

THE ARAB MINORITY IN ISRAEL IMPLICATIONS FOR THE MIDDLE EAST CONFLICT

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WITH

COLLEAGUES OF THE MOSSAWA CENTER

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ABSTRACT

The Arab minority in Israel are in a unique position to contribute to the resolution of the Middle East conflict and stabilise relations between the different nations and countries in the region. This paper reviews the history of the Arab minority in Israel and reports on their legal, socio-economic and political status. It examines relations between the Arab minority and the Jewish majority, the Israeli government and the rest of the Palestinian people. On the basis of the review, this paper makes recommendations that aim to improve the situation of the Arab minority, strengthen the dialogue between the Arab minority and Jewish majority in Israel, and enable the Arab minority to act as a mediator in the Middle East peace process.

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This working paper was prepared as part of the regional discussion on the Middle East conflict organised by the Center for European Policy Studies. Incorporating comments and conclusions drawn from this discussion, the Mossawa Center will develop this paper further and use it to suggest the inclusion of the Arab minority as an integral actor in the resolution of the regional conflict.

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1. Introduction

As citizens of the State of Israel and part of the Palestinian people, the Arab minority is in a unique position to influence a future resolution to the Middle East conflict. Currently, the Arab minority in Israel constitutes 19% of the total population of Israel, as well as 19% of the Palestinian people.

The Arab minority in Israel has been marginalised politically, by both the Israelis and the Palestinians. To this day, the Arab minority has neither taken an active role in the Palestinian-Israeli negotiations nor in perpetuating the conflict. Yet this group has already had a significant influence on the peace process and has the potential to both support and complicate it.

The political influence of the Arab minority upon Israeli politics is clear. From 1992 to 1995, the Arab minority's representatives in the Knesset gave Yitzhak Rabin the majority necessary to continue the Oslo process. In response to the killing of innocent civilians by the Israeli Army at Qana in Lebanon, nearly 30% of the Arab electorate boycotted the 1996 Prime Ministerial elections, contributing to the defeat of Shimon Peres by Benjamin Netanyahu and the freezing of the peace process until 1999. In the 1999 elections, the Arab minority overwhelmingly supported Ehud Barak and maintained that support throughout the negotiations. Nevertheless, the killing of 13 Arab citizens in October 2000 and the ongoing Israeli occupation, influenced the Arab minority to boycott the 2001 Prime Ministerial elections. The result was the election of Ariel Sharon and the change of the entire government.

2. Background

2.1 History

The Arab citizens of Israel are the descendants of the Palestinian Arab population that remained within the borders of Israel after the war of 1948. After the establishment of the State of Israel, some 750,000 out of 900,000 total Palestinians living in Palestine before 1948 either fled or were expelled from the borders of Israel, becoming refugees in the neighbouring Arab states. Virtually overnight, the 150,000 Palestinian Arabs who remained within the borders of Israel discovered that they had become a minority in the newly created state.

Many Palestinian Arab villages were destroyed during the 1948 war. Approximately 25% of the remaining Arab population was displaced and became internal refugees. Additional transfers of land and people continued throughout the war and in the years immediately after. The widely documented cases of Iqrih and Bir'em provide an example of this phenomenon. In November 1948, the residents of these two Christian villages on the border of Lebanon

were asked to leave their homes temporarily while the Israeli forces pursued a military objective. After complying with the temporary order, the residents were not permitted to return and their houses were subsequently demolished. Although the Israeli Supreme Court has ruled to restore the property to the residents of Iqrith and Bir'em, the decision has not yet been implemented. Additional transfers continued from 1948 to 1951, moving thousands of people from villages such as Kufr Yasif, Hassas, Al-Jaouneh, Qatia, Al-Gabsiyeh and Battat who consequently became refugees in Arab countries across the Israeli border.

