

Non-citizen: How the Threat of Residency Revocation  
Affects the Rights of Palestinian Women in Jerusalem

By

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I, the undersigned *Dena Eliau* hereby declare that I am the sole author of this thesis.

To the best of my knowledge this thesis contains no material previously published by any other person except where due acknowledgement has been made. This thesis contains no material which has been accepted as part of the requirements of any other academic degree or non – degree program, in English or in any other language.

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## **Abstract**

This paper seeks to understand what affects the threat of residency revocation has on the rights of Palestinian women who are permanent residents of Jerusalem. Current policies make their insecure legal status easily revocable, meaning that Palestinians must calculate the threat of statelessness when making everyday life decisions related to travel, employment, love, and health. These tough decisions have hindered their access to social services and denied them basic human rights. While the constant threat of statelessness has legitimate human rights consequences for the affected Palestinian population as a whole, women are forced to confront these same shared challenges in addition to the threats posed to their unique rights as women. Through interviews, this study aims to demonstrate how lacking full citizenship interferes with how Palestinian women in Jerusalem access their rights to work, education, and marriage.

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Finally, I would like to dedicate this paper to the 160,000 Palestinian women living resiliently under the constant threat of statelessness as non-citizens of Jerusalem. I hope this thesis adequately serves their narrative.

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## Introduction

The looming threat of statelessness compounded by gender discrimination has kept Palestinian women rooted firmly at the bottom of Jerusalem's social totem pole. Since Israel's occupation of East Jerusalem in 1967, Palestinian natives of the city have existed merely as "permanent residents," a legal status identical to that of the city's foreign nationals (Human Rights Watch, 2017). Lacking citizenship, Palestinian Jerusalemites live in constant fear of losing even this meagre and incomplete legal status as the Israeli Ministry of Interior (MoI) continually expands the already strict conditions for maintaining one's residency (Alhaq, 2018). Consequently, Palestinians have had to calculate the threat of statelessness in making everyday life decisions related to travel, employment, love, and health. These tough decisions have hindered their access to social services and denied them basic human rights. Moreover, women face the added burden of navigating these obstacles within a patriarchal social structure and legal context (Peteet, 2003).

Despite the significance of Jerusalem to the Israeli-Palestinian conflict, international actors seldom address discriminatory bureaucratic processes that violate the rights of the city's Palestinian residents and women in particular. Most multilateral organizations and NGOs working within the context of the conflict emphasize the humanitarian dimension of the issues afflicting Palestinian populations and are particularly concerned with how physical barriers and violence geographically confines populations in the West Bank and Gaza Strip and subjects them to rights violations (Jarrar, 2005). In Jerusalem, however, subtler bureaucratic processes achieve similar outcomes as ethnically discriminatory laws and policies sentence Palestinians to a life of restriction and marginalization but with significantly less international attention (Turner, et. al, 2014). Laws granting MoI officials powers to revoke residency status keep Palestinians in constant fear of becoming stateless as they do not possess a legal bond to an

alternate land. (United Nations Office on Drugs and Crime, n.d.). This fear and legal restriction prevents Palestinians in Jerusalem from seeking work opportunities or marriage outside the city's borders and has resulted in economic decline and isolation (Alyan, et. al., 2012). The dominance of the international community's focus on humanitarian issues applies to the programs and research that focus on Palestinian women as well. Scholars and human rights practitioners have extensively researched the unique ways in which Palestinian women are affected by the violent militarization of their environments (Peteet, 1994) (Allen, 2008). What has been less analyzed, however, is how women are impacted by the discriminatory bureaucratic procedures that control the daily life of Palestinians in Jerusalem.

This paper seeks to understand what affects the threat of residency revocation has on the rights of Palestinian women who are permanent residents of Jerusalem. It does so by first exploring the theoretical literature on the relationship between citizenship and human rights. This is followed by an overview of the "permanent residency status" issued to Palestinian natives of Jerusalem along with an explanation of the "center of life" policy—one of the greatest bureaucratic threats to Palestinian permanent residents. The next chapter will analyze interviews and policies in order to better understand how Jerusalemite Palestinian women's access to employment and education is affected by their legal status. The main finding of this chapter is that the permanent residency status is a factor of Palestinian women's stunted economic development in Jerusalem. Their severe underrepresentation in Jerusalem's constrained job market inclines Palestinian women to search for work outside of the city, though this puts their residency status at risk. Similarly, Palestinian women who have pursued higher education abroad have returned only find their residency status in peril and their movement restricted. The final chapter will use interviews and past and existing policies to explore the challenges related to marriage and family reunification that Palestinian women in Jerusalem

face. The main finding of this chapter is that rigid bureaucratic measures make it nearly impossible for Palestinian women from Jerusalem married to Palestinian men from the West Bank or Gaza Strip to achieve a family life in one location without legal interference or residency status revocation. Ultimately, the fear of statelessness combined with the hindrances of a patriarchal social structure have created a double glass ceiling for Palestinian women in Jerusalem.

## Methodology

This paper presents findings on how the insecurity of the status of Palestinian residents of Jerusalem interferes with women's access marriage, employment, and education. The primary data collection methodology for this paper was in-depth, semi-structured interviews. In the Employment and Education section of the paper, female Palestinian residents of Jerusalem who previously worked or studies outside of the Jerusalem municipal borders—either in the West Bank or abroad, thus putting their residency status at risk—were asked about their individual experience accessing work or university outside of Jerusalem. Representatives of organizations working on working to address unemployment in Jerusalem were asked about their perception of the status quo of the job market in Jerusalem as far as Palestinian women are concerned.

In the Marriage and Family Reunification section of the paper, female Palestinian residents of Jerusalem were asked about their personal experience as either being a part of a “mixed” family or marriage—that is, a family or married couple that consists of one parent or spouse who is a Palestinian Jerusalem resident and one parents or spouse who is a residents of the West Bank or Gaza Strip. Through the use of excerpts from her affidavit and official testimony, the narrative of one Jerusalem resident who has had her residency status revoked is highlighted is also highlighted in this section. Also interviewed were experts who have worked extensively with family reunification cases and cases of residency revocation. They were asked to offer their perspective of what they see the outcomes of existing family reunification policies to be.

Out of 11 total interviews and 1 written testimony collected for this paper:

- 4 were with female Palestinian residents of Jerusalem who offered their perspective based on their personal experience

- 3 were with female Palestinian residents of Jerusalem who work on matters relevant to this paper through a professional capacity and offered their expert perspective
- 1 was with a male Palestinian resident of Jerusalem who works on matters relevant to this paper through a professional capacity and offered his expert perspective
- 2 were with Jewish-Israeli citizens who work on matters relevant to this paper through a professional capacity and offered their expert perspectives
- 1 was with a Palestinian citizen of Israel who works on matters relevant to this paper through a professional capacity and offered her expert perspective
- 1 was with a representative of the an East Jerusalem-based multilateral organization

Expert interview participants were recruited through identifying and contacting organizations working on issues relevant to this paper and through snowballing. Other interview participants were referrals of expert interviewees who offered the contact information of acquaintances who were comfortable being interviewed about their personal experiences. The field work was conducted between May 7, 2018 and May 16, 2018.

