

# CORNERSTONE

A PUBLICATION BY SABELL ECUMENICAL LIBERATION THEOLOGY CENTER



## Who is My Neighbor?

Photo by Saeed Qaq

A Palestinian walks on the rubble of his family's East Jerusalem home after it was demolished by Israeli forces.

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## Human Rights: The New Universal Secular Creed

*by Naim Ateek*

If we want to judge the behavior of the Christian Church before the adoption of the human rights charter vis-à-vis human rights, the least that one can say, is that it is despicable. In reviewing some of the articles on human rights and religion, I came across one that shocked me. As many as 27 out of the 30 articles contained in the Universal Declaration of Human Rights (UDHR) have historically been violated by Christians, as described in the "Universal Declaration of Human Rights and the Christian Church."<sup>1</sup>

For example, according to mainstream Christians in past history, slavery was not only permitted by God, but was the will of God. Torture was also used by the Church, and reintroduced by many Europeans even after it was abolished. In addition, freedom of movement and residence within state borders did not exist under the Church-sponsored feudal system during medieval times. And the Church historically opposed freedom of thought, conscience and religion, holding for many centuries that all knowledge was contained in the Bible and original thoughts were satanic. These are just some of the many examples.

We need to confess that whether through theological ignorance, blindness, or sheer intent, the Church behaved at times in a most un-Christ-like manner. Regardless of past circumstances and internal or external pressures, as well as what might seem as plausible historical rationalizations, we need to confess that many times in the past, our ecclesiastical authorities and we ordinary Christians have violated the human rights of others.

We thank God that times have changed. It has taken us many centuries to reach where we are today. Although the various religions of the world have made changes that have contributed to the betterment of people's lives (which religious adherents are quick to mention proudly), none of the religions have been able in their long history to completely rise above or sustain the revolutions that each claims to have started. But before I attempt to articulate what I believe to be the foundational theological basis for human rights, I would like to give a very brief outline of some milestones that prepared the way towards the development of human rights.

In 539 B.C. after King Cyrus of Persia conquered the Babylonian Empire, he freed all slaves and allowed people to

choose their own religion. The king's decree was placed on a clay tablet and became known as the Cyrus Cylinder, which became the first human rights declaration in history.<sup>2</sup>

In A.D. 1215 the Magna Carta was the first document in England that gave people new rights and made the king subject to the law.

In 1628 the Petition of Right was an English constitutional document that articulated the rights of the people.

In 1776 the United States Declaration of Independence proclaimed the right to life, liberty and the pursuit of happiness.

In 1789 the Declaration of the Rights of Man and of the Citizen, as a fundamental declaration of the French Revolution, stated that all citizens are equal under the law.

In 1948 the Universal Declaration of Human Rights was the first document listing the 30 rights to which every human being is entitled.<sup>3</sup>

I believe that from a biblical and theological perspective, the summary of the law, which Jesus Christ mentioned in the Gospels, lies at the basis of the articulation of the human rights charter. Jesus summed up religious faith in two verses from the Hebrew Scriptures: "You shall love the Lord your God with all your heart, soul, mind and strength and you shall love your neighbor as yourself." And due to a popular narrow definition of who constitutes a neighbor, Jesus gave the story of the Good Samaritan, which expanded the definition of neighbor to include every person - even one's enemy.

This is not only a summary of the law and the prophets in the Bible. We need to look at it today as the basis of the



A child at an unrecognized Bedouin village, Negev Desert

whole human rights charter. It is also the bridge that links us with other human beings and places all people on equal footing with each other regardless of their religious or non-religious affiliation.

Today, therefore, we find no discrepancy between our faith and our understanding of the importance and relevance of human rights. In fact, we believe that human rights stem out of our understanding of our faith and our interpretation of the Bible. Issues like the dignity of all human beings are integrally tied together with our faith in a creator God who loves all people equally. Once we accept "love" as the fundamental hermeneutic and use it as such in determining the human rights of others, everything else falls into place. All human rights are derived from fleshing out the concept of the love of others. Indeed, the respect and dignity of every human being derives from the principle of love. One of the best expositions of this in the language of faith is found in the words of the Apostle Paul:

*"Owe no one anything, except to love one another; for the one who loves another has fulfilled the law. The commandments, 'You shall not commit adultery; you shall not murder; you shall not steal; you shall not covet'; and any other commandment, are summed up in this word, 'Love your neighbor as yourself.' Love does no wrong to a neighbor; therefore, love is the fulfilling of the law" (Romans 13:8-10).*

Using this formula of love as binding, one can point to the following:

1. Prime Minister Netanyahu's emphasis on the Jewishness of the state of Israel is a sin against love of neighbor because it violates the human rights of a large segment of the population of the land, the Palestinians who were historically the inhabitants of the land long before the state of Israel came into being. This emphasis undermines their human rights.
2. The Israeli law that favors Israeli Christians over Israeli Muslims exposes Israeli government policies of divide and rule. It is a racist law that is a sin against love of neighbor, because it does not consider all people as equal in their standing before the law.
3. The Israeli government's onslaught on the Aqsa Mosque (acting through extremist religious Jewish settlers) to divide it or take it over is a sin against love of neighbor; it uses the military power of the state to achieve unjust political ends that are contrary to international law and that infringe on the legal rights of Muslims.
4. The Israeli plan to draft Israeli Arab Christians into the army is a sin against love of neighbor because it aims at creating divisions within the Arab Israeli community and sows seeds of tension and strife.
5. Anytime we use half-truths in order to undermine others and cast them in doubt so that we appear innocent and better, while they appear as villains, is a sin against love of neighbor.



