



Position Paper:

**A Critique of Israel's
Approach to Polygamy
within Palestinian
Communities in Israel**

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1. Polygamy: An overview

Polygamy constitutes a violation of women's rights to equality, dignity, health and privacy within marriage.¹ The Working Group on Personal Status Issues (Working Group) was the first human rights coalition to put polygamy on the public agenda and to tackle this discriminatory practice from an intersectional perspective.² The Working Group has challenged the orientalist and colonialist approach to polygamy dominating Israeli mainstream discourses, both in the academia and in official institutions, and it has highlighted the impact of the intertwining systems of oppression, i.e. patriarchy and ethnic discrimination, on the lives of Palestinian women in general.³

Polygamy was criminalized in Israel in 1977. Still, this practice is widespread, primarily among the Bedouin community in the South,

1 Cook, R. J., & Kelly, L. M. (2006), Polygyny and Canada's Obligations under International Human Rights Law. Family, Children and Youth Section, Department of Justice; CEDAW (2013), General recommendation on article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, UN Doc. CEDAW/C/GC/29; and CCPR (2000), General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women), UN Doc. CCPR/C/21/Rev.1/Add.10.

2 Abu al-Asal, R. (2010). Polygamy: Discourse and Practice in Palestinian Society in Israel. Nazareth, The Working Group for Equality in Personal Status Issues.

3 Id.

which constitutes an integral part of the Palestinian minority in Israel. It is estimated that 20%-40% of the Bedouin households in the Naqab are polygamous.⁴ Polygamy exists to a lesser extent in other segments of the Palestinian society in Israel, however, statistical information is scarce since polygamous marriages are rarely registered in official records to avoid criminal penalties.⁵

Like other practices that violate the right of Palestinian minority women to gender equality, polygamy within the Bedouin community in Israel is the product of intersecting forms of discrimination. It cannot be attributed solely to cultural factors, instead it should be analyzed within a broader context. The term intersectionality was first coined by Kimberle Crenshaw to explain the oppression and the unique vulnerability of African American women. Crenshaw introduced the term to describe the myriad ways in which gender and race interact to shape the living experiences of African American women. This interaction between race and gender cannot be reduced to separate categories of discrimination, i.e. gender discrimination and racial discrimination, instead it is a form of discrimination of a cumulative nature, or synergistic.⁶ The UN Committee for the Elimination of all Forms of Discrimination against Women (CEDAW Committee) and other treaty-based human rights bodies have already recognized the concept of intersectional discrimination, and have required States to recognize it and to abolish its “compounded negative impact on the women”.⁷ Ra-

4 Inter-Ministerial Committee (2018). Final Report of the Inter-Ministerial Committee for Dealing with the Negative Implication of Polygamy.

5 Abu al-Asal, supra-note 2.

6 Crenshaw, K (1989). Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *U. Chi. Legal F.*, 139-167.

7 CEDAW (2010), General Recommendation No. 28 on the Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, UN Doc. CEDAW/C/GC/28, para 18; CESCR (2005), General Comment No. 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights (Art. 3 of the Covenant), UN Doc. E/C.12/2005/411 August 2005; CESCR (2009), General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of

wia Abu Rabia considers polygamy within the Bedouin community a symptom of collective identity crisis that followed the dispossession of Bedouin tribes from their historical lands and their forceful relocation to impoverished villages.⁸ Historically, Bedouin women worked in agriculture; with the loss of their land they lost their productive power. Losing their productivity resulted in the erosion of their power and status within their community.⁹ Furthermore, State institutions played a proactive role in enhancing tribal and illiberal institutions within Bedouin communities and the Palestinian minority in general to lower the cost of controlling the local population. Women payed a high price for this policy.¹⁰ The imposition of patriarchal religion-based family law by the State on all recognized religious communities in Israel has also legitimized internal patriarchal institutions that oppress women.¹¹ The gendered implications of discriminatory land policies remain particularly evident in the Naqab today, especially in the unrecognized villages whose inhabitants are denied access to basic services and basic human rights, such as housing, water, health and education.¹² Historical land injustices have eroded substantially the educational and employment opportunities available for Bedouin women due to social

the International Covenant on Economic, Social and Cultural Rights), UN Doc. E/C.12/GC/20; and CCPR (2000), *supra*-note 10.

