

# **Unholy Permits**

Israel's permit policy during Christian feast days: A Palestinian perspective from Bethlehem

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## Introduction

The Israeli occupation of the West Bank, Gaza and East-Jerusalem has lasted for almost 50 years. In the course of this long period, the Israeli army has managed to gradually develop a system of control that has come to rule, as in a dictatorship, the lives of 2,5 million inhabitants of the occupied West Bank. The system came into being despite the development of Palestinian islands of autonomy in certain geographically limited regions, as a result of the Oslo Accords (1993). Israel's control is especially large where it restricts the freedom of movement of Palestinians. Internationally, it is the 'Separation Wall' – among Palestinians called the 'Apartheid Wall' – which, as an icon of occupation, has raised attention to the many infringements on the freedom of movement Palestinians experience.

In the present report the Arab Educational Institute (AEI) in Bethlehem focuses on a control system which is less visually captivating than the Wall: Israel's permit system. In order to "regulate the movement" of Palestinians, the Israeli occupation makes use of an elaborate permit system that deeply impacts ordinary life of Palestinians in the West Bank (as well as Gaza, where people live under even more severe conditions of siege). In the case of the West Bank city of Bethlehem and its adjacent towns of Beit Sahour and Beit Jala, with their significant Christian numbers, permits are handed out to Palestinian Christians of different denominations. This is done on the occasion of the holy days of the Christian calendar, especially during the Easter and Christmas periods.

AEI conducted the research for this report and is responsible for its publication. As a member of the Catholic peace movement Pax Christi, AEI works since twenty years on community education in the West Bank. Through several women and youth groups, as well as its school network, we are thoroughly familiar with the restrictions and painful dilemmas Palestinians face in daily life when dealing with the permit system. AEI considers it extremely important that international civil society, including churches and peace movements abroad, become more aware of the many restrictions in the freedom of traveling in their own homeland that both Palestinian Christians and Moslems face.

The present publication is one aspect of work among others in this field of advocacy. In 2010 AEI organized together with 5 academic partners a conference at Bethlehem University about "Sumud and the Wall" [sumud is resilience or steadfastness, a major value in Palestinian identity]. During the conference strategies of non-violently opposing the Wall were debated, and a call was made to open up an academic field called "Wall Studies." From 2011 on, AEI developed a "Wall Museum" in north Bethlehem which now features over 120 large thin-metal posters fixed on the Wall, with stories of Palestinian women and youth – personal statements of challenging the Wall. A so-called "Bethlehem mock permit" was created in which visitors of Bethlehem are asked to imagine that they need a permit to enter Bethlehem and its holy places. AEI's Sumud Festival near the Wall around Rachel's Tomb in Bethlehem is an artistic statement against the Wall, and takes place each year mid-summer. In cooperation with other local organizations, AEI has regularly developed other creative and artistic actions in which human voices and stories are brought out against the unhuman Wall.

With the present report we wish to emphasize the need for action research. Research will bring up opinions, stories and facts that can help us and others to challenge the Wall. The present report is a first contribution. It focuses on how Palestinian Christians view the permits received during the Christmas season in 2014-5. In advance of that Christmas, it was announced that Christians would receive three-month permits. We wanted to check how Palestinian Christians in the Bethlehem area look at these permits, as well as the permit system in general.

The research was conducted by AEI staff. It was implemented in the period end of November – beginning of December 2014. Toine van Teeffelen wrote the report.

### **Background permit system**

It is nowadays difficult to imagine it. Once there was a time, also under occupation, that it was possible to travel to all areas of both Palestine and Israel, except closed zones and during curfews. It is only since 1993, the year of the Oslo Accords, that the checkpoints started to be built around Jerusalem, and that traveling became increasingly difficult for Palestinians in the West Bank and Gaza. Initially, it was traveling to Jerusalem, Israel and Gaza for which permits were required, but in the 1990s, when the West Bank was divided into zones, traveling inside the West Bank, such as to settlements and their surrounding lands, became a hazard or impossibility.

During the Second Intifada, which started in September 2000 after the collapse of the negotiations between Israel and the PLO, restrictions on the freedom of movement became one of the most widely used measures that Israel applied to crush the rebellion. From 2002 on, the Separation or Apartheid Wall was built. It became increasingly difficult to use bypass roads in order to circumvent checkpoints. A complete army bureaucracy, part of the so-called ‘Civil Administration’, dedicated itself to implementing the permit system.

