But the police explained that the case should be transferred to the Palestinian Authority based on the Oslo Agreement. We had full evidence that the child had been sexually abused for a long time, and the forensic medical report attests to this.”*

In a follow-up interview four months later, the child investigator told us:

*“The father came to me to yesterday, complaining. He informed me that the two offenders were released from jail, and while he was with his two daughters praying in the Aqsa Mosque in the Old City of Jerusalem, they all saw the two offenders walking freely, and his two daughters started crying and screaming.”*

Noura’s case is a painful example of how women’s bodies and lives end up jeopardized by numerous incoherent and incorrect legal interpretations. If Noura’s case had been tried based on Israeli law, mainly the 1955 Israeli law that relates to the protection of children, the case would have been discussed and dealt with in coordination with social workers in the local authority, the social workers from the Israeli ministry of welfare, and a specially trained therapist that works with children and sexual abuse. The transfer of the case while claiming that this is not the kind of case that the Israeli criminal justice system engages due to the Oslo agreements allowed politics and power to take precedence over Noura’s body and dignity. The transfer of the case to another jurisdiction conveyed the message to her concerned parents that they have no control over criminal justice procedures and that the offenders may go unpunished due to flaws in the legal process. Furthermore, the claim that the Oslo Accords require the case to be tried by the Palestinian Authority is also incorrect. The Oslo agreement clearly maintains that the Israeli authorities

have criminal jurisdiction over the case as the victim was a Jerusalem ID holder. The fact that Noura and her father are Jerusalemites excluded them from accessing the Palestinian legal system, in fact, and the fact that the victim lives in East Jerusalem means the Palestinian prosecutor has no access to the victims to conduct an investigation or jurisdiction to enter Jerusalem. This left Noura and her family in legal limbo while the perpetrators of her abuse were released by the Palestinian Authority for lack of an investigation and allowed by the Israelis to again enter the jurisdiction of Jerusalem.

Noura’s case was not the exception. May and her family live in an area that is part of Jerusalem under Israeli control but is situated beyond a major checkpoint. May was 11 years old when she told her teacher that her uncle was abusing her. The teacher worked for the Jerusalem municipality school system, and was required by Israeli law to report the case to her supervisors. They in turn informed the Israeli police that the child was a victim of sexual abuse. When the police learned that May lives behind the separation wall and past a checkpoint, they asked the Ministry of Welfare’s child investigator to follow up and investigate the case. Both the teacher and the child investigator informed the research team that the Israeli Ministry of Welfare does not allow its employees to cross the checkpoint and moreover, the Israeli police refused to drive past the checkpoint and arrest the offender. The attack against May, and her disclosure of her abuse to the teacher occurred in 2015; the case was never investigated and no indictment was filed against the abuser.

Research on disclosure of child sexual abuse reveals that children are reluctant to disclose or inform adults about their abuse. Yet May trusted her teacher, and made an outcry for help. The geopolitics of occupied East Jerusalem, the unclear and haphazard interpretation of laws meant to protect children from sexual abuse, the negligent misinterpretation of the police of the Oslo agreements, and the social worker’s and teacher’s failure to follow up further victimized her, and left her abandoned when she asked for help.

Indeed, the study team’s eight case studies of domestic violence against women, individual interviews with social control agents, and the focus group with social workers working in the Israeli system disclosed the following:

1. **Women often refrain from reporting or calling for help, fearing the system’s reactions.**

Instead, women use informal and local Palestinian resources; in some cases, they get the help needed and in many others, they get trapped in an unending system of violence.

2. **Women do call the police, and use the Israeli criminal justice system.**

In most cases, this results in an expedited process to arrest abusers and bring them to court. This creates major tension in the community, shames

and names women (as one stated: “After I called the police, people started looking at me as if I was a whore.”), compounds the threat to women’s safety, and creates new kinds of violence that further complicate their situation. Some women have been sent to shelters in northern Israel. They gained physical safety, but lost the ability to come back and live among their community. In another case, an abused woman stayed in her home and with her family. She managed to deter abuses, but the social and familial price was high, as she felt excluded and mistrusted. In another case discussed during the focus group, the woman was not a Jerusalemite ID holder and upon reporting her abuse to the police but later dropping the charges, the Israeli police (based on her testimony, a knife cut, and severe bruises on her body), decided that her life was in danger. They asked the state social worker to go with them to her house, took her by force from her house and, despite her refusal, drove her to a shelter in the West Bank. The fact that she was married to a Jerusalem ID card holder means that her children are registered on her husband’s ID card and she is not allowed to see them and has no way of obtaining access to them or to her former community.

**3. Women at times call the Israeli police, and the police refuse to respond, especially in specific areas.**

In this situation, women are then further ridiculed by their abusers because they called the police, and are exposed to additional abuse. In one of the cases, the abuser divorced the woman following her call to the Israeli police, and she suffered a long road of hardship and social ridicule. In the Sharia court, the judge was more sympathetic to the abuser when he learned that she called the Israeli police on him. Her call to the Israeli police shamed her and her family, and only generated further abuse and violence.

**4. If abused women or girls live in an area designated as part of the municipality, but physically located beyond a major checkpoint (such as Kufr Aqab, for example), if the police are called, the Israeli military gets involved.**

Social workers as well as abused women explained that the police refuse to go past the checkpoint, and social workers will come to help only if the Israeli soldiers escort them in their military jeeps. One social worker explained, “So, when I go as a social worker to [Shu’afat Camp], or Kufr Aqab to bring back a child that has been institutionalized and went to visit his family, but was not returned by his family to welfare services on time [...] I, as a social worker

must inform the judge that the child did not come back. Here, the police and the soldiers are supposed to coordinate with me and with each other, and this takes so much time. Then, if we need to go to bring back the girl or boy, fearing that he or she is in danger [...] the police are always hesitant to go into places like Isawiyyeh, Shu’afat Camp, or Kufr Aqab.” These kinds of disputes over jurisdiction are not governed by the rights and needs of the women and girls at risk, but rather the whims and fears of Jerusalem’s geopolitics. “I had a case in Kufr Aqab,” another social worker described, where “the father carried weapons, and was very abusive to the girls and the wife. I as a social worker explained that the girls were in danger but I could not convince the police to intervene [although in security cases, they would go in no time]. Two months later, when we finally managed to bring the girls to us, they were so traumatized they refused to speak up, or give us any information about their abuse.”

**5. When the abuser is a “collaborator” (someone suspected of or known to work with the Israeli security apparatus), women are in deep jeopardy.**

The Israeli system’s use of men and women to solicit political information and accessibility to internal community details deeply affects the lives of abused women and girls. One of the cases discussed was that of a severely abused woman threatened with death and stabbed numerous times by her husband, but social workers and the criminal justice system could not hold him responsible as required by law. A social worker described another case involving a collaborator: “He tried to kill his wife—actually killing her. He broke her hands and flushed the toilet while putting her head in the toilet, and when he got to court, he ended up with only a sentence of one-year imprisonment.”

In the words of another social worker: “There is a law, but the question is not whether we use it, but rather how is it used, and when.” Political connections consistently trumped the lives and safety of women and girls being abused by these men. With the increase of political violence in East Jerusalem, women and girls were increasingly left in jeopardy, the data showed.

**6. If the female complainant holds a West Bank ID and is not a legal Jerusalem resident, she faces even more obstacles when trying to access justice and protection.**

Husbands seek to keep women at their mercy, social workers report. For example, one respondent’s husband told her, “Prove to me that this baby is my son.” He was referring to the fact that their child

was not registered in her name; for West Bank Palestinians, obtaining a birth certificate for their children in an Israeli hospital can be difficult. In other cases, the husband might threaten to call the police on his wife as she is living illegally in Jerusalem, so the police will “throw her back to the West Bank.” Abused women from the West Bank who have no Jerusalemite ID and are in need of the customary emergency housing (i.e. immediate shelter) are not granted this protection by the Ministry of Housing because they are not Jerusalemites.

**7. “Technical” issues often impede justice for women.**

Some of the major issues raised concerning cases of domestic violence, sexual abuse and other violence against women was related to bureaucracy and technicalities. Men might claim they did not receive an official letter, they could not get to the meeting due to checkpoints, they can’t pay fines or other fees because they are unemployed, they do not carry a phone and have no phones at home, or that they have no home address.

**8. Families and other related support systems are mostly unwilling to accept a woman’s reporting of abuse to an Israeli authority.**

“A woman’s family tells her that if she informs social welfare or the police,” a social worker explained, “they will exclude her. Over time, the sense we get is that the family is failing to support women, and at the same time, punishing her if she calls for help.”

The general data also shows that, in recent years, and with the increase of political violence, families are more reluctant to help women and are harsher and more unwilling to understand any request to involve the police and/or other Israeli official services. It is apparent that the social support system is getting weaker and weaker, and women are lost with no recourse, which increases their vulnerability. When abused women decide to challenge their society and report their abuser, their exclusion is more intense and their social losses, as explained previously, are substantial.

**9. The compounded failures and obstacles women encounter**

(loss of social support, lack of trust in the Israeli system, fear of using the criminal justice system to punish abusers and lack of knowledge about overlapping legal systems, unfamiliarity with the Hebrew language, and lack of transportation to parents, helpers, courts, social workers and other aids) results in the contravention of women’s legal rights by the Israeli authorities, lawyers, police, employers, doctors, therapists and others.

**10. Research into the Sharia courts in Jerusalem showed that invasion of colonial law into indigenous religious and family law creates a major protection gap.**

Israel’s claim of preserving the integrity of Palestinian autonomy through family and religious courts is undermined by the fact that, in practical terms, this further complicates access to justice in marriage, divorce and more. The collusion between the various legal systems results in, for example, a young mother not being allowed to see or care for her children, mainly due to her inability to reach them; young girls married before the age of 18 having their marriage license revoked because they were married according to Sharia law in contravention of Israeli law; women living with a man without knowing that he has divorced them in a court outside Jerusalem; women being deprived of their inheritance rights, etc.

**11. The refrain heard by researchers that Israeli institutions “destroy families, destroy homes” and “demolish houses” only served to further the exclusion of women and girls in East Jerusalem.**

As one social worker explained, “I understand that people say that we as social workers belonging to the Israeli system destroy families. People are right—just look at the way the police and the state see, know, and allow drugs and drug dealers to work freely in the community. They really want to destroy our society, and the ones that pay the highest price are women and children. They use every way to strip us of power, of dignity. [T]his is why I do my best to help abused women. [I] know I cooperate with the Israelis, but, how else can I help? Where else can I go? What else can we do? It is a trap—I can’t leave it, but can’t stay in it.”

## Conclusion

Palestinian women and girls’ experiences navigating the Israeli legal and justice systems, as described above, demonstrates the extent to which Israeli legal structure uphold structural inequalities. Women’s lives are penetrated by the power of law, yet are consistently stripped of their power before the law, positioned as racialized entities outside the realm of justice. In cases where some semblance of “justice” was achieved—for instance, in cases of domestic abuse, where women achieved some form of protection from the state—new layers of violence were created by a hostile state’s infiltration into the intimate spaces of their homes and family lives. Moreover, women and their communities were distrustful of going to Israeli authorities for support, as this was often seen as an act of adherence to, strengthening of, or worse, collaboration with the occupying regime. In cases where women did choose

to seek justice through the Israeli legal system, this in some cases resulted in further injustice in informal sectors, as they experienced shaming, blaming, and exclusion from their families and communities.

Women's experiences demonstrated that access to justice for Palestinian women in a context of military occupation cannot be achieved by strengthening the Israeli rule of law.

Rather, as feminist scholars have emphasized, it is critical that the interlocking effects of race, gender, sexual and colonial power are centered in expanding women's access to justice (Razack 2007, Shalhoub-Kevorkian 2009, 2012). Interventions in such a complicated socio-legal and geopolitical context cannot be achieved by turning to the state's institutions, as doing so creates new violence against women and girls and empowers oppressive entities. Palestinian women's voices and experiences navigating the Israeli legal system in East Jerusalem and attempts to access justice through state authorities demonstrates that the master's tools cannot dismantle the master's house, but rather create new modes of oppression.

## II. Racialized Hierarchies of Dismemberment: Israel's Permit System and the Maze of Injustice

In 2013, Nadeen, a 34-year-old mother of three children, lost her husband Raed to a debilitating illness. While her husband was a Jerusalem resident born and raised in the Palestinian neighborhood of Silwan, the place their family has lived for the past 15 years, in the eyes of the Israeli state Nadeen was a West Banker, and allowed to remain in Jerusalem only with an official permit. Thus, when her husband passed away, Nadeen's permit was withdrawn by Israeli authorities. She not only lost her husband, but was also denied her right to remain in Jerusalem along with her children, who were all Jerusalem ID holders. As a West Banker, she was deemed an illegal entity in her own home and homeland, with the same status as a foreign national.

After several months of living in fear of being deported from her home by Israeli authorities and separated from her children, she sought the assistance of a local human rights organization. Nadeen wanted to ensure that her children maintained their Jerusalem residency status, which afforded them state benefits such as healthcare and education, and the right to remain in the neighborhood along with their extended family. The only legal path enabling Nadeen to remain in her home legally was to apply for an annually renewed official permit that would allow her to remain in Jerusalem under a special humanitarian status (Code a1(a)(2)), based on the Citizenship and Entry into Israel Law (Temporary Order) of 2003 (known colloquially as the "Citizenship Law"). Nadeen's request for the special permit was approved two years after her official application. The approval letter stated:

*“The special humanitarian reason is the fact that you had a permit to stay when your husband was alive and now following his death you remain the only natural guardian of your children. The permit is valid as long as the center of your life is in Israel and you are not married to a resident of the area or as the second wife of a bigamist man. When renewing the permit [every year], the center of your life and your personal status will be reexamined. In addition, a security and police-oriented investigation will be conducted.”*

Nadeen's legal status and the immense suffering she and her children have experienced as a result of her insecurity and attempts to avoid deportation from Jerusalem result from Israel's legal system of surveillance and population control, which considers all Palestinians to be a demographic threat that must be limited and controlled.

The Israeli ID Card and Permit System and the Citizenship and Entry into Israel Law

The Israeli state assigns differentiated identification cards (hereafter "ID card") to Palestinian citizens of the state, Palestinian residents (non-citizens) in occupied East Jerusalem, and Palestinians in the West Bank and Gaza Strip. Such differentiation is a central aspect of Israeli surveillance and control over the Palestinian population (e.g. Lyon 2010, Shalhoub-Kevorkian 2015, Tawil-Souri 2012). A technology first implemented in 1949 (see Shalhoub-Kevorkian 2015, p. 48-49), the bureaucracy of Israel's ID card regime serves both to make the Palestinian population legible to the state, and is a tool for discriminating against Palestinians as unequal citizens and non-citizens (see Tawil-Souri 2012). As Helga Tawil-Souri argues, "Identification cards [...] are bordering mechanisms that the Israeli state apparatus enforces, resulting in uneven im/mobilities based on ethno-national and paradoxical geographic distinctions." (2012, p. 3)

As "mundane manifestations of state processes" (ibid.), the ID card system touches on the materiality of state power in the mundane processes of everyday life, affecting not only Palestinians' mobility across borders, but also access to education, healthcare, employment, family unification, and more. This system contributes to the fragmentation of Palestinian society across multiple spaces of historical Palestine (the Israeli state, the occupied Palestinian territory, including East Jerusalem, and the diaspora), and within families themselves, as family members often hold different ID cards.

Following the Six-Day War in 1967, Israel conducted a population census of Palestinians in the occupied territory. Only those who were physically present and counted within

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<sup>6</sup> Polygamy is illegal according to Israeli law, yet is not enforced. The law that prohibits polygamy does not protect women, but rather opens up new venues for men to violate women's rights, by subverting the legal system.



the newly-delineated Jerusalem municipality boundaries were considered to be Jerusalem residents. Those who were in other cities of the occupied territory, or who were out of the country during the census were excluded and lost their ability to stay in the city under Israeli law. Jerusalemite Palestinians were afforded the status of “permanent residency” (the blue ID card), “a precarious status that does not confer a nationality or full civil and political rights” (St. Yves 2013, p. 6). Residents do not have the right to vote in national elections. They pay all of the taxes that citizens pay and as such are entitled to social benefits such as education and healthcare, yet receive substandard services from the state. “Permanent residency can be revoked if Jerusalem is not, or no longer, considered by the Israeli administration as the “center of life” for the concerned person” (ibid.).

From 1967 to 1990, residents of the occupied West Bank and Gaza Strip were allowed to freely move, however, this permission was revoked after the first Gulf War (St. Yves 2013, p. 12). Since then, Palestinians from the occupied West Bank (not including annexed East Jerusalem) and Gaza Strip have been required to request permits from the Israeli state to access Jerusalem.<sup>7</sup> Practically, this meant that “numerous families which consisted of a spouse with West Bank or Gaza Strip residency and a spouse with Jerusalem ID who had forsaken the complicated procedure of family unification, had now to find a justification for their presence in the city and apply for residency status under the Israeli family unification procedures (ibid.).”

