

KAYAN NEWSLETTER



Kayan Feminist Organisation | September 2008

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Kayan, literally "Being" in Arabic, is a feminist organization established to bring feminist perspectives to Arab Society in Israel, and to advocate for women's equal rights and status. Kayan is a capacity-building non-governmental organization dedicated to strengthening grassroots women. Kayan works to create and deliver programs that raise awareness and help increase women's participation in communal and public life.

Welcoming New Interns and Volunteers

Yasmin Hajj and **Josephine Khoury** began volunteering for Kayan in May. Yasmin and Josephine live in Haifa. Yasmin is studying for her BA in Criminology and Education from Bar Ilan University in Ramat Gan. Josephine earned a BA in Education and Sociology from the same university. The two help out one day a week in Kayan's administrative unit.



Ala'a Wafa from the United States joined us in June as an intern in Kayan's Legal Department. Ala'a is a PhD student at the Michigan State University College of Law, and a Member of the International Law Society as well as the Journal of International Law. She came to Kayan on an internship program organized by the Faculty for Israel-Palestinian Peace International (FFIPP-I), an international faculty with an affiliated international student network.



Emily Singer from the United States interned in Kayan from June until the beginning of August. She translated Kayan's new website (to be launched very



soon!) from Hebrew to English, and helped out with editing and fundraising. Emily is majoring in International Studies, Hebrew and Semitic Studies at the University of Wisconsin-Madison. Asked about her time at Kayan, Emily says: "I was excited about the opportunity to work with Kayan for the summer, because the work that the organization does is so important. It is upsetting how low the status of Arab women in Israel is, so it was an honor to work towards bettering that status, and I only hope that in the future I can make a bigger difference in the lives of Arab women living in Israel. The women of Kayan work extremely hard to make life better for Arab women, and their work is really an inspiration."

Ana L. Galvez joined Kayan in July for a three-month internship. Currently, Ana's main task in Kayan is research for Kayan's economic

empowerment project, on the topic of unpaid and unrecognized labor. A citizen of Argentina, Ana is an MA student in Peace Studies at the International Christian University in Tokyo. Her internship is part of her MA studies, which are supported by a Rotary World Peace Fellowship of the Rotary Foundation.



Yael Vidan from Haifa joined Kayan as a volunteer for the month of August, while at home on vacation from her studies at the University of Chicago. Yael is studying for a B.A. in International Studies and has just completed her first year. In Kayan, she is helping out with Hebrew translations and editing. During her stay in Israel, Yael also works in a shelter for battered women. "I believe that what Kayan does is important, and I wanted to be a part of this effort. I think Kayan is an interesting place to encounter interesting people", she explained her choice to volunteer for Kayan.



Congratulations to Alhan Nahhas-Daoud

Kayan's lawyer Alhan Nahhas-Daoud has just completed her Master's degree in Conflict Analysis and Management from Royal Roads University in Victoria B.C., Canada. Alhan studied in the concentration area of Political, Ethnic and Security Issues, which focuses on situations at the

international, national, and community level where national and cultural groups are in conflict over such issues as



territory, human and civil rights, natural resources, or the nature of the political community. The topic of her thesis was "Conflict Mitigation in the Palestinian Community in Israel".

We extend our sincere congratulations to Alhan on graduating!

Kayan and PHR-Israel Demand "Social Residency" Status, and Provide Free Health Care for Women who are Victims of the "Nationality Law"

More than 15,000 women, spouses of Israeli residents and mothers of Israeli children, live in Israel without civil status, without rights to social security and public health services, due to the Amendment to the "Nationality Law" in 2003. Backed by security arguments, this law suspends the "family unification" processes of granting civil status for residents of the Palestinian Authority, Syria, Lebanon, Iraq and Iran who are married to Israeli citizens. The majority of the victims of the law are Palestinian women from the West Bank and Gaza who were married to Israeli Palestinians after the law took effect, as well as those whose family unification processes were frozen when the law took effect in 2003. The law affects women first of all because, in line with the norms of Palestinian society, most women live in the country of the male partner.