All interviews were conducted by the author of this paper. Some interviews were conducted in English and some in Arabic. The author, who is of Palestinian descent, fluently speaks a Palestinian dialect of Arabic. The interviews were all transcribed into English, including those conducted in Arabic, which were translated by the author. Interviews were, in most cases, conducted at the location of the interview subjects' place of employment, while others were conducted at cafes and public outdoor spaces. Before beginning each interview, the interview

subject was given the option to opt out of being recorded and were asked whether they consented the use of their name in this paper. For those who preferred not to have their name used, appropriate measures were put in place in order to keep their identity confidential including the use of a pseudonym and the exclusion of information that may reveal their identity. It was also emphasized to each interview subject that if at any point they felt uncomfortable, they could request to end the interview. Once the interviews were transcribed, they were analyzed and separated according to themes. They were placed into either the “employment and education” category or the “marriage and family reunification” category. All interviews fell into one or the other, except one, which provided instrumental data for both categories. The information provided in interviews was confirmed through the use of primary sources, such as Israeli government-issued statements and information, and secondary sources including reports and information produced by the United Nations, credible non-governmental organizations, academic literature, and credible media outlets. The quotes selected to include in the analysis of this paper are those that most affectively illustrated the issues being examined in this paper.

## Chapter 1: Statelessness and Human Rights Access

For as long as Nation State-issued citizenship has existed, there have been populations excluded from the obtaining full citizenship and all that extends from it—civil, political, and social rights, protection, and participation, and claim over the right to live within their state of residency (Human Rights Watch, n.d.). According to the 1954 Convention Relating to the Status of Stateless Persons, many of these populations are by definition stateless as they are “not considered as a national by any state under the operation of its law” (UNHCR, 1954, p. 3). Examples of states discriminatorily withholding citizenship or full citizenship from populations on the basis of identity attributes can be found presently and historically all over the world. One of the most recently publicized and controversial cases of discriminatory citizenship denial is that of the Rohingya in Myanmar—a religious and linguistic minority (UN News, 2014). Despite the Rohingya population’s centuries-long residence within the territory known today as the Rakhine state, the government of Myanmar has denied them of full citizenship—recognizing them instead as “resident foreigners” (Human Rights Watch, 2000). Consequently, the Rohingya have suffered repeated human rights abuses, restriction on movement, and limited access to social rights, including education (Amnesty International, 2018).

In a similar case, though based on ethnic discrimination, in 1962 the government of Syria stripped citizenship from an estimated 120,000 of Syria’s Kurdish population—the country’s largest ethnic minority (Human Rights Watch, 1996). Prior to the Syrian humanitarian crisis, there were roughly a quarter of a million Syrian Kurds in possession of a “foreigner” identification card—preventing them from voting in elections, accessing public education or healthcare, owning land or businesses, or entering certain professional fields—rendering them as permanent aliens of their ancestral homeland (Skutsch, 2004) (OHCHR, n.d.).

Parallels can easily be drawn between the aforementioned examples of stateless peoples and the experiences of permanent residents of Jerusalem, the status held by almost all of the city's Palestinian population of 320,000 (Central Bureau of Statistics, 2018). While permanent residency status in the Jerusalem context does allow Palestinians access basic social rights and services, it cannot be equated with citizenship or belonging to a political or national community given that its legal regulation does not guarantee or protect civil and political rights and participation (Norwegian Refugee Council, 2017). Further, the fragileness of a permanent residency due to its ease of revocation leaves Palestinian Jerusalemites vulnerable to statelessness (Entry Into Israel Law, 1952). In order to better explore the relationship between access to human rights and citizenship, it is necessary to consult literature on citizenship theory.

Many scholars have viewed citizenship as a bundle of rights, namely social, political and civil rights (Baubock, 2005) (Turner, 1993). In the mid 20th century, political theorist Hannah Arendt famously spoke of the "right to have rights," a phrase she defined as "to live in a framework where one is judged by one's actions and opinions." (Arendt 1951, p. 296-7). In 1937, Arendt, a German Jew, was exiled and stripped of her citizenship (Gessen, 2018). Years of living as a stateless person led to the development of her argument stating that while the rights possessed by individuals are defined as "inalienable" by the 1789 French Declaration of the Rights of the Man and later in the 1948 Universal Declaration of Human Rights, once individuals lack a government to rely on for their most basic rights, there is no authority left to issue and protect the human rights of those individuals (Arendt, 1951, p. 291-92) (Yale Law School, n.d.) (UN UDHR, n.d.).

Since Arendt's articulation of the right to have rights, the world has globalized at an unanticipated scale, resulting in strengthened global governance regimes that have reinforced a commitment to universal human rights. Gershon Shafir argues that despite the popularization

of universal rights, the nation-state maintains its position as the sole entity authorized to respect, protect, and fulfill the rights of individuals (Shafir et. al, 2004) (OHCHR, n.d.). The United Nations asserts that, as a fundamental right, every person is entitled to a nationality, which then unlocks their access to a range of human rights (OHCHR, n.d.). However, the only modern establishment authorized to issue nationality is the nation-state—giving state’s full control over who is granted the right to have rights.

In an ideal liberal polity, one in which the right to have rights is fulfilled in uniform, all members are subject to the law, as are they simultaneously sovereign over the law through their status as a citizen (Cole et. al., 2009, p. 3). In practice, however, Phillip Cole points out that a boundary exists within the institution of citizenship, creating a distinction between two groups that he refers to as members and outsiders. The boundary between these two groups is created by variation in citizenship status and is intended to exclude outsiders from activities reserved for citizens. This creates a system in which the individuals who do not possess full citizenship are subject to the law with no sovereignty over it (Cole et. al., 2009, p. 4). Linda Bosniak refers to these individuals as “non-citizens,” a category that she argues can take many forms. Non-citizens include individuals living within a territory, but possess no legal status; individuals with a legal status that affords them fewer rights than a legal citizen; or individuals in possession of full, legal citizenship, but who experience a deficit in their human rights attainment (Bosniak, 2017). Women are in many cases members of the third category. Around the world, there are states that have gender discriminatory laws in place that prevent women from accessing the same citizenship rights as men. In 2014, over 60 countries had not yet afforded women the same rights as men to retain or change their citizenship when marrying a citizen of another state, which can result in statelessness (Dykstra et. al, 2014).

While there is literature that addresses the causes of women's statelessness, few empirical studies have explored how women are uniquely affected by statelessness or by lacking possession of full citizenship. In the case of Palestinian women, the distinct vulnerabilities that they face have primarily been examined and identified through the lens of exposure to violence and occupation (UN Women, 2016). However, it is crucial to analyze the ways in which their insecure "non-citizenship" status affects their ability to access their rights. This study thus attempts to fill this gap by examining the lived experiences of Palestinian women who hold the status of permanent residents of Jerusalem, as opposed to full citizens of a nation-state or political community. Through the use of in-depth interviews, this study aims to illustrate how the barriers posed by their legal status are reflected in their daily effort to access their human rights, particularly in the areas of education, employment, and marriage.