Gendered discrimination initially barred Palestinian women from applying for family unification from the Israeli government. The Israeli Ministry of Interior did not accept requests from Palestinian women holding Jerusalem ID cards who wanted to unite with their husbands (from the West Bank or Gaza, or any nations considered an enemy of the state) in Jerusalem, as the government assumed that a woman in an Arab society would always follow her husband and not vice versa. Only in 1994, after a petition brought to the [Israeli High Court] against this practice, did the Attorney General’s Office provide a letter to the court in which it agreed to also receive applications from female Jerusalem ID holders in the future, as long as they could proof [sic] their center of life in Jerusalem and the absence of any criminal or security record for the spouse” (St. Yves 2013, p. 8).

In 2003, the Israeli government passed the “Citizenship and Entry into Israel Law - Temporary Order,” which froze all applications for family unification (see Adalah 2003). Families who were in the process of obtaining family unification before the freeze have been stuck in the process they reached in 2002. In such cases, applicants are required to renew whatever status they had obtained (a temporary permit, for

some) on a yearly basis, a status contingent on their ability to prove their “center of life” is in Jerusalem, pass investigation by the National Insurance Institute, and maintain a clean criminal and security record (see ibid: 12-13).

This section of the report examines the effects of this surveillance technology, the ID card and permit system, and the Citizenship and Entry Law, on Palestinian women’s access to justice in East Jerusalem. Attending to the voices of women interviewed from various areas of Jerusalem municipality, we argue that the ID card system, as a manifestation of state power, strips away women’s power when seeking access to protection and justice, and “entraps” women in a complex maze of legal systems and bureaucracy. We focus on the experiences of women whose ID status differs from that of their spouse, highlighting the nexus of internal patriarchal power and Israeli power. Importantly, we also discuss the strategies women employ in resisting the mundane control the regime has over their everyday lives and accessing justice.

## Fragmented Spaces, Fragmented Families

Um Wasim, a mother of two children, is originally from Bethlehem. She lives in Kufr Aqab, a liminal space considered part of the Jerusalem municipality by Israeli authorities, yet separated from the city by the military checkpoint that marks the border and the separation wall between the occupied West Bank and East Jerusalem. When asked to describe a situation where she did not find justice in Jerusalem, she replied:

*“My husband was ill with a debilitating disease. He was going to Hadassah Hospital [in Jerusalem, for treatment] and I was not able to go with him each time because I had a West Bank ID card. He really needed help, because he can’t walk or talk and I couldn’t obtain a permit. So my daughter, who was 13 [at the time] had to go with her father, and of course she was still small and the trip was tiring, and she was scared every time she went to the checkpoint. I would ask for a Jerusalem taxi to come pick up my husband and my daughter at the house.”*

Though she was married to a Palestinian holding Jerusalem permanent residency status for many years (colloquially known as the “blue ID”), and her children, born in Jerusalem, obtained the same status, she herself was barred from obtaining this status due to Israel’s halt on family unification. As a West Bank ID card holder (the “green ID”), Um Wasim’s ability to move freely between the occupied West Bank and Jerusalem was contingent on her obtaining a special permit from Israeli authorities. Thus, as she described, she was unable to accompany her husband to the hospital during a debilitating illness, as she was barred from crossing the military checkpoint separating Kufr Aqab from the rest of the Jerusalem municipality.

<sup>7</sup> Israel considers occupied East Jerusalem to be a part of the Israeli state, though its unilateral annexation as such in 1967 is considered illegal under international law, and is not recognized by any country in the international community.



Four years before her husband passed away, Um Wasim received a “permanent permit,” a special long-term permit sometimes given to West Bank ID holders by Israeli authorities in lieu of permanent residency since the freeze on family unification.

*“When I got this permanent permit they called me from the Ministry of Interior and told me to come and get it. I wanted to go in [to the Ministry of Interior, located in Jerusalem] but the soldier at the checkpoint wouldn’t allow me to enter because I didn’t have a permit to enter. I was afraid to lose my chance to get the permit, so I went to another lane [at the checkpoint]. I was afraid the other soldier would see me and not let me pass, but he was busy with his phone, so I went to another lane and they let me pass.”*

Um Wasim’s description of being summoned to Jerusalem by the Israeli Ministry of Interior to pick up her permit, yet barred from crossing the border by Israeli military authorities because she had no permit, touches on the challenges women face when navigating fragmented spaces controlled by a complex web of Israeli bureaucracy. Moreover, her decision to try another lane of the checkpoint, to see if a different soldier would let her pass, demonstrates the arbitrariness of the permit system, and with it, the anarchism of state power, which always “surprises” women with more obstacles. Her story also highlights the strategies women employ to resist state control over their freedom of movement and other aspects of everyday life under military occupation.

After her husband died, Israeli authorities summoned Um Wasim, once again, to the Ministry of Interior. When she arrived, the official confiscated her permit, and tore it to pieces right before her eyes, once again denying her access to Jerusalem. “I felt like this permit was my whole life,” she said, “and when he [the officer] tore it up, my whole life stopped. [...] They pushed me into a corner and I couldn’t go or move.”

Um Wasim’s story highlights the gendered implications of Israel’s ID card regime on Palestinian women in East Jerusalem, namely the restrictions placed on women’s freedom of movement, as the ability to move freely from one space to another is contingent on one’s ID card status, or the ID status of one’s spouse. Women who are not Jerusalem ID card holders do not have an autonomous identity, but rather one that is completely dependent upon that of their spouse. More generally, Um Wasim’s experiences demonstrate the extent to which the ID card system penetrates the mundane details of women’s everyday lives under Israeli military occupation.

## Surveillance and Control in Everyday Life

Like Um Wasim, all of the women interviewed emphasized the difficulties imposed on their families by the Citizenship Law, which has resulted in further fragmentation across multiple spaces under Israeli and Palestinian control. In all cases,

women who were West Bank ID card holders and married to Jerusalem ID card holders were denied access to the Jerusalem ID by state authorities.

Nidal, originally from Dheishah Camp in Bethlehem, married a Jerusalem ID card holder 17 years ago. She lives in the Old City of Jerusalem, near the Al Aqsa mosque, a venerated holy site in Islam that is increasingly the site of aggressive practices by Israeli settler groups. As such, her neighborhood is highly militarized, with Israeli military and police constantly patrolling the area to protect settlers, and setting up flying checkpoints to check the ID cards of Palestinians in order to ensure control over the space. Nidal and her children thus face daily challenges navigating this space that is militarized by soldiers and settlers. Nidal is the mother of seven children, all of them carrying the Jerusalem ID card. However, though she has lived in Jerusalem’s Old City with her family since her marriage, and both her husband and children hold the Jerusalem ID card, she has been consistently denied permanent residency status by the state. “We are foreigners here,” Nidal explained.

In this process of trying to get an ID card there is no justice, because I have lived in Jerusalem more than 17 years and still don’t have a “permanent permit.” This situation has influenced my life in many respects, such as moving from the West Bank area to another area. It has also influenced other rights such as health care rights, because I can’t get health insurance without a Jerusalem ID card or permanent permit. So instead, I have to pay for every check-up. This costs a lot of money.

As Nidal suggests, women’s ID card status affects all aspects of daily life, from freedom of movement to rights to healthcare and education, as women without the Jerusalem ID are denied basic services by the Israeli state. Further, not having a Jerusalem ID card, and on that basis being denied access to state social services adds an extra financial burden to Palestinian families. In one incident she described:

*“I was ill and went to Al-Maqased Hospital [a Palestinian hospital in Jerusalem], and for every check-up I needed I had to pay 100 shekels, 200 shekels, to do an MRI or anything. The MRI cost 1,300 shekels. I paid 80 shekels for the medicine I needed, while with health insurance [the same medicine] cost 16 [shekels].”*

Nidal’s experience highlights Palestinian women’s struggles navigating a banal system of surveillance instituted by Israeli authorities. The Citizenship Law stripped her of the ability to be recognized as a legal entity, a “foreigner” in her homeland, forcing her to live illegally without documentation and thus without access to basic rights (human rights) such as health insurance. This has added a financial burden to her family’s already difficult economic situation. Moreover, she is forced to live in constant fear and anxiety of being deported from Jerusalem and separated from her children. Finally, the ID card regime has stripped her of the support system of her family, who she must “sneak” across the border to visit, in secret.

In preventing women in Nidal's position from living normal lives with their loved ones, Israeli law monitors and controls Palestinians, separating them from each other and adding to the fragmentation of families and communities.

## A Labyrinth of Bureaucracy

Women attempting to obtain an ID card for themselves, their partners, or their families face a labyrinth of bureaucratic surveillance mechanisms and processes that impose severe difficulties. As our respondents suggested, women without the ID card live in a constant state of uncertainty, and sometimes fear. The fact that their status is completely dependent on their husband's residency status, and they are often separated from their own familial support mechanisms as a result of Israel's permit regime, reinforces patriarchal power within the domestic sphere. These women are placed in an inherently subordinate position to their husbands. If a woman does not hold the Jerusalem ID card and her husband does, for example, or even if she has been able to obtain a temporary permit through her husband, she might fear her husband's anger and retaliation by using her ID card status against her, forcing her to give up her children, state support, or other resources contingent on her maintaining her status. Even women who do hold the Jerusalem ID card face severe challenges in maintaining their residency status, as they are forced to navigate a labyrinth of bureaucracy designed to make maintaining their residency status difficult.

## Poverty and Exploitation

Women who were denied the Jerusalem ID card also expressed severe economic hardship as a result. Noreen, a mother of two from Jabal al-Mukaber, was born in Jerusalem and lived her whole life in the city, but does not have Jerusalem residency. After 1967, her family was not counted in the Israeli population registry and therefore was denied residency status. During the 1990s, her family applied for the Jerusalem ID card and was able to obtain a "permanent permit," which must be renewed every year.

*“We are still suffering. We stayed here all our lives; we were born here [and] we didn't leave or come back. Even my children were born in Jerusalem. They were born in the Red Crescent hospital in Jerusalem, but the [Ministry of Interior officer] thought that it was the Red Crescent in Bethlehem [and denied them the ID card on that basis]. [...] Do you think that this is justice or injustice? It is of course injustice.”*

Nisreen hired a lawyer, but the lawyer charged her exorbitant amounts of money, without success. “Pay, pay, pay, but for nothing. I paid 100,000 shekels to try and get the ID card, and here I am working four jobs.” Nisreen works at four Israeli Jewish companies as a cleaner, in order to help support her family. A big portion of the money goes to pay debts accrued for *arnona* (Israeli property tax), a fine she received for building without a

permit, and her daughter's studies at Birzeit University.

Nisreen explained that she works extra jobs within the cleaning jobs themselves because she wants to keep them. For example, when she goes to clean elderly people's homes, she might take on an extra task, such as helping the daughter-in-law of the elderly woman, because she doesn't want to “make problems” and lose her job. Because she works four jobs, she pays many taxes. She has the feeling that she has rights (for example, for tax credits) but she can't go and check them because she is always working. “We only work to [pay] the government,” she says, “We work and pay.”

Sometimes the government taxes and expenses seem to appear from nowhere, as women are often uninformed of how to navigate government bureaucracy, and bureaucratic rules are constantly being changed without accompanying information provided to Jerusalem's Palestinian population. When rules are changed, they are most often issued strictly in Hebrew, making important documents such as bills, notices, and other government paperwork inaccessible to the Arabic-speaking population.

In addition to not being able to work, find adequate employment, be exposed to economic exploitation by employers, or accrue financial costs associated with not having the Jerusalem ID card, women were also more vulnerable as they navigate the bureaucracy. Bureaucrats but also private actors, such as lawyers (both Israeli Jewish and Palestinians with Israeli citizenship), exploited some of the Palestinian women interviewed. As a result of their undocumented or vulnerable legal status (carrying a temporary permit that can be revoked at any time for any reason, for example), they were unable to seek protection in holding employers, lawyers, and other actors accountable. Trapped in poverty, while often being the only breadwinner in the family, Palestinian women without the Jerusalem ID card found themselves struggling to survive and meet the needs of their families, while burdened by the constant navigation of a “Kafkaesque labyrinth” (Shalhoub-Kevorkian 2015) of Israeli bureaucracy.

## Conclusions

Women's experiences with Israel's regulation of the family through the Citizenship Law and the ID card and permit system led us to the following conclusions:

### 1. The ID system traps women in a confusing maze of law and bureaucracy.

Women are forced to navigate a complex maze of laws, often leaving them more vulnerable to internal patriarchal control. As 27-year-old Hala explained, Palestinian women in East Jerusalem are trapped in a system of conflicting laws and social norms. On a whim, society tells women to use Israeli laws, or Palestinian laws, or customs, to confuse her. What if her husband beats her? Should she go to the Israeli

police or should she stay silent because of tradition, go to the Palestinian Authority and use its laws, or just stay at home and deal with it?

Hala's voice, and the voices of women interviewed in this study illustrate the complex maze of laws, rules and regulations women are forced to navigate when attempting to access justice in East Jerusalem. Moreover, the permit system strips women of their power by strengthening internal patriarchal structures. In cases where the husband is the Jerusalem ID holder and the wife is without legal documentation, and thus, her status is completely dependent on that of their husband, women were placed in a position more vulnerable both to patriarchal control and state power, as husbands used this as a mechanism to further control their wives. Further, in cases of domestic abuse or sexual violence, patriarchal abusers with the Jerusalem ID card were able to use the power vacuum created as a result of the fragmentation of space and the permit regime to escape accountability. Abused women, on the other hand, often feared that if they tried to hold their abusers accountable, they would be punished by losing their status, being forced to leave Jerusalem, and being separated from their children.

## **2. The ID card system strips away women's power.**

Regardless of whether the women we interviewed carried the Jerusalem ID card or not, it was clear that the permit system stripped women's power by marking them as unwanted entities in Jerusalem, without access to healthcare, education, employment, protection and physical safety, freedom of movement and more. As the testimonies of women interviewed demonstrated, even those with the Jerusalem ID card were blocked from accessing justice—whether it be for housing rights, economic rights, relief from political violence, and other structural factors, or the dominance of patriarchal control within Palestinian society. Economic pressure made women more vulnerable to harassment and exploitation in the informal economy in some cases. In other cases, women became more dependent on family members for support, and thus more vulnerable to patriarchal control and abuse. Women expressed that the divisions inflicted on their families and communities by the permit system, in their analysis, were a strategic objective of an oppressive Israeli state. Palestinian women are therefore situated as subjects undeserving of legal protection or justice, forced to move from one gatekeeper to the next, in a maze of unending patriarchal and bureaucratic power.

## **3. Women faced numerous actors as they attempted to access justice by demanding their right to live in Jerusalem with their families.**

They defined justice as intimately connected to their right to stay in Jerusalem, as well as the right to economic stability, freedom of movement, and other aspects of a dignified life. In all, women worked day and night just to survive—to support their families, to pay the bills to the national insurance, to educate their children, pay lawyers fees to navigate the Kafkaesque labyrinth of bureaucracy, and more—all part of the struggle to stay in Jerusalem. The permit system implements a legal regime of surveillance and control that infiltrates the most mundane spaces of Palestinian women's everyday lives in East Jerusalem, affecting every aspect of their access to justice. In our conversations with women, not one mentioned that they felt justice in any aspect of their daily life, but rather, they all said plainly that there is no justice for Palestinian women. When asked to define justice, they said it meant to obtain their rights—right to move, to work, and to live in dignity with their families in Jerusalem.

## **4. The Israeli bureaucracy goes out of its way to be inaccessible to Palestinians; it clearly does not exist to serve them.**

The fact that laws, rules and regulations are constantly changing, are usually issued only in Hebrew and are communicated and delivered by oppositional mechanisms and bureaucracies of power, are only some of the factors that further complicate an already complex process of accessing justice.

## **5. Despite these obstacles, and the stripping away of women's power through various mechanisms, the women interviewed found new ways of subverting power or resisting state control over their lives.**

In some cases, women chose to exercise their right to family by staying in Jerusalem even if they, or their loved ones, were not "permitted" to do so by the Israeli state—that is, undocumented. Some women chose not to register their children or apply for family reunification, in order to avoid dealing with the Israeli bureaucracy. The ethical constraints of our research do not allow us to share the coping mechanisms women shared with us, or the strategies they employ in everyday life to subvert the oppressive matrix of power they described under the surveillance of the Israeli permit regime. Yet it is important to note that the very act of survival in the challenging socio-economic conditions by working in the informal labor market, struggling to feed their families, and navigating the maze of bureaucracy in

this situation must in itself be seen as nothing short of everyday resistance to the power and injustice of the state.