- 8 Abu Rabia, R. (2011), Redefining polygamy among the Palestinian Bedouins in Israel: Colonization, patriarchy, and resistance. *Am. UJ Gender Soc. Pol'y & L.*, 19, 459; and Abu Rabia, R. (2012), Polygamy as a Phenomenon External to the Legal System: Colonial Versus Patriarchal Power. *Jadal*, Issue 16.
- 9 *Id.*
- 10 Hasan, M. (2002). The politics of honor: Patriarchy, the state and the murder of women in the name of family honor. *The Journal of Israeli History*, 21(1-2), 1-37.
- 11 To read more on the patriarchal nature of religion-based family law in Israel, read e.g. Rouhana, H. (2006), Muslim family laws in Israel: The role of the state and the citizenship of Palestinian women. *Women Living Under Muslim Laws*; and Stopler, G. (2003), The Free Exercise of Discrimination: Religious Liberty, Civic Community and Women's Equality. *Wm. & Mary J. Women & L.*, 10, 459.
- 12 Abu Rabia, R. (2011), Principles for Arranging Recognition of Bedouin Villages in the Negev. *The Association for Civil Rights in Israel*.

restrictions on their mobility.¹³ Many girls are deprived of the right to complete their secondary education due to lack of schools in their own village. Their families refuse to send them to study in other villages since mingling with boys from outside their village could bring shame to the family.¹⁴ Today, more than 60% of Bedouin girls living in unrecognized villages drop out of school. Only 16% of the Bedouin women in the Naqab participate in the labor market compared to 64% of Jewish women in the Naqab and 27% of Palestinian women in general.¹⁵ A study conducted by the Working Group demonstrates how the lack of educational and employment opportunities is a key factor in explaining the high rates of polygamy in the Naqab. Many first wives remain in polygamous marriages because they lack economic independence, which is hard to achieve when they live in conservative communities that lack basic infrastructures. The study also had shown that in the absence of other avenues for economic and social empowerment, many women accept to become second wives because only through marriage they can improve their social and economic status.¹⁶ Various studies document the physical and emotional harms inflicted on women trapped in polygamous marriages in the Naqab. One study suggested that first wives in polygamous marriages experience material and emotional neglect. Even when abused, women rarely seek a divorce, since divorce is stigmatizing and could bring shame to women. Abused women also fear losing custody over their children, since *Sharia* law applicable to Muslims in Israel favors fathers in custody over boys older than seven and over girls older than nine. The study also found that economic dependence of women on their husbands is

13 Fergeon, B. (2018). Perspectives on Arab-Bedouin Women Employment in the Negev/Naqab. International Women's Day. Negev Coexistence Forum for Civil Equality.

14 Abu-Rabia-Queder, S., 2006. Between tradition and modernization: Understanding the problem of female Bedouin dropouts. *British Journal of Sociology of Education*, 27(1), 3-17.

15 Fergeon, supra-note 13.

16 Abu al-Asal, supra-note 2.

a key factor in discouraging victims of abuse from seeking a divorce.¹⁷ First wives in polygamous marriages usually suffer from poor life satisfaction levels. They believe failed in meeting the standards of a good wife set by their husbands and by society¹⁸. In one study, first wives reported somatic symptoms such as body aches, headaches, insomnia, fatigue, breathlessness, and nervousness.¹⁹ They were more likely to develop psychiatric disorders, low self-esteem and to experience loneliness.²⁰ They also suffer from higher rates of interpersonal sensitivity, depression, anxiety, phobic anxiety, paranoid ideation, and psychoticism compared to women in monogamous marriages.²¹ First wives were also more susceptible to physical and psychological abuse compared to women living in monogamous marriages.²² Despite the documented harms of polygamy, the rates of polygamous marriages in the south continue to be alarming.

For years Israel was reluctant to enforce the criminal prohibition on polygamy. Only when the authorities started to realize that polygamy could alter the 'demographic balance' between Palestinians and Jews in the South, polygamy was put on the public agenda. In January 15, 2017, the (then) Minister of Justice, Ayelet Shaked, announced the adoption of a joint plan with the office of the Attorney General to

17 Al-Krenawi, A., & Lev-Wiesel, R. (2002). Wife abuse among polygamous and monogamous Bedouin-Arab families. *Journal of Divorce & Remarriage*, 36(3-4), 151-165.