In June, Kayan and Physicians for Human Rights-Israel sent a position paper to the Minister of Health and the Minister of Welfare, demanding "Social Residency" for the women affected by the "Nationality Law". Social Residency is a status that bestows social rights and in particular health rights, but unlike citizenship or residency does not bestow political rights such as the right to vote. The authority to grant Social Residency status rests with the Minis-

ters of Health and Welfare.

The position paper states that "We, Physicians for Human Rights-Israel and Kayan, vehemently object to the Nationality Law, as it is a racist law, and therefore must be repealed. Nevertheless, as long as the Law remains in force, the State of Israel is obliged to provide for the women affected by the Law. The prolonged disregard of the existing situation, wherein a large segment of the population is prevented from realizing its civil and social rights, is unconscionable. It is necessary to cut the connection between civil status and social rights and pave the way to the realization of these rights by granting 'social residency' to the women affected by the Law, until the social injustices created by this law are addressed." The full text of the position paper is available at http://www.phr.org.il/phr/files/articlefile_1215006792859.pdf.

Replying to the position paper, Asaf Schwartz, Senior Consultant to Welfare Minister Yitzhak Herzog, wrote to Kayan: "The Minister read your letter thoroughly and passed it on to be examined by the authorized persons in the National Insurance Institute. I want to note that we are presently discussing the possibility of establishing an inter-office staff that will take care and advise the Minister on this topic. I

will keep you updated on any developments."

Physicians for Human Rights-Israel, Kayan and the local Jaffa women's organization "Arus al-Bahr" held a special medical day in PHR-Israel's Open Clinic in Jaffa in July, for Palestinian women affected by the 2003 Amendment to the Nationality Law. The women were examined by specialists, and received an information leaflet regarding their situation and their rights. Testimonies collected during the day revealed that because the women cannot receive services from Israeli HMOs, they are forced to forgo medical treatment due to economic reasons. Various diseases such as diabetes, epilepsy and high blood pressure remain untreated and no pregnancy follow-ups are conducted.

Two victims of the Nationality Law have appealed to the Ministers of Health and Welfare on an individual basis, in addition to the appeal of PHR and Kayan. Rania, a 27-year-old mother of three, appealed to the Ministers to consider granting national health insurance to women living in Israel without civil status. Raj'a, a mother of two from Jaffa, asks the Ministers for the right to at least receive treatment via an HMO, since she needs treatment for her tonsils and is not receiving any.

Director Presents Kayan's Digital Strategy at Sheatufim Conference

Rula Deeb, Director of Kayan, participated in the first Sheatufim Conference "Philanthropy and Civil Society in Israel" in June. Her presentation in the workshop "Formation and Application of a Digital Strategy in the Third Sector - What Does This Mean?" gave an overview of Kayan's digital database, a new planning and documentation tool developed by Kayan since 2007. The database collects contacts, summaries of meetings and workshops, in-

formation on legal cases, and other knowledge accumulated in Kayan. The aim is to share this knowledge within the organization and with others, and to pass it on to future staff. The database was developed for Kayan with the support of "Avne Derekh" ("Milestones"), a project of Shatil - Empowerment and Training Center for Social Change Organizations in Israel, Sheatufim, and Keren Shemesh for Young Entrepreneurs.

Sheatufim - The Israel Center for

Civil Society was founded in 2006 to strengthen the social vitality of the State of Israel by developing and advancing a civil society that is pluralistic, proactive, influential, professional and collaborative. The First Sheatufim Conference reflected on the unique nature of civil society and third sector organizations in Israel, Jewish philanthropy in Israel and the world, and the need for cooperation between business, government and the third sector.

News from the Legal Department

Kayan's Legal Department counsels and represents individual women in legal cases. In three legal aid stations, Kayan helps women to not only know their rights but also to demand them from the authorities. Typical legal disputes are those conducted with the National Insurance Institute over monthly benefits, such as security income and alimony.