## **Chapter 2: Permanent Residency Status and its Insecurity**

### **Permanent Residency Status**

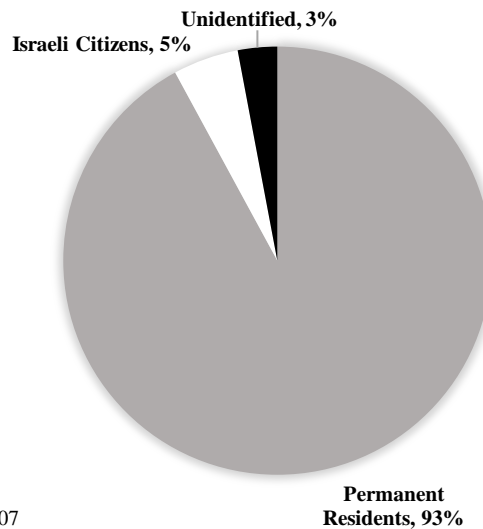
At the conclusion of the 1948 war, the armistice line marking the formal distinction between East and West Jerusalem was drawn. Israel governed the west, an area of roughly 38 km<sup>2</sup>, while neighboring Jordan ruled over the East, an area of less than 7 km<sup>2</sup> that included the Old City (The Civic Coalition for Palestinian Rights in Jerusalem, n.d.). Once the majority of their villages had been demolished, Palestinians in West Jerusalem had overwhelmingly fled to the East, as well as to refugee camps outside of Jerusalem, the West Bank, and neighboring countries (Dumper, 1997, p.70-71). Simultaneously, the Jordanian government, who ruled over East Jerusalem and the West Bank following the war, expelled the Jewish residents of East Jerusalem, forcing them to move west (Efrat et. al., 1988, p. 396). By the time the Armistice Agreement had been reached, Jerusalem became divided not only by political contract, but by religious and ethnic identity.

It is estimated that roughly half of Jerusalem's 65,000 Palestinian inhabitants had fled to the West Bank and neighboring countries by the end of the 1948 war (Dumper, 1997, p.70-71). Once East Jerusalem was under Jordanian administration, the remaining Palestinians were issued Jordanian citizenship (Halabi, 1997). 19 years later, the Six Day War of 1967 broke out between Israel, Palestine, and neighboring Arab states. Israel's quick victory marked the initiation of its occupation of the Palestinian territories and illegal annexation of East Jerusalem that continues today (Brittanica, n.d.).

Almost immediately after the occupation went into effect, Israel amended the Law of Administration and Ordinance of 1948, adding section 11 B., which states that the “law, jurisdiction and administration of the State shall extend to any area of Eretz Israel designated by the Government by order.” (Applied Research Institute, Jerusalem, n.d.) (Israel Ministry of Foreign Affairs, n.d.). This amendment rendered the status of East Jerusalem one that differs from the Gaza Strip and West Bank, despite the United Nations’ uniform recognition of these three identified areas as the Occupied Palestinian Territories (UN OCHA, n.d.). The amendment facilitated Israel’s illegal annexation of East Jerusalem, recognizing it as a part of the broader Jerusalem municipality. Also appropriated was 64 km<sup>2</sup> of West Bank land inhabited by 28 Palestinian villages, which were similarly drawn into the new municipal borders of Jerusalem, completing the territory that is recognized today as East Jerusalem (Habiballah, 2016).

Given that East Jerusalem was now under Israeli legal administration, Palestinians were offered the opportunity to apply for Israeli citizenship. The conditions of obtaining it, however, included that Palestinians swear allegiance to the state of Israel, demonstrate proficiency in the Hebrew language, and renounce any alternate nationalities (As’ad, 2012, p.193). While most Palestinians in Jerusalem rejected the opportunity to apply based on principal, it is against the international law of armed conflict for an occupying power to coerce members of the occupied population into pledging their allegiance (The International Committee of the Red Cross, 2002). Consequently, the vast majority of the 69,000 Palestinians who physically remained in East Jerusalem were issued by Israel their new legal status of “permanent residents” of Jerusalem (Cohen-Bar, 2014, p. 17). Today, Palestinian permanent residents of Jerusalem are legally allowed to live in their choice of East or West Jerusalem. 99% of the population, however, remain in East Jerusalem (Israel Central Bureau of Statistics, 2018).

**PALESTINIAN POPULATION OF JERUSALEM BY LEGAL STATUS, 2018**



Data: Civic Coalition, 2007

Despite their indigenous and ancestral tie to the land, the legal rights afforded Palestinian “permanent” residents of Jerusalem and those afforded to non-Jewish third country nationals who are granted residency hold little variation (Stein, 1997). Section 11 (a)(2) of the 1952 Entry into Israel Law best exhibits the insecurity of the permanent residency status actually is, stating that at the MoI may “cancel any permit of residence granted under this Law” at his or her discretion (Entry Into Israel Law, 1952) By 1985, a more specific set of conditions for revocation were passed. The Regulations on the Entry into Israel Law identified the acquisition of a residency permit in another country, the acquisition of citizenship in another country, and residence outside of Israel for a minimum of seven years as grounds for permanent residency status termination (HaMoked, n.d.).

The fragility of the permanent residency status isn’t the only thing that sets it apart from a legal citizenship. Palestinian permanent residents of Jerusalem are unable to vote or run in national elections and are also limited in how they can participate in local politics (B’Tselem, 2017). They aren’t afforded the same entitlement as Israeli citizens to family reunification with their spouses or family members from outside of Jerusalem or Israel (Badil, 2003). The MoI’s

policies force Palestinian residents to choose between lasting confinement within Jerusalem's borders or statelessness and being stripped of their legal bond to their ancestral homeland.

### **Center of Life Policy**

Since issuing the Regulations on the Entry into Israel Law, the MoI has gradually broadened the circumstances under which a permanent residency status may be terminated. In 1995, the “center of life” policy was officially adopted, further increasing the threat of statelessness (UNISPAL, 2014). Under this policy, Palestinians residents of Jerusalem are required to maintain and demonstrate their active and continuous residence in Jerusalem, or else risk residency revocation (Molavi, 2015). What this means in practice is that Palestinian permanent residents of Jerusalem must show evidence of their active Jerusalem residence each time they interact with the MoI (Stein, 1997). Anytime Palestinians are in need of renewal or application for an identification (ID) card, passport, family reunification, social security, or other administrative services, they are required to first prove that every facet of their life occurs in full within Jerusalem's municipal borders (Misrad Hapnim, n.d.). In order to do that, they must present physical documents such as housing contracts, utility payments, tax receipts, proof of employment, and phone bills (Badil, 1999). To date, out of the roughly 15,000 Jerusalem residents who have had their status revoked, 79% were revoked after the enactment of the center of life policy (B'Tselem, 2015).

The center of life policy complicates the decisions made by Palestinians in their everyday lives. Jerusalem's high cost of living—especially relative to the low average wages of Palestinians—has resulted in dangerous rates of economic disparity, with nearly three quarters of Palestinian families living below the poverty line (OHCHR, 2018). These worsening circumstances make it increasingly difficult for those struggling to make ends meet to remain in Jerusalem. Moving abroad, or even to the West Bank or Gaza Strip, however, could potentially compromise an

individual's residency status—rendering them stateless. Few options for lessening the lifestyle burdens of Palestinians in Jerusalem come without the possible cost of residency revocation.

## **Chapter 3: Access to Employment and Education**

In order to prove that their center of life is in Jerusalem, Palestinians are required to provide evidence of their active residence, employment, and, in the case of students, education within Jerusalem's municipal boundaries (Molavi 2018). Thus, studying or working abroad, including in the West Bank or Gaza Strip, puts their residency status at risk of revocation (Association for Civil Rights in Israel, 2015). While this creates an obstacle for all Palestinian residents of Jerusalem, women are working against the challenges of both the bureaucratic limits of their residency status and the patriarchal structure of Israeli and Palestinian societies (Richter-Devroe, 2011). This chapter will use interviews with Palestinian women from Jerusalem as well as representatives of organizations working to advance employment opportunities in East Jerusalem to demonstrate how these challenges interfere with Palestinian women's access to employment and education.