Pope Francis speaks to children of Dheisheh refugee camp during his visit to Bethlehem.

A case in point is when Netanyahu led Pope Francis to a memorial slab with the names of Israelis killed by Palestinians and told the Pope that the separation wall was built in order to prevent such terrorism. Netanyahu was deceptive. The root cause of the violence is the occupation itself. The simplest way to end the violence is to end the occupation. The wall was built to sustain the occupation. Be that as it may, had the wall been built inside the green line, the Palestinians might have tolerated it. But most of the wall was built deep into Palestinian territory; therefore it reflects the deceptive motives of the Israeli government and its ravenous lust for Palestinian land. Moreover, the number of Palestinians killed by the Israeli army and settlers' terror far exceeded the number of Israelis killed by Palestinians (6,792 Palestinians killed versus 1,102 Israelis since 2000).<sup>4</sup>

I believe there is a growing awareness of the importance of human rights in the world today. More people view human rights as the new secular religion of our time. According to an article by British lawyer and academic, Anthony Julius, "...[Human rights] deprecates unrestrained state sovereignty, it endorses international and transnational legal institutions; it accepts the liberal critique of imperialism... This new 'human rightism' accords great value to the United Nations – not withstanding its inability to enforce its decisions, and its refusal to make practical demands of its members to be democratic or respect the human rights of their citizens. The effect is to maintain a certain challenge to normative liberalism, but on rather different terms than before..."<sup>5</sup>

Anthony Julius ends his article by saying that those who are really engaged and committed in the world today in the struggle for human rights are the NGO activists.

In many ways, the development of human rights has helped challenge our human thinking about the rights of others. They have stretched out our narrow theologies of God and challenged our xenophobic theologies of neighbor. God can no longer be a God of war and violence, a God of retribution and vengeance. God can only be the God of love, mercy, and peace. Neighbors can no longer be strangers who are feared and subjected to abuse. Their rights can no longer be violated, denied, or negated; they are humans to be loved and embraced, and their human rights respected.

The development of human rights has cut across all ethnic, racial, gender, religious, and all other boundaries, and has perceived all the inhabitants of the world as one human family bound together in one human fabric and endowed by the creator God with human dignity. Every person is entitled to a life of peace, security, and wellbeing.

From my faith perspective, human rights represent the best, highest, and noblest ideas and ideals that cumulatively all religions are able to contribute to, and all human beings can dream of and imagine. We have the awesome responsibility to respect human rights and promote and implement them. The human rights charter is on its way to becoming our new universal secular creed.

*The Rev. Naim Ateek is the Director of Sabeel.*

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<sup>1</sup> See <http://www.heretication.info/> for the full list.

<sup>2</sup> "A Look at the Background of Human Rights," The Council of Citizens, 30 July 2010, <http://councilofcitizens.wordpress.com/2010/07/30/a-look-at-the-background-of-human-rights/> (accessed 3 June 2014).

<sup>3</sup> Ibid.

<sup>4</sup> "Palestinian and Israeli Deaths," Visualizing Palestine, Nov. 2012, <http://visualizingpalestine.org/timeline-of-violence> (accessed 5 June 2014).

<sup>5</sup> Anthony Julius, "The New Secular Religion," The Guardian, 19 April 2010.



© Wikipedia

A neighborhood in Nazareth, the largest Arab city in Israel

# The “March Deal” of Discriminatory Laws

by *Nadeem Shehadeh and Amjad Iraqi*

In the space of three days in March 2014, the Israeli Knesset enacted three bills into law as part of an agreement between the governing coalition parties: the Electoral Threshold Law (proposed by Likud-Beiteinu), the Haredim Military Draft Law (proposed by Yesh Atid), and the Land Concessions Law (proposed by Habayet Hayehudi).

Though they appear not to affect them directly, each of these laws have very serious implications for the Palestinian Arab minority in Israel (1.2 million citizens, or 20% of the state’s population) and Palestinian residents of the Occupied Palestinian Territories, or OPT (approx. 4 million people). In doing so, the three laws join a list of over 50 Israeli laws that directly or indirectly infringe on the rights of Palestinians. More than 20 of these “discriminatory laws” were enacted in the last five years under the consecutive Likud-Beiteinu governments, with more bills being proposed every Knesset session.

The strategic idea behind the Knesset’s “package deal” in March was that each of the main parties would have one of their flagship bills approved if they agreed to also vote for the partners’ proposed bills, regardless of their disagreements or reservations with the bills. The deal thus illustrates the ease with which the Knesset can institute discriminatory legislation without opposition or concern for its effects. Due to the lack of a formal constitution in Israel, and the absence of legal provisions guaranteeing the protection of minority rights, a

situation is created whereby just over 61 out of 120 individuals, many of whom promote political platforms hostile towards Palestinian rights, can determine the fate of Israel's minority citizens and its occupied population, without having to consider these populations' positions or consult with their representatives.