During the period of 1949-66, the Arab minority was governed by a military administration. This administration was carried over from the Emergency Regulations of 1945, enacted by the British Mandatory Government. The first Knesset voted to extend the Emergency Regulations in June 1949 and appointed three military governors in the Galilee, Triangle and Negev areas. Under military rule, the freedoms of the Arab minority were restricted in terms of movement, property rights, speech and political organisation. These strict rules included regulations permitting the military governors to: close areas and forbid exit and entry without permission; enact curfews; detain individuals; place individuals under military supervision or under house arrest of an undetermined length; seize property; and, deport individuals out of the country without appeal to a civil court.

One of the most publicised incidents of the military rule occurred in 1956, when the Israeli border police killed 49 residents of Kufr Kassem for a curfew violation. The majority of the killed and injured were farmers returning from their fields in the evening, who had not been informed of the curfew. Historians postulate that this massacre may have been an attempt to transfer residents of the Triangle area across the border, at a time when the international focus was diverted to the 1956 Suez-Sinai War.

The military government kept the Arab citizens under close control and suppressed the development of political and social organisations. During the years of military rule, the Israeli government organised a massive campaign of land expropriation. Villages that had been destroyed in the 1948 war were classified as military areas under government jurisdiction. In addition, the Absentee Property Law of 1950 disqualified landowners who were displaced from their villages from reclaiming their lands. The Israeli government used the Absentee Property Law and other legislative programs such as the Israel Lands Administration Law of 1960, the National Planning and Building Law of 1965 and the Agricultural Settlement Law (Restrictions on the Use of Agricultural Land and Water) of 1967 to expropriate Arab land in order to use it for Jewish settlement, agriculture and industry. From 1948 to 1975, over 800,000 dunams were taken from Arab citizens and used for the creation of sixty new Jewish villages.

Although military rule was lifted in 1966, the residual fear of the Israeli government kept the Arab minority in silence and submission for some years after. The first expression of community protest was in 1976, when the Arab community called the first general strike that led to peaceful demonstrations against land expropriations. Demonstrations in Sakhnin turned into violent clashes and Israeli security forces killed six Arab citizens. The event is now memorialised annually as Land Day (*Yom Al-Ard* in Arabic) and marks the emergence of the Arab minority out of submission and into a national identity.

The Israel-Lebanon War began in 1982, changing the Palestinian identity from oppressed refugee to empowered freedom fighter. The identity of Arabs in Israel began to shift towards increased solidarity with the Palestinian struggle and many Arabs saw the PLO as the only legitimate representative of the Palestinian people. This view continued throughout the intifada years from 1987 to 1993.

The signing of the Oslo accords in 1993 marked a significant change in the Arab citizens' relations with the Palestinians and with the Israeli government. The hope of peace strengthened the Arab citizens' political focus on the pursuit of equality and full citizenship within Israel.

At the beginning of the *Al-Aqsa* Intifada, Palestinians in Israel took to the streets in demonstrations of solidarity. These demonstrations were met with high levels of force by the Israeli security forces, resulting in the deaths of thirteen Arab citizens. The tragic events of October 2000 increased tensions between Arabs and Jews within Israel, threatening to complicate the Palestinian-Israeli conflict with internal clashes.

The lengthy and unresolved investigation about the October 2000 killings, along with the subsequent killing of 12 Arab citizens, has hindered the healing process between the Arab populace and the Israeli government. Meanwhile, the relationship between the Jewish and Arab communities has been further strained by widening social, economic and political gaps. Legislation passed by the 15th Knesset, cutting child allowances to those who have not served in the military and additional legislation limiting the freedom of speech and political organisation by Arab citizens have been at the centre of the growing disparities.