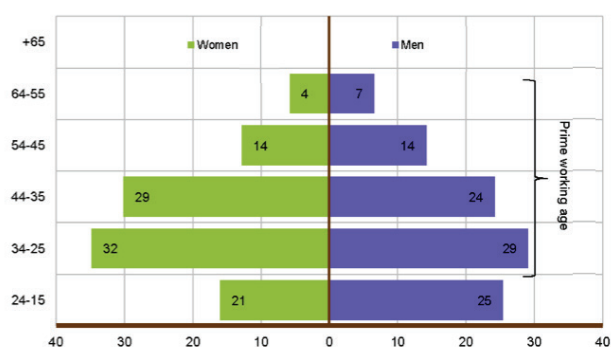
In all, Israel's permit regime establishes racialized hierarchies not only between Palestinian and Jewish subjects, but also hierarchies of power between Palestinians themselves. Thus, the Citizenship Law and permit regime must be recognized as primary tactics of militarized surveillance and control that further fragment and dismember the Palestinian social body politic, amputating women's access to justice in everyday life.

### III. Enslavement or Independence?: Women, Poverty and the Workplace

This section examines Palestinian women's access to justice in the labor market, with a focus on women working outside the home. The percentage of Palestinian women in the Israeli labor market in all of Jerusalem (East Jerusalem included) is currently estimated at 13% (employed and self-employed, with only 11.05% being employed), while 68% of Palestinian men are in the labor market (Jerusalem Institute for Israeli Studies (JIIS) 2016).

When looking closely at the breakdown of data on working women available from the Israeli Central Statistics Bureau (the source used above by JIIS), an anomaly becomes apparent in working Palestinian men and women aged 35-44, when women's participation actually exceeds that of men. This is unusual and can be explained by the challenges Palestinian men face in finding work in Jerusalem and the low-wage care economy that, as our research revealed, prefers to employ Palestinian women.

#### Palestinian Residents of Jerusalem in Labor Force or Seeking Work, By Age and Gender, 2014



\*Note: 13% of females living in occupied East Jerusalem, and 68% of males between the age of 15-24 are employed at a lower rate than those between the age of 24-34. Among women, we see that there is a jump, and women are employed at a higher rate from the age of 25-34. There is no available data on the type of employment.

As part of our study, we conducted focus groups with women working as teachers and housekeepers, and carried out individual interviews with a university professor, teachers,

paid day workers, and falahat.<sup>8</sup> Here we amplify the voices of women from various segments of society, including those with higher education, secondary school and illiterate women. Moreover, we investigate women's access to justice in relation to their legal rights in the labor market, social policies and politics, and how they affect women, blocking or promoting their rights to minimum wage, dignity in the workplace, and financial independence. We then move to explore the main challenges facing women working in the Israeli labor market as teachers, domestic workers, and cleaning staff.

It is important to note that the research team faced a number of obstacles in collecting data on teachers and workers. Workers were afraid of losing their jobs, of being detected, of their employers recognizing their voices. Therefore, we were very careful in making sure the stories we share here cannot reveal their identities. Teachers agreed to be interviewed only because they knew the lead researcher, and they disclosed their challenges and hardships in accessing justice with much apprehension. The voices of teachers from the different school systems (East Jerusalem has municipal, waqf, and private school systems) were thus carefully selected for this report, making ethical and security considerations. There were differences between the educational systems in salaries, training, the amount of resources given to the educational institution, and surveillance over schools. For example, waqf schoolteachers were much more apprehensive in discussing lack of access to justice, and claimed that they are more targeted by the Israelis than teachers in private and municipality schools. In addition, in some schools, teachers stated that the state's control over them has altered their actions and behavior, and even affected their family life such as their marital status. In private and waqf schools, teachers discussed the fact that their schools have their own laws and regulations, and teachers' rights are not clearly delineated, in some cases going unprotected. Accessing the Israeli courts concerning private and waqf schools is a major challenge and requires much money, and the Palestinian legal system does not have jurisdiction over schools in occupied East Jerusalem.

#### Embedded Racism

All respondents emphasized that Palestinian women workers in Jerusalem face racism in the Israeli labor market, and they try to deal with it "bi hudu'u" or silently (in the words of a woman in a focus group). Women discussed the effects of their status as Palestinians on their legal, educational, and economic rights and advancement. Respondents insisted that their identity—as Palestinians, and as women living in East Jerusalem—negatively affects their socio-economic status. As Hiam, a Palestinian teacher explained: "We are always treated differently." She further talked about the way women and men's employment are connected to their residency status and the political conditions in which they live, mainly political

<sup>8</sup> Rural women who sell produce, fruits and vegetables in the Old City and outside it



violence. A focus group discussion with seven teachers revealed that the employment of teachers in municipality schools controlled by the Israeli system is not only connected to their qualifications, but also, and more importantly, to their political behavior. They talked about their constant fear of raising academic issues that might be perceived by the Israeli institution as touching upon life under military occupation. One teacher explained:

“You ask us about access to justice—how much justice do we see around us? We walk to school while the military jeeps are abusing our students and fellow teachers. I personally close my eyes to that, and help the students that are not harassed by the army to reach school safely.”

Another teacher said:

“No one can be trusted—the streets are packed with injustice, and the society lives in pain all the time. Last week we lost a student [the student was killed by Israeli security forces], and none of us—none of us—was courageous enough to talk about this with the students. We not only do not trust them [the Israelis], or fear them. We even fear our own students, or maybe fear losing them, so we shut up.”

Another member of the focus group explained:

“We all want to keep our jobs. We all love our students, and really enjoy working in this school. This is a great school; the problem is that everything is imposed on us. Did you notice the Hebrew writing when you entered? How painful is it to see it every morning? How shameful is it for us to keep it, when our students are looking to us? Then you ask about access to justice?”

The pain of needing to keep their Jerusalemite ID cards and their jobs as teachers prevents these women from seeking justice, for both themselves and their communities. One teacher concluded:

“Last week we received a letter from the administration in Hebrew, a kind of a soft threat, telling us to “Leave politics outside school.” If this is not a violation of my liberty as a teacher, if this is not a violation of my role as a teacher to be attentive to my student’s needs, worries and anxiety, if this is not a violation of an educational space, what do you call it?”

The teachers not only complained about the language of the letters the school received, they also insisted that the Israeli system fails to comprehend the complexity of their status as teachers teaching Palestinian students, yet falling under the control of the Israelis. When asked for a concrete example, one young teacher new to the system stated:

I can tell you that I left a private school, just to come work

here, knowing that my salary would be better and that no one would be able to revoke my residency status or touch my family. I was told that as a teacher in the Israeli system, one’s status and family and salary would be better. But, then, last week, we learned that if the neighborhood is facing political violence, we need to send the boys home. So the boy’s school, the moment they receive a note that there is shooting outside, tear gas, or violence, the boys should be sent immediately to their homes. Do you realize what they are telling us? They are asking us, as teachers, to send the boys into the streets so they can shoot them.

Discussions with teachers revealed the complexity of “accessing justice” under such conditions. On the one hand, they felt that they are protected economically and their rights are preserved, as long as they keep their mouths shut in relation to political violence, including violence against their own students. The only way that schoolteachers working under Israeli control can lose their rights is by violating what one teacher coined as “unknown sacralized issues that are considered sacred by Israel.” By unknown and sacred, she referred to the emergency rules, security concerns, and other ideological policies embedded in the Israeli regime of control that makes them release boys during episodes of political violence while keeping girls captive inside the school. The gendered policy suggests that boys can be released, shot, or set free, while girls are “protected,” left as prisoners in school in case of emergency, or maybe kept captive in the hands of Israelis. Teachers insisted that they are educators that not only are living in injustice, but are, at the same time, forced to uphold the power of Israel’s unjust educational system.

The teachers further discussed the way some supervisors try to solicit information from various teachers, mainly new ones. Teachers felt trapped in a system where their attempts to serve their student’s educational needs were undermined by pressure from supervisors in the Israeli Ministry of Education to provide personal and familial information about their students that might serve the interests of the state and its security apparatus. Teachers, in return, emphasized the need to focus on children’s education and on educational attainment while maintaining their privacy as Palestinians. They asserted that obtaining a just salary does not mean jeopardizing other layers of justice-seeking, and the system’s use and abuse of children, teachers, and others can’t be forgotten.

The focus group discussions with female workers in Israeli institutions exposed that, before enrolling in their current work, they were worried about internal social reactions, family violence, or stigmatization in taking such jobs. But the economic hardships facing women and their families forced them to accept the jobs, even when the political situation was dangerous. As one female worker stated:

“[It’s] slavery but, a different kind of slavery. We work here. We do not touch them, or bother them. We just work, and support each other. They [the



*Israelis] hate us because they know we have the right to live, to life, to happiness, and they can't live with that. Slave or not, I need the money. My husband can't find a job, and I must keep this job and I will do all I can."*

## Surveillance

In two different focus groups including both teachers and women cleaners, the issue of internet surveillance was a major topic of discussion. Women explained that their WhatsApp<sup>9</sup> and Facebook accounts are under constant scrutiny by their employers, an issue that violates their access to justice. One young worker explained:

*"My employer was bothering me. He used to come to my workplace just to tell me how beautiful I am, and ask whether I am happy in my marriage—I am a newlywed. I wanted to keep my work, and used to get so frightened when I saw him or heard his comments. In some instances, he used to touch me, my face. One time he even touched my lips. I was terrorized so I wrote to a male coworker from my village and asked him to come. He did, and he showed my employer that I am not alone and have support. But three days later, my employer arrived again. He told me that he had seen what I wrote on WhatsApp, and he read the text. He told me he worked in the army, and that he can get into my account and read everything. They do, they do [i.e., Israelis do monitor Palestinians]."*

Her friend, a fellow worker, also stated:

*"After the martyrdom of Muhammad Abu-Khdeir,<sup>10</sup> we shared the news on our Facebook account. My cousin [formerly employed alongside her] wrote how they [the Israeli settlers] killed him, and how violent they are. The contractor called her, and she was fired."*

Women's descriptions of having their social media accounts monitored by employers showed that surveillance and the curtailing of freedom of expression is a major deterrent in women's access to justice in the workplace. They mentioned feeling terrorized, as their phones, means of communication, actions, and words are monitored. As one explained, "We are a group of women here. We fear sharing our ordeals with each other. Our husbands are unemployed, and we need the salary. My husband does not have a Jerusalem ID card, and he could be deported any minute. I keep my mouth shut. I do not communicate my hardships. All I want is to maintain our dignity and secure a respected life for my family."

Women know that they can benefit from being close to, or connected to an Israeli supervisor. Yet this same proximity increases their vulnerability to abuse. Sexual harassment

featured prominently in focus groups and interviews: verbal, physical, and also electronic harassment in cyberspace, or through the surveillance of internet activities.

Similar but even more intrusive violations of workers' rights to freedom of expression were found among teacher respondents. They shared their stories of being called to the principal's office, punished and threatened with firing if and when they post subjects that are "politically loaded," or considered "anti-Israeli" on social media accounts.

## Structural Barriers to Accessing Justice

Teachers and principals working in Israeli and Palestinian schools said that they love their jobs as educators, but had difficulty accepting how their rights to justice, safety, and security (both financial and socio-economic) are violated.

Many participants in the study mentioned forgoing legal recourse or failing to file a case within the Israeli court system for fear of the system itself, a lack of understanding of its language, rules, and bureaucracies, or fear of being stigmatized by their communities. Although other women also raised the issue of social restrictions, the main challenge these women face does not seem to be overcoming social boundaries. Palestinian women in the Israeli job market talked about the economic hardships facing them and their families, mainly the paucity of workplaces, the inability to speak Hebrew (and hence a loss of some jobs), the refusal of Israeli employers to employ them, the abuse and use of contractors and the manner that such challenges are deeply gendered, affected by wider political conditions.

## Exploitation in the Workplace

When asked about instances in which their rights have been violated, Samah explained:

*"What rights? I could tell you that last year, I worked three weeks; I mean three full weeks of cleaning, three weeks of physical work, and then the contractor decided I had not worked. I went and talked to him and to the other woman supervisor, and she said that I was lying, and that I only worked two days then stopped. She even threatened me saying that if I want to keep my job, she will pay for the two days- and I worked three full weeks; and she will start paying me full from this month...I agreed... You made me laugh when you talked about rights... Should I remind you we are Palestinian women?"*

Zeinab, another worker, was surprised at this experience. She said, "They never did that to me. When I talk to the contractor, he listens to me, and he pays me based on my work. They just use us, and make us overwork, but payments are always on time."

Samah replied, "Maybe that is because you are older and

9 A popular mobile messenger application.

10 A Palestinian child abducted in Shu'afat (a neighborhood of occupied East Jerusalem) and murdered by Israeli settlers in the summer of 2014.

they have known you for a long time, and maybe because you always do all they ask for. I saw you last week working after the working hours, and I noticed that you cleaned the office of the director and brought her food. You think I did not see that?"

"I did bring her food," Zeinab said. "I will do anything to keep my job and my salary. Do you want me to beg in the street? Just look around you and see how many women have been fired. They are after us all the time, at work, in the streets, in our village—they want us dead. I must keep my job, and keep my family alive."

The focus group discussion uncovered the hardships facing women workers, be they political, economic, social, or other. Participants emphasized that Palestinian women's ethnicity and historical and political conditions heavily affect their labor rights and ability to participate in the job market.

## Contradictions — Women Workers in Israeli Institutions

*"Working here [...] at times feels like the best thing I have ever done, but at other times, mainly when political violence is widespread, I hate myself for working for them, and they treat us like slaves."*

*"I am lucky that I have an alternative—yes, it is cheap labor, yes, all of the women here grew up in poverty."*

*"The family changes when the mother or women are the main breadwinners. [Men] all of a sudden realize women's economic value, mainly when we work inside Israel. I personally felt that the moment I started working, I gained power, I was able to speak, to share my opinion, and to show that I contribute to the family."*

Interviews with women workers revealed how their lives are affected by their resulting proximity to relative economic and political means and social power. All of the interviewees stated that their work outside the home unsettled gendered divisions of labor inside the family and their close community, as well as the power dynamics of the difficult political context. As one of the workers explained:

*"I know that after a long day of work, I return back home with power, with food for the family, with medicine for those who need it, with toys for the kids, and with dignity. I felt the same when I used to come back home after school and help the family in cooking, cleaning, and caring for my grandmother. This feeling of pride, that I am not a useless person, but a contributor to the family is what keeps me going, in spite of all the bodily pain—after all, I am a cleaner."*

Despite the grueling labor, she explains, working has enabled

her to help support her family, and thus maintain the dignity and pride of her loved ones.

Women cleaners also shared their attempts to challenge daily dehumanization and indignities:

*"When we take the bus, we all feel they [Israeli Jews] look at us in a degrading manner; some call us names, ridicule and even hit us. My co-worker was beaten while on the light rail train—all because we wear a veil. But, we continue to work, clean their offices and wear the veil, and we know they hate and fear us, but, we are the daughters of the land, and our presence at the university, or in Hadasah [Hospital] remind them that we are not going anywhere, we are here and will stay here..."*

Such discussions evoked the ways in which women workers are stripped of their power and dignity in the workplace, with no rights or protection under Israeli law (and unable to use Palestinian law). Every day, these women navigate spaces of political instability and discrimination. Palestinian women's perceptions of justice are embedded in the conditions of political violence affecting them in East Jerusalem. The existence of laws and rights on paper in the Israeli system does not translate into access to justice. At the same time, women preserve their dignity by learning the language of their employer, becoming financially independent, and transgressing public spaces—acts that are at once dangerous and emancipatory. Women's refusal to stop working despite discrimination and injustice in the workplace reminds the average Israeli of their Palestinian presence, and refusal to disappear in spite of the impact of occupation.

## Conclusions

The data gathered suggests that understanding women's access to justice in the labor market in East Jerusalem requires that we understand gender and labor, while examining the overall socio-legal and political economy of the complex conditions in East Jerusalem.

1. The various hardships that face Palestinian women workers in East Jerusalem link their identity as Palestinians with historical and political conditions affecting their labor rights and ability to participate in the job market.
2. Employing women in both the low-wage labor economy and in other sectors such as education allows Israel and its machinery to control and deeply penetrate these women's communities.
3. The narratives from women working in the Israeli system suggest that the entirety of family life is affected by the market's security, race and class features. They suggest that Palestinian women's poverty, the Israeli view of their poverty, and the

way in which laws are codified, all operate to regulate women's individual conditions in their own homes and families, as well as their productive and reproductive labor.

4. A gendered division of labor assigning Palestinian men to the labor market and Palestinian women to the home or schools has implications for Palestinian women and their families who defy it. The lack of applicability of Palestinian laws and norms, and their inability to serve Palestinian women in East Jerusalem have weakened protection mechanisms for women. Socially, women are still connected to and part of the larger social, economic and legal apparatus of the Palestinian system. The existence of two systems, affected by a larger system of surveillance, insecurity and fear, has shifted patriarchal authority from male head-of-household to the state, but in a stateless condition of uncertainty. This change in the political economy has paved the way to insecurity and abuse and lack of access to justice.