This legal-political condition has allowed the last two Knessets to pass numerous laws that discriminate against Palestinians on both sides of the Green Line. Most of these laws do not appear discriminatory at all, and are written in language that would seem ordinary and without ill-intention for its subjects. Israel's political elites are aware that drafting legislation that explicitly references "Arabs" or "Palestinians" in their wording are more likely to be attacked for being racist, both from within the country and from the international community. Israel's legislators instead circumvent this issue by wording the laws such that they would appear to be general, but whose direct or indirect effects would remain targeted towards Palestinians. These laws are therefore often able to pass without public scrutiny, unless challenged in the courts by civil society organizations.

## The March Deal

The above dynamics help to explain the issues behind the "March Deal" and their impact on Palestinians both in Israel and the OPT. The first law, the **Electoral Threshold Law**, raises the minimum percentage of votes required by parties to enter the Knesset from 2% to 3.25%. While there are many democratic countries that use the electoral threshold system, Israel's diverse demographics and tradition of ethno-cultural politics make a low electoral threshold an important mechanism for ensuring wide representation of Israel's political and social scene, particularly its marginalized Arab minority.

The law's immediate effect is that it makes it much harder for smaller political parties to get elected into the Knesset. This effect is particularly targeted towards the three main Arab political parties in Israel, which each garnered 3 to 4 parliamentary seats in the last general elections. The higher threshold will make it more likely for the Arab parties to be excluded from the Knesset, unless the Arab parties unite under a single platform in order to pass the threshold. While this may appear to be a positive result, it in fact robs Arab citizens of diversity in their choice of political representation; the three parties represent nationalist, communist and conservative streams of Palestinian politics in Israel, each of which have different ideologies and agendas that deserve their independent voice.

The Electoral Threshold Law is one in a series of proposed legislation that aims to restrict the political participation and civil rights of Palestinian citizens of Israel. One of the most dangerous bills in this regard is the drafting of a new Basic Law, the "Jewish Nation-State Bill," which is being supported by both centrist and right-wing governing parties. Some versions decree that the right of self-determination in Israel belongs exclusively to Jews; other versions explicitly order Israeli courts to prioritize the state's Jewish nature over democratic principles. These laws send a clear message to Palestinian citizens that the state is intent on deepening their second-class status in order to defend Jewish hegemony over Israel's political sphere.

The second law in the deal, the **Haredim Draft Law**, institutes a plan for the mandatory conscription of ultra-orthodox Jews (Haredim) into the Israeli army, who have traditionally been exempted to pursue religious studies in state-funded yeshivas. Though this law is not targeted towards Palestinians,

it does send an important message to the minority citizens that the state is renewing its efforts to absorb periphery groups into the military.

This trend is not occurring out of goodwill to these citizens, but for political and social-economic objectives. Since 1948, Palestinian citizens have been exempted from serving in the Israeli army for mutual political and historical reasons: Palestinian citizens refuse to take up arms against their Arab and Palestinian brethren, while Israel prefers to keep its 'fifth column' outside the military for security reasons. Today, however, Israeli politicians are increasingly demanding that the Palestinian minority prove their 'loyalty' to the state, while claiming that their exemption from military service should not entitle them to the benefits of citizenship provided by the state (the latter claim is invalidated by the fact that Arabs who do enlist in the army – namely Druze and Bedouin citizens – continue to be collectively discriminated against despite their service).

The state's language of 'loyalty' and economic benefits is also deliberately being used to split the Palestinian community in Israel along political lines, most dangerously by exploiting sectarian identities. In conjunction with the Haredim Draft Law, Israel has begun to actively encourage the enlistment of Palestinian Christian citizens into the army, involving the employment of Father Gabriel Nadaf and the distribution of flyers and local media campaigns. The politicization of sectarian identity is also reflected in a new law passed in February 2014, which instituted separate representation for Christians in governmental economic committees. The goal of these policies, as declared by the Knesset member behind the law, is to use the Christian community as "a counterweight to the Muslims that want to destroy the

country from within.” This classic “divide and conquer” strategy, which echo those of colonial Algeria and apartheid South Africa, has been condemned by Palestinian civil society and the majority of the Christian community in Israel. The state, however, remains intent on pursuing its agenda.

The third law, the **Land Concessions Law**, decrees that in order for Israel to withdraw from any occupied territories, the move will be put up for a public referendum and must be approved by the Israeli citizenry. These territories include Jewish settlements in the West Bank, military zones and bases, and occupied East Jerusalem. Israeli-built infrastructure in the OPT cuts across territory that is meant to be part of a future Palestinian state, according to the peace negotiation process, and is responsible for the mass land confiscation, restrictions on movement, and other wide-scale violations of human rights that have characterized Israel’s military occupation of the Palestinians since 1967.

The intention of this “referendum” law is not to democratize Israeli decision-making in the conflict, but to make it more difficult for Israel to agree to any withdrawal from the occupied West Bank. This is particularly meant for East Jerusalem, which the majority of Israelis see as the unified capital of the state, but also for numerous Jewish settlements across the West Bank that are considered irrevocable. The result is that Israel would be able to legitimize the annexation of Palestinian territory through national public opinion, despite the fact it openly violates international laws and the rights of Palestinians, who have no say on the fate of their lands and properties.