18 Al-Krenawi, A., & Graham, J. R. (1999, September). The story of Bedouin-Arab women in a polygamous marriage. *Women's Studies International Forum* (Vol. 22, No. 5, 497-509); Al-Krenawi, A. (2001). Women from polygamous and monogamous marriages in an out-patient psychiatric clinic. *Transcultural psychiatry*, 38(2), 187-199.

19 Al-Krenawi, A., & Graham, J. R., id.

20 Al-Krenawi, A. (2001), supra-note 18.

21 Al-Krenawi, A., & Graham, J. R. (2006). A comparison of family functioning, life and marital satisfaction, and mental health of women in polygamous and monogamous marriages. *International Journal of Social Psychiatry*, 52(1), 5-17.

22 Al-Krenawi, A., & Lev-Wiesel, R. (2002), supra note 17.

combat Polygamy among Bedouin community in Israel.²³

The efforts to combat polygamy culminated when the Israeli Government announced on January 29, 2017, the establishment of the “Inter-ministerial Committee for Dealing with the Negative Implication of Polygamy”, which was headed by former Ministry of Justice General Director, Emi Palmor (The Palmor Committee).²⁴ The Palmor Committee was tasked with conducting a comprehensive study on polygamy among the Bedouin community in the Naqab and designing a strategic plan to eradicate polygamy in the South. In July 2018, the Palmor Committee published its final report (the Report).²⁵

The Report reaffirmed what the Working Group has claimed all along: The State is not genuinely interested in enforcing the criminal prohibition on polygamy. The Report estimates that 20%-40% of the Bedouin households in the Naqab are polygamous.²⁶

However, as would elaborated in subsequent sections, the Report reinforces the prevailing official view that polygamy within the Bedouin community in Israel is a purely cultural issue. The Palmor Committee refused to view polygamy as a form of intersectional discrimination. Furthermore, the Palmor Committee legitimized the position that views this harmful practice primarily as a threat to controversial national interests. This view prioritizes demographic and other controversial interests over the rights of women trapped in polygamous marriages.²⁷ The Palmor’s Committee recommendation to allow polygamy in the so-called exceptional cases, such as when the first wife is ill or cannot bear children further suggests that women’s rights are not the primary concern of the committee.

23 Israeli Ministry of Justice (2017). The Minister of Justice and the Attorney General announce a comprehensive plan to deal with polygamy.

24 The Government of Israel (2017). Resolution No. 2345.

25 Inter-Ministerial Committee, supra-note 4.

26 Id, p. 65.

27 Sonia Boulos (2019) National Interests Versus Women’s Rights: The Case of Polygamy Among the Bedouin Community in Israel, *Women & Criminal Justice*, DOI: 10.1080/08974454.2019.1658692

Polygamy: The Legal Framework

Polygamy under Israeli law

Polygamy was criminalized in Israel in 1977 under Article 176 of the Israeli Penal Law 5737-1977. The maximum penalty for polygamy is five years imprisonment. The Statute of limitation on polygamy is 10 years, and the crime is completed with the performance of the act of marriage.²⁸ For years, Israel was reluctant to enforce the criminal prohibition on polygamy. In the few cases where charges were brought against polygamous men, most of the sentences imposed on offenders were six months imprisonment, usually commuted to non-custodial community service.²⁹ Only after Shaked announced a joint plan to combat polygamy, the Attorney General issued a new directive for prosecuting offenders. According to the new directive, whenever there is sufficient evidentiary material to establish the commission of the crime of polygamy, an indictment must be filed. Upon conviction, the prosecution must seek actual imprisonment. The directive enumerates aggravating circumstances that justify the imposition of the highest threshold of penalty on convicted offenders. Those include cases where a significant age gap exists between the offender and the new wife; cases of forced marriages; in the case of a repetitive offender; the marriage was contracted to circumvent other laws; and other crimes were committed in the context of polygamy, such as when the age of the wife is below the minimum legal age for marriage. The directive also states that the consent of the first or the second wife to the second marriage does not constitute a circumstance that justifies the avoidance of prosecution and imprisonment.³⁰

As part of its efforts to control the demographic impact of polygamy, Israel refuses to grant legal status to foreign wives involved in a po-