2.2 Socio-economic situation

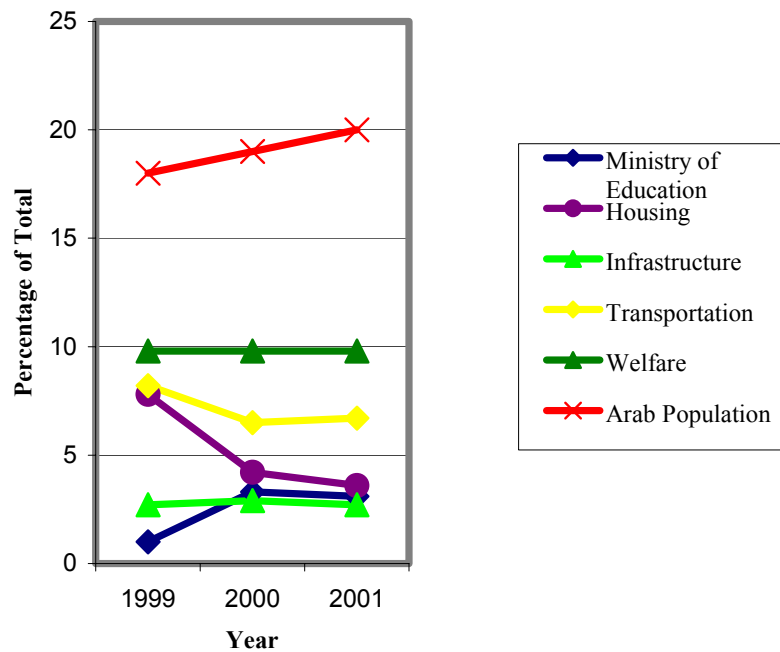
While Israel has become a developed country with an advanced industrial economy and a high standard of living, the Arab community has not been fully included in the country's overall development. Inequality in government allocations for infrastructure and improvement has led to widespread underdevelopment. Nowhere is underdevelopment and poverty as extreme as in the unrecognised villages of the Negev and the north of Israel. Insufficient support for the Arab educational system has contributed to lower levels of educational achievement and professional training. As a result, the Arab labour force is highly concentrated in lower paid employment. Although the Israeli government has officially recognised the significant gaps in socio-economic levels between the Arab and Jewish populations, programs to address these gaps have been largely symbolic.

2.2.1 Infrastructures and development

The majority of the Arab population in Israel (71%) live in Arab towns and villages – separate from the Jewish urban areas in the centre of the country – with the highest concentration (46%) in the Western Galilee. Each town or village is administrated by an elected Local Council, which is responsible for public education, health and welfare services, public transportation and roads, agriculture, industrial development and environmental protection. Local Councils are funded by budgets from governmental ministries as well as the collection of municipal taxes.

While the Arab population represents nearly 20% of the total population of Israel, governmental ministries regularly allocate less than 7% of their budgets to the Arab population. As shown in Figure 1, the Ministry of Welfare allocated 9.8% and the Ministry of Education allocated 3.1% of their budgets to the Arab population. This structural discrimination, coupled with ineffective tax collection, has led to widespread lack of development in the Arab Local Councils, including insufficient educational facilities, poor public transportation, outdated sewer and water infrastructures, and low levels of industry. According to an analysis by Mossawa Centre Economist Amin Fares, the Arab Local Councils are currently running a deficit of 1.5 billion NIS.

Figure 1. Budget allocations to the Arab population by government ministry



Source: Government of Israel (2000), *State Budget for Fiscal Year 2001*, Jerusalem.

The percentage of ministry budgets received by the Arab population may change significantly this year, in accordance with the Development Plan for the North. The intention of the Development Plan is to increase development budgets for the Arab community by 1 billion NIS a year, over the course of four years. Critics of the Development Plan point out that the program is somewhat arbitrary, given that the sum for allocation was decided first, then the responsibility for allocating budgets was split between the different governmental ministries. Further criticism reveals a delay in implementation, as the Development Plan for the North was originally authorised in October 2000, but the increased budgets were not included in the state budget for 2001. Analysis of the state budget for 2002, however, shows that higher budgets have been slated for the Arab sector from many of the ministries. A recent review of the 2002 budget by Amin Fares shows that the allocation for Arab sector development was only 840 million NIS.