### **Employment**

When mobility between the West Bank and Jerusalem was inhibited by Israel in the 1990s and further enforced through the construction of the separation barrier 2003, Palestinian economic activity was immediately disrupted (UN Conference on Trade and Development, 2012). Once the center of Palestinian religious, cultural, and commercial life, Jerusalem could no longer be accessed by a neighboring West Bank population of roughly 2.1 million at the time of construction and 3 million today without special permission (Palestinian Central Bureau of Statistics, 2017). As a result, Palestinian institutions, organizations, and businesses moved to Ramallah, today's Palestinian commercial hub. This also relocated most opportunities for professional employment for Palestinians to Ramallah (Biatra-Rayan, et. al., 2007). The

outcome is a deteriorated Palestinian economy in Jerusalem, suffering a direct income loss of approximately \$194 million annually due to the partition (Palestinian Authority, 2010). The greatest victims of this loss are Palestinian women. In 2014, only 11% of Jerusalem's female Palestinian population were actively employed compared to 63% of Palestinian men and 61% of Jewish women (WAC-Maan, 2017) (Shtern, 2017). This is despite the fact that more Palestinian women in Jerusalem are university educated than men (Palestinian Central Bureau of Statistics, 2017). 89% of Palestinian households in Jerusalem are thus single-income households (WAC-Maan, 2017). This factor contributes significantly to the rising poverty rate among Palestinians in Jerusalem, which is 72.9%. To compare, the poverty rate is 17.8% in the West Bank, 38.8% in the Gaza Strip, and 29.8% among Jewish Israelis in Jerusalem (Israel Central Bureau of Statistics, 2018) (UNDP, 2014). Many Palestinian women have therefore resorted to finding work outside of Jerusalem, putting themselves in danger of residency status revocation due to their violation of the center of life policy (Mandarin, 2013).

### *Insufficient Opportunities*

The Workers Advice Center (WAC-Maan)—an Israeli labor union that has an office in East Jerusalem—recognizes the unique vulnerability of Palestinian women in Jerusalem and has included them as one of their target populations (WAC-Maan, n.d.). Some of the organization's activities in Jerusalem that focus on unemployed Palestinian women are Hebrew language classes, legal training and empowerment, and operating a messaging group through the mobile application WhatsApp that keeps Palestinian women up to date on employment and training opportunities (Berger, 2017). Yoav Tamir, WAC Maan's legal coordinator based in East Jerusalem, explained that the state of Israel must overcome the misconception that Palestinian women in Jerusalem would prefer to stay home and raise a family than work. Below, he describes the severity of the situation.

Here in Jerusalem specifically, [unemployment] is worse than anywhere else, it is even worse than in Gaza. You have only 11% of women in the workforce. In Gaza it's 14%. "In the workforce" does not mean working, it means you worked sometime, somehow in the last year, for example. So that means if you had a paycheck once, you were in the workforce, but maybe you didn't work again. And maybe you worked, but you only worked two hours a day or three times a week—that is not enough to live on. So that means that the actual number of women working is likely lower than [11%]. That, of course, adds up with the fact that more than 80% of the residents of East Jerusalem are under the poverty line.

When [Israel] started building the wall, effectively what happened was East Jerusalem was cut off from the West Bank...and it became a slum for all intents and purposes. [WAC-Maan] started working [in East Jerusalem] in the late 90s, with mostly unemployed men. But in the last 4 or 5 years, we've been concentrating on women because we saw that that is the weak link here. If the society here [could] better the conditions in terms of numbers in the work force, then it will better society as a whole here. [Palestinian women] have to go out and work, but there are no places for them to work. There is nothing. You don't just put people in the work force, there is no such thing, [Israel] has to open work places and opportunities.<sup>1</sup>

WAC-Maan works closely with the Riyan Center for Job Placement, which targets unemployed Palestinians living in East Jerusalem and has expanded to multiple locations since it was first opened in 2007 (JDC Israel Tevet, n.d.). Within six years of opening, the center exceeded its original target for participation by more than 10-fold—receiving over 1,000 participants to date (WAC-Maan, 2017). 75% of the center's participants are Palestinian women looking for work

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<sup>1</sup> Quote taken from interview conducted with Yoav on 14/5/2018

in Jerusalem. Despite the overwhelming demand, the center's successful placement rate for women is only 26% compared to 71% for men (WAC-Maan, 2017). These figures further contradict the argument that Yoav claimed government representatives use to justify the high unemployment rate of Palestinian women, which is that Palestinian women are unemployed because they do not wish to work. According to Yoav, the opposite is true.

We have to convince the state and the municipality that [Palestinian] women want to work, because mostly you hear "it's a cultural thing, they don't want to work." But that's not the case. Because of the poverty rate here, a lot of women are forced to work, even if they don't want to. One minimum wage paycheck is not enough to raise children and take care of a home.<sup>2</sup>

The organization Jerusalem Entrepreneurs for Society and Technology (JEST) was founded in 2015 in an effort to alleviate East Jerusalem's high unemployment rates among Palestinians. JEST offers business related courses, accelerator programs that provide coaching and assistance to prospective entrepreneurs, and other services to Palestinians interested in starting a business (JEST, n.d.). The organization's Program Manager, Rana Qutteineh, said that JEST uses tactics such as scheduling during the day to target unemployed women. When asked about the high volume of unemployment among Palestinian women in Jerusalem, Rana responded that the lack of opportunities for Palestinian women in Jerusalem is what keeps the majority of them unemployed. She gave an anecdote to support her argument:

We opened a pre-accelerator program for women. We announced it through a post on our Facebook page and we received 150 applications in 2 days just from women in Jerusalem. That shows a huge demand—women are starving for opportunities in Jerusalem.<sup>3</sup>

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<sup>2</sup> Ibid

<sup>3</sup> Quote taken from interview conducted with Rana on 7/5/2018

Rana attributed the lack of opportunities for women in part to absence of new Palestinian-owned businesses in East Jerusalem.

When Palestinians want to start a business, they go to Ramallah, to Jordan, to Dubai, to the US, instead of staying and opening in Jerusalem. We tried to figure out what are the barriers that are preventing people from opening businesses in Jerusalem and we figured out some. We have in Jerusalem very high rental prices and that affects any small business that wants to rent a space. People can't afford it. Also [Palestinians] are afraid of things like company registration in Jerusalem. We don't speak Hebrew, and that's a big professional barrier. All of the banking papers and registration papers are in Hebrew and it's difficult for people to read.<sup>4</sup>

#### *"At the Bottom"*

Mariam, whose name has been changed to protect her identity, is a Jerusalem resident who expressed her commitment to working in her professional field and her frustration toward the challenges that she is met with in order to do so. In an interview, she detailed what she perceives the status of the Jerusalem job market to be for Palestinian women along with her personal experience pursuing a professional career.

For [Palestinians] in Jerusalem, the only opportunities for women are to [become] teachers in schools or to join the few NGOs, and they rarely open new positions because the people who do get these positions never leave them. And that's everything. There are a few family businesses, which usually men operate, and that's it. No startups, no new businesses, no companies, there is nothing.