The Israeli newspaper *Haaretz* (29/12/2011) specified that there were at the time “101 types of different permits used to ‘regulate the mobility’ of Palestinians in the occupied territories. You have permits for going to a wedding, to a funeral; permits for patients and those who accompany patients; for going to court in Jerusalem, and for Christians and Moslems of course. Thousands of Israeli employees obtain a living through the permit bureaucracy.” The permits handed out to Palestinians specified conditions, allowable destinations (including institutions and streets), means of transport, routes to take, and permission whether or not one is able to stay the night in Israel or Jerusalem. In 2007-9 the Civil Administration introduced a magnetic card for all those who wanted to enter Israel or Jerusalem. Requesting and picking up magnetic cards and permits require a great deal of effort and time. At checkpoints, Palestinians have to put their finger on a machine to identify themselves.

It is difficult to build up a comprehensive picture of all the violent consequences Palestinians have been facing because of the permit system. Often examples of economic and health effects are mentioned. Many Palestinians are dependent upon permits for access to work, materials, equipment, and markets. In fact, the Palestinian economy in the West Bank has been paralyzed because of all the restrictions and the permits needed. Many lost their lives because they were unable to come, or come in time, at the best medical care available, including the hospitals in East- and West Jerusalem. We know that in the course of time many Palestinians in an area such as Bethlehem have left the country because the restrictions on mobility made “normal abnormal” life for many unbearable.

Less is known about how the permit system affects the psychological level. Often Palestinians employ metaphors like “open air prison” or “suffocation” to describe their psychological state under the permit regime. The offices where permits and magnetic cards are handed out are known for their humiliating procedures, uncertainty, and sometimes extremely long waiting times. They are, in fact, characterized by a total *lack* of regulation and normal procedures.

The overall impact is that one feels not to have control over one's individual or family life. Palestinian universities teach their students that under occupation "empowerment" is not possible, since any meaningful empowerment demands a minimum of control over one's life. In this continuous exposure to outside forces, Palestinians are facing verbal or physical humiliations at the checkpoints and at the offices of the civil administration. Dealing with all the uncertainty, humiliation and traveling problems is psychologically and physically exhaustive.

The political effects of the permit system are also far-reaching. The permit system implies a 'class' that hands out permits and controls Palestinian movement; as well as a 'class' of people who are permit-bearers and subject to this control, and a 'class' of excluded people because they do not have, or have very limited, access to permits. By the very practice of handing out and checking all kinds of permits the occupation reproduces itself on a daily base.

Moreover, it categorizes Palestinians against their will, and fragments and divides them. Thus, slowly West Bankers get familiar to the assumption that Jerusalem is not theirs, that it is outside the West Bank, that there is no right to visit it, and that the possibility of visiting is a favor extended by the occupation. Around 2011 the army instructed Palestinians - in recurring processes of try-outs, temporary withdrawals and re-applications of the measure - that children below 16 needed a permit to enter Jerusalem and Israel. New generations are led to believe that Jerusalem is not an experienced Palestinian reality but merely a distant symbol.

Another deleterious political effect of the permit system is that it is used to slowly decrease people's motivation to challenge the occupation. Obviously, when one needs and receives long-term permits, there is less incentive to put efforts in challenging the system because permits may be lost as a consequence. At the same time it is difficult to challenge the system when one is part of it, even reluctantly.

A most pernicious effect of the system is that Israel uses it to put pressure on people to become active informants or collaborators. Many university students and other youth can testify that they were invited by the Israeli Shin Beth to collaborate in exchange for a permit for themselves or needy family members as a "reward."

Away from controlling a civilian population, the permit system has also been employed to present the outside world an image of order, rationality and civility. Cruel practices of the army are covered by reassuring language choices. An example is the expression "easing the closure," used when handing out more permits (for instance, as a goodwill gesture during political negotiations).