The Land Concessions Law is one in a series of other bills that are seeking to entrench Israel’s illegal control of the OPT and place obstacles to any attempts to return the OPT to the Palestinians, including bills that demand Knesset approval of negotiations regarding the status of Jerusalem, and that demand the application of Israeli civil law in all settlements in the Jordan Valley. These bills show that, far from recognizing the harm and illegality of the occupation, Israel is in fact worsening its policies and re-affirming its disregard for the human rights and dignity of the Palestinian people, which will have severe implications for the wider Israeli-Palestinian conflict.

## Conclusion

The March Deal exemplifies the process and effects of Israel’s discriminatory lawmaking on Palestinian citizens of Israel and Palestinians in the OPT. Despite being subjects to these laws, both groups of Palestinians have little to no say in their creation, and have limited to no influence in changing the laws to stop their discriminatory effects. The flood of discriminatory legislation since 2009 exhibits a growing political trend that aims to secure historical Israeli policies against Palestinians into official law, which are deteriorating the citizenship rights of the Palestinian minority in Israel and the human rights of occupied Palestinians. These legal-political conditions mean that the legal parameters of Palestinian collective rights remain largely in the hands of Israel’s lawmakers, unless successfully challenged in the courts, the public sphere, and international forums. Opposition to these laws and their discriminatory effects are thus crucial in order to halt the deterioration of Palestinian human rights on both sides of the Green Line.

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*For more examples of Israel’s discriminatory legislation, see Adalah’s Discriminatory Laws Database at <http://adalah.org/eng/Israeli-Discriminatory-Law-Database>*



Arab Israeli school children in Um-al-Fahm, Israel

# Legalized Discrimination in the Negev.....

by the Mossawa Center

On March 10, 2014, members of Yoav, the Israeli military unit responsible for demolishing houses in the Negev, entered the Islamic cemetery in the small village of Al-Araqib. Under the pretext of taking pictures of the cemetery's mosque and minaret, the forces desecrated tombstones, telling villagers who tried to protest their actions, "You do not have any sanctuaries here, since all this land is ours."

Al-Araqib, an Arab Bedouin village located in the Negev region, is unrecognized by the Israeli government. It is home to twenty-two families, around 130 people, and has been the target of Israeli housing demolition operations more than sixty-five times. The incident that took place on the 10th of March marked a turning point in the willingness of the Israeli government to violate the individual and collective

rights of these residents, as it was the first time authorities entered and violated the village's cemetery, a religious and cultural heritage site.

The Al-Araqib cemetery incident is just one recent example of the civil and human rights violations that Israel's Arab Bedouin community has been subject to for decades. More than half of the 160,000 Bedouins who reside in the Negev live in villages unrecognized by the state. Not only are these villages considered illegal under Israeli law, but the government refuses to connect them to water, electricity, sewage, telephone lines, or roads, and they face the constant threat of demolition. As a result, residents suffer from a severe lack of education, health, and welfare services.



Bedouin school children

## Historical Context

The Bedouin community, a subgroup of the Arab Palestinian minority in Israel, is one of the most discriminated groups within the Arab population, and within Israeli society as a whole. The Bedouins are an indigenous population that has been living in the Negev for centuries, developing a unique culture based on agriculture. They are incorrectly stereotyped as nomads, which has led to the misconception that they are not in need of property rights and that they do not have any link to their land. To the contrary, many of the Bedouin villages date back hundreds of years, and were recognized by both the Ottoman Empire and the British Mandate.<sup>1</sup>

Prior to 1948, an estimated 110,000 Bedouins lived in the Negev. During the Israeli War of Independence and the years that followed, thousands were expelled or fled to Jordan, Gaza, Egypt, and the West Bank. Only 11,000<sup>2</sup> Bedouins remained within Israel's borders after the war, living under military rule until 1966. During this time, the newly established Israeli government instituted a policy to consolidate the Bedouin population in the Negev, making room for anticipated Jewish immigration to the area. Most Bedouins were moved to an arid area comprising only 2%<sup>3</sup> of the Negev, known as the Siyag (Hebrew for "enclosure"), while the fertile lands in the northern Negev were turned over to Jewish agricultural settlements.<sup>4</sup>

In 1965, after the passing of the Planning and Building Law, the Arab Bedouins' lands in the Negev became zoned exclusively for industrial, military, or Jewish agricultural purposes. The Bedouin residential areas in the Siyag disappeared from official maps, meaning that every established building in the area became an illegal structure.<sup>5</sup> Since then, Israel has made an effort to relocate the Bedouins in the Negev to urban cities and townships, coercing them into adopting a new urban way of life that is opposed to their traditional agricultural lifestyle.<sup>6</sup>