2.2.2 Work and unemployment

Lack of employment is another serious issue for the Arab population in Israel. According to the Israel Central Bureau of Statistics (CBS), 12% of the Arab workforce was unemployed in 2000, compared with 7.6% of the Jewish workforce. In the past two years of the conflict, unemployment has risen to 10.3% for all of Israel. Amin Fares finds that unemployment is even more severe in the Arab sector than reported by the CBS figures and estimates that close to 20% of the Arab workforce are currently unemployed, since many Arabs have lost work in the Jewish sector due to distrust and prejudice.

The Arab community is largely concentrated in lower-paid occupations than the Jewish sector. The highest concentration of Arab labour is in the building trade (23%), while the highest concentration of Jewish labour is in industry (26%). The divergence in the type of

employment held within the two communities is reflected in earnings, as the average monthly salary in the Arab sector is 4,472 NIS (approximately €800), which is less than 60% of the average Jewish salary. A similar gap between the communities exists in other sources of income. As a result, income per person in the Arab sector is of 40% of the total income per person in the Jewish sector.

When considering employment issues, it is also important to note that the Arab population has a lower level of participation in the workforce than the Jewish population. In 2000, only 40% of Arabs of working age (15 years and older) participated in the workforce, compared with 60% of working age Jews. This difference is largely due to the low level of participation of Arab females. While an average of 53% of Jewish females participate in the workforce, only 15% of Arab females participate. These numbers do not, however, include the Arab females who are involved in the unofficial workforce, including seasonal agriculture, caring for children and the elderly and domestic work. Many Arab females are willing to work in their own villages, but opportunities are nearly non-existent, as much of the textile industry was moved to Jordan following the 1995 peace agreement.

2.2.3 Socio-economic level

Low wages and unemployment have led to high levels of poverty in the Arab sector. The Central Bureau of Statistics regularly assesses the socio-economic level of Local Councils in Israel, based on several factors including demographics, levels of education, revenues, income and governmental subsidies. Based on these factors, the CBS classifies Local Councils into ten socio-economic levels, with one representing the lowest level and ten representing the highest.

As shown in Table 1, the Arab Local Councils are grouped at the bottom of the socio-economic scale, while the majority of Jewish Local Councils¹ are grouped in the middle levels with equal distribution at the low and high ends of the scale. Arab localities account for 70% of the localities in the lowest four levels (1-4), while Jewish localities account for 94% of the localities in the middle three levels (5-7) and 100% of the localities in the top three levels (8-10).

Table 1. Arab and Jewish local councils ranked by socio-economic level

Socio-economic level	Total councils	Arab councils	Jewish councils
1	10	9	1
2	37	32	5
3	31	22	9
4	30	13	17
5	31	3	28
6	17	1	16
7	19	0	19
8	25	0	25
9	9	0	9
10	3	0	3

Source: Fares, Amin (2002), *Ranking of the Arab Local Councils by Socio-Economic Status*, Mossawa Centre, Haifa, March.

¹ Segregation of the Arab and Jewish communities is the norm except in mixed cities that were integrated prior to the establishment of the State.

2.2.4 The 'unrecognised' villages

Poverty, unemployment and underdevelopment are common throughout the Arab community. But lack of development is especially extreme in the 'unrecognised' villages. These Bedouin villages have been in existence since before the establishment of the State of Israel, but have not been officially recognised by the government. This disqualifies them from all municipal services, including electricity, sewer systems, health clinics, public transportation and roads.

There are currently 46 'unrecognised' villages in the Negev and the north of Israel. In recent years, the government officially recognised eight of these villages located in the north. Although this change in status permits the villages to receive municipal services, the government has been slow to implement connections.

The 'unrecognised' and 'newly recognised' villages suffer from a lack of basic infrastructure, including connection to electricity, running water, health clinics and access roads. These conditions have a negative impact on health. Infant mortality rates in the 'unrecognised' villages are 12.1 per 1000 live births. Approximately 50% of the children living in the 'unrecognised' villages are hospitalised during the first year of their lives.