### **Christian feast days**

The permit system applied to Christian feast days is known for its arbitrariness regarding the duration of the permits and the number of people receiving them. According to informal enquiries, the churches and parishes receiving permits from the army, notice that usually only a minority of people receive permits. During the past couple of years, it was very common to hear in Bethlehem that half of a family received a permit, the other half not, so that members could not go as family to Jerusalem. Moreover, it is not sure whether you are able to reach the holy places after obtaining a permit. In the days of the Jewish Pesach, for instance, Jerusalem is usually closed for Palestinians from the West Bank, also for

those who do have a permit. In 2014 during Easter many believers could not reach the Church of Holy Sepulchre due to the closure of surrounding streets.

The three-month permit for the occasion of the Christmas feast days in 2014 was a new development. Previously, permits of shorter periods were given.

### The questionnaire

AEI members handed out a brief questionnaire to Christian Palestinians in the Bethlehem region. In total 58 persons from different families responded to the questionnaire. The basic questions could be answered by multiple choice but we also asked to provide some stories or information the respondents considered relevant to the subject. Because the respondents were not selected on a random base, and because of the limited number of respondents, we cannot claim that the results provide a representative image of the opinions of all Palestinian Christians in the Bethlehem region. Nevertheless, the research gives an indication of thinking and feeling among ordinary people. It looks to us highly useful as a start-up for debating the issue.

### Receiving a permit?

<i>Did you and your family (husband or wife, children) receive a permit for Christmas?</i>	#	%
Yes, all	23	39,7 %
Not all, only some of us	26	44,8 %
None of us	6	10,3 %
Not applicable or not filled in	4	5,1 %
Total	58	100 %

The number of families in which not all or no members received permits is larger than those families in which all members received them. The assumption that ‘all’ Christian Palestinians receive permits for Christian feast days is obviously not true.

Quotes:

“My son cannot get a permit and we don’t know the reason.”

“I applied to get a permit more than three times during the last two years. However, I received nothing despite receiving a magnetic card.”

Some respondents wrote about earlier experiences:

“When my mother was sick I got a permit to accompany her to the hospital, for 3 months. These days I am trying to get a new permit but I was shocked to hear that I was refused.”

“I hoped to get an Easter permit this year [2014] to have my eye treated in a Jerusalem hospital. I got a permit at Christmas [2013] but did not get one when I applied [outside the Christian feast day season] for treatment.”

### What was the duration of the permit?

<i>How long was the permit?</i>	#	%
Three months	35	60,3 %
Less	16	27,6 %
Not applicable or not filled in	7	12,1 %
Total	58	100 %

The majority received three months, but a significant minority received less.

### Using the permit?

<i>Will you and your family make use of the permit?</i>	#	%
Yes	21	36,2 %
Not all of us	17	29,3 %
No	16	27,6 %
Not applicable	4	6,9 %
Total	58	100 %

Clearly, not all family members make use of the permits. From the stories provided it is clear that not making use of permits is because of the humiliations one has to undergo, and opposition to the permit system in general.

Here are some telling stories:

“Two years ago, during the month of Ramadan, I tried to get a permit so as to pray in Jerusalem. I went several times to the liaison office of the civil administration to apply for a permit to enter Jerusalem. I was intimidated by the huge number of people crowded in front of the desk so as to take the permit. I felt humiliated. I went twice to see if I got the permit but each time I could not know if I got it or not because of the crowd in front of me. I didn’t want to wait so long and felt humiliated and returned home each time. I tried to pass the checkpoint without a permit but the soldier didn’t allow me to pass. So I went home and decided not to ask for the permit and stop going to Jerusalem. I prefer to be respected rather than to be humiliated by soldiers.”

“My neighbor hasn’t been in Jerusalem for 5-6 years. He says that during Christmas and Easter it is either him or his wife who gets a permit but never both of them together. He wants to visit the church in Jerusalem as a family, not alone. Lately he and his wife gave up. It’s too much humiliation, he says, walking through those cages along the Wall at the Bethlehem-Jerusalem terminal, and showing a permit as if you are visiting a foreign country.”

“A Palestinian woman last Christmas got tears in her eyes when she finally obtained a permit after almost twenty years waiting. Was she happy or sad, or both? In a way, it’s terrible to be happy to get the permit. Some people refuse to take it. Some refuse in order to preserve their dignity; others because they simply gave up on traveling outside Bethlehem.”