Overall, the various data analyzed, the documents, interviews, participatory observations, and focus groups conducted with working women suggest that Palestinian women who form part of the Israeli labor market are treated in a discriminatory manner based on their gender. Women respondents, young and old, consistently historicized their status as working women. They discussed various historical events, such as the first Intifada, the second Intifada, the current conditions, political violence, the Oslo agreements and more. They clarified how such politico-historical challenges informed working women's access to justice. They stressed how the political economy of such historical and present unrest fell heavily on women, and channeled women into low-paid labor, or "high" paid labor, under the conditions of abiding by Israeli rules, and living constantly under its surveillance mechanisms. Poverty is an important reinforcing factor for political marginalization and the inability to access justice.

As various studies have shown, the labor market's incorporation of "minority"<sup>11</sup> women (Marantz, Kalev and Lewin-Epstein, 2014) increased women's labor market participation in general. However, the multiple boundaries hindered their socio-economic development. Our in-depth interviews and the group interviews suggest that women's paid work is embedded within the ever-changing economic, political and cultural conditions of present-day Jerusalem. The narratives shared demonstrate the unending conflict and lack of trust between the various legal and economic systems, a feature that increases women's vulnerability and hinders their access to justice. Promotion of women's economic empowerment is a challenge in such a context where opportunities are limited by the reality of occupation and political marginalization. Our overall analysis shows that women's accessibility to justice in the labor market

in East Jerusalem is affected by numerous factors, including the multiple legal systems, the lack of trust in the various political economic systems, the local labor markets, local cultural norms about women and paid work, the role of education in mediating women's access to employment, and racism against Palestinians.

Accessing economic independence for Palestinian women in Jerusalem may be as schoolteacher Wafa suggested:

*“A condition where people live and act as if they are free, but, in reality, they are slaves. [W]e are slaves in our land and city, slaves with cellphones, cars, food, and sometimes homes, but, all could be taken in a minute. What we are living is ‘Istiklal katheb wa musta3bad, istiklal ta7t el sakeen’—a kind of enslaved independence.”*

## IV. Searching for Love, While Stripped of Humanity: The Girl Child

### Introduction: Love in the time of Occupation

*“When you are Jerusalemite, you need to think about death first. There is always stress. And I'm always under stress. Everything is about loss. Even if I'm in love, I need to think about loss. I don't want the people that I love to die. Not even for the homeland. By staying alive, you contribute to the homeland. Not by dying. It's scary to be in love with someone. And then the next day, they're either dead or imprisoned. Then to start thinking, how much time should [I] wait? How many months, how many years, and maybe they will die? Oh, the burning of my heart—if this is what will happen, how will I get married? I can't find love. I'm always living in anxiety, constant anxiety. What will happen if he is from Qalandiya [a refugee camp in the occupied West Bank]? What will happen if he's from the Old City? How long will it take me to reach my parents to see them? What will happen to me? How am I going to see him? How am I going to wait for him? Maybe I will never reach him? Maybe they'll prevent me from seeing him. If he becomes a martyr, and he is my love and support, and he is my people, and he is my life, how then can I continue living without him?*

*When they tell you ‘Fall in love while you're in Jerusalem’ you need to think [this through] very well. How could you ever fall in love, how could you accomplish this and be with each other? How am I going to live? How am I going to keep on being scared? No, no, no... I must be scared. Do you notice the confusion? And then they tell you ‘Believe in love,’ and I tell you ‘What is love?’ When he wears the kuffiyeh and throws the stones, and then we take our kids and we tell them, ‘There is no peace.’ [S]o I want a man to be a fighter, and me and him will ignite the revolution, and our kids will continue our path*

11 In this case, Palestinian women are a racialized minority.

*so that we will have a safer generation. But will it ever be safe?" [Happy face]*

*Hiba, 12-year-old*

This is a letter written by Hiba, a 12-year-old girl in primary school in Shu'afat refugee camp, writing about her experience with and definition of justice as a Palestinian girl in occupied East Jerusalem. Hiba's letter touches on many aspects of everyday life in occupied East Jerusalem: death and loss; and the difficulties and stresses associated with navigating militarized spaces. What is most striking about this letter, however, is her detailed discussion of love under Israeli occupation. Her fear of falling in love, of loving someone, because of the likelihood of losing them ("Everything is about loss. Even if I'm in love, I need to think about loss. I don't want the people that I love to die.") illustrates the extent to which violence, fear, and trauma saturate young girls' lives. It is these intimate details of the everyday (drawing on what Shalhoub-Kevorkian terms an "epistemology of the details") to which our study attends. For it is these moments, we argue, that reveal the complex matrix of oppression facing women and girls in a military occupation and conflict contexts.

Our study collected 28 letters from Palestinian girls in schools throughout East Jerusalem in the first part of 2015, and another 240 letters after the new period of political violence initiated in October of that year. We also conducted focus groups with girls in primary and secondary school in both periods. In this section, we analyze the primary experiences and concerns raised by girls in their letters and focus groups, as a window to girls' access to justice. We begin with letters collected before the September 2015 period, and continue with letters collected since the most recent period of intensification of militarized violence in East Jerusalem.

Examining justice from a girl's perspective helps to reveal additional layers of access to justice that adult women researchers might not see. The previous letter on love is telling in this regard; why else would a girl as young as 12 talk about love, when we are asking about justice, and why, in her mind, would love be connected to justice? But also, why not? For young girls, for young children, we have learned that it is love and emotions of closeness, it is the home and the family, and it is school and education that define justice and its pathway. For young girls, access to justice is living without loss, and away from pain and agony.

## Letters from Girls

Letters that were collected from schools throughout East Jerusalem reflected political and justice issues: they discussed insecurity over the navigation of militarized spaces in everyday lives; the potential loss of home; and imprisonment and its effect on a girl's ability to marry, to build a future, to find a job, and to reach their dreams. Letters from girls collected in schools prior to October 2015 expressed concerns about the socio-economic conditions of their families, inequality between

men and women, discrimination against women, the navigation of militarized spaces preventing their freedom of movement and access to education, and daily humiliation and abuse by Israeli soldiers and police. Letters collected since the escalation of violence in Jerusalem that started in the fall of 2015 were saturated with fear of everyday humiliation and violence, illustrating an intensification of state violence that penetrates the microspaces of everyday life.

Girls' letters expressed apprehension about and worry for their siblings, parents and families, demonstrating an exchange of roles. The children are worried about their parents, mainly expressing the fear that any action they take or do not take might cause severe damage to the family (loss of home, loss of ability to be mobile). They also expressed severe disappointment in the failure of the world to protect them. Feelings of having nowhere to turn for support pushed many to embrace religious discourse that God and Islam are the only solution. As one child stated: "I wish the world would wake up, I wish they could see the injustices against us."

One letter submitted by a 17-year-old woman read:

*"I do not know what to say about justice. I never felt it, or experienced justice in my life. Do Palestinians in the Old City live justice? All I know is that the laws, the lawyers, the judges, the police, the courts, all in one way or the other, "undress" the Palestinian women, and subordinate her to authority. Women know that in marriage, there is no justice for women, at work, they do not get the same salaries or treatment as men. My sister is a teacher, and she is paid less than her husband, who is also a teacher in the same school, and she is also treated in a degrading manner. My father divorced my mother when we all were young, and they [his family] deprived her of her rights, even when the Quran granted her rights. [...] I get high grades, but with the political situation and violence around us here, mainly from those settlers that are living close-by and attacking us, I can't even dream of applying to study at Birzeit University.<sup>12</sup> Who will pay the tuition? And if I manage to get a scholarship, how can I cross the checkpoints every day? How might my mother cover my transportation? My books? What about dealing with police brutality and nastiness every day in the Old City?"*

The above letter reveals the pervasive gendered and racial discrimination, structural violence and mundane harassment young women experience in East Jerusalem, suggesting the need for closer theoretical, empirical, and public policy attention. The letters analyzed lamented exclusions from justice, a hostile environment, and other forms of discrimination and marginalization.

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12 A Palestinian public university in the occupied West Bank city of Birzeit.



## Structural Economic Violence and Violence in the Home

The voices of girls' revealed conditions of suffocating poverty, and concerns about the economic conditions of their families. Maha, a 13-year-old girl from the Silwan neighborhood of East Jerusalem wrote:

“My family is poor and they can't address my needs. My father is always at home. He can't find a job. My mom works as a domestic worker, only to bring food to the table. My little brothers sell turmos [lupin beans] in the street after school, just to be able to have some money to buy stuff for school. Our house is very small. All of us sleep in one room. And our house is very humid, but we can't go anywhere [else]. There is mold on the walls. But I love this mold, because I do all sorts of paintings on the wall from the mold. I would have loved to have a better house and have nice things for school, and would like my father to have a job and stop beating my mom and making her work at other people's houses.”

Like Maha, many of the girls noted that their fathers were unable to find work and thus, their mothers were forced to work outside of the home in the informal labor economy—in some cases, as domestic workers in Israeli households or institutions. Brothers and other family members were also forced to labor in the informal economy, such as by selling things in the streets in order to help their families survive. According to Israeli statistics, the unemployment rate in East Jerusalem is approximately 33% among Palestinian men and 86% among Palestinian women (ACRI 2015a: 5). More than three-quarters of the city's Palestinian population (75.4 percent) lives below the poverty line, 83.9% of whom are Palestinian children (ibid: 1).

Where in some cases, girls described their families lived in small, crowded, deteriorating homes, in others, they described difficult living conditions exacerbated by political violence in ghettoized spaces surrounded by the separation wall, such as Shu'afat refugee camp, the only refugee camp within the Jerusalem municipality. As 15-year-old Reem from Shu'afat Camp wrote:

“We are three blossoming beautiful girls: my sister H. is 11 years old, and L. is 13 years old, and I am 15 years old. We were like all girls at our age: we loved life, we were filled with optimism, and hoped for a nice future, a bright future. But fate had its way, and my father was arrested and imprisoned for a long time[...]. We live with my dear mother and two brothers, and life is very expensive. And life problems are hard. The burden on my mom has become very heavy. My mom can't rent a house in a good place, in a clean place. And we have no other choice now but to live in the refugee camp—in Shu'afat camp—the worst place. I

don't need to tell you more about Shu'afat camp. It's heavily populated by all sorts of people. Our problems have grown bigger and bigger. The catastrophe has become bigger. Since moving here, we have suffered from the filthiness of the checkpoint, the harassment of the Israeli occupation, the tear gas bombs, the arrests, the constant terror, and then the ignorant in our community because we are three girls and we don't have a father. And we don't have anyone to support us. So they think we are farisa sahla [an easy target]. If we walk in the street or we stand in front of our house, those that have bad hearts and sick minds start harassing us and try to catch us. My hope in life is to live away from this very dangerous area because of the occupation, and that my father comes back and protects us from the pain of time, from the enemies, from bad people, and from this humiliating regime.”

Reem explains the difficulties of life in the camp—overpopulation, lack of municipal services, the strain of having to cross the checkpoint to go into or out of the camp everyday (which is completely surrounded by the separation wall), and the constant “terrorization” of the entire population by Israeli occupation forces. But she also describes her family's vulnerable economic situation, which forces them to live in the camp, and how it is directly related to her father's imprisonment by Israeli occupation forces. Where fathers, brothers and other traditional providers for the family were imprisoned, Palestinian mothers had to take on work outside the home, becoming the primary source of financial support for their families, and struggling to survive.

A recent report released by the Association for Civil Rights in Israel (ACRI) describes the poverty rate among Palestinian communities in East Jerusalem as “alarming” (2015, p. 4). The report attributes rising poverty rates not only to five decades of strategic disinvestment in Palestinian neighborhoods, including restrictions imposed on East Jerusalem development, but also construction of the separation wall (ibid). Further, it notes that despite alarming poverty rates, as well as the deterioration of Palestinian neighborhoods throughout the course of Israeli military occupation, Israel has restricted Palestinian residents' access to welfare services; in fact, “only 11.3% of the residents of East Jerusalem are treated by welfare services” (ibid, p. 5).

In analyzing descriptions of socio-economic challenges facing girls and their families, it is important to note that both Maha and Reem raised the intertwinement of structural violence emanating from the conditions imposed on Palestinians by Israeli occupation, and the strengthening of patriarchal power and abuse in their home spaces and family lives. Maha's description linked her father's unemployment, cramped living quarters, limited resources, and domestic abuse. Moreover, Reem noted that her father's imprisonment made the girls an “easy target” for abuse within the patriarchal community, further illustrating the relationship between political violence



stemming from the military occupation and the strengthening of patriarchal power, i.e., that economic strangulation and the absence of the father allows abusers to take advantage of young girls.

## State Violence

Arrest and imprisonment of family members featured prominently in many girls' accounts of life in East Jerusalem, as did their own experiences navigating militarized spaces under the control of Israeli occupation forces or Israeli settlers. Seventeen-year-old Eman from Shu'afat Camp wrote:

“The occupying Israeli forces invaded our house in the middle of the night and attacked my father and brothers viciously. They arrested my brother Mohammed without any explanation. [Moreover,] it became part of the daily program to attack our family's house. After that, my brother was shot with rubber bullets in his eye and all over his body. And then we were told he was martyred [killed by the occupation forces] and my mom lost total control of herself and started running to the hospital. But we realized that he was still alive. From that moment on, I decided to cancel all my dreams because there is no security in our house and no privacy, either. My father mistreats my mom; he doesn't help in the expenditures of the house. He attacks us and beats us. No one spends money on us or on our house and we are very poor. I wish I could buy more stuff but we don't have money. I really wish I could be a journalist but I don't know if this is too big a dream that I can't fulfill. My own suffering derives from the fact that there is military occupation over my land, and from there all the problems stem. [B]ecause those that want to take your homeland from you will never let you live on a gold platter but want to also take your life from you. He [the Israeli occupier] wants to steal your dreams, and continues to step on every flower of happiness that grows in life.”

Eman's description of the military invasions of her home and attacks on her family show that, for many girls, the home is not a safe space, but one under the constant threat of political violence from Israeli authorities.

Fourteen-year-old Samera from Shu'afat neighborhood wrote:

“The problem in being in Jerusalem is the amount of checking [...] Where can we go? They [the Israeli occupiers] keep on monitoring us. They see us when we go out. They check us on our way in and on our way out. They always accuse us. They always investigate us. They always ask weird questions—so many questions. I have personally faced over 15 investigations. Every investigation is different from the previous one. And with accusations that I know nothing about. One time I was on my way to Jerusalem [the Old City] and the

*police stopped me and started checking me. And they told me that they were going to imprison me and that they were going to accuse me of hitting a Jewish [Israeli] guy. They took me to be interrogated [at the police station or detention center]—more than half a day, they were interrogating me. This issue caused so much anger inside me. I shouldn't talk about it, but they accused me of things, of being in places I was not in, and of accusations we have nothing to do with.”*

Home invasions, home demolitions, arrest, detention and killing of Palestinian youth, as shared by Reem and Samera, were a constant feature of girls' letters, as was a sense of being under constant surveillance, lack of security, and feelings of danger even within their own homes. Samera's experience with being criminalized, held in Israeli police custody and interrogated by Israeli authorities, and accused multiple times of crimes that she did not commit point to girls' lack of access to justice and faith in the Israeli police and justice system. The daily humiliation girls undergo at the hands of Israeli authorities causes anxiety, fear, and a sense of severe insecurity.

The navigation of militarized spaces has created yet another layer of fear and persecution. Girls expressed, for example, fear and humiliation in the constant attacks they face on their way to school. As 10-year-old Lena explained, “I am from occupied East Jerusalem. My problem is that they [the occupation forces] harass me on my way to school. They always make me late. They try to hit me. They always humiliate us deliberately. He [the soldier] hits me on my breast and tells me to stop all the time.”

Verbal and physical attacks by Israeli soldiers or police threatened young girls' sense of bodily safety and integrity. Young women's narratives described the difficulties in accessing school as a result of violence from the occupation forces or the fragmentation of space by the separation wall or military checkpoints. Another young woman wrote:

“As a Jerusalemite woman, I feel the political condition [...] The situation is very hard as a pupil, a student that studies in Jerusalem. Because I live [...] very close to the wall. And every day I need to wake up at 4 a.m. in order to get to school on time, and that is very tiring. But my condition is much better than that of my sister because I take the school bus. And I don't get arrested and checked at checkpoints like my sister, who is stopped every day on her way to her university.”

Hence, the architecture of military occupation invades the daily routines of the girl child, as she is forced to calculate several hours more into her daily schedule so that she can get to school on time through physical barriers or walls of soldier harassment.

Fourteen-year-old Dalia from Kufr Aqab, a neighborhood within the Jerusalem municipality but on the other side of the

separation wall, described the difficulties of life in Jerusalem:

*“I am a young woman that lives in Jerusalem with a very poor family. I’m proud of studying in Jerusalem because Jerusalem is my homeland. But the political situation in Jerusalem is not easy at all. Mainly because of the constant kidnapping of children,<sup>13</sup> and the killing of other kids. The situation is bad [...] from an economic perspective too. There is no work for my father at all in this city. And my mom can’t even read. So how is she going to work? All [nine] of us sleep in two bedrooms and my grandma lives with us. I wish I could travel to another country, a country that has no checkpoints and no problems. I cross the checkpoint every day. If I was living inside the wall, I wouldn’t wake up that early every day. The Jews [Israelis] have a totally different kind of life. In our area it’s all about oppression, [...] everything is forbidden.”*

For these girls, justice has become laws that prevent the building of walls. Justice is about less violence and control, less militarization in their spaces, fewer frustrated men and family members, and more opportunities for themselves, as young female social actors.