Some villages run electric generators, but these are sufficient for lighting purposes only. In the summer, temperatures in the tin-roofed shacks run as high as 55C, exposing children to overheating and dehydration. In the winter, both children and the elderly are susceptible to illness due to cold and many children suffer burns from heating fires. Lack of running water poses additional health problems, as many 'unrecognised' and 'newly recognised' villages rely on often dry (and sometimes contaminated) sources of water. Lack of sewer systems contaminates the local water supply, leading to outbreaks of jaundice and diarrhoea among the children. Some villages collect rainwater and many transport water from nearby localities. But logistical difficulties in transportation often result in occasional water shortages. Health problems in these villages are further complicated by the lack of local health clinics serving the population.

Aggressive government tactics to force this population of nearly 70,000 to move from their lands has multiplied the hardships of the 'unrecognised' Bedouin. The Israel Lands Administration dusted thousands of dunams – containing Bedouin crops, people and animals – with toxic chemicals, sending dozens to the hospital in February 2002, and March and April 2003. Between 2001 and May 2003, the government destroyed 44 homes and hundreds more remain tagged for destruction. The government set a new precedent this year with the demolition of a Mosque in the village of Tal al Milah,

The 'unrecognised' Bedouin are now faced with a government proposed law, attached to Member of the Knesset (MK) Benjamin Netanyahu's Emergency Economic Plan, entitled "The Public Land Law: Removal of Intruders". With a price tag of 55 million NIS, the addition of this law to a plan meant to ease the struggling national economy, signals a sincere intention by the government to physically transfer the Bedouin.

2.2.5 Child poverty

Approximately one-half of Arab children in Israel live below the poverty line. For poor children whose parents are unemployed or who work in low-paying positions, a major source of support comes from monthly child allowances allocated to all children in Israel through the National Insurance Institute. Nevertheless, child allowances to Arab children are currently being cut by 24%, in accordance with an emergency economic package passed by the Knesset in 2002. The economic package authorised a 4% cut in allowances for all Israeli children and an additional 20% cut for children whose parents did not serve in the army. As Arabs are

legally exempt from serving in the army, it is primarily Arab children who will bear the brunt of the budget cut. According to a report prepared by the National Insurance Institute research centre, this cut will increase child poverty in Israel by 25%. Mossawa Centre Economist Amin Fares estimates that in 2003, the effects of the budget cut will increase the number of Arab children living under the poverty line to nearly 70%.

2.2.6 Education

In Israel, Arabs and Jews attend parallel school systems with different curricula, languages of study, school hours and quality of education. Inequality in governmental support for public education in the Arab sector have led to classroom shortages, a higher level of unqualified teachers, insufficient educational and guidance counsellors, and lack of facilities such as libraries, science labs and computer rooms. The average class size in the Arab sector is 30, with fewer teachers and classroom hours per child than in the Jewish sector. Furthermore, the Ministry of Education estimates that as many as 36% of Arab classrooms are unfit for study.

Inequality of support for Arab education has resulted in performance gaps between Arab and Jewish students. As shown in Table 2, Arab students have higher drop-out rates, lower passing rates in the qualifying *Bagrut* exams and a lower rate of acceptance to universities than Jewish students. The numbers shown in Table 2 reflect students aged 17.

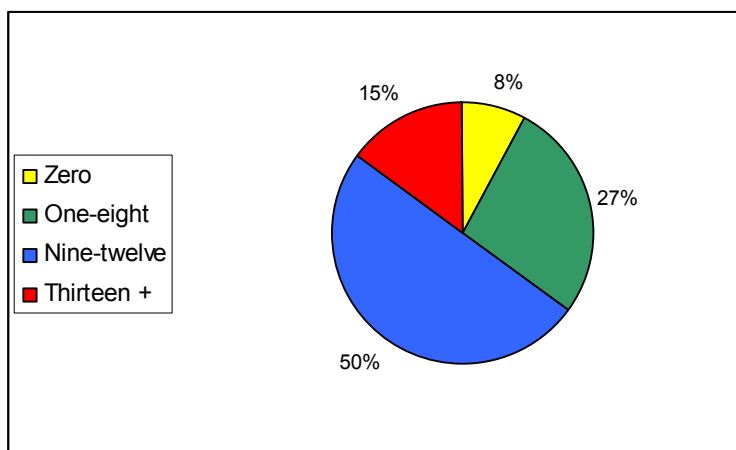
Table 2. Academic success of Arab and Jewish students (in percentages)