28 Supra-note 4.

29 Boulos, supra note 27.

30 Israeli Ministry of Justice (2017). Attorney General Guidelines No. 210003 (Polygamy).

lygamous marriage with an Israeli citizen, even if the foreign wife is the first wife in time.³¹ As a result, these women are denied of basic rights such as the right to health and the right to social services.³²

Polygamy under international law

Polygamy is also prohibited under international human rights treaties ratified by Israel. Gender equality is a cornerstone of international human rights law. International law imposes positive obligation on the State in combatting gender discrimination. Those typically include the adoption of legislative, judicial, administrative, educational and other measures to guarantee that women enjoy their right to equality in all fields of life.³³ States are also under the obligation to combat gender discrimination by non-state actors and private entities. The Convention of the Elimination of all Forms of Discrimination against Women (CEDAW) articulates best the obligations of States in relation to equality. For starters, it requires States to “adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against wome”³⁴. It also requires States to “take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise”³⁵. States must also “modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women”³⁶.

In relation to marriage and family life, Article 23(4) of the Interna-

31 Administrative Appeal 369/07, *Abu Nab and other v. the Minister of Interior*, (23.12.2009).

32 Supra-note 4.

33 Boulos, supra-note 27.

34 Article 2(b).

35 Article 2(e).

36 Article 5(a).

tional Covenant on Civil and Political Rights (ICCPR) requires States to take appropriate steps to ensure equal rights to spouses to enter marriage, during marriage and at its dissolution. Likewise, CEDAW requires States to “take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations”³⁷

The UN Human Rights Committee (HRC) has called for the abolition of polygamy since it violates the human dignity of women and their right to equality in marital relationship.³⁸ The UN Committee for the Elimination of all Forms of Discrimination against women (CEDAW Committee) has also emphasized that polygamy violates the right to gender equality and has serious emotional and financial consequences for women and children in polygamous families. Therefore, it called for the abolition of this practice.³⁹

2. The Establishment of the Palmor Committee

As mentioned earlier, the Israeli Government established the Palmor Committee to adopt a comprehensive strategy to eradicate polygamy. To carry out their mission, the members of the Palmor Committee conducted onsite visits to Bedouin localities in the South, and met with a wide range of stake-holders such as academics, mayors of Bedouin localities, *Qadis* from Sharia courts in Israel, feminist activists, civil society representatives, law enforcement agents and civil servants from different ministries.⁴⁰ Upon concluding its work, the Palmor Committee adopted 83 recommendations that could be divided, roughly, into four categories: Recommendations to enhance the enforcement of penal and other regulations in relation to polygamy; recommendations concerning employment and education; recommendations concerning health and social services; and recommendations to regulate polygamy.

37 (Article 16).

38 CCPR (2000), supra-note 1.

39 CEDAW (2013), supra-note 1.

40 Supra-note 4.

Recommendations to enhance the enforcement of the law

The first category of recommendations aims at detecting polygamous marriages through enhancing the reporting mechanisms of all relevant authorities. This includes, *inter-alia*, imposing an obligation on the National Insurance Institute (NII) to report to the police when it suspects that an individual is involved in a polygamous marriage. It also includes allocating budgets to the investigation unit of NII to hire more detectives to investigate cases of fictitious reporting to the NII. The measures also included monitoring marriage announcements in Palestinian media outlets published outside the Green Line to detect possible polygamous marriages with an Israeli citizen.⁴¹ Other authorities, such as Israel Land Authority (ILA), are also requested to report to the police when they suspect that a woman involved in a polygamous marriages falsely claims to be a single mother to obtain through fraudulent means land lots designated for single parents.⁴²

The ultimate goal of these measures is to enhance the enforcement of the criminal law not only in relation to the criminal prohibition on polygamy, but also in relation to the prohibition on fraud in cases where an individual hides her polygamous marriage to obtain benefits from the NII or a land lot from the ILA through fraudulent means.⁴³

Recommendations concerning employment and education

This second category of recommendations calls for improving employment and education opportunities for Bedouin women and Bedouin youth in the Naqab. The recommendations include, *inter-alia*, adopting programs to combat dropping out of school; vocational training programs for Bedouin youth; increasing access to higher education; integration of Bedouin youth in the labor force; opening day care centers for children; improving Hebrew linguistic skills of women; minimizing the number of polygamous teachers and civil servants in