Brothers who Murdered Sister for "Family Honor" Released to House Arrest – Kayan Tries in Vain to Prevent Release



Reem Abu Ghanem was murdered at age 21 in March 2006. Two of her brothers, Salameh and Mohammad Abu

Ghanem, are currently on trial for the murder. The prosecution claims that altogether four of Reem Abu Ghanem's brothers were involved in the murder, one of them a pediatrician who provided an anesthetic to Salameh and Mohammad Abu Ghanem to drug her. The accused showed the police how they drugged their sister, brought her to a remote place, strangled her when she regained consciousness and pleaded for her life, and dumped her body in a well. The other two brothers are being tried separately. The motive behind the

so-called "honor crime" was that Reem Abu Ghanem had refused to marry the man to whom she was promised by the family. She was the seventh of eight women in the same family from Ramle who were killed over the past six years.

Despite the fact that the accused confessed to the murder and re-enacted it, a circumstance rarely found in so-called "honor crimes", they were released to house arrest in mid-June by the Tel Aviv District Court. The decision followed a Supreme Court ruling of May, extending the remand of the accused for another 45 days only, and asking the District Court to consider placing them under house arrest. Under Israeli law, defendants may be held for only nine months. After that, the prosecution must request an exten-

sion from the Supreme Court. Salameh and Mohammad Abu Ghanem had already been in custody for two years, and the trial is not expected to come to a close soon.

Kayan had started legal action to prevent the release of the accused in May, immediately after the Supreme Court decision. Kayan requested permission to act as *amicus curiae* in the trial, someone who volunteers to offer information to assist the court in deciding a matter before it. This legal tool is often used in cases with broader implications, so that court decisions with broad legal effects will not depend solely on the parties directly involved in the case. Kayan claimed that one of the broader implications of the case was the fact that Arab women, victims and witnesses of so-called

“honor crimes”, were deterred from bringing such cases to justice and testifying against the accused. Potential perpetrators would get the impression that so-called “honor crimes” will go unpunished, and would be encouraged to commit such crimes. Contrariwise, convicting the accused would encourage women to take legal action in other cases of so-called “honor crimes” and would deter more crimes. The damage that would be caused by the release was also explained by Kayan in a letter to the Attorney General.

Kayan’s lawyer Shirin Batshon-Khoury was allowed to present Kayan’s position at the District Court hearing that discussed the release. Because the Supreme Court had al-

ready decided to release the two accused to house arrest, the District Court Judge could not accept Kayan’s request that the accused remain in custody. The Judge’s authority was limited to defining the conditions of release, such as the amount of the bail and the obligation to report to the police. Yet Kayan’s intervention helped tighten the conditions of release. For example, the third-party guarantee for each of the defendants was raised after Kayan’s intervention.

Central District Prosecutor Ayala Oren said in court: “What is unfortunate is that the burden on the legal system is so large that those accused of murder are released, not because of an erosion of evidence but just because two years have passed”.

Haaretz reports about the case and Kayan’s legal action can be found online at: “Lod brothers who killed sister freed to house arrest” http://themarkercaptain.co.il/hasen/pages/ShArtStEngPE.jhtml?itemNo=991694&contrassID=2&subContrassID=1&title='Lod%20brothers%20who%20killed%20sister%20freed%20to%20house%20arrest%20'&dyn_server=172.20.5.5

השבוע יוחלט אם הנאשמים ברצח אחותם ישוחררו בגלל סחבת” <http://new.haaretz.co.il/hasite/pages/ShArt.jhtml?more=1&itemNo=991097&contrassID=2&subContrassID=21&sbSubContrassID=0>
“שני האחים ממשפחת אבו גאנם, שנאשמים ברצח אחותם, שוחררו למעצר בית” <http://www.haaretz.co.il/hasite/spages/991448.html>

A Case from the Legal Department: the Right of a Muslim Woman to Disobey her Abusive Husband

Kayan obtained a revolutionary verdict in a lawsuit against a man who had claimed that his wife had violated her duty of obedience when she had left the house without his permission. Before the incident, the Muslim woman, 20 years old at the time, was beaten by her husband while 8 months pregnant. The verdict ruled in favor of Kayan’s client, interpreting the wife’s duty of obedience under Islamic Law as not valid in a situation of domestic violence.