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<sup>4</sup> Quote taken from interview conducted with Rana on 7/5/2018

Another option is to work in West Jerusalem—to forget your degree and work a service job like cleaning or dishwashing—which is something that women don’t prefer to do. It’s very rare that Palestinians are hired in West Jerusalem for high skill jobs. There is also the language barrier. In East Jerusalem—we don’t speak Hebrew, and that’s a big professional barrier. It’s not a topic that all the schools teach and that’s a problem. This is also a big problem for people who are opening their own businesses. All of the banking papers and registration papers are in Hebrew and it’s difficult for people to read them.

Another option for finding opportunities is to work in Ramallah. It’s an [option] that some men may take, but women don’t prefer to do because it is a very stressful experience to pass checkpoints daily. You can never [anticipate] how long it will take you to go or come back. For women, especially those that have children and have time commitments with school or other things, it is very difficult. The other problem in taking this option is that though you may find a job in your field, the salary rates in the West Bank are much lower than those in Jerusalem. The minimum wage in the West Bank is around a third of that in Jerusalem. You [couldn't] afford to live in Jerusalem with such salaries.

I have two master’s degrees. I worked in Ramallah for 10 years without ever finding an opportunity in Jerusalem. I am a mother of two kids and going to Ramallah and coming back was a stressful situation. For example, if I finished work at three [p.m.] and the kindergarten closes at four [p.m.] and I’m stuck at a checkpoint [on the way back to Jerusalem], I would start [calling] 100 people to find someone to pick up my kids. It was very stressful.<sup>5</sup>

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<sup>5</sup> Quote taken from interview conducted with Mariam on 10/5/2018

As previously stated, when the separation barrier was erected, and Ramallah became the Palestinian economic and commercial hub, institutions, organizations, and businesses began relocating to Ramallah—as did professional work opportunities (Biatra-Rayan, et. al., 2007). The employment rate for women in the West Bank as a whole was roughly 73% in 2015, nearly seven times that of East Jerusalem (Palestinian Central Bureau of Statistics, 2015). In order for Palestinian Jerusalemites to avoid any sign of their West Bank work location, they maintain their Jerusalem residence and travel to and from the West Bank each day. While Ramallah is less than 20 kilometers away from Jerusalem, the commute can take several hours due to the traffic and congestion that surrounds Qalandiya checkpoint, which separates the West Bank from Jerusalem and is the only route accessible by Palestinians to get from Jerusalem to Ramallah (Berger, 2017) (Google Maps, 2018). Despite living in Jerusalem, however, the risk of residency revocation remains.

Mariam explained that, though she was required to by law, she avoided reporting her employment in Ramallah to the MoI so that it would not pose a threat to her residency status. Among the documents that Palestinians are required to submit to the MoI when demonstrating their active residence in Jerusalem is proof of their place of employment. Thus, working in Ramallah, or anywhere in the West Bank or Gaza Strip, could be considered a violation of the center of life policy (Halabi, 1997). Mariam concluded her interview by reflecting on the societal hurdles of being a Palestinian woman searching for a job in Jerusalem:

When I apply for a professional position at an Israeli company, for example, I am competing first with Israeli men, then Israeli women, then Palestinian men, then I am at the bottom as a Palestinian woman applying to a position.<sup>6</sup>

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<sup>6</sup> Quote taken from interview conducted with Mariam on 10/5/2018

## Education

Palestinians living in Jerusalem, and Israel more broadly, have low and at times marginal representation at Israeli institutions of higher education. While Palestinians make up 37% of Jerusalem's population, in 2013, they accounted for only 12% of the student body at the Hebrew University of Jerusalem, the city's largest university (Association for Civil Rights in Israel, 2017) (Ali, 2013). Palestinian students who are not accepted into Israeli universities generally attend Palestinian universities. In doing so, Palestinian Jerusalemites are immediately placed at a long-term disadvantage as the state of Israel does not formally recognize degrees issued by these institutions (UNDP, 2014). Al-Quds University, one of the largest and most established Palestinian universities with an East Jerusalem campus, is accredited by Palestinian education institutions (Al-Quds University, n.d.). However, because Israel does not recognize Palestinian higher education accreditation, the university's medical students are denied the opportunity to take the Israeli issued board exams that would allow them to legally practice medicine in Jerusalem (Hasson, 2012). Similar denial of professional practice exists in other fields and generally makes graduates of Palestinian universities less competitive in the Jerusalem job market.

In recent years, Palestinian women have surpassed men in higher education rates, making up 57% of the Palestinian university student population in Jerusalem (Palestinian Central Bureau of Statistics, 2017). Despite this, as highlighted previously, they remain overwhelmingly unemployed. For Palestinian women determined to obtain an education that will increase their competitiveness in the Jerusalem job market, one solution is to study at a university abroad. This gives them the opportunity to obtain a degree recognized by the state of Israel, thus advancing their likelihood of obtaining professional employment. The issue with this, however,

is that spending an extended period of time abroad, even for education purposes, puts their residency status in danger.

### *Case Examples*

Dalia is a 24-year-old resident of Jerusalem completing a two-year master's program in Europe. When she initially applied to master's programs outside of Jerusalem, she said that it didn't cross her mind that studying abroad would be a problem. One year into her program, Dalia went to the Israeli embassy to renew her expired ID card so that she wouldn't have issues entering Israel upon her return. Dalia presented all of the relevant documents to prove that she was in fact a student living temporarily outside of Jerusalem. Upon doing so, she said she was surprised at the response she received.

[The embassy employee] said "You should be aware that if you keep traveling you might lose your passport." By this, she meant my Jerusalem ID<sup>7</sup>. This was the first time that I was ever concerned about losing it.<sup>8</sup>

Dalia added that this experience caused her to reconsider seeking employment abroad. Despite the job market for women in Jerusalem, she would prefer to return in order to avoid further placing her residency status at risk.

Mais, whose name has been changed to protect her identity, is a 26-year-old female Jerusalem resident. She explained how completing a master's degree abroad affected her residency status in a way that she said had not anticipated due to the short amount of time that she was out of the country:

I went for my master's last year and I came back in August. I was away for exactly 11 months. I came back [to Jerusalem] and my ID was expired. I went to renew it and the

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<sup>7</sup> Losing one's Jerusalem ID is the equivalent to having their residency status revoked.

<sup>8</sup> Quote taken from interview conducted with Dalia on 6/5/2018

Israeli Ministry of Interior told me "You have traveled a lot and in order to prove your residency in Jerusalem, you have to be here for six months consecutively. You are not allowed to leave the borders of Israel or else you cannot renew your ID." I said "I was away for studies. Here are my transcripts, my university documents." But he said "No, in the past two years, you traveled a lot." He even counted the months, days, and hours. He said "This is not sufficient to prove that you are a resident here." And then when I went to consult with a lawyer, he said "It is not a law, but it is a policy that [the MoI] applies." And the same thing happened with a few other friends of mine who were away for one year for their master's. They were not allowed to renew their IDs.<sup>9</sup>

## Chapter Conclusion

Palestinian women subsist at the bottom of Jerusalem's social hierarchy. The bureaucratic obstacles imposed on them by the insecurity of their permanent residency status coupled with those created by a patriarchal societal structure make it incredibly challenging to break through their low hanging glass ceiling. Despite being more educated than their male counterparts are, Palestinian women remain the most unemployed group in Jerusalem. In Mariam's case, her inability to obtain professional employment led her to find work in Ramallah, where her wage was significantly lower than what it would have been in Jerusalem. In order to maintain her center of life, she kept her home in Jerusalem and endured a long, stressful, commute each day that interfered with her responsibilities as a mother. Above all, Mariam risked residency revocation and ultimately statelessness, all because she is required to lead every facet of her life within the municipal borders of a city that fails to respond to her and other Palestinian women's needs.