41 See recommendations 1-17.

42 Id.

43 Id.

the educational system; establishing industrial zones close to Bedouin towns; providing women with practical tools for economic independence so they can integrate in the labor market; and supporting employment initiatives that facilitate the integration of women in the labor market.⁴⁴

Recommendations concerning health and social services

This third categories of recommendations addresses health and social services. The recommendations include, *inter-alia*, measures to reach out to women living in polygamous marriages; improving the parental skills of women; enhancing mobile health and social services for women; providing legal aid for women in family disputes or for woman applying for social benefits; adopting empowerment programs to help women trapped in polygamous marriages; increasing the number of Arabic speaking professionals in health and social services; adopting a plan to cover the shortage in Arab social workers in the south; and developing and expanding official responses to violence against women.⁴⁵

Recommendation to regulate polygamy

The fourth category of recommendations purports to regulate polygamy as opposed to eradicating it. This recommendation to allow polygamy in specific cases was the most controversial of all the recommendations adopted by the Palmor Committee, and due to public outcry, it was rejected by the Government. The Palmor Committee gave legitimacy to polygamy in the following cases: when the first wife cannot bear children; when the first wife is seriously ill; when a man marries the widow of his brother; and when the husband has been separated from his wife for a long time but the divorce procedures are complex

44 See p. 215-229.

45 Supra-note 4, p. 224-228.

or could cause serious harm to the first wife and her children.⁴⁶ It is worth noting that Prime Minister Netanyahu declared that he would reject this specific recommendation, however, his position was based *inter-alia* on demographic considerations, highlighting that polygamy challenges the demographical balance in Israel.⁴⁷

3. The serious shortcomings of the recommendations of Palmor Committee

While the recommendations of the Palmor Committee include various preventative measures for eradicating polygamy, the Report fails to reconceptualize polygamy primarily as a human rights violation and as a form of intersectional discrimination. The Report does not challenge in any meaningful way the official false position that views polygamy as a “cultural issue”. Furthermore, the Report implicitly deals with polygamy as threat to controversial national interests, instead of articulating it as a human rights violation, that requires not only prevention, but also the provision of remedies for women victimized by this practice.

The treatment of polygamy as a purely cultural issue

The report attributes polygamy to internal and cultural factors, such as religion, the inferior status of women in Bedouin societies, marriage as symbol of status and masculinity, the desire to expand the family etc. It fails to recognize the impact of the continuous discriminatory land and planning policies in the Naqab on the status of Bedouin women in their communities. The failure to address polygamy as a form of intersectional discrimination is not merely conceptual; it has direct bearing for the remedies required to eradicate this discrimina-

46 Id, recommendation No. 84.

47 Yarkechy, D. (9/07/2018). Following criticism: the recommendations to allow polygamy in Bedouin society were rejected. *Walla News* (in Hebrew). <https://news.walla.co.il/item/3172094> (last visited September 12, 2019).

tory practice.⁴⁸ Some of the major root causes of polygamy remain unaddressed by the Palmor Committee. This is evident in its failure to address directly the dire situation of the unrecognized villages in the Naqab, even though the Report indicates that polygamy rates among younger men living in unrecognized villages are higher than those in the recognized villages.⁴⁹ In its recommendations, the Palmor Committee does not challenge the *status quo* of the unrecognized villages, nor does it call for their recognition. The Report does not call for the establishment of permanent health facilities and social services within those villages as a human rights approach would demand. Instead, it only requires expanding mobile services, such as mobile clinics, to those villages.⁵⁰

The stigmatization of polygamous families

The report stigmatizes polygamous families and portrays them as dishonest and accuses them of using polygamy for achieving material gains. The report suggests that in some instances, unregistered wives in a polygamous marriage seek social and land benefits, designated for single mothers, by falsely claiming to be a single parent. The very first recommendation of the Report suggests classifying fraudulent reporting to the NII and to the ILA as an aggravating factor in prosecuting polygamy and calls for adopting punitive measures to punish fraudulent reporting. However, portraying polygamous families and men as economically driven offenders is inconsistent with the statistical information gathered by the Palmor Committee itself. Those statistics demonstrate that polygamous families are poorer than monogamous families, in part due to the high number of children in these marriages.