The woman sought treatment at the hospital after being beaten by her husband, and obtained medical reports testifying that she had been beaten. After being released from hospital, she went to live with her parents, and the police submitted the case to the criminal court. In response, the woman’s husband petitioned for a court order against his wife in the Sharia Court.

In Islamic Personal Status Law in Israel, the wife must obey her husband; she may not leave the marital home without his permission. If she does not abide by those rules, the

husband can get a court order (Ta’a) prohibiting her from leaving the confinement of the marital home. The client’s husband claimed that when his wife left home, she did so without his permission.

Kayan’s lawyer Shirin Batshon-Khoury asked the court to reject the husband’s appeal, and to demand from him payment of court costs. She presented evidence of the domestic violence to the court, and several family members testified against the husband. Batshon-Khoury argued that the client cannot return to the marital home after suffering domestic violence, and that obligating her to return would violate her right to dignity and humiliate her.

The Sharia Court’s opinion accepting Kayan’s claims states that “it is unreasonable for a husband to treat his wife in the ‘language of the stick’ and then to demand her obedience. This is a great violation of her dignity and humanity that is not approved by any religion.” A marriage, the Court stated, is a partnership and not a tool of control and

humiliation. The verdict saved the client severe emotional and financial damage. A verdict in favor of the husband could not have forced her to return to the marital home, but would have caused her to lose the alimony to which she is entitled under Sharia Law if she lives separated from her husband. A verdict obligating her to return to her abusive husband would also have been a great humiliation.

The judge thus gave a novel interpretation to the Law, one that was beneficiary for the female client. The case can be used as a precedent in all cases of domestic violence in which a husband sues for Ta’a. The verdict ensures the principled right of a Muslim woman to leave her abusive husband without legal punishment. To ensure that other women and lawyers will be informed about this verdict and will be able to make use of it as a precedent, Kayan sent a letter to the Manager of the Sharia Court requesting that the verdict will be published both in print and on the Court’s website.

Kayan Explains Situation of Arab Women Workers at “Workers’ Film Festival”

Kayan was invited to participate in the “Workers’ Film Festival” in Haifa earlier this month to explain the situation of Arab workers in Israel. In her presentation, lawyer Alhan Nahhas-Daoud introduced a highly interested audience to Kayan’s campaign against workers’ rights violations in the Arab public and private sectors in Israel. As part of this campaign, Kayan has published the brochures “To Earn Her Bread with Dignity” for employers and “To Earn Your Bread with Dignity” for employees, explaining workers’ rights such as minimum wage, maternity leave, and dismissal protection. Kayan is also pressuring the Ministry of Labor and Industry to extend the labor rights’ enforcement mechanisms in the Arab sector. A separate campaign, with publications and lectures, seeks to counteract sexual harassment of women at the workplace.

Arab women are one of the Israeli population groups whose workers’ rights are violated the most, a major reason for this being the low number of workplaces in Arab towns and villages and discriminatory employment policies. The majority of Arab women who work outside their home receive the hourly minimum wage of roughly \$5.50 or less. On average, Arab women earn 47% of the average wage of Jewish women in Israel. One must also keep in mind that Jewish women earn about 20% less per hour than their male counterparts.

The “Workers’ Film Festival” was organized by the Haifa Cinematheque and the Social Economic Academy (SEA), whose goal is to enable a public social economic discourse. A focus topic of SEA is the growing number of working poor in Israel. The Festival involved movies, lectures and discussions on workers in Israel and abroad. Kayan’s lecture was matched with the movie “Nine Star Hotel” by Israeli filmmaker Ido Haar, which follows the story of illegally employed Palestinian construction workers in Israel, who struggle to earn a living while trying not to be caught by the police.