#### What will be done when the permit is used?

<i><b>If you make use of the permits, what do you mostly do?</b></i> <i>(One or two answers filled in per person)</i>	# answers	% answers
Shopping	11	11,5 %
Holiday	14	14,6 %
Visits to religious places	34	35,4 %
Visits to family and friends	21	21,9 %
Work	8	8,3 %
Not filled in/NA	8	8,3 %
Total	96 answers	100 %

The religious motive is, as expected, mentioned mostly. However, other motives are also indicated, such as “visits to family and friends.” Some respondents said that they would use permits only in need or in emergencies, and some indicated also that permits *should* not be used for other purposes. In the Bethlehem region it is a well-known discussion whether or not permits should be used for shopping.

“The permit is important for emergencies only. I don’t like to go to Jerusalem because of what they do to us at the checkpoint.”

“I prefer to take the permit for working and visiting the holy places instead of entertainment.”

“It is better to take the permit only for necessary issues, like sickness and hospitals.”

“I use the permit only to visit my doctor at St Joseph’s hospital [in Jerusalem].”

“We need the permit sometimes for medical reasons. It is better to remove all the checkpoints so as to live in security and peace.”

“The permit gives patients a chance to consult other physicians or hospitals that are better equipped, in Jerusalem.”

#### **Churches and PNA, channels to obtain permits?**

<i><b>Do you think it is right that the churches and the PNA (ightibaat) function as a channel to receive permits?</b></i>	<b>#</b>	<b>%</b>
Yes	21	36,2 %
No	17	29.3 %
I don’t know	17	29.3 %
NA	3	5,2 %
Total	58	100 %

This is clearly a subject of discussion and doubt. Of course when PNA and churches would not facilitate their reception, it would be much harder to obtain permits. The following quote expresses the dilemma:

“In my opinion we should not deal with the permit system and reject it. All Palestinians should reject the permits so as to eliminate this racist system. But the problem of someone who is in need of medical treatment in areas which we are forbidden to enter - I don’t know how to solve it without permits.”

### Israel's motives to give three-month permits

<b><i>Why do you think the occupation authorities give now a three-month permit? (One or two answers)</i></b>	<b># answers</b>	<b>% answers</b>
This is a period that there is less danger for them	3	3,7 %
They want to improve relations with the churches	11	13,4 %
They want to promote sales during Christmas time when people buy more than usual	43	52,4 %
They want to divide Christians against Moslems	11	13,4 %
I don't know	11	13,4 %
Not filled in	3	3,7 %
<b>Total</b>	<b>82 answers</b>	<b>100 %</b>

The possible answers were formulated according to what one hears "on the street" among the citizens of the Bethlehem region. Many Christians have experienced some kind of embarrassing favoritism by soldiers at a checkpoint. ("Are you a Christian? Please come here and pass.") Many feel that the occupation aims at dividing Moslems and Christians.

Since some years there have been rumors that an Israeli lobby of shopkeepers in West Jerusalem asks the army to hand out more permits during feast days so as to have more customers from the West Bank. An example was the handing out of permits in advance of Valentine's day which hardly qualifies as a religious day but all the more as a day for giving presents to loved ones.

The economic argument is much debated in Bethlehem. How much Palestinian Christians from the West Bank precisely spend in Jerusalem during or in advance of Christian feast days is not known. In 2013 Palestinian news agency Maan mentioned that during the Ramadan month 1 million West Bankers entered Jerusalem and Israel and spent there 100 million shekels [about 20 million Euro] - to the obvious chagrin of Palestinian shopkeepers in Bethlehem and elsewhere. It is also believed that the permit system is used as a policy tool for Israel to have a handle on political relations with the churches, also considering that the churches, especially the Orthodox churches, own much land in West Jerusalem and throughout Israel.

A majority of the respondents mentioned the economic argument. It was graphically stressed by many, by circling or underlining this particular answer. Besides the economic argument, other reasons mentioned were political ones: ‘dividing Moslems and Christians’, and ‘improving relations with the churches’.

Very few respondents indicated the security argument. In general, Palestinians do not believe that the permit system is used because of security considerations.

A quote:

“The permits are for their own benefit, so as to strengthen the Israeli economy.”