Manal from Silwan described her fear stemming from political violence:

*“Most of the problems that we face are on our way to school. And then the arrests, invasions and investigations, imprisonment, and the issue of the housing demolitions. I fear the flying checkpoints. And the invasions. I fear how they drag us out of school and then the policy of arresting minors. And here in Silwan, they kill and arrest. And I fear istishhad [martyrdom/being killed by Israeli occupation forces].”*

Like Manal, many of the girls expressed fear of child arrest, a growing phenomenon in occupied East Jerusalem (see Shalhoub-Kevorkian 2014), and killings of children by Israeli security forces.

## New Period of Political Violence

Since September 2015, Israeli authorities have intensified measures of control and repression against East Jerusalem’s Palestinian communities. A recent human rights report notes the tendency towards extreme measures, “unnecessary infringement on rights and liberties and excessive use of force” (ACRI 2015b: 2), including several measures specifically targeting youth such as: allowing Israeli police to use rubber bullets against stone-throwers in East Jerusalem, resulting in

dozens of severe injuries to East Jerusalem residents, including minors; amendments to the Youth Law; and the resurfacing of a “stop and frisk” bill. Moreover, given the involvement of Palestinian young people in recent acts of resistance, Israeli security forces arrests and detention of Palestinian youth in East Jerusalem has increased, and young people have been targeted by Israel’s “shoot-to-kill” policy, where security forces shoot to kill Palestinians who assaulted Israelis or were merely suspected of doing so (ibid: 3).

It is important to note that several young girls in East Jerusalem were severely injured or killed after being accused of participation in stabbing attacks. Among them was 16-year-old Marah Bakir, who was leaving school in the Sheikh Jarrah neighborhood on October 12, 2015 when she was shot and injured by Israeli police (Silver 2015). She was accused of intending to carry out a stabbing attack on an officer. However, the Palestinian Center for Human Rights reported that Marah had “been walking with a friend when they were harassed by an Israeli who accused her of being a ‘terrorist.’” Witnesses said police quickly surrounded her and opened fire four or five times. Marah’s narrative differs, and according to an interview we conducted with her mother, Marah explained that the Israeli was a settler from the Sheikh Jarrah settlement who was sexually harassing her and her friends. Marah is now one of three Palestinian teenage girls held in Ramleh prison (ibid.). Eighteen-year-old Shorouq Dwayyat was shot and critically wounded by an Israeli settler in the Old City during the same month after he accused her of attempting to stab him. Palestinian witnesses, to the contrary, report that Shorouq was sexually harassed by the settler, who subsequently accused her of trying to stab him and then shot her.

Such attacks and killings of girls and young women in occupied East Jerusalem have raised concern among young girls in terms of access to justice, as reflected in letters collected during this period. As the political conditions in Jerusalem intensified after September 2015, we noticed a shift in reflections by young girls in the letters we collected. Where previously girls were discussing their ability to love someone, the economic situation of their families, and their experiences with various modes of political violence, the new period saw an increase in girls’ anxiety around growing political violence, raising a different set of concerns in terms of access to justice.

Letters from girls in the Old City spoke of constant and unending attacks on their everyday lives. As one girl stated:

*“We in the Old City do not live like youth in the rest of the world because we in Palestine are suffering from the Israeli occupation, which doesn’t want us to go to school and doesn’t want us to leave the house. Because anyone who leaves the house will be exposed to inspection at every turn. [If you go to school they [the occupation forces] investigate you and if you go to work they investigate you. In Palestine we are unable to go from one place to another.”*

13 Palestinians living in Israeli occupied territory often refer to “kidnapping” when describing the arrest and imprisonment of Palestinians, particularly children, by members of the Israeli occupation forces, as they are often taken in the middle of the day, while on route to school, or when playing, to a location for interrogation and detention that is unknown either to their parents or to a lawyer.

Another girl wrote:

*“The Israeli occupation accuses the Palestinian people of being terrorists, every day in the morning we are searched by the occupation forces. They stop youth in the streets and make them wait and wait for long periods of time [...] It’s difficult to go to school [...] They [the occupation forces] delay you daily, humiliate you with their constant stop and search and inspections several times a day. You feel deeply their racism. So much anxiety, insecurity, one starts to think about the likelihood of not returning except as a martyr [i.e., only return dead].”*

Girls’ exposure to daily forms of humiliation such as being stopped and searched by occupation soldiers on their way to school, severe restrictions placed on their freedom of movement, and quotidian experiences of racism and abuse caused them to feel extreme fear—including the fear of being killed.

Girls expressed deep concerns about being bodily checked, and when being prevented from moving, walking, reaching school, and taking on other daily activities. They recounted daily experiences with physical and psychological attacks by Israeli military authorities. One young woman wrote, “I live in Izariyya, and I come to [Jerusalem to] learn. [...] Once I was coming home from school and they stopped me and searched me and asked me about my brothers. We live with injustice. Everything is forbidden for women. It’s forbidden for us to stop, forbidden to sit, forbidden to enter Al-Aqsa.”

Bodily search was also apparent in girls’ discussions, whether raised during our observations in the streets, our talks and exchanges with girls, or during the focus groups. Girls discussed not only their own ordeals with bodily search, but also that young men were being harassed during bodily searches: “If a young Palestinian man walks in the street, the Israeli soldiers will stop him and search him and beat him and arrest him because he doesn’t want to take off his pants for them to search him.”

In spite of the everydayness of abuse by occupation forces, the children expressed a refusal to accept humiliation as a normal part of their daily life and continued to hope for a better future. As one young girl stated, “We do not want to die in humiliation.” Another girl wrote in her letter, “I wish that injustice would leave Palestine. No human would agree to live without karamah [dignity].”

While girls’ letters disclosed the terror that they felt during this new period—fear from settlers, police and soldiers—their letters also showed that this fear was not paralyzing, but rather increased their assertiveness and desire to maintain their dignity. They survive and keep going, making the small steps to get to school and continue to fight for their rights for a normal childhood. As one girl stated:

*“I am a student at school, and I am exposed to daily searches. I was arrested in the Russian Compound [a police station/detention center] for more than ten days, and more than once have been confined to house arrest. Not being able to go to school every day is increasing my motivation to go to school, to tell them [the occupation forces] in my own way that I do not care about the occupation, because you [the Israeli security forces] are not strong because you arrest children and women.”*

## Focus Groups: Bearing Witness to Injustice and Trauma

*“My only way to see justice, to be safe, and build my life is by being invisible, being unseen, unheard, unnoticed. The only way to reach justice is to disappear.”*

These were the words of a 14-year-old girl from Ras el Amoud who was answering the question of how she can help maintain a just world for Palestinian girls in East Jerusalem. In a focus group with eight young girls in a school, the need to be “invisible” and “disappear” from sight in order to obtain justice pointed to severe trauma, constant loss, and the daily witnessing of overwhelming life situations. At the same time, it spoke of one girl’s way of resisting indignities. “To be unseen” is a girls’ coping strategy for the feeling of being constantly watched by Israeli security forces, the militarization of everyday life, and the pressures placed on their families by a confluence of factors.

Bearing witness to trauma is not simply about acknowledging and offering testimony about militarized violence and abuse, but also expressing the intimacy and banality of continuous dispossession in their lives. Talking to young Palestinian women and analyzing the letters of these girls revealed the daily indignities that they experienced, and their witnessing of trauma and dispossession that has deeply affected not only their sense of justice, but also their daily experience of injustice.

Justice, indignity and trauma cannot be understood in isolation from young girl’s roles and positions in society, mainly in their families. It also cannot be divorced from the socio-economic structure of the society and its effect on young girl’s suffering. The price of unequal power relations can have deep long-term implications for these girls. As 14-year-old Marwa expressed, “Try to run back home, when you have your period, when the shabab [young guys] are around, the soldiers on the other side, and your parents are expecting you to behave with proper manners in the street. I prefer to marry an old man, sit at home, and be safe rather than facing such bahdaleh, such pain and agony every day.”

Another 14-year-old said she has nightmares. “I wake up in the middle of the night shivering, thinking I am undressed, and caught in the middle of the street bleeding. This is all I dream about, and yes, I agree with Marwa, and prefer to marry early

and live my life raising children, and not leaving the house.”

Young girls’ experiences and those of female university students that participated in other focus groups exposed a climate that sustains abuse and multiple other related gendered risks and vulnerabilities such as early marriage, harassment, exploitation and more.

Girls explained the effects of patriarchal oppression and political violence on their life choices. The context of family members, friends, boyfriends, fiancés, and mainly male family members who claim to worry about girl’s safety yet end up controlling their lives to the girl’s detriment. On top of that they described the constant witnessing of loss, imprisonment of family members, re-constructed gender roles, re-determined relationship boundaries. All these factors combined forced young girls to find ways to navigate their lives in ways to avoid conflict. Discussions and focus groups with girls revealed the way in which gendered roles were negotiated, and pointed how male members of society maintain the upper hand, while using violence and harassment. It illustrated the boundaries on relationships in order to avoid violence and conflicts, and strategies used to cope with frustration, stress, and dispossession. Young girls talked about learning to use the computer, working with younger girls to find some income, then suffering sexual abuses that they did not report, fearing they will lose the little support they have from family or the little income they have gained.

## Criminalization of Palestinian Youth

Girls in the study’s focus groups said that justice and dignity in East Jerusalem is mired with contradictions, contentions, constant criminalization, and racism. They explained how inequality, particularly in relation to Israeli Jewish counterparts, is apparent in every aspect of their lives, from their walk to school to their treatment in the streets, where their bodies are searched and humiliated by Israeli police, military and other members of the security apparatus. Justice for Palestinians in East Jerusalem within the Israeli justice system, is elusive, as one ninth grade student explained, “If my mother needs help and our neighbor was fighting with her, and she calls for the police, the [Israeli] police won’t respond. My mother won’t be able to get protection. So, where is justice? It is justice for Jews [Israelis] only.”

The belief that the justice system in East Jerusalem is centered on reproducing Israeli Jewish advantage was at the forefront of girl’s discussions. During our talks with girls on their way to school, they discussed the way the municipality fixes and invests in the infrastructure only if Israelis are living in the area. They showed us how in the Old City, the Jewish Quarter is always clean and well organized, the buildings are not falling apart, there are services, clinics, post offices and more. In contrast, the Palestinian side is not only neglected, but violated by the police and military. In one of the discussions, a high school girl pointed to the Palestinian women selling produce in the street,

saying: “If they were on the Israeli side, they would take care of them, make life easier for them. Just go look how and what they do in Mahaneh Yehuda [an open market with street shops, small selling spots, and more].” Another girl child, as young as ten, shouted after a boy settler pushed her to the floor: “See, look how nasty they are. If I scream and call the guards, they won’t hear me. They always believe Jews [Israelis], and support them. No justice. No justice. They can do all they want, and I can’t even complain.”

Focus groups also exposed the widespread criminalization of Palestinian boys and girls. One tenth grade girl related, “I was walking in the street, on my way to my house, and the soldiers stopped me claiming that I was ‘plotting’ a criminal act. I was beaten. They pulled my veil. They pushed me on the street, and I ended up in the police station for over eight hours.”

In other focus groups young women shared their daily encounters. Another girl explained:

*“I was arrested for three to four hours, then harassed in the middle of the street, and beaten in front of everybody. And my family blamed me for walking in the street. So, they [the Israelis] treat us as criminals, and our parents, community and school blame us. That incident made my father agree to marry me, fearing I will be picked up by the military one more time and arrested again.”*

Young women and girls are targeted by Israeli security forces, which further reinforces patriarchal control within society and the family. The constant insecurity resulted in some cases with families choosing to move their girls out of the household into the control of another man, a husband, in order to protect the family’s “honor” and ensure that control is not lost. This, of course, does not offer a safety net to girls in all conditions. In a recent case from May 2016, a 16-year-old girl from the neighborhood of Isawiyyeh was forced to marry her cousin following four incidents of harassment by soldiers and by young Palestinian men on her route to school. Four weeks after the wedding, she ran away, and asked for the help of the welfare system, which placed her in a shelter. The lead researcher was approached, as someone who works in the field and who knows her extended family, to intervene. The young woman told the researcher that she had agreed to marry because she was fed up with the daily fear and harassments, but she is not built for marriage. She stated, “I cry about my life. If I was living in a different country, I would have never agreed to marry but, Isawiyyeh is a prison. They imprison us, and we imprison each other. Do you think that my husband is not a prison guard?”

Young women’s experiences of being stripped of their dignity and criminalized by the Israeli authorities, but also blamed and punished for such criminalization by their own families turns them into offenders regardless. The gendered nature of criminalization and indignity allows Palestinian men to react in various manners. Some added further restrictions on young



girls, hoping to protect them from abuses. Others increased their control, hitting and abusing young girls and justifying their violence with their need to “protect” them. Still others were fearful of any attacks on their daughters and female family members, but did not impose more control. Rather, they tried to negotiate spaces for freedom of expression, movement, and decision-making for young girls. Israeli men and women used Israel’s security theology (Shalhoub-Kevorkian 2015) to justify their control over girls’ bodies, spaces and lives. They attacked, arrested, stopped and searched, and used the Israeli criminal justice system to further strip Palestinian girls of their rights. This produced a racialized criminal justice system that was “tough on Palestinian youth” and juvenile “offenders,” and produced and maintained gender violence.

Another prominent issue raised in focus groups was the Israeli welfare system’s mistreatment of Palestinian families in need. In one discussion with a group of young women, the entire analysis of justice and injustice revolved around the way the welfare department in East Jerusalem, which is controlled by the Israelis, reacts to Palestinian poverty and distress. One girl explained:

“They came to our house various times, since my father was injured while working in an Israeli shop and he was receiving disability. Their investigations invaded our private family matters. They wanted to know who sleeps where, who studies where, how do we walk to school, who pays, who cooks, who visits, etc. My father kept on saying that it is his right to receive welfare support, as a Jewish [Israeli] worker was also injured with him, and although his injury was less than my father, he ended up getting more help. This is justice here in this country—our rights are not respected, and our parents and families are always considered bad people, bad parents, bad families.”

The blame applied to Palestinian parents for their poverty and inability to attend to their children’s needs was also discussed in other focus groups, when young girls connected such blaming to the racism of the system and its injustice. In summarizing the discussion of such an analysis, one of the participants explained, “They see us all [Palestinians] as bad—the children, the parents, mothers, fathers, teachers—and they want to teach us manners, but, then, they leave us under the mercy of unjust laws and a welfare system that treats us like animals.”

In the West Bank, including East Jerusalem, the number of Palestinian children detained by the Israeli authorities spiked to the highest figure since March 2009; at the end of December 2015, 428 Palestinian children were in the Israeli prison system. Some 80 percent of these children were in pre-trial detention, the majority of them facing charges of throwing stones.<sup>14</sup> Discussions with respondents showed that

the increasing numbers of Palestinian youth in prison, during their most vulnerable years, had a devastating impact on the children themselves, on their families and on the community.

When juxtaposing the focus group analyses with the interviews conducted with social control agents such as representatives of women organizations, local NGOs, social workers, activists, and lawyers, one realizes that the juvenile justice system and its jurisprudence and sentencing policies shifted the focus of children and youth justice from one revolving around the best interest of the child on the Israeli side, to public safety and punishment on the Palestinian side. Social workers and teachers explained that rehabilitation of and support for Palestinian children and youth was not a priority. As one social worker explained, “In East Jerusalem, the focus is about offenders and children’s accountability and the need to maintain public protection as the guiding principle.” Another teacher, who used to work in an Israeli juvenile institution said that, “Where the main aim of helping children is maintained through professional ethics and confidentiality, in East Jerusalem, it is all about public protection, and reduced confidentiality. It is about increasing the severity of sentences.”

According to NGO workers and teachers, the increase in child punishment is affected by the political context and violence. “We do not offer either therapy, or help,” said a social worker. “We can’t offer any sense of justice. Palestinian children in the Israeli justice system do not speak the language, are fearful of every man or woman in uniform, and that impedes any effort to reach justice.” Focus group discussions with young girls offered further evidence that the Israeli “justice” system, and the dysfunctional Palestinian “justice” system refrains from directly addressing the needs of children but rather seek to evade responsibility, or publicly support punitive measures. Some lawyers or social workers working in Israeli institutions or applying Israeli laws, themselves Palestinians from East Jerusalem or Palestinians from Israel, play a contradictory role within their own communities. On the one hand, they are positioned to “help” the oppressed Palestinian community of which they are a part. On the other hand, they are the face of the Israeli state in these same communities, empowering a discriminatory legal system. Welfare officers in Israeli institutions, like teachers who work in municipality schools (also Palestinians) find themselves so overwhelmed with casework that they are only able to implement one of many steps when attempting to support Palestinian children and families.