News from the Empowerment and Community Organizing Project

The community organizing project provides a framework for local projects for women in Arab communities in Northern Israel. Kayan helps in establishing local women’s groups, and trains and tutors them to help in their development. The women’s groups work to voice their needs, and establish projects to transform needs into demands – and demands into rights.

Women’s Leadership Course Concludes First Stage



Three of 11 graduates of Kayan’s “Women’s Activism for Social Change” course

On August 14th in Nazareth’s St. Gabriel Hotel, ten happy women marked

their graduation from the first theoretical stage of the course “Women’s Activism for Social Change”, a co-operation between Kayan and Haifa University. In mid-May, 14 women started the theoretical part of the course that acquaints Arab women with the concept of community organizing and teaches skills for group facilitation and leadership. Three months later, only three women had dropped out of the course. One graduate could not make it to the graduation ceremony.

In Nazareth, “leadership” was a

central word when participants reflected on the preceding months. Rafah Anabtawi, who facilitates the course, explains: “Women were invited to ask themselves whether they have the characteristics that a leader in society needs. Some of the women are still frightened by the term leader and doubtful whether what they learned in theory will work in practice as well. They are eager to try it out. They want to convince their communities that people can change things by themselves and do not need to depend

on institutions and organizations”.

All the participants were full of praise for the project, saying that they had learned to perceive their society in a totally new way. “They said that they had learned to get to know themselves, to accept themselves and not to be ashamed of what they know and the good things they do. That is empowerment! Some said that before the course, they had withheld their opinions because they thought that their views were not legitimate. But now they know that they have the right to discuss things and that there are no taboos”, says Rafah Anabtawi.

Kayan’s Director Rula Deeb, visiting the graduation, was impressed by the diversity of the group: “There are women in their twenties and women in their late forties. They are

secular and religious. They come from diverse areas, the Golan, the North and the Triangle region.” Rafah Anabtawi adds that one of the big revelations for the participants was that even though they come from three different regions and three religions – Druze, Christian and Muslim – the status of women in their societies is not at all different. They face the same restrictions as all women in Arab society.

In the next stage of the course, the graduates will develop projects as leaders of a group of women, each in her own community. Still, they want to continue to work as a group, to be informed what the others are doing and to exchange experiences. Kayan launched a “Forum of Arab Women’s Leaders” on August 25 with a first meeting in Haifa. Kayan hopes that the

graduates of its two leadership courses so far will be able to meet regularly in the Forum, strengthen their confidence in the project, grow in awareness of their collective role in society, and reach out to more women to join.

“A major problem is that participants will have to travel to meet, and that Kayan cannot reimburse the travel costs. Most of the women don’t work, they receive security income only, and in order to travel they depend financially on their husbands. Traveling to Haifa by bus takes some of them three hours, and even if they travel by car it is very expensive. A single woman simply cannot afford this”, says Rafah Anabtawi. Kayan welcomes donations for this project in order to be able to reimburse these travel expenses, and to make the Forum a success.

Thanks for your support

Kayan’s work is made possible by the following funders, to whom we extend our gratitude:

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Avne Derekh, a project of Shatil – Empowerment and Training Center for Social Change Organizations in Israel, Sheatufim – The Israel Center for Civil Society, and Keren Shemesh for Young Entrepreneurs

Donate to Kayan!

In order to continue our successful work, we are in need of your support. Tax-deductible donations may be made through the following fiscal conduits:

In the U.S.:

New Israel Fund, PO Box 91588, Washington DC 20090-1588

US/Israel Women-to-Women, 45 West 36th St., New York NY 10018

In Canada and Europe:

New Israel Fund, 33 Prince Arthur Ave., Toronto ON M5 1B2, Canada

New Israel Fund, St. James House, 10 Rosebery Ave., London, EC15 4TD, UK

Neuer Israel Fonds, P.O. Box 425, CH-4010 Basel, Switzerland

To donate directly:

Checks may be sent by mail to Kayan or by bank transfer to:

The First International Bank of Israel, Bank #031, Branch #007, Account #105-552836.

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