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<sup>9</sup> Quote taken from interview conducted with Mais on 12/5/2018

For Palestinian women who, like Dalia, go abroad to advance their education, the threat of residency revocation ultimately draws them back to a weak job market that excludes them. For Mais, traveling abroad to pursue her master's degree did in fact put her residency status in danger. It has also affected her movement as she is currently forbidden from exiting Israel's border until the MoI decides that she has proven that her center of life is in Jerusalem, violating her right to movement (OHCHR, n.d.). Ultimately, Dalia and Mais, out of fear or out of force, are now confined to Jerusalem as a consequence of their education attainment abroad.

As permanent residents and members of the native population, Palestinian women should not have to resort to leaving Jerusalem in pursuit of academic and professional opportunities. However, the economic obstructions created by occupation and physical barriers that fragment Palestinian communities along with, as asserted by Yoav, the inaction by the Israeli government in addressing the issue at play has resulted in a long-term job shortage that leaves Palestinian women with very few options—resulting in adverse effects on Palestinian society as a whole. As long as the Israeli government and Jerusalem municipality continue to neglect the issue of unemployment among Palestinian women, and as long as the MoI continues threatening permanent residents who obtain education or employment abroad or in the West Bank with statelessness, Palestinian Jerusalemites are bound to fall further into the cycles of poverty.

## Chapter 4: Family Reunification and Marriage

### *Policy Timeline: 1967-1994*

The historical, cultural, and social interconnectedness that has long existed between populations in Jerusalem, the West Bank and Gaza Strip has survived the physical barriers that separate them (Hamoked, 2004). Mobility between Israel, East Jerusalem, the West Bank, and Gaza was unobstructed for most Palestinians from 1972 to 1990 (Immigration and Refugee Board, 2001). As such, Palestinian Jerusalemites married residents of the West Bank and Gaza without requiring permission from Israel. In 1991, however, shortly after the conclusion of the First Intifada, Israel imposed the first official restriction of movement on Palestinians in the West Bank and Gaza, preventing them from traveling freely to East Jerusalem and Israel for any reason without first obtaining a permit from Israeli authorities (B'Tselem, 2017). In 1993, after a series of attacks were carried out in Israel by Hamas militants, the state imposed an indefinite closure around the West Bank and Gaza Strip through the use of roadblocks, checkpoints, and other barriers—fragmenting the Occupied Palestinian Territories into three distinct legal areas (World Bank, 2010) (Human Rights Watch, 1997). Since West Bank and Gaza Strip ID-carrying Palestinians could no longer access Jerusalem without a permit that was rarely granted Israeli Civil Administration, those married to a Jerusalem resident could no longer legally live with them in Jerusalem (Human Rights Watch, 1993). As a response, Palestinian families began applying for family reunification (Stein, 2004, p. 8). Women, however, faced a major obstacle—the law at the time prevented them from doing so.

Until 1994, Palestinian women's family reunification applications weren't accepted by the MoI (Amnesty International, 2004, p. 5). The justification for the discriminatory law was that in Arab societies, "the wife follows her husband." (HaMoked, 2004, p. 7). Consequently, between

1991, when West Bank and Gaza Strip Palestinians were restricted from freely entering Jerusalem, until 1994, when the law was amended, women from Jerusalem in mixed marriages had no option but to move to the location of their spouse. In doing so, they had no indication at the time that this would later threaten their Jerusalem residency status. When the law was amended in March of 1994 and Palestinian women from Jerusalem were finally able to submit applications for family reunification, the MoI discovered that, though a consequence of their law, many of these women had been residing with their husbands in the West Bank or Gaza (Amnesty International, 2004). In many cases, this information was used to justify the revocation of their residency status (HaMoked, 1998).

### *The Case of Sana*

The testimony of one Palestinian Jerusalem resident, who will be referred to as Sana in order to protect her identity, portrays the legal burdens that have for decades plagued Palestinian women who have relocated from Jerusalem to live with their spouse prior to the amendment of the family reunification law of 1994 and the enactment of the “center of life” policy in 1995. The following information was taken directly from Sana’s court transcript so to summarize her situation:

[Sana] was born in 1956. She was registered as a resident of Jerusalem during the Israeli census of 1967 following the occupation of East Jerusalem. In 1972, she married a Palestinian resident of Gaza and went to live in Gaza.<sup>10</sup>

In 1992, Sana separated from her physically abusive husband, left Gaza, and moved back to Jerusalem where she filed for divorce. By 1995, her legal proceedings were completed.

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<sup>10</sup> Quote taken from court transcript provided by the Al-Quds University Community Action Centre on 14/5/2018

On 9-11-1995, [Sana] went to the MoI to change the marital status on her ID from “married” to “divorced”. On 4-1-1996, the MoI issued an administrative decision refusing to renew Sana’s ID. According to the claim by the Ministry of Interior, the MoI revoked her residency on 17-1-1990. The reason provided by the MoI was that she moved her center of life outside the state borders for a period of more than 7 years.

Despite multiple attempts over the course of 14 years (2002-2016) to petition for the reinstatement of her Jerusalem residency status, Sana’s application was rejected every time and today she remains without a residency status. Justifications for the rejections cited by the MoI have included her children in Gaza’s “involvement of terrorist activity”; the 18-month conviction of her eldest son on “security” related charges, who is a resident of Jerusalem; the provision of “wrong information”; and proof that she still maintains a connection to Gaza.

Today, Sana remains in Jerusalem. Her statelessness has restricted her mobility as she is unable to leave the city. Her lack of legal residency has prevented her from accessing essential social services, including the justice system, and has exposed her to exploitation by informal employers, legal representatives, and even family members. She has been detained multiple times by the Israeli military due to her inability to provide current identification when stopped at checkpoints and lives in constant avoidance of government and military authorities—a difficult task when one lives in the heart of Jerusalem’s militarized Old City. Below, Sana details some of the daily obstacles she faces as a result of her status:

When Israeli soldiers comes to my neighborhood when there are problems, I hide out of fear that someone will ask me for my identity documents. I am afraid to use the Israeli buses or trains. I am afraid to go on trips. I suffer due to my lack of health insurance. I have no personal proof when I go to any official institution. I now have a psychological

condition after suffering a nervous breakdown. I do not sleep at night. I am afraid of going to and pray at al-Aqsa [Mosque] because of the presence of the police. I cannot trust anyone. I am afraid of people.<sup>11</sup>

*Policy Timeline: 1996 to Present Day*

As the family reunification process tightened, residency revocations reached an alarming rate. In 1996, couples applying for family reunification became subject to procedures in accordance with the center of life policy. This required the Jerusalem resident of the family to repeatedly submit receipts, invoices, pay slips from employers, affidavits, children's report cards and any other documents requested by the MoI in order to prove their active residence in Jerusalem and avoid having their family reunification application rejected (HaMoked, 2004, p. 9). In 1997, 1,067 revocations were carried out compared to 739 in 1996 and 91 in 1995 (B'Tselem, 2015). This was also the year that the "graduated process" was adopted, which required approved family reunification applicants to wait for a period of five years and three months before they officially became a resident instead of receiving their residency status immediately upon approval as was previously the case (Amnesty International, 2004).