### What to do?

<b><i>What should be done with regard to the permit system?</i></b> <i>(One or two answers are possible)</i>	# answers	% answers
Nothing can be done as the Israelis do in any case what they want. Better not to dream.	21	25,9 %
The permit system is understandable. After all, the Israelis, like us, have a right to security.	5	6,2 %
PNA and churches should stop being a channel for arranging permits.	15	18,5 %
We should raise attention to the permit problem through the international media, using creative actions (like the mock permit of AEI).	23	28,4 %
We should publicly tear up the permits, as done during the first Intifada [with identity cards].	10	12,3 %
Not filled in	7	8,6%
Total	81 answers	100 %

As expected, only few adopted the Israeli line of thinking (“the permit system is understandable”), even though the answer was phrased in a manner that would go rather far for many Israelis, who would likely not believe that the Palestinian and Israeli right to security is of similar weight.

The interesting aspect is that there is an emphasis upon both ‘not to dream’ *and* taking some kind of public action. Actually, many respondents crossed both, caught between a feeling of what must be done (actions against the permit system) and what apparently cannot be achieved (an end to the permit system). For many doing public advocacy by raising international attention to the permits is an acceptable line, perhaps because doing this is compatible with still receiving permits for emergencies. Still, stronger actions like the PNA and churches stopping to cooperate on this issue, and tearing up the permits, were also favored by significant numbers. For most it is important to bring out the illegitimacy of the permit system, its non-acceptance by Palestinians.

“The hidden purpose for permits is to show to world opinion that the Palestinians have the right to travel and that there is no difference between Israelis and Palestinians.”

This should obviously be challenged.

Other quotes strongly challenging the permit system as a whole:

“I have a permit but I don’t use it because I don’t want a permit. I want to enter Jerusalem without permits because Jerusalem is ours, not theirs.”

“I have a permit but I don’t use it and neither my family because we don’t want to be checked. We don’t want to enter Jerusalem just when the Israeli authorities want us to enter.”

“We want to enter Jerusalem without permits.”

“We should stop this permit [system] because this is our land.”

“We have the right to go to our country not just during feasts.”

“We don’t want permits, we want the Wall to go down, and to have the chance to travel freely.”

“Jerusalem is part of Palestine and we should be always able to go there.”

“The perfect road is the collapse of the Walls and the borders.”

### **Children at checkpoints**

An additional example of hardship mentioned several times were the difficulties for *children* when crossing the checkpoint:

“Each time they give us a hard time at the checkpoint with our children. They want a permit for children of 3 years old.”

“I was at the checkpoint with my 10-year old son and my husband. I entered a one-way gate and after reaching the other side, I heard a soldier shouting at my son who does not have a permit as a child. They didn’t make a permit for the children. He has the right to pass by with his birth certificate. My husband argued but it didn’t work out. The soldier shouted louder and stopped my son to go so that they had to go back home alone. We couldn’t go and celebrate the Easter festivities in Jerusalem with one family.”

“I hope that in the future it will be easier to pass the checkpoint, especially with our children.”

## **Recommendations**

There is a feeling among the respondents that the permit system should be challenged, that it is not acceptable in any way. It is a task of Palestinian civil society and organizations to consider how it can be challenged, even as the system has been designed to pit self-interest or the interest of the family against the public interest. Is it acceptable to visit religious places in Jerusalem when doing so in fact helps to preserve the permit system as well as the control system and the occupation in general? Is it the task of churches to be an intermediary between individual believers and the army, and to do lobby work for individuals in need of permits? These are dilemmatic, value-charged questions with which many Christians and Moslems wrestle. According to AEI it is the task of civil society organizations to raise them in an organized debate so as to come to practical conclusions.

Meanwhile it is also urgent to do some more, and deeper research. This research can dwell into similar questions as tackled in this paper: the strategies through which the permit system serves the occupation, and how people are forced to deal with it, and the suffering as a result. Details how the control system ‘works’ at the psychological, social, economic and political levels can help the international community to mobilize against it. We appeal to international and local universities to do to this end substantial fieldwork, even at hot spots like checkpoints or the offices of the civil administration.

Moreover, it is important to obtain legal advice about the illegality of the permit system as a whole and with regard to access to religious places in particular. Which legal mechanisms are available to challenge it on an international level, especially since last year Palestine has become a member in the Treaty of Rome, which gives access to the International Criminal Court?

Only through a multidisciplinary effort, both in research and advocacy, will it be possible to challenge the permit system.

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