The word “unsuriyyeh” (racism) was mentioned numerous times in every focus group, and girls’ discussions called for more inclusive social policy. In one discussion with a group of eleventh graders, a girl asked:

“Why can’t we apply for universities everywhere? If you look around you, you realize that Jewish [Israeli] women can pursue their education, and can find jobs, or

14 OCHA <http://www.ochaopt.org/content/concern-over-conditions-and-violence-against-palestinian-children-detention>



*at least search for a job everywhere. Can I do the same? Can my friend, who is very clever in math, apply to study in the US? Or in London? We all cannot. We know that our families are barely paying our school tuitions, and the Israelis will drive us crazy before they give us a visa, and of course the US and UK will be reluctant to accept us. The world believes the stereotypes against us. For them, we are Muslims and terrorists—Can we really discuss justice under such conditions?”*

One of the primary challenges raised in discussions with girls was access to education. While sex-disaggregated data is in short supply, recent studies demonstrate that Palestinian children in general in East Jerusalem face severe obstacles in accessing their right to education. Despite the fact that Palestinian students comprise 40% of all students in Jerusalem (ACRI 2016), “only 41% of Palestinian children are enrolled in municipal schools” (ACRI 2015a, p. 1) due to the tremendous shortage of classrooms. Indeed, there is “a shortage of 1,000 classrooms in the official municipal education system (ibid.) and a “great number” of existing classrooms are defined as “inadequate” (ibid.). The school dropout rate for Palestinian students is a staggering 26% for 11th graders, and 33% for 12th graders, far above the national average, and four times higher than that of the Jewish population in Israel. In addition to structural inequalities depriving Palestinian youth of their right to education in East Jerusalem, since 2011 Israel has imposed curriculum that erases all references to Palestinian history and culture, in an attempt to impose an Israeli identity on Palestinian youth (Kestler-D’Amour 2011).

Young women’s stories related in detail the status of Palestinians in East Jerusalem as unwanted and feared others. They connected justice—or rather injustice—to the lack of dignified life conditions and respect. They discussed Jerusalem as a space torn by histories of racial discrimination, continuous conflict and inequality, and explained, as one stated, “Palestinians are not recognized as humans, we are being tagged as terrorists and in recent years, since I was ten years old and now I am 17 years old, it is intensifying. How can we aspire for justice under such conditions?” Girls continuously found themselves subject to various layers of violence and institutionalized discrimination. In the words of one, “justice is a dream, but racism is the reality.”

## Conflicting Legal Systems

Young women also discussed policies, the courts, policing, and military power, describing how they serve as mechanisms of oppression, indignity, and domination rather than justice. They explained how the oppression they suffer under Israeli law is compounded by the oppression they suffer under Sharia law, which deprives women of their right to keep their children, or receive their divorce alimony, all while using “political” justifications. One young woman explained:

*“Look at me, I was married at the age of 15, and could not live with my husband. I could not handle living under such constraints, not being able to go out, go back to school, or see my parents. He also lost his job, as they did not want to have Palestinian workers in the supermarket where he used to work. One day, his father told me he couldn’t feed me and he didn’t need another burden in his family, and my husband pushed me into a room. I could not handle living such a life, and at night ran away, back to my parents. Now I am back at school, but Sharia law is bad. They [the courts] are forcing me to go back to him, and we both do not want each other. It is his father that is using all his power to take me back, to punish me, and the judges in the Sharia court are listening to him. When I try to talk, they silence me. I am trapped between the violence of my in-laws and the Sharia court and my husband, and the violence in the streets when walking to school, and yes, only yesterday, a soldier pushed me, just look at my face—all bruised.”*

This young woman describes and identifies the entanglement of various oppressive systems, where these systems have produced and reproduced new mechanisms of oppression and domination, from the internal patriarchal system within Palestinian society, to the external masculine militarized system of Israeli occupation. Laws and legislation, added to existing bureaucracies, create a legal culture of dispossession of justice for the girl-child. It further illustrates a clear bi-polar discourse around justice for women, with an often uncritical system of “justice” that marks women’s and girls’ bodies and lives as “other.”

## Conclusion

Letters collected from Palestinian girls and young women living in different areas of occupied East Jerusalem, alongside focus group discussions and participatory observations, portray girls’ daily struggle with unending loss and unclear futures. As one 13-year-old girl explained, “This suffering was the life of my grandmother, my mother, and it continues to kill my future. Why can’t we stop such criminalization, such persecution?” Her words suggest continuous daily trauma, fear, indignity, and insecurity resulting from suffocating socio-economic conditions, the political violence of Israeli security forces and settlers, and humiliating obstacles to freedom of movement, education, and more. Analyses of the letters and focus group discussions reveals the following:

1. **Injustice and indignity resulted from the everyday mutating, dismemberment, and stripping away of girls’ power.** Mundane violence and injustice, as discussed in studies on the agonies engendered by war, result in cumulative adverse childhood experiences. Studies suggest the suffering engendered by war and political violence deeply

affect children's lives, resulting in severe harm (Hinsberger et. Al 2016; Stark & Landis 2016). A recent article published in Social Science and Medicine that examined Palestine furthered the analysis by looking at human functioning amidst chronic adversity to suggest the need to attend to the political when studying individual quality of life. It further raised the importance of examining values, including justice, rights, and dignity as key elements in human functioning (Barber, Spellings, McNeely, Page, Giacaman, Arafat, Daher, El Sarraj, and Abu Malouh; 2014).

2. **Mutation and dismemberment** of daily actions and politics results in change and re-change of the structural organization and hierarchies related to law, schools, and the street and public space. Women can work, but can't control their finances. They can study, but can't receive the same salaries. They have the right to divorce, to custody, but the constant changes, transmissions, closures, and traps (see Shalhoub-Kevorkian, 2013) produce new structures or oppressions and indignities, and new regulators and processes that devalue the abilities of young girls and women. The everyday mutations and changes are constantly modifying gender roles, and transforming social norms.
3. Girls and young women witnessing the banality of daily trauma and bearing witness to indignities and dispossessions, related **an inability to speak or vocalize the unending and heavily-entangled injustices**. The entanglement was apparent in the traumas connected to psychological, economic, and political violence. Young women shared their use of the internet and social media to uncover indignities and injustice, and to challenge atrocities against them and their loved ones. They described the unending trauma of living in an unjust world, where there is a deserving group and an undeserving non-entity that ensures the supremacy of those in power, and promotes the discriminatory Israeli narrative.
4. **Trauma** was also apparent in young women discussing their daily suffering and fear. They indicated the constant stress and insecurity in both their private and public spaces. They explained how they refrain from asking for help in cases of abuse, be it psychological or sexual abuse and harassment. The lack of a protective address, whether the abuse comes from intimate others, acquaintances such as teachers or friends, or from outsiders, resulted in feelings of fatigue and a search for an escape. As one girl stated in her letter: "I look for a way out, and sometimes it seems that the only way out is death." Another letter of a 15-year-old girl argued:
 

"Sometimes, death can be a relief. It can decrease the pains and agonies of our life circumstances and anxieties."
5. Young women also spoke of **a lack of social support**. They explained that their families are burdened with economic and political violence on top of, in some cases, domestic and community violence. The word "hasra" describing the overwhelming distress/grief and wretchedness they felt appeared in the letters mainly when discussing the psychological effects of injustice.
6. **Structural social, economic, and political factors entangle with one another to strip away the power of females from when they are children**. These conditions have affected the Palestinian familial structure, in some cases transforming traditional social roles, and enhancing patriarchal control and abuse within the household. Taken together, these factors severely limit the Palestinian girl child's access to justice and protection, adversely affecting girls' right to a safe and dignified life, and placing severe restrictions on their dreams for the future.
7. The complex **fusion between psychological, social, economic and political violence** endangers girls' lives, and erases any resort to justice. Discussions and letters revealed the way gendered violence became entangled with grief, loss and social maiming. Landscapes such as streets, schools, and even cemeteries, walls, borders and more, maintained intimate yet public ruptures. The multiplicity of ruptures apparent in the spatio-temporal politics of life, school, marriage, birth and death, as one young woman stated, "turned life unbearable." Her friend agreed, saying "even death became ungrievable."
8. **Despite the daily obstacles and many layers of unending violence, girls find ways to resist oppression and maintain hope for a better future, in their daily attempts to reach school, support each other and their families, better themselves through education, and continue dreaming of a better life**. On the one hand, letters related how girls are fighting openly for dignity. On the other hand, many girls chose to maintain their dignity in silence. One 13-year-old explained, "Justice for me is to get better grades, and plan my future. Justice for me is to not allow my brother to control my life. I am strong, and brighter; he is not better than me." Approximately 20-27 letters (that is, about ten percent of the letters) expressed girls' refusal to accept social and political hierarchies, and did not accept or celebrate any victimhood. They discussed their efforts to produce new narratives

and counter-narratives, and to re-write the general atmosphere of injustice and insecurity. The deep fragmentation of Palestinian communities was also apparent in our fieldwork as girls' experiences throughout Jerusalem were disparate. The girl child in Jabal al-Mukaber, for instance, does not have the same rights or opportunities as young girls in Silwan, or Ras el-Amoud. Restrictions on movement due to enhanced political activism at some times placed certain areas under constant surveillance, hindering girls' ability to leave their neighborhood, reach out for help, meet their friends, and more. Girls explained how their girlfriends from other geographical areas have different contexts, even when it comes to their right to study, continue education, and human rights. The fragmentation of geography, the different economic alternatives for girls' parents, the varying opportunities for education, health, leisure time, friendships and more create a society with no common base, and no common address for redress. Fascinatingly, young girls were able to talk about their accessibility to justice, delving analytically into their parents' opportunity for a dignified life and their own opportunity for safety and freedom, even in the context of fragmentations.

9. **Girls consistently expressed frustration with the world's denial of the rights of Palestinian children and girls.** This was a major topic of discussion in the letters from schoolchildren and discussions with girls in the streets, on their way to school or at social gatherings. The loss of trust in international interventions and in the power of activists and children's rights defenders to prevent the unending violence affecting them and their communities left girls in a hopeless condition, with no address for redress.
10. **Finally, girls in their letters and discussions questioned the performance of the local official system.** That is, they noted that Israel performs as a democracy that protects children's rights in the public arena, while at the same time discriminating against Palestinians in general, with gendered implications for the girl child. Girls were frustrated with the fact that public space is saturated with many parties advocating for the expansion of rights for Palestinian women and children—the Palestinian Authority, teachers, bureaucrats, health and social workers. Yet, they expressed that all this appears to be no more than a performance, with no power to attain social change due to the intense political obstacles created by Israel and validated in the international arena.

## 5. Unspeakability, Anguish, Sumud and the Search for Dignity: Women and Girls' Experiences with Political Violence

*Palestinian girls are forbidden to live  
They tell you 'Quiet!' Don't speak  
You are created to be abused  
To endure checkpoints, catastrophes and investigation  
It's written on your chest that you can be stepped on  
From the officers until the soldier  
Palestinians are forbidden to rise  
And its not permitted to be victorious  
Don't you ever demand your rights  
Do not even dare to see the light  
(8th grader)*

بنات – فلسطيني ممنوع تعيش  
حكولك اسكت ما تحكيش  
انت خلقت للتطيش  
للحواجز للمصايب للتفتيش  
كتبو على جبينك ينداس  
من ظابط او حتى شاويش  
فلسطيني ممنوع تثور  
ومش مسموح تكون منصور  
اياك اطالب بحقك  
او عى بيوم تشوف النور  
(الصف الثامن)

“Here in Jerusalem, we girls are persecuted. From the moment I leave home, the settlers start my morning with their harassment. Today, one of them blocked my way out of our home and I stood there, waiting for him to move to the side so I could pass. I called my mother, and we were both pushed inside the house by three of them. Finally I walked to school, looking around me, checking if they are pulling at my veil like they did yesterday, or using a string to make me fall. [...] They intimidate, harass, and scare women and young girls. They humiliate and kill boys and men—those soldiers with their guns and rifles, those security men and women with their big rifles, and that stick. They invade our breathing. They suffocate us. I had better shut up. *Il hasra makleh albi* [Anguish is eating my heart]. Our life is not life, our life is daily death.”

Letter from a 16-year-old girl.

“The way they look at us when we walk, or talk, or smile even—they stare at us, they look at us as if they *bi'arruna* [strip us naked], as if we are animals, terrorists. They wait for us on corners, hiding with their rifles to shoot and kill us. *Thulum, kullu thulum* [It's injustice, all of it is injustice].”

Letter from a tenth-grade girl.

These voices embody the gendered and traumatic psychosocial work of political violence in its most spectacular forms. They suggest that we analyze the mundane and intimate effects of political violence, both visible and invisible, as it “suffocates” and “strips” away power, turning bodies into naked entities—physically, psychologically, and morally.

The challenge in this section is to find a way to write and analyze how political violence, with its historical and present relations and asymmetries of power, shapes and contours the violations of girls’ and women’s access to justice in occupied East Jerusalem. Political violence is at once hyper-visible, while also being invisible and unspeakable. As one 13-year-old girl explained:

“Did you ever notice how they body search us? Did you notice how they shout at us, then accuse us of throwing stones, of behaving like animals, when they are the ones that behave like animals, and treat us like trash? I die from fear of their violence, and then am afraid to tell my family. I was hit with a rifle on my face—just look at my face, but no one noticed me. The soldier treated me like an animal, pulled my veil, pushed me, stepped on my breast, and hit me with the rifle. [...] Who can I complain to? Ya hasra [Oh, the agony]. It is better to heal my wounds with my own hands.”

This study made speakable what Palestinian girls and women endure, describing what happens to them and their community, and that was viewed with considerable risk. A 16-year-old school girl stated, “There is no justice in this place, so we better shut up.” She said this after sharing with us her dreams of wanting to apply to study abroad, since she loves biology and would love to work in a big pharmaceutical company. Her teachers encouraged her and she is taking classes online, learning more, and emailing other young students that share her same interests. She explained that her father was recently arrested. He was accused of organizing some men to prevent the demolition of her uncle’s house. Now, not only has he lost his job, he is also unable to leave the country. This means that she also won’t be able to “even think, or dream of being a scientist.”

The unspeakability of political violence was especially evidenced in girls’ descriptions of police investigations and arrest. One girl stated in her letter: “During investigation, and due to severe violence, and even when we do not speak, they [the Israelis] speak for us, they have a verdict before even hearing us...so why speak?” Others reported using speech and silence, depending on the context. In one group discussion, children were shouting to each other not to use a tissue, even if they need it, or if they have a cold, as nearby Israelis might suspect they are pulling a knife out, and not a tissue, and kill them immediately. Young girls and women insisted that their movement is under surveillance, and if they “move in a way that scares the soldiers, they might shoot. If you answer your

phone, they might shoot. Even our bodies are incarcerated.” The group discussion related the severe policing of the body, especially the female body, which is sometimes covered by the veil and the *jilbab* (a long garment that covers the body that Muslim women wear). Women seem to be living in a “kind of cage inside a cage. [...] They can attack me, kill me, and then undress me, turning me into a naked dead body in no time.” Their main concern then was how can they prove the shooters wrong? How can these young women and girls seek justice if the shooter, the police, the judge, and the system itself are controlled by “someone who only wants to see you dead, or *mfatesi* [rotten].”

Young girls were aware of two legal systems, one that provides justice—a system exclusively for Israelis—and another lacking legal protection and justice—a system used against Palestinians. The separate and unequal legal systems were also raised in discussing justice with a 33-year-old woman living in the Old City of Jerusalem: “There is no justice in this city. There is no justice. Justice is equality between people, taking your rights and doing your duty. Justice is getting your rights, but there is no justice in my opinion in this city. There is division between people and this is exactly what the Jews [Israelis] want.”

Women’s interviews, more than those with young girls, explained a need to accommodate the violence and injustice around them, for example, by screaming and calling for protection at times, while keeping silent at others. They explained that it is not about justice and access to it, but rather their own survival strategies in the maze of violence they are within. As one woman stated:

“It’s not about justice, but about us women coping with the injustice with all that we have. So, we use the law if we can and Sharia law or Israeli law does not stand by us. We use our connections if and when we can, use our money, our bodies, and our education, we use all we have to maintain our ability to survive, to stay in our home, to prevent its demolition, to protect our children from being arrested or shot. [...] It is our *sumud* [steadfastness], our survival, and not the availability of a justice system.”