Today, Palestinians are subjected to a discriminatory law that was first introduced during the Second Intifada (2000-2005). The "Law of Citizenship and Entry into Israel (Temporary Order), 2003", hereinafter "temporary order," interferes at an unprecedented level with the right for Palestinians to marry (The Citizenship and Entry into Israel Law, 2003). Article 2 of the law reads:

...the Minister of the Interior shall not grant the inhabitant of an area citizenship on the basis of the Citizenship law, and shall not give him a license to reside in Israel on the

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<sup>11</sup> Quote taken from court transcript provided by the Al-Quds University Community Action Centre on 14/5/2018

basis of the Entry into Israel Law, and the Area Commander shall not grant a said inhabitant, a permit to stay in Israel, on the basis with the security legislation in the area. (The Citizenship and Entry into Israel Law, 2003).

The temporary order defines “area” as “any one of the following: Judea and Samaria<sup>[12]</sup> and the Gaza Strip.” (The Citizenship and Entry into Israel Law, 2003). Also of importance, the law provides that “the inhabitant of an Israeli settlement in the area” is excluded from the restrictions of the temporary order, highlighting its discriminatory nature and violation of Article 5 of the Convention on the Elimination of All Forms of Racial Discrimination (The Citizenship and Entry into Israel Law, 2003) (OHCHR, n.d.). The law was initially enacted and justified as a response to violent attacks that had been carried out by Palestinians living in Israel through family reunification during the Second Intifada, a particularly violent time recent Israeli-Palestinian history (Citizenship and Entry Into Israel Law, 2003). A 2017 press statement announcing Israel’s most recent renewal of the temporary order states that the law remains necessary given the “significant increase in the involvement in terror” by family members brought into Israel and Jerusalem through family reunification (Knesset, 2017).

In short, the temporary order—which has been annually renewed since 2003—prevents Palestinian residents of the West Bank or Gaza Strip from going through the immigration-like process of becoming a resident of Jerusalem or citizen of Israel through family reunification in order to live legally with their spouse (Human Rights Watch, 2017). All family reunification applications submitted after its enactment, as well as those submitted beforehand that had not yet been approved, have been affected by the order—keeping tens of thousands of Palestinian

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<sup>12</sup> Judea and Samaria is a Biblical name used by Israel in reference to the area of the area of the West Bank <https://www.britannica.com/place/West-Bank>

families in anticipation of its end (UNISPAL, 2014). While West Bank Palestinians are eligible for conditional, short-term family reunification permits that allow them to live within Jerusalem for up to one year—though without access to social benefits, employment or healthcare—Gazans have since 2008 been restricted from applying entirely (Badil, 2014). Consequently, mixed Palestinian couples have been forced to make the choice between living apart or taking risks to remain together (Amnesty International, 2017).

### *Gender Discrimination*

On paper, the MoI applies the 15-year-old temporary order to Palestinian men and women equally, except for one significant distinction. A 2005 amendment to the order states that Palestinian men from the West Bank are ineligible for even a temporary permit for family reunification purposes unless he is above the age of 35, while women become eligible above the age 25 (Knesset, 2017). In 2016, the median marrying age of Palestinian men in Jerusalem and the West Bank was roughly 25 and the most common age bracket for Palestinian grooms was 20-24 (41%) (Palestinian Central Bureau of Statistics, 2016 a.) (Palestinian Central Bureau of Statistics, 2016 b.). The amendment is an obvious infringement on the right to family life for West Bank Palestinians targeted by the law. However, it is also particularly problematic for Palestinian women in Jerusalem married to or wishing to marry men from the West Bank as they may be required to wait upward of 10 years before their spouse becomes eligible for a temporary family reunification permit.

A staff member at Israeli human rights and legal defense organization, HaMoked, had the following response when asked about the temporary order's consequences:

This law forces Palestinian women from Jerusalem who wish to marry a male resident of the West Bank under the age of 35 into a position where they are either forced to live

together in Jerusalem illegally, while the male spouse risks deportation and also cannot access social services or legal employment; or the couple must live in the West Bank, causing the Jerusalem resident to risk having their residency status revoked.<sup>13</sup>

Even if a couple were willing to live separately until the male spouse reaches the age of 35 and he was then approved for a one-year permit, a separate set of obstacles exist that the couple would then be required to endure. The representative of HaMoked, who works on Palestinian family reunification cases, explained some of them:

He cannot work [in Jerusalem]...and that means all of the responsibility and burden is placed on her. The husband cannot do anything. He cannot interact with the state, the interior ministry or with any part of the social world in Jerusalem.

This is especially problematic given that in 2017, 89% of Palestinian women of legal working age in East Jerusalem were unemployed due to a shortage of jobs and close to 73% of Palestinian families lived below the poverty line (WAC-Maan, 2017).

As it stands today, the law makes it nearly impossible for Jerusalem/West Bank couples and families to live together without legal implications. Five interview subjects were asked how they see the burdens of the family reunification process affecting the marriage decisions of Palestinian women they know. All five respondents confirmed that the bureaucratic hurdles play a strong discouraging factor among women from Jerusalem when considering marriage. For women currently in a mixed marriage, the limited options for living with their spouse combined with added pressures due to economic burdens keep them trapped in a legal entanglement with seemingly no alternatives—except for one.

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<sup>13</sup> Quote taken from interview conducted with HaMoked staff member on 8/5/2018

*Kufr Aqab: The Loophole*

The neighborhood of Kufr Aqab was recognized as a part of the Jerusalem municipality in 1967 when East Jerusalem and parts of the West Bank were annexed by the state of Israel. It is also one of the East Jerusalem neighborhoods located on the West Bank side of Israel's separation barrier (UN OCHA, 2016). Because of its placement, Kufr Aqab has developed a reputation as a marital loophole for mixed marriages. Jerusalem Palestinians are able to live there without compromising their residency status as they are technically fulfilling the center of life policy. Simultaneously, though illegally, West Bank Palestinians are able to live with their Jerusalem spouse without legal risk as they are not required to cross checkpoints (Hammoudeh et. al., 2016). This option does not, however, come without its own set of issues. Mais, whose experience returning to Jerusalem after studying abroad was previously quoted, is a part of a mixed Palestinian family that owns a home in Kufr Aqab. She described their legal hurdles and living dynamics:

My father is a West Bank ID holder and the rest of my family members are Jerusalem ID holders. We are three siblings. My oldest brother got it immediately from my mother, but my [other] brother and I went through a long procedure in order to receive the Jerusalem ID. I was issued a West Bank ID number when I was born, and my birth certificate was issued in Ramallah although I was born in Jerusalem.<sup>14</sup> But after years and years of proceedings, we were able to get Jerusalem ID eventually. My dad still remains without a Jerusalem ID and his family reunification application remains pending for 20 years now. Even before the whole suspension of family reunification, his application was still not accepted. It wasn't rejected, but it was still not accepted.