48 Boulos, supra-note 27.

49 P. 88 & 100.

50 See recommendation No. 55.

The scarification of victims' rights for the sake of demographic and other controversial interests

The recommendations of the Report demonstrate that the Palmor Committee was willing to sacrifice the rights of women trapped in polygamous marriages for the sake of promoting demographic or other controversial national interests, as would be explained below.

a.) The failure to legalize the status of alien women.

While the Palmor Committee recognizes that the situation of alien women involved in a polygamous marriage with an Israeli citizen is very dire, it fails to recommend basic measures to protect those women from abuse. Many times, second (or third or fourth) wives come from the West Bank, Gaza or Jordan. They lack any legal status in Israel. They are deprived of the right to access health or other social services. The Ministry of Interior refuses to grant them legal status or family unification even if the alien wife is the first wife in time. The Palmor Committee recognizes the unique vulnerability of those women, which is exacerbated by their limited relationship with their families abroad. Furthermore, the Palmor Committee recognizes that such vulnerability makes them more susceptible to physical and emotional abuse and to neglect by their husbands. It even compares their situation to that of victims of human trafficking. However, the only recommendation adopted by the Palmor Committee in this regard is the need to enhance monitoring and detection mechanisms to prevent the future entry of foreign women to Israel. The Palmor Committee does not require the State to grant a legal status to those women as a necessary and basic measure to protect them from abuse, and to guarantee their right to access health and social services, or to file a complaint with the police on abuse without fearing deportation or other legal consequences.

b.) The enhancement of patriarchal structures to foster allegiance to the State.

As mentioned earlier, the Palmor Committee attempted to regulate polygamy instead of eradicating it, by allowing polygamous marriages in the so called ‘exceptional circumstances’. This recommendation follows a longstanding practice of supporting traditional patriarchal structures that foster submission and obedience within the Bedouin community, and within the Palestinian minority in general, as a measure of lowering the cost of controlling the local population. These unofficial arrangements constitute State sanctioned patriarchy and are concluded at the expense of women’s rights, and in many cases at the expense of their lives.⁵¹

c.) The failure to adopt emergency intervention measures to help wives of convicted offenders

The Palmor Committee calls for the strict application of the criminal law in relation to polygamy. While the enforcement of the criminal law is a central tool in combatting polygamy, it becomes a harmful one when it leaves the victims of polygamy much worse off. Most victims of polygamy depend on their husbands for their economic and social well-being. If these women experience an abrupt disintegration of the social and economic safety net provided by the husband, their economic dependency is going to be deepened and their social mobility further eroded. To prevent these harmful consequences, the State must provide an emergency intervention program to support the wives of convicted offenders. In the absence of such plans, the enforcement of the criminal law would only worsen the situation of the victims.

51 See, e.g. Touma-Sliman, A., 2005, Culture, national minority and the state: Working against the “crime of family honour” within the Palestinian community in Israel. In S. Hossain & L. Welchman (Eds.), *Honour’: Crimes, Paradigms and Violence Against Women* (pp.181-198), Zed Books. The author discusses, inter-alia, how the police used to engage traditional leaders in gender violence cases to guarantee the safety of the victim, such involvement resulted eventually in her murder instead.

d.) **The Exclusive focus on the Bedouin Community in the Naqab**

The Report focuses almost exclusively on polygamy within the Bedouin community in the Naqab. It does not pay much attention to polygamy within the Bedouin community in the North and also among the Palestinian minority in general. The focus on polygamy in the South, where polygamy is widespread, is a further proof that the main concern of State authorities is the demographic consequences of this discriminatory practice and not its implications for the rights of women in societies where such practice is tolerated.

4. Recommendations of the Working Group for future action

- a) The State must recognize the impact of its discriminatory land and planning policies on the status of Bedouin women within their communities and their intimate connection to the prevalence of polygamy, especially in the South. Any plan that does not rectify historical land injustices, including the recognition of the unrecognized villages, is incomplete because it fails to address major root causes of polygamy.
- b) Granting a legal status to alien wives involved in a polygamous marriage with an Israeli citizen as a necessary protective measure against abuse by the husband, and to guarantee the ability of abused wives to access health and social services without fearing repercussions.
- c) The prosecution of polygamous men should be supplemented with an emergency intervention plans for the wives and children of the accused in order to guarantee that the separation from the husband does not worsen their already dire situation.
- d) Conducting further studies on polygamy in other parts of Israel.