Parents of Palestinians killed by Israeli occupation forces whose children’s bodies were being withheld by Israeli authorities explained that even in death, there is no justice for Palestinians in occupied East Jerusalem. How this justice is made invisible and unspeakable was illustrated by the case of a young man with special needs that was shot and killed on December 26, 2015. As one of his family members stated:

“There is no way they can hear us. Why do we agree to such humiliating conditions? There is no solution, and there is nothing we can do. This is occupation—there is nothing we can do, and no one can intervene, and we are not sure what and whether anything can be done. We just can’t do anything, and there is no time. [...] And of course, no leadership came and talked to me



*as a mother—maybe they went to talk to the men, but, no one talked to me.”*

The gendered ramifications of political violence, as apparent in the data gathered, can be divided into various analytical themes. The next section will share with the reader the themes connected to accessibility or inaccessibility to justice that emerged from the data.

## Captive Flesh

A major issue that came across in discussions and interviews is that women’s bodies are “ajsad asira” [captive flesh].” Both letters solicited from girls and various discussions with workers, teachers, mothers, and other members of the community referred to their bodies being made captive flesh. This was mostly apparent in the second phase of data collection, when Jerusalem was the site of severe violence, loss, injuries and trauma. Young girls, for example, wrote in their letters that they feel that the settlers’ mode of staring at their bodies turns them into captive flesh. One young school girl explained: “When I pass by a settler or a Jew [Israeli], he looks at me with much hate, as if he wants to kill me, or attack me, and I feel fear deep inside me.”

The embodiment of violence results in a sense of dismemberment and pain. Young school girls discussed the way their legs were running while their hearts were frozen in fear. They talked about their eyes being open, yet unable to see anything, due to tear gas or the trauma of seeing soldiers arresting and beating their friends and siblings. An eighth grader explained:

*“We were all in school. The settlers and the soldiers blocked us from moving, preventing us from going back home. We heard their shooting and were extremely scared. At one point, I could not listen [any longer] to the teacher’s orders asking us to stay in class. I saw smoke coming out of our neighborhood, and decided to leave. I lied, I said that I want to go to the bathroom, and left school. I started running back home, running in the streets like crazy, fearing for my life, worried to death about my family, and ended up shot in my leg. But I kept on running, did not feel pain. I guess fear was stronger than pain and my worries about my family were larger than my own bodily pain.”*

We also learned that many cases of injury were not reported to the Israeli justice system. In the previous case, the young girl explained to us that her father feared she would be arrested, so he took her to a private doctor to treat her wound. The description of captured flesh was also apparent in discussions with women working in Israeli institutions. Workers explained that they feel physically stripped down when they work in public spaces, cleaning university dorms, offices, or hospitals. They explained how they are often strip-searched and are always suspect, “terrorists to fear,” as one stated. Women

facing intimate violence or divorced women explaining feelings of captivity enforced by their employers also evoked the idea of captive flesh. One woman explained:

*“Women are perceived in a suspicious manner, particularly when divorced, and there is no safety going out alone. She must stay in the house and not leave it. I have suffered a lot from employers because I’m an easy target as a divorced woman, and it’s easy to ask me for a date. Divorced Palestinian women’s rights are jeopardized, and they are suffering from oppression.”*

Being captive under these various systems of oppression and dispossession, when each system mobilizes and maintains the other, was described by a woman who must renew her permit each and every year, must move in the public space with care, then face a massive amount of pressure. She explained how she walks and takes the bus quickly, how she changes her clothing, removing the veil so as not to be abused or harassed. She explained that she navigates different worlds, and each has its requirements. At work and in the street, she must remove her veil; in her house and among her community, she must wear it. Such conflicting rules, and conflicting and antagonistic worlds cause her much anxiety.

A sense of enslavement and the total inaccessibility of rights was relayed by teachers and schoolgirls. They discussed how they live in fear of young Israeli settler boys and their families. Young girls explained that the settler youth attack them physically, and push them into the streets. Schoolgirls try their best to run away from them. One young girl told this story:

*“Last week, I was running from them [the settlers] after they pushed me and my sister twice. I ran from one place to the other, like a mouse hiding from a big cat, and they were speaking Hebrew, saying things, plotting to catch us from different spaces—I was exactly like a little mouse. They jumped into my face and I felt my whole body shivering, and by the time I got home, my whole face and my skin had a very red rash.”*

A teacher in one school in the Old City also told us that the settlers living around the school call the little girls “jookim” or “cockroaches” in Hebrew, and use various tactics to scare them. Creating trouble with Palestinians in the neighborhood allows the settlers to call the police, and force body searches and harassment and arrest of Palestinians. It also brings out Palestinian boys who fight with the settlers, and harass young Palestinian girls. They order the girls to stand in one place, go in specific directions, and cause much consternation.

The transformation of women and young girl’s bodies into captive flesh was mentioned in the writing of young girls, as well as most of the focus groups, mainly when explaining the way women’s bodies are treated following an attack. A teacher stated:



“What worries me and my young students the most is the fact that when they [settlers or soldiers] attack, or shoot a woman, the first thing they do is remove the body’s clothes. Then the media and the camera start taking pictures. Look at what happened in Hebron, or to Marah when she was shot. This is against Islam, against morality. I believe that women’s bodies are targeted.”

Teachers shared many stories of bodily searches of women, of the use of very degrading words when searching young girls, of holding girls in police stations for long hours to attack their “honor.” The fallahat, teachers and young girls also discussed the way men are humiliated in front of women, when they are asked to take off all their clothes and hit and cursed by Israeli authorities. One falaha explained:

“The past week they humiliated so many men here. The last one was a young man, the age of my son, they asked him to take off all his clothes, and when he was taking his socks off, they kept on hitting him on his head and he kept on falling down. And we all, all of us, men and women, were watching and did not do anything. After a moment, they started using live ammunition and shooting in the air.”

The physical abuse of men in front of women caused much consternation. One worker said, “Do you think it is easy to see your co-worker, a man of 45 years, being hit, arrested, and cursed? And you keep on walking, as if nothing happened? It happened to me, and when he came back to work the next day, he was shouting at me, cursing me. He stopped being the man I knew. He was very ashamed at the way he was treated and abused—I was, too.”

The various voices show the scars when men and women are stripped of their humanity, their ability to walk safely, their ability to maintain their bodily integrity, being undressed and harassed in public and private spaces. The multiple modes of gendered evictions and undressing was a topic that affected not only the flesh and body, and caused rash, high blood pressure, diabetes and more, but it also invaded the psyche of many women, as Laila, a teacher explained:

“When they invaded our house to search the area, we were all deeply asleep, and were confused. [...] I felt stripped of power [...], saw them pushing and hitting my husband, and rushing to arrest the boys. Not only did my breathing stop, my eyes stopped seeing, my legs froze. They arrested my son for a day and their invasion of the house never left my heart. I have bad anxiety.”

The experience of dismemberment was seen in the experiences of bereaved mothers, mainly those awaiting the release of their dead children’s bodies after Israel’s recent re-initiation of a policy of withholding the bodies of Palestinians killed by Israeli security forces or settlers while accused of carrying out attacks. As a result, families’ access to justice was affected in a number of ways: they were denied the right to

a comprehensive investigation into the death of their loved ones, the right to a dignified burial and the right to mourn the dead. They experienced instead severe trauma. As one mother, Um Hassan stated:

“They live on our flesh, blood, and death. Withholding the dead body of my son, preventing me from holding and hugging him for the last time, and keeping me waiting for so many months [...] killed me. My eyes can’t close, for when I close them, I hear him begging me to release him from their prisons, from their refrigerators. Their state is built, their power is constructed on our dead bodies, our suffering flesh, our uprooted lives. How can they imprison dead flesh? If only to suffocate, and kill slowly the living bodies, to set our hearts on fire. All I ask for is to grant me the right to a last embrace, a last word. They left me without breath [...], with no space to breathe.”

The injustice was inscribed on Um Hassan’s body and heart, dismembering her from her own son, but, also separating her own heart from her body.

## Multiple dispossessions: Childhood, Womanhood, and Parenting

In two focus groups with teachers from two different areas, teachers discussed access to justice with a focus on the trauma children are experiencing everyday. Some said they had totally failed in addressing it, while others emphasized their constant attempts as educators to innovate new methods to protect their pupils.

Teachers disclosed the way educational, children’s rights and human rights interventions are not addressing the dire need to protect children in general and the girl child in particular from the ramifications of political violence. One teacher summarized a heated discussion in the focus group, stating:

“They [the Israeli ministry of education, and women and human rights programs] are worried about early marriage and every day they bring us new professionals and specialists, discussing its effect on children. Why can’t they look around themselves? Why aren’t they worried about abuses, undressing very young girls when on their way to school, arrests, and the fear children are witnessing everyday, all the time?”

In a different teacher focus group, educators discussed the major fears boys and girls are facing, and how educators and parents can address this when justice and fairness are not present. One teacher explained:

“Last week, a father came to school, and asked me to convince his daughter not to marry. He told me that he has failed to convince her. She is a good student but in love with a young man from the neighborhood. He was talking through tears, and explained that he

*had been fired from his work, and his wife works as a cleaner. He was afraid that his daughter decided to marry to ease the burden on the family and find someone that can give her what she needs. Parents have lost their ability to be parents, we as teachers lost our ability to educate, and it is all because we are a people that has been stripped down, opened, made vulnerable. Stripped to the bone—our life, and the life of our children. Justice does not come near us.”*

Her fellow teacher followed up:

*“We are mubahin [subject to the Israeli injustice]. Just think about this father who came, and asked for our help. He talked to her [her fellow teacher], to me, to the principal. Some parents are doing all they can, we as teachers are trying our best, but without seeing any results. We will lose control as parents, and educators, exactly as our leadership lost control. See, we managed to help one father; we managed to save one young woman, but attaining justice requires collective efforts.”*

Parents, teachers and children are constantly distracted. Students who witness violence suffer from lack of sleep, fear, distraction, and inability to focus or study. Studies on severe trauma, including exposure to childhood trauma and daily severe stress show that it also affects children’s health. Studies on adverse childhood experiences (ACEs) that include physical or sexual abuse, incarceration, domestic violence and more also show that there is a clear correlation to negative health outcomes. Exposure to earlier adversities affect child health, with greater prevalence of hepatitis, depression, suicidal thoughts, lung cancer, heart disease. These children are more likely to have their learning impacted, and engage in high-risk behavior. Repeated stress activation affects brain function, the immune system, and more (see Anda et al., 2008; Dong, Dube, Felitti, Giles, & Anda, 2003; Dong, Giles, et al., 2004; Dube et al., 2009; Felitti et al., 1998; Andersen & Blosnich, 2013; Chapman et al., 2013; Nurius, Logan-Greene, & Green, 2012).

According to a teacher:

*“Justice can be reached only through political interventions. [...] I do not mean opening another organization for children, or parents. I mean, some global power needs to come to stop us living like animals. We are tired of struggling each and every day. Our children are resisting injustice [...] and their future is jeopardized. I am responsible for helping my students, but I can’t do it alone, and what a shame, those children, they can’t do it alone. I agree with my fellow teachers that justice is a collective effort, and in East Jerusalem, with Judaization, with the settlers, the ID card system, arrests and the daily political violence, it is hopeless without an international effort.”*

Another teacher added:

*“Even the curriculum, the issues we teach our students, the languages—just look at the Hebrew writing when you enter the school. Do you think the students are blind? Are we blind? The history, geography, everything is under their control. The books we use are imposed on us, not books we created for our students. That is a minimum of justice, and it can’t be achieved.”*

One of the issues raised by teachers and young girls was domestic abuse. Girls related how their brothers are over-controlling their movements. A high school girl explained how she wanted to enroll in a Palestinian dabka dance group, and her father and brother refused. She ended up going behind their back, and when they learned that, she was viciously beaten and prevented from going to school for over a week. The teachers explained that they are required by Israeli law to seek help from social services, but feared that reporting the incident would cause additional hardships for the student and her sisters. In Shu’afat Camp, the issue of domestic violence was also mentioned in the girls’ letters, and in discussions with teachers and fellow university students. The high poverty and unemployment rate, drug addiction, and crowdedness was found to contribute to domestic violence, mainly violence against women and schoolgirls.

In various stories that were shared with us by a social worker who works in the Old City, Silwan and Shu’afat camp, we also realized that the political complexity of East Jerusalem is affecting reporting domestic violence and violence against women. In one case, we learned that a mother of two little children was beaten and psychologically abused by her husband, but her inability to move because she did not hold a Jerusalemite ID card resulted in her accepting this humiliation and violence. The social worker chose not to report the incidents of abuse, fearing the mother would end up being evicted from Jerusalem. In another case, a 14-year-old was raped by her 16-year-old neighbor who knew she didn’t have an ID card. It was only due to the help of a woman’s organization and the intervention of Palestinian CSO hotline workers that the rapist was reported. The family of the victim remain worried, however, that the Israelis will end up revoking their residency. They fully support their daughter, accompanying her to school and therapists and helping her in many ways, but the possibility that they might be evicted from their homes keeps them worried.

In conclusion, girls and women expressed deep disappointment at the way their community, the Israelis, and also the world allow such injustice to occur.

## **Sumud wa Muqawamah: Post-Traumatic Transformation and Resistance**

*“What can I do? God gave me patience. I worked very hard to reach where I am, and I did not reach it easily. This power is from God. I have a strong will.”*

*“I want to keep on struggling and I want my kids to be in good condition. I want to be like normal people. I struggle better than men. If a woman struggles and she counts on herself and works hard, working is not a shame. This is my life.”*

*“Learning while working is doing what life allows us to do. [I]t’s hard but it makes us stronger and more clever.*

*“I took things from the tears of my heart [by force]. I burned my blood [I worked really hard] in order to reach where I am. Nothing comes easy.”*

*“But everything that happened to me did not make me leave my husband. [...] These things made me hold on to my husband more, to my kids more, and here we are—we are tolerant and we want to live.”*

*“We pay property tax. We pay so much, then they buy their fancy Jeeps to kill us and I have no money to pay transportation to get to school. But I am strong, I will walk and keep on getting to school with much pride.”*

These quotes from young university students, women that suffered from political violence, and working women that were interviewed express the ability of women and children to grow stronger and feel the pride of survival in the presence of constant trauma. Although discussions of access to justice do not consider trauma and growth, the various interviews, focus groups and letters showed that, in spite of severe trauma and hardship and without erasing its impact on women’s bodies and lives, respondents also discussed their growth. Young girls spoke mainly of remaining hopeful, while middle-aged and older women insisted on struggling to defend women’s rights. Children hoped to have a free Palestine, they wanted their people to achieve justice, and stop living under daily humiliation, pain and military occupation. Older women discussed the effects of historical suffering, but also their right to justice and security. Thus we can say that traumas that women faced resulted in some cases in post-traumatic growth, or the ability to transform the effect of the trauma into a more positive, empowering and emancipating experience (Tedeschi 2004; JA Salo, S Qouta, RL Punamäki 2005). “A woman must secure herself so that she has abilities,” said one participant. “She is not just female, but a woman, and not only half of the society, but the whole of society.”

In some cases, the violence was perceived as an opportunity. As one woman explained, “It is true that there is so much tension and suffering, but, at the same time, this daily pain gave me power.” This sense of empowerment when facing injustice and unending trauma was also apparent in the words of a mother of political prisoner, who said, “After she was shot and arrested, I was paralyzed, fearful, and very sad. But now, I feel my inner power. I can struggle against the oppression we all face as Palestinians. I discovered my ability to speak

in public, and state exactly what can be done, and how we should not surrender to the viciousness of their never-ending oppression.”

Lama, a woman whose husband was abusing her and decided to divorce her at the age of 19 as a young mother spoke of an awakening: “All of a sudden I woke up one day. I learned that if I want to live, I must find myself a job, must be strong, take care of my son, and my family. I found a job as a hairdresser, then went to one of the women’s organizations, and got legal help. It is true that I gave up all my rights based on Sharia law, but I feel I gained my freedom and independence.”

Young schoolgirls discussed their fears when being body-searched, their constant anxieties of being shot and killed, but as one ninth grader explained:

*“Every day we have a hard time with bodily searches, getting to school late, being suspected by the military and police, feeling so down—but I started telling myself, this is not us, it is them. This is an indication that Israel is afraid. I am strong, and should keep on going to school. They want me to drop out of school because I am a woman and my family will be afraid of their harassment, and I explained to my family that our muqawamah [resistance] is to make it to school every day. I feel that I am strong, we are all strong, and can do it.”*

Post-traumatic growth was also found in new ways of connecting or reconnecting to siblings, friends, or people that offered support and power. Lama explained how she reconnected with her siblings and father, and that with their support and help, she managed to cope with her divorce and her life as a 21-year-old divorcee, with no house and no place to stay.

Schoolchildren shared with us how they are arrested on their way to and from school. One explained:

*“I experience attacks, and arrest. I was humiliated and interrogated at the muskubiyyeh [police station] more than five times, and was on home arrest and could not go to school. But my siblings started visiting me more, bringing me my homework, and I became more interested in school, and in getting higher grades. Every day I feel stronger, and more energized to go to school, and when walking on my way to school, I tell them in my own way, “I do not care about your military occupation. You are not strong, because you kill children and women.”*

Women kept on finding inner strength in a way they never realized before. One mother of a Palestinian that was killed explained, “I never thought I could handle such pain—to know and live after your son was burned alive, but, everyday, I feel my power. I can face them, can help other women. After all I went through, I can live through anything.”