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<sup>14</sup> Children born to only one Jerusalem resident are not issued a Jerusalem ID at birth.  
<https://unispal.un.org/DPA/DPR/unispal.nsf/0/99E4B14A5474C52985257CEF00586C47>

We initially lived in Ramallah, but went to school [in Jerusalem] and my mom worked in Jerusalem. Even my dad worked in Jerusalem for a long time. After the Second Intifada (2000-2005), the center of life policy became more severely implemented, so we had to relocate to Beit Hanina (an East Jerusalem neighborhood). At the same time, we couldn't let go of our house [in Ramallah] because my dad was not issued a family reunification permit. He was issued an occasional permit, so it was not always guaranteed that he could access the house. So, we had to buy a house in Kufr Aqab. Until today, we still have to go between the two. Weekdays we stay in Jerusalem and on weekends we go [to Kufr Aqab]. My dad can't even drive in Jerusalem and it's very, very limiting for him and his life. It's been 16 years and the amount of time, energy, and money you spend running two houses is just insane. It's ridiculous.<sup>15</sup>

Mais described Kufr Aqab as an unpoliced, overcrowded neighborhood with gun violence, a drug problem, and inadequate public infrastructure. It is considered a neglected neighborhood, lacking public facilities, services, and security that residents pay municipal taxes for (UN OCHA, 2016). She explained that she knows many families in Kufr Aqab with a similar arrangement—one home in Kufr Aqab and one home in either the West Bank or elsewhere in Jerusalem. She added that it is particularly stressful for the mothers of the household as the responsibility falls on them to manage and care for both functioning homes. Special attention must be paid to the Jerusalem home as the status of the family's Jerusalem residents is dependent on proving that they live there. Occasionally, the National Insurance Institute (NII), an Israeli government agency, will carry out unannounced visits to Palestinian households in Jerusalem so to inspect and confirm their active residence. The NII coordinates with the MoI,

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who determines Jerusalem residents' fulfillment of the center of life policy (Shelhoub-Kevorkain et. al., 2016, p. 26). Mais elaborated further:

You need to provide them with evidence that this is a household and people are actively living here—toothbrush, dirty laundry, the fridge is full. There's the paranoia that this creates, which people often don't speak about, but it really does create such a weird psychological dynamic for the families, for the spouses, for the children, and so on.

A recent study examined the effects that living in Kufr Aqab has on the reproductive health and rights of Palestinian women. The main findings were that throughout their pregnancy, female Palestinian residents of Jerusalem living in Kufr Aqab experienced “heightened anxiety and fear” when they crossed checkpoints, which they must do to reach Jerusalem as Kufr Aqab is on the opposite side of the separation barrier, and when they were preparing for delivery (Hamayel et. al., 2017). The second stressor described is not the standard nervousness that comes along with delivering a child, but rather anxiety induced through having to cross a checkpoint while going into labor in order to ensure that the child is delivered in a Jerusalem hospital (Hamayel et. al., 2017). This is in order to maintain the child's future eligibility for a Jerusalem residency status, which is not guaranteed when only one parent is a Jerusalem resident (UNISPAL, 2014). While Kufr Aqab has served as a temporary solution to the “temporary order?”, it is in no way an ideal solution.

## **Chapter Conclusion**

Palestinian residents of Jerusalem are subjected to discriminatory laws that inflict on their rights to marry freely and their right to family life free of unlawful interference (UN, n.d.). Women, however, are disproportionately affected by the temporary order placed on family reunification. While the age threshold at which men from the West Bank are able to obtain a temporary

Jerusalem permit is problematic for the women who marry them for roughly the first 10 years of marriage, the prohibition on their access to employment and social services is a more long-term problem. In this scenario, the responsibility falls on the female Jerusalem resident to support her family in a city where 89% of Palestinian women are unemployed—cornering families into unsustainable circumstances (WAC-Maan, 2017).

In instances such as Sana's, Palestinian women from Jerusalem who married male residents of the West Bank and Gaza Strip prior to 1994 had no option but to relocate to be with their spouse given that the law accepted only applications for family reunification submitted by men. Consequently, they have been subjected to retroactive application of laws and policies, including the center of life policy, that were enacted years after their marriage and relocation, resulting in the unlawful revocation of their Jerusalem residency. For women like Sana, the long-term repercussions of her marriage, relocation, and subsequent statelessness have prevented her from accessing other basic rights including the freedom of movement, right to health, and right to work (OHCHR, n.d.).

The fear of living as a stateless person is calculated into personal decisions of Palestinian women as they question whether they are willing to endure years of bureaucratic hurdles and separation as they wait for their spouse to reach the age when they can finally live together legally, though temporarily (Allabadi et. al., 2016). The end result of the threat of Jerusalem residency revocation paired with existing discriminatory laws that prevent family reunification is the separation of families and the fragmentation of Palestinian society based on legal status.

## Conclusion

While most literature focusing on Palestinian women observes how they are adversely affected by the use of physical force within the context of the Israeli occupation, it is critical to also observe the ways in which women's rights are obstructed through the use of bureaucratic coercion, which has lasting negative implications. Ultimately, what this study concludes is that Palestinian women in Jerusalem are trapped in a position where they must contend with the legal restrictions and burdens that the insecurity of their permanent residency status places on their access to their rights to work, obtain an education, and a family life free of interference (OHCHR, n.d.). The long-term economic consequences of this affect the whole of Palestinian society in Jerusalem and is most evident in the severe unemployment rate among Palestinian women and widespread poverty that affects three out of four of the city's Palestinian families. With little evidence that Jerusalem job market will better integrate and accommodate Palestinian women, their alternative options for employment and advancement are slim without opting to endanger their residency status. The social consequences of existing restrictions on marriage and family reunification among Palestinian Jerusalemites are the division of families and communities, and the legal and economic burdens that Palestinian women in mixed marriages must endure, preventing them from enjoying their family life free of interference.

The interviews quoted in this paper were intended to illustrate some of the everyday challenges and legal complexities that Palestinian women face and consider in their pursuits of simple human needs and desires—livelihood, education, and marriage. The aim is to provide the reader with an understanding of existing policies that target Palestinian Jerusalemites in their lived form. The major limitation of this analysis is the quantity of interviews with Palestinian women from Jerusalem. Due to time constraints during the period of field research, only a limited number of in-depth interviews could be confirmed and conducted. For future research, it is

recommended that a combination of surveys and interviews are used in order to collect a higher volume of responses so that a quantitative element can be incorporated into the empirical analysis.

Moving forward, there are mixed prospects for women in Jerusalem. In March of 2018, the Israeli government passed an amendment to the 1952 Entry into Israel Law, legalizing the revocation of a Palestinian's Jerusalem residency status on the basis of "breach[ing] allegiance" to the state of Israel (Entry into Israel Law, 2018). The vague content of the law could potentially result in its arbitrary application, tearing apart more families and contributing to an existing stateless population. Despite increased exposure to revocation, there are future prospects that may mitigate unemployment among Palestinian women. The Organization for Economic Cooperation and Development (OECD), of which Israel is a member, has urged the state to address the issue of unemployment among Palestinian women. OECD's recommendations in doing so include the expansion of employment centers, expansion of local transportation, and the provision of access to daycare centers (OECD, 2018) (Israel Ministry of Foreign Affairs, 2015). Such solutions may treat some of the symptoms of insufficient legal status, but in the long term, the root cause of exposure to statelessness will continue to manifest itself uniquely in the lives of Palestinian women.

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