## Praver Plan and Legal Issues

Recently, Israel's degrading treatment of its Bedouin community has come under scrutiny from the international community, over the controversial Bill for the Regulation of the Settlement of the Bedouin in the Negev (2012), also known as the "Praver Plan." This Plan called for the mass relocation of the Arab Bedouin community in the Negev to planned, "recognized" towns. If fully implemented it would result in the destruction of 36 unrecognized villages, the forced transfer of around 70,000 Arab Bedouin citizens of Israel to urban localities, and the dispossession of their historical lands in the Negev. The Bedouin community has completely rejected the Praver Plan, and the Plan has received strong disapproval from the international community.<sup>7</sup>

The Israeli government justifies this Plan under the pretext of raising the living standards of the Bedouin people, and compensating them for lost land. The compensation system proposed by the Praver Plan for the resolution of land ownership disputes is based on giving the claimants land or money in exchange for their claims. This compensation would reach, at maximum, 50% of the worth of the claimed area.<sup>8</sup>

Although the Praver Plan is currently stalled, the Arab Bedouin population remains amongst the most vulnerable of Israel's citizens. Beginning with the 1950 Absentees' Property Law, used to seize control of land owned by Palestinian refugees forced to flee during the 1948 war, the Israeli government has implemented a series of laws and practices aimed at transferring property from the hands of native Arab Palestinians to the Jewish state. This has created institutionalized discrimination against Arab citizens of Israel, especially in the area of land ownership. Since the 1950 law, over 1,000 new Jewish communities have been established, while not a single Arab village has been approved for construction.

*"Since the 1950 law, over 1,000 new Jewish communities have been established, while not a single Arab village has been approved for construction."*

Israel's discrimination towards the Arab Bedouin community constitutes a violation not only of their individual rights, but also of their collective and cultural rights as an ethnic minority within the state. The practice of removing one group of people in favor of another based on ethnicity and/or religion is a policy of illegal segregation and a clear violation of equality. The Praver Plan is not a new strategy of land acquisition, but rather the latest policy in the long history of legalized discrimination against Arab Palestinian citizens of Israel.

Moreover, Israel's policy towards the Arab Bedouin community in the Negev, most recently illustrated by the proposed Praver Plan, is a blatant violation of international law. International human rights treaties ratified by Israel prevent discrimination relating to access to land, government allocation of state land, and the provision of social services. According to the UN Committee on Economic, Social and Cultural Rights, "instances of forced eviction are prima facie incompatible"<sup>9</sup> with the requirements of the Covenant on Economic, Social and Cultural Rights, ratified by Israel in 1991. UN Special Rapporteur on the Right to Adequate Housing, Raquel Rolnik, commented on this point, describing the Praver Plan as the "dispossession of traditional inhabitants, and the implementation of a strategy of Judaization and control of the territory."<sup>10</sup>

The Mossawa Center stands against the Praver Plan in its current form because forcefully transferring Bedouins from their land to planned townships will be the end of their way of life, and will cause tremendous upheaval in the community. Furthermore, the displacement of the Bedouins in the Negev is seen by the greater Arab community in Israel as a continuation of the displacement of all Arabs from their historical and ancestral land, and if implemented, could cause intense backlash from Arab communities all over the country. Unless awareness surrounding the plight of the Bedouins in the Negev is raised, and pressure is placed on the Israeli government to cease housing demolitions and recognize existing Bedouin villages, thousands of people will continue to live each day with the real fear that their homes and livelihoods could be taken away from them at any moment.

*The Mossawa Center aims to promote the economic, social, cultural and political rights of the Palestinian citizens in Israel, and the recognition of this community as a national indigenous minority, with their own national, cultural and historical distinctiveness. The Center develops programs to promote a democratic society, and acts against all forms of discrimination based on race, nationalism, religious affiliation, social status, gender and disabilities.*



Unrecognized Bedouin village in the Negev



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A Bedouin girl sits outside a tent in the village of Al-Arakib.

*“The Praver Plan is not a new strategy of land acquisition, but rather the latest policy in the long history of legalized discrimination against Arab Palestinian citizens of Israel.”*

- 1 Salman Abu Sitta, “The Denied Inheritance: Palestinian Land Ownership in Beer Sheba,” July 11<sup>th</sup>, 2009. Page 4.
- 2 Id.
- 3 Regional Council of Unrecognized Villages of the Naqab, “‘Unrecognized’ villages of the Naqab.”
- 4 Negev Coexistence Forum for Civil Equality, “The Bedouin-Arabs in the Negev-Naqab desert in Israel: Response to the Report of the State of Israel on Implementing the Covenant on Civil and Political Rights (CCPR),” August 2009. Page 2.
- 5 Id. Page 3.
- 6 Id. Page 7.
- 7 Including EP resolution available here: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0298+0+DOC+XML+V0//EN&language=EN>
- 8 Id. Page 12.
- 9 “The Right to Adequate Housing (Art.11 (1)): 12/13/1991. CESCR General Comment 4. (General Comments).” <http://www.unhchr.ch>. Office of the High Commissioner for Human Rights, 13 Dec. 1991. Web.
- 10 Rolnik, Raquel. “Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, and on the Right to Non-discrimination in This Context.” United Nations Human Rights. Office of the High Commissioner for Human Rights, 2012. Web.

# Bedouin Women's Voices

## *My Story*

by Hajjeh Sara

The Arab Bedouin women are always caught between the harsh measures of Israel and the very strict social traditions of the Bedouin community, which is part of the Palestinian minority in Israel.