One of the young women explained how she keeps on moving, and strengthens herself and her children:

“What I went through is not easy. The most important thing that a woman needs to know is how to manage/govern her life. If she wants to attain anything, the most important thing is to know how to administrate things in her house, and make a million things from nothing. If you don’t have food and you need to feed your kids, you need to know how to produce things in the house from nothing. Produce something and never expose yourself to people [don’t tell others that you don’t have anything]. So, for example, even if I have nothing, I can make dough, and I have oil, and I have zaatar. I can make zaatar menaish [a thyme pastry], and this is food.”

In another interview, another respondent described this transformation: “We women should count on ourselves. We must keep the boat moving. I started telling them [my family] that I want to go out. [...] I found the power in me to live life as normal. Previously I was so afraid, I used to walk on my tip-toes. Now, I walk normally, and face anyone that attacks me.”

In one of the cases of domestic violence, a 24-year-old woman shared with us the atrocities she faced from her husband and family, who blamed her for her husband’s violence and for “failing to keep her family together.” She shared with us how even the judges in the Sharia court asked her to put on makeup and look good for her husband, while they knew he was beating her and her children. She said:

“After that court meeting, [...] after the humiliation and degradation I felt from everybody, I decided I am not going to be a sex slave, a doormat. I am young, strong and clever and can work and live my life. Believe it or not, I became a legal expert. I know the law, know my rights, and I have a Jerusalemite ID card. I filed a compliant against him. I applied to get my alimony and the children’s fund, and feel I am better without his control.”

It was clear in the various discussions that having a Jerusalem ID card protected women from further violence, i.e., the violence of being deported or kicked out of the home and community. Women explained that having a legal system, if used well (if women have enough money to pay lawyers, can get legal support, or can navigate their way with the different civil rights organizations) can protect women. But even women without Jerusalem ID cards and married to legal residents searched for power in their powerless condition. One woman who managed to file a family reunification permit allowing her to move safely explained: “I work as a caretaker for the elderly and have my salary and can provide for myself. This is my home and these are my children, and whatever he does, he can’t abuse me anymore. I have the support of the welfare department, and the social worker there is very good with me.”

Another mode of post-traumatic growth was found in a mother of a political prisoner, who discussed the effects of imprisonment. She explained that losing her children to prison, missing them, needing to visit them all the time, made her a different woman. She started appreciating life more, and cherishing moments of closeness. She explained how her meetings with other families made them all struggle more to support each other, and prevent the collapse of the community. She stated:

“This is occupation, and this is our country, and these are our children. I started thinking in a more rational manner—if we do not defend our dignity, our presence, who will do that for us? But, I also was thinking that our situation is exacerbated with the years, and deprivation is increasing. I say to myself, oh God, we are here, they are here facing us all the time, they are educating themselves, and we, when we even build a small stone, they demolish it. But we are walking on the right path. We are right, and our eyes are open.”

Her ordeal, like that of many other families, made them all realize the importance of being together, sharing, meeting, talking, and visiting their children. She then said: “My children are refusing oppression and dispossession. They refuse to live under such conditions, and refuse to keep the situation in Palestine as is. [...] We must find ways to take our rights back. What is sad to me is that our children lost their age, lost their life in prison. I must continue what they started.”

Women looked for ways of regaining power and feeling justice, and in most of the interviews, deepening their religious beliefs and seeking justice in heaven was one way to ease the pain, and go on with their lives. One mother explained:

“I am proud of my sons, but feel saddened that they lost their beautiful years in pain, and prison. I wanted my children to be educated, to have high positions but they served the homeland, defended our rights. My children did not finish their education but I am proud of them. The Prophet Muhammad did not finish his education. We have God, heaven, the homeland and pride—thank God.”

Another woman that lost her family member explained: “I used to think that all doors are slammed in our faces, everything is closed in Palestinian women’s faces, but, now I feel God is opening the doors. These are doors that allow me to believe in patience and tolerance.”

## Conclusion: Violent and Multiple Hierarchies of Evictions

Law and justice not only failed these women and girls, but was used to strengthen new tools and modes of oppression. Respondents discussed the extent to which law, even if it exists, is not on their side, not even to protect them from intimate violence or sexual and physical violence by acquaintances



or strangers. Our investigation of women's experiences with access to justice for political violence showed the following:

1. **The politics of space and law allowed a machinery of attacks and evictions blocking women from justice.** For example, women that carried Jerusalem ID cards were at least able to maintain their residency status, while women that were not residents suffered further threats, attacks, abuses and evictions. The hierarchy of victimhood and eviction marked women's bodies as naked and bare to be violated. Some bodies were targeted (such as bodies of those that do not have a Jerusalem ID card, or that wear the veil and *jilbab*, a long Islamic overcoat) with more violence and others with less. Moments of pain, helplessness, power, and resistance were found among abused women. Thus, and in times of dispossession and fear, we also learned how women managed to create spaces of their own, such as the case of a young 20-year-old university student who turned her neighborhood into a meeting place for girls that are interested in dancing Palestinian folklore steps, *dabka*. Their dancing in the streets and on community occasions allowed them to speak truth to power, release the tension they suffered when walking in their own neighborhoods, smile, enjoy music, and claim a safe space, while enjoying a culturally-approved practice.
2. **The body was a major factor in analyzing political violence, as young women talked about being stripped of their veils, witnessing the humiliating undressing of men in public by Israeli security forces, and more.** This was tied to "*taariyyeh and ibaha*," the stripping away of women's power, a major factor impeding justice. Undressing men and women was perceived as a mode of undressing Palestinians and their right to safety and security. Such attacks, evictions and bareness traumatized many respondents, to the degree of portraying East Jerusalem and its people as the world's orphan, which incurs abuse, dispossession, and murder with impunity.
3. What struck us was strength: the way women and girls consistently attempted to open up new spaces of resistance, whether through the use of e-resistance (Facebook, WhatsApp, and more), through music, writing and dancing, or through their religious beliefs and spiritual practices, and what they defined as *sumud* [steadfastness] and *iman bil haq* [faith in rightness]. Respondents discussed their counter-reactions to regaining violated dignity and lack of protection.

# Discussion and Conclusions: The Politics of Militarized Dismemberment

Our research conducted with women and girls in East Jerusalem accentuated the importance of justice as the foundation for safety, security, dignity, integrity, and gender-based equality. The results of our study clearly showed that there is limited—or as women respondents defined it—“suffocated” justice in East Jerusalem for Palestinian women. The denial of local, national and global access to justice has in fact turned laws and the legal system into a tool in the hands of those who hold power to attack girls and women. The deprivation of justice turned women and girls’ bodies and lives into naked entities that can be attacked and violated. It has prevented and impacted women’s participation in education and the workforce, increasing their vulnerability to economic, legal and social violence, and inducing a multiplicity of traumas.

Our general findings suggest that Jerusalemite Palestinian women and girls are subjected to various technologies of violence, including the violence of law, the violence of bureaucracy, and the penetration of militarized violent dismemberment into the mundane and intimate spaces of everyday life, through policies that limit women and girls’ access to protection, education, healthcare, basic services, adequate housing, adequate standard of living, economic prosperity, freedom of expression, movement, right to family, right to mourn and provide a dignified burial for the dead, etc. The gendered social, legal, political, economic and cultural expressions of violence emanate from a longstanding structure of settler control and Israeli military occupation of East Jerusalem that strengthens patriarchal power within Palestinian society, affecting women’s access to justice on multiple levels in a context governed by multiple, intersecting formal and informal legal structures.

This study demonstrated that various aspects of structural violence emanating from Israel’s expansion and military occupation of East Jerusalem permeate the mundane spaces of everyday life in gendered ways. That is, Israel’s militarized power is performed through a matrix of technologies of violence—spatial, social, political, economic, legal—which combine to strip away Palestinian women’s power and limits their access to justice. The political situation, which leaves Palestinians under military occupation in a vacuum without political representation and legal recourse to protection, enables the persistence of patriarchal powers, further hindering women’s access to justice. Yet at the same time, women’s navigation of the maze of injustice has opened up creative strategies that extend beyond traditional approaches such as turning to the state for recourse and protection.

We propose understanding the embodied, gendered social body politics facing women in East Jerusalem, and the constant losses experienced, as what we term “the politics of militarized dismemberment.” Militarized dismemberment, as this study showed, is a bio-political, geo-political and necro-political regime of control to sever and “amputate” women’s ability to access justice. Yet at the same time, women are constantly caught in the process of attempting to “remember” the self and the social body through daily acts of survival and the creation of countermaps to access justice in the microspaces of the military occupation.

Dismembering aims not only to fragment Palestinian women’s individual body and psyche, but also the larger Palestinian social body of which each is a part. The politics of militarized dismembering, as we define it, has several key features:

- **Dismembering is systematic, continuous, structural process** that strips away women’s power to the extent that the very generation of vocabulary to describe one’s suffering or one’s access to rights in the context of a militarized regime, is an impossibility.
- **The politics of militarized dismembering require that we examine the history of injustice and the local and global politics of dispossession that inform present policies, bureaucracies and blockages facing Palestinian women seeking to access justice in East Jerusalem.** It is important to emphasize the historical roots of the structure of the Israeli occupation where political space is occupied by those that have perpetrated injustice on the bodies and lives of Palestinians in contravention of international laws. Historicizing dismemberment, added to the global politics of denial, as the study revealed, requires that we analyze women’s access to justice not only in the present, but as rooted in the ramifications of a history and structure of unending dispossession. The increased incidence of early marriage of Palestinian girls in occupied East Jerusalem today, for instance, is affected by poverty, homelessness, and unending uprooting, conditions that grow out of the structure of oppression.
- **This politics operates within a logic that sustains “emergency” and “security” justifications and regulations where there is a constant suspension of the rule of law at the same time that the “right to dismember” the native Palestinian is legalized by Israeli authorities,** turning women’s bodies into *ajsad asira* [captive flesh] or *jookim* [cockroaches]. Operating within a constant state/logic of emergency grants the occupying power the constant right to dismember the member, turning dismemberment into a justified, legal intervention.

Israel’s regime of militarized dismembering in East Jerusalem

is being maneuvered by political powers that control the space/land, place/home/school, body/flesh and law. Navigating the body/life to work and home through existing discriminatory laws and bureaucracies hindered mobility and restricted space, and more leaves women in a suspended non-space of existence where there is difficulty creating and maintaining bodily safety, dignity, and social protection. The machinery of militarized dismemberment invading the home, school and public space, as it invades bodily safety, has deeply affected some girls and women, and severely impacted their life decisions. It has also prompted other girls and women to create new psychological, social and political networks. The intensity of the political work of the machinery of dismemberment obstructed and hindered appropriating new paths for the self. The very act of expression, of calling on a legal or rights-based vocabulary has been obstructed by the constant penetration, violation and “dismemberment” of the individual and social body.

This regime of militarized dismembering is carried out through several key technologies:

- Surveillance regime (e.g., the ID card regime, the permit system, and other demographic and spatial control policies)
- Bureaucracies of entrapments (e.g., arnona [municipal property tax] and national insurance, differential school systems, health insurance, economic regulations and maneuvering)
- Various modes of violent inscription of militarized power onto women’s bodies, that keep women as either uprooted bodies, victims of abuse that require saving, and/or “inflammable subjects” that should be punished always and everywhere (e.g. control over birthing, attacks on women’s bodies and lives by soldiers or settlers)
- The use of “emergency” and “security” justifications and regulations against individuals and families

(e.g., stop and frisk, the freeze on family unification, child arrests, administrative detention, etc.)

- Collective punishment (e.g. economic strangulations and enslavement, withholding the bodies of the dead, punitive home demolitions, child arrest, curfews, blockages, militarization of streets, and public spaces, etc.)
- Trapping/imprisoning (bodies, futures and present lives/deaths)
- Using the welfare, work and educational system to normalize violence against women and girls.
- Aesthetics of violence of the state and its settlers that aims at evicting Palestinians from public spaces, such as the Old City, terrorizing the occupied community, while maintaining spatio-temporal control of occupied East Jerusalem in the hands of the state and its settlers.

Our report highlights that the gendered price of surviving such a system of dispossession and entrapment is high, as militarized violence invades the most intimate spheres of Palestinian women’s lives, including their family life, their homes, their bodies, and psyches. Militarized dismemberment, as this study demonstrates, is not only carried out by formally recognized agents of state or military power. Militarized power infuses existing systems that are not typically perceived as militarized, such as the ministries of health, education, planning, justice and more. It recruits locals as teachers, welfare workers, health and legal professionals into a maze that further traps women and their accessibility to justice. As our study has demonstrated, with little faith in the Israeli justice system, no protection from the Palestinian Authority, and the failure of the international community to hold Israel as an occupying power accountable to international law, women turn to alternative measures to access justice, working to re-member the unending militarized dismemberment.

## Appendix A. Questions used in focus groups and individual semi-structured interviews

1. How do you define justice?
2. Can you explain a situation when you felt you were unable to access justice in Jerusalem?
3. How did you deal with this situation? And how did you overcome it whether through your family or individually? What was the solution that you reached?
4. If you were asked to tell us one story related to the subject of justice for Jerusalemite women / girls, what would be the first topic that you would have in mind?
5. What are the most important issues facing women in access to justice?
6. If you were responsible for the accessibility of justice services in Jerusalem, what are the first things that you would like to change?
7. If you were responsible for giving advice to girls aged 18-24 what advice would you give them?
8. What do you think of the challenges in achieving justice in Jerusalem?
9. Can you explain to us the situation in one word? Why did you chose this word?

To stimulate the audience, give examples of proverbs and anecdotal stories of grandmothers.

If there are any contradictory opinions, please record them.



## Appendix B. Questions for CSOs

**These questions were directed to CSOs after a short explanation of the research study.**

1. Tell us about the organization's objectives and its work during the last five years (focus on the organization's work with women).
2. You can ask an alternative question: Among the work that you are doing, what is the organization's work/intervention with women?
3. What is the nature of your work with women accessing the justice system and women who cannot access it?
4. What's your opinion of Palestinian woman's access to the justice system?
5. In your opinion, what are the obstacles that Palestinian woman face when dealing with the justice system?
6. In your opinion, what are the obstacles that prevent women from accessing the justice system and receiving fair treatment?
7. What is your opinion about the role of informal institutions for women who go through the justice system?
8. What do you think of the justice system and (the formal and informal) Israeli and Palestinian judicial systems?
9. In your opinion, what are the advantages that women who live in specific areas have regarding accessing the Palestinian justice system?
10. Can you, in details, talk about one of the cases?
11. Was there any intervention with any of the Israeli judicial institutions in any of the cases? How and why?

## Appendix C: Table of interviews and focus groups

The following chart displays a breakdown of data collected for the study:

Group	Individual Interviews	Focus Groups	Participatory Observations	Other Methodologies	Total Participants	Notes
Workers (Teachers, domestic workers, etc.)	34 women: 5 Teachers 19 Falahaat 4 social workers 6 cleaners	4 Groups: A. 3 women B. 9 women and 2 men C. 3 women D. 11 women and 1 man			63 People  [60 women and 3 men]	
University Students	5 women	5 Groups: A. 3 Women B. 3 Women C. 3 Women D. 5 Women E. 7 Women			26 Women	
Political and Settler Violence	23 women	1 Group:  8 women			31 Women	
Poverty, Social Problems, Marriage between Jerusalem ID Holders and Non-Jerusalem ID Holders	14 women	1 Group: 8 women			22 Women	
Divorced Women	10 women				10 Women	
Court, School, Street watch			14 Court observations and 40 School and street observations		54 Observations	
Court Case Follow-up				2 women and one girl	3 Cases [ 2 women and one girl]	
Socio-Political and Domestic Violence	16 women	3 Groups: A. 3 Women B. 2 Women and 2 Men C. 3 Women			26 People  [ 24 women and 2 men]	- Women's Organization names are confidential

Accompaniment				5 families	5 Families	- Family names and case details are confidential - Research team conducted follow ups with the families
The Girl Child				162 Girls letters 106 Boys letters	268 letters	- 28 letters before the events of September 2015 - 240 letters after the events of September 2015
Organizations	13 Local NGO Representatives:  8 Women and 5 men				13 People  [8 women and 5 men]	
Validation of the Data	2 interviews with private lawyers (one women and one man)	3 Groups: A. 10 women B. 7 women C. 5 women			24 People [23 women and one man]	
<b>TOTAL</b>	<b>125 Interviews</b>  <b>119 Women and 6 Men</b>	<b>19 Focus Groups</b>  <b>119 Women and 5 Men</b>	<b>54 Observations</b>	<b>3 Court case follow ups [ 2 women and one girl]</b>  <b>5 Family accompaniments</b>  <b>268 Children's letters</b>	<b>240 Women</b>  <b>11 Men</b>  <b>269 Children</b>  <b>5 families</b>  <b>54 Observations</b>	

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