The Arab women in the Negev face discrimination against their rights, which is exacerbated by belonging to a traditional male-dominated society with minimal resources and which encourages polygamy and violence against women, a phenomenon that seems to be acceptable to a large sector of the community.

The state also turns a blind eye to this phenomenon and ignores this prevailing male domination and the needs of women and their rights, as if what they face is a normal reality that they are destined to live with. The women, in turn, are unaware that there are laws that could protect them and give them their rights.

The Bedouin women have worked side by side with the men in tilling and planting the land and herding the flocks. They have always worked hard and suffered under occupation, mainly from eviction from one place to another. Over and above they had to carry the burden of the household: taking care of the children, preparing food, yogurt and other dairy products, weaving, and embroidery. Despite their hard life, the Bedouin women have not given in to the difficult economic and political situation.

The first women's association in Lakia in the Negev was established to help raise the status of women and to develop their abilities and skills in various aspects, whether socially or economically.

I am one of the women who lived in one of those traditional Bedouin communities where I was never consulted on any of the responsibilities that I had to bear. Some of my basic chores were cooking, cleaning, pulling water out of the cistern, as well as weaving and knitting. I had ten children, yet I was able to cope.

I was born in 1945 in Beer Sheeva and because I was the oldest among the children of my family, I had to carry a big responsibility and had to run many of the family chores, all the while going through the hard time of a number of evictions and moving on to new areas. I got married at the age of 15 and had no say in choosing my husband. The choice was done by my father and his brother, as my husband was my first cousin and two years older than me. I was illiterate, as there were no schools at the time in my area; so after marriage I continued to do the same chores that I did in my own home.

But then we moved to our forefathers' land near Gaza, and then we migrated to Jordan and stayed near the Jordan border for a few months until we moved to Tel Arad. And then we moved to the village of Lakia, which was one of the unrecognized villages with no electricity or running water. After twenty years, Israel decided to recognize the town, and so my family and I bought a plot of land to build a house for ourselves and some shops, which I think will add to my responsibilities.

To help me out, and partly to preserve the oral history of the Bedouin families, the Association for Improvement of Women's Status, Lakia, offered me a job of hospitality whereby I would receive guests and tell them my story. •



## *Empowering Women in the Negev*

Nimeh El-Sana, founder of the Association for Improvement of Women's Status, Lakia, sits in the middle of the carpet under the Bedouin tent where around 50 women from the Sabeel community in Jerusalem have finished drinking homemade tea. She smiles brightly in her traditional embroidered dress, commanding a presence in her humble surroundings – the small grounds where this non-profit center represents and empowers the Bedouin women living in the Negev region. The Sabeel women encircling Nimeh quiet as she tells her story of struggle and liberation and those of the women of the Negev.

Every year the center hosts over 200 groups from around the world in a quiet residential neighborhood of this “recognized” Bedouin village of Lakia. The groups come for a traditional Bedouin meal on a low-lying table surrounded by colorful pillows and to shop in the center’s small store. They learn about the center’s projects, including one that gives Bedouin women the opportunity to improve their economic situation by learning to weave and selling embroidery. The center also has a mobile library and offers tutoring classes for children. Many girls in the community do not go to school beyond the 8th grade.

Nimeh is a mother of four and a grandmother. Despite the struggles of herself and her husband, they have a son who is studying in Romania and a daughter who is a math teacher at the local high school. Her family cannot plant on the land of her grandfather's; if it does, the Israeli government will fly a plane over the land and destroy what is planted with chemicals. Instead, Nimeh’s family is confined to urban life in a struggling Bedouin economy in one of 8 villages in the Negev “recognized” by the Israeli government.

Holding up one of the center’s embroidered dresses, Nimeh shows her pride of her culture and heritage. She displays passion for the empowerment of women, which is challenged by both old traditions, including polygamy, and the socio-economic problems caused by the Bedouin people losing their agricultural ties to their land. With the transition to town life, Bedouin women lost their traditional role in agricultural life and central status in the family and in the community.

The Sabeel women visiting the center nod in recognition of Nimeh’s story. They understand what it means to lose land, to long for one’s land, and to suffer from discrimination from the Israeli government. Many of them may live in the big city of Jerusalem, but they, along with the Bedouins of the Negev, are part of one struggle for land, equal rights, and a better livelihood.

To read more about the Association for Improvement of Women's Status, Lakia, visit <http://www.desert-embroidery.org/>



Nimeh El-Sana, founder of the Association for Improvement of Women's Status, Lakia, speaks to the Sabeel women.

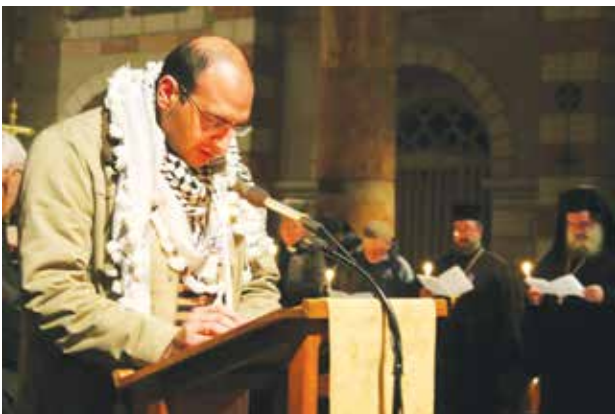
# Glimpses of Our Activities



Youth gather for a “Quiz Night” to play a game and raise money for children with cancer.



Community members attend the film screening of “The Stones Cry Out” in Haifa.



Sabeel’s Omar Harami says a prayer at the Dominican Church in Jerusalem for people suffering from cancer (World Cancer Day).



Sabeel’s clergy program visits ancient temple ruins from Abraham’s time as part of a tour of the Negev desert.



Youth meet in Nazareth for a Lent activity.



The Sabeel community stops to pray along the Via Dolorosa for the Stations of the Cross during Lent.

## Glimpses of Our Activities



Sabeel youth visit the Melkite church in Ikrith, the only building standing in this village destroyed by the Israeli army in 1951.



Sabeel's first annual Easter Dinner



Clergy wives meet at the Melkite church in Beit Sahour for a Bible study and to discuss the importance of ecumenical work.



Students from the Terra Santa school plant olive trees at the Tent of Nations near Bethlehem as part of Sabeel's school program.

# The Unrecognized Residents of Ramya

by the Mossawa Center



Photo by Jillian Kestler-D'Amours

Homes in Ramya with a wealthier Carmiel neighborhood in the background

The city of Carmiel lies in the heart of the Beit Kerem Valley, in Israel's northern Galilee region. Founded in 1964, and officially achieving city status in 1984, Carmiel has been awarded numerous national prizes in areas such as quality of life, management, road safety, and immigrant absorption. In 1997, Carmiel received five stars in a competition designed to create a more beautiful Israel. Furthermore, it is annually presented the Minister of Interior Prize for Financial Management. In short, Carmiel offers its nearly 45,000 residents an exceptional quality of life. It is an excellent place to settle in – if you happen to be Jewish.

Within the city of Carmiel exists another small village, Ramya, which faces a much different reality. In fact, according to the Israeli government, Ramya does not even possess the legal right to exist. The dwindling Arab population of Ramya, once over 1,000 but now numbering around 160, lives in tin shacks and tents on a fraction of the land it once called its own.

The residents of Ramya don't have paved roads or a local education system, and are made to pay for water which comes out of a dirty pipe, oftentimes making them sick. Residents of Ramya receive no electricity from the state, spending a large percentage of their income on diesel to fuel their generators for a few hours a day. Perhaps the most insufferable part of their existence, however, is the fact that residents of Ramya have been under the constant threat of land expropriation and housing demolitions since 1976.

The city of Carmiel was one of Israel's first planned cities, as part of David Ben Gurion's plan to "Judaize the Galilee."<sup>1</sup> In 1956, around 1,275 acres of land in the Arab Palestinian villages of Deir al-Asad, Bi'ina, Nahf, and Majd al Kurum in the north of the newly established State of Israel, were declared "closed areas" by Israeli authorities. Over the next several decades, more and more Arab land in the area was confiscated by the Israel Development Authority for the purpose of fulfilling the Central Galilee Development Project.

When evicted Arab residents asked permission to move into Carmiel, located on what used to be their land, they were told that this establishment was "not built to solve the problems for the people in the surrounding area."<sup>2</sup> Instead, the government allowed tens of thousands of Jewish immigrants to move into renovated apartments over the next few decades. As resident of Ramya, Abu Nazih, lamented, "they've confiscated the lands for public purposes even though there were already people living on these lands, because they don't recognize the Arabs as part of that 'public' – they only recognize the Jews."<sup>3</sup>

Unrecognized Arab villages in Israel are not a rarity, and unfortunately, are part of a larger trend by the State of Israel to discriminate against and delegitimize its Arab Palestinian minority. The struggle of Ramya is especially troublesome, as the threats it faces continue to be acted upon. What, if anything, is being done to fight such expropriation of land?

Residents of Ramya have been protesting eviction since 1976. After a long legal battle, fought by human rights lawyers and activists for the Arab minority in Israel, the State upheld the confiscation of the land comprising Ramya and the surrounding Arab villages on March 1, 1992. After this decision, Ramya became the center of the Arab Palestinian minority's expropriation struggle. The town hosted Land Day protests by the Arab community, one of which included a massive march from Majd al Kurum to Ramya.

Due to increasing pressure from the Arab minority and social justice community inside Israel, the State reached a deal with the residents of Ramya in 1995, which allocated Ramya 30 two-family plots (averaging 750 square meters each), and promised an additional 15 dunams of land for agricultural purposes, and another 15 developed plots in the nearby Beit Hakerem valley.<sup>4</sup>

Upset that the government had agreed to forfeit land to non-Jews, the Jewish National Fund began a campaign of assembling signatures of evacuation from Ramya family

elders, imploring these elders to sign their family's lands away and resettle. The state offered minimal compensation for land that was evacuated, and eventually prepared for construction of the promised plots in a new Carmiel neighborhood eight years after the initial agreement. By that time the families had grown enough that the amount of allocated land was not sufficient for their population size.

Since the protests of the early 1990s, and the land deal of 1995, Ramya has remained under the radar of national and international media. It is after all, only one of dozens of unrecognized Arab villages in Israel, where residents are deprived of basic human services and rights. In order to implement the 1995 deal, the Israel Land Administration evacuated two Arab families who resided on large plots of land and had relatively few family members, giving them back only 35% of the land which was set aside for the construction of a new Carmiel neighborhood.<sup>5</sup>

In 2009, Ramya residents filed a lawsuit against the Land Administration in the Haifa District Court (civil case 699/07). The Court found that what the plaintiffs were claiming was in violation of the agreement they had with

the Land Administration, and ordered the Administration to "make adjustments in order to correct the distortion and inequality that were created and that the administration acknowledged their existence, by adding on the plots quotas agreed upon."<sup>6</sup>

Unsurprisingly, not only was this ruling not acted upon, but it was overturned in 2013 in a subsequent case decided in the Haifa District Court by Judge Lamshtreich-Leter (civil case 35576/12/10). In fact, Lamshtreich-Leter put forth her own agenda, declaring that any residents who did not sign an evacuation agreement with the Administration within 90 days (up to November 4, 2013) would be deemed as voluntarily renouncing their rights within the framework of the 1995 settlement agreement, and would have to evacuate the area immediately.<sup>7</sup>

Residents of Ramya filed an appeal to this ruling in Israel's Supreme Court (Civil Appeal 7198/13). The appeal has yet to be heard by the Court; however, Judge Barak-Erez has refused to suspend the evacuation orders while the appeal is underway.



Three generations of a Ramya family struggle to stay on their ancestral land.

While the Supreme Court deliberates the fate of Ramya, its residents continue to face hardships and daily threats to their livelihoods. In mid-2013, during the lawsuit process, Ramya's narrative took a turn for the worse when residents received a visit from the Israeli Special Patrol Unit, "Yasam." The unit entered the village in the early morning, demolishing several steel shacks where most of Ramya's inhabitants lived, attacking villagers, and promising "return visits" if villagers didn't evacuate the entirety of Ramya. They left Ramya in ruins, arresting and taking with them an elderly woman and several men trying to protect their homes.

The treatment of the people of Ramya constitutes not only a blatant violation of their human and civil rights, but illustrates a systematic policy by the Israeli government of discrimination based on race, and an ongoing campaign to expel the indigenous Palestinian population from their historic land. The compliance of the Israeli judicial system, and the indifference and in many cases support from the Israeli society, make realities such as Ramya's part of the ongoing plight of the Arab Palestinian minority, living as second-class citizens in a country that presents itself as upholding and sanctifying democratic principles. •

*"The residents of Ramya don't have paved roads or a local education system, and are made to pay for water which comes out of a dirty pipe, oftentimes making them sick. Residents of*

*Ramya receive no electricity from the state, spending a large percentage of their income on diesel to fuel their generators for a few hours a day."*

*"The treatment of the people of Ramya constitutes not only a blatant violation of their human and civil rights, but illustrates a systematic policy by the Israeli government of discrimination based on race, and an ongoing campaign to expel the indigenous Palestinian population from their historic land."*

<sup>1</sup> Michael Trieger, "Ramya: Under threat of erasure in the Galilee," Middle East Monitor, 17 February 2014, <http://dustbowlballads.wordpress.com/2014/02/24/ramiya-invisible-in-the-galilee/> (accessed on May 27, 2014).

<sup>2</sup> Knesset Debates, 2 December 1964, vol. 41, page 486.

<sup>3</sup> Michael Trieger

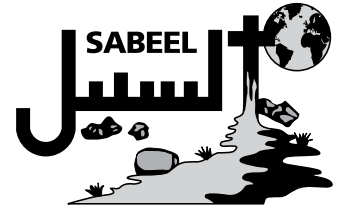
<sup>4</sup> Jack Houry, "Bedouin in northern Israel protest evacuation," Haaretz, 16 February 2014, <http://www.haaretz.com/news/national/premium-1.574453> (accessed on May 27, 2014).

<sup>5</sup> "Bulldozers threaten Ramiya's houses," Alternative Information Center, 18 December 2013, <http://www.alternativenews.org/english/index.php/politics/palestinian-society/7580-bulldozers-threaten-ramiya-s-houses> (accessed on May 29, 2014).

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

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# PURPOSE STATEMENT *f* SABELL

Sabeel is an ecumenical grassroots liberation theology movement among Palestinian Christians. Inspired by the life and teaching of Jesus Christ, this liberation theology seeks to deepen the faith of Palestinian Christians, promote unity among them, and lead them to act for justice and love. Sabeel strives to develop a spirituality based on justice, peace, nonviolence, liberation and reconciliation for the different national and faith communities. The word “Sabeel” is Arabic for ‘the way’ and also a ‘channel’ or ‘spring’ of life-giving water.

Sabeel also works to promote a more accurate international awareness regarding the identity, presence and witness of Palestinian Christians as well as their contemporary concerns. It encourages individuals and groups from around the world to work for a just, comprehensive, and enduring peace informed by truth and empowered by prayer and action.

For more information on Friends of Sabeel groups in your area, please contact our international representatives or the Sabeel Center in Jerusalem.