Measures of education	Arab students	Jewish students
Drop-out rates by age 17	31.7%	10.4%
<i>Bagrut</i> pass rates	27.5%	45.6%
Qualification rate for university admission	18.4%	40.4%
University applicants who were rejected	44.7%	16.7%

Source: Human Rights Watch (2001), "Second Class: Discrimination against Palestinian Arab Children in Israel's Schools", New York, September.

As shown in Figure 2, the majority of Arab citizens in Israel have at least a high school education. But nearly 35% of Arab citizens do not make it to high school and 8% do not have any formal education at all. The majority of this 8% are women, as the Arab patriarchal culture regards women's education as a second priority.

Figure 2. Years of school completed by the Arab population (in percentages)



Source: Government of Israel, Central Bureau of Statistics (2002), *The Arab Population in Israel*, Jerusalem.

2.3 Legal status

The formal legal status of the Arab citizens of Israel has always been unclear, owing largely to the double definition of the state as both Jewish and democratic. Although one in every five Israeli citizens is a Palestinian Arab, the Israeli government has yet to recognise this group as a national minority. Instead, the government refers to the Arab minority as ‘non-Jews’ or generally as ‘minorities’. Tensions between the Jewish and the democratic aspects of the state have existed since the Proclamation of Independence, which simultaneously declared the historic right of the Jewish people to Israel as a homeland and called upon the Arab inhabitants of Israel to “participate in the building up of the state on the basis of full and equal citizenship”.

The double definition of the state as both Jewish and democratic is problematic. Many theorists argue that these definitions are mutually exclusive and point out that neither definition has been fully realised. Although Israel is defined as the Jewish state, the defining culture of Israel is secular, and the political and legal systems are largely independent of Jewish tradition. Judaism has come to play a symbolic role in Israel that is expressed in the national holidays, the flag (and other national symbols) and in terms of demographics. At the same time, Israel cannot be viewed as a complete democracy. Despite the electoral system of proportional representation, the Arab minority in Israel has never gained “full and equal citizenship”, whereas a complete democracy requires equal rights for all of its citizens.

As Israel does not have a formal constitution, there is no legal guarantee for equality in civil rights. The most commonly quoted section of the Proclamation of Independence states that the State of Israel “will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture...” Nevertheless, the Proclamation of Independence is not considered a constitutional document, so these elegant sentiments cannot be used as a legal instrument.

Although the authors of the Proclamation of Independence intended Israel to develop a formal constitution, the Provisional Government and the First Knesset were unable to complete this task. In lieu of a complete constitution, the Knesset started to draft and legislate a series of Basic Laws. The assumption has been that the Basic Laws, when completed, would serve as Israel’s constitution.

A total of 11 Basic Laws exist today. The first nine cover the subjects of the Knesset, Israel’s lands, the president, the state economy, the army, Jerusalem as the capital of Israel, the judiciary, the state comptroller and the government. The most recent Basic Laws, covering freedom of occupation, and human dignity and freedom, are the first Basic Laws to address the human rights issues. Although falling short of a full Bill of Rights, these laws have been recognised by the Supreme Court of Israel as taking precedence over other legislation. Further draft Basic Laws covering the subject of human rights, including a Basic Law on social rights, have been tabled annually due to opposition from the religious parties. No Basic Law exists as yet that guarantees equality for all citizens without discrimination on the basis of religion or ethnicity.

The absence of constitutional equality for the Arab minority and the fundamental definition of the state as Jewish have permitted a system of structural and institutional discrimination against the Arab citizens of Israel. At least 20 Israeli laws discriminate against the Arab minority, either by excluding the Arab minority from specific rights given to the Jewish population, (according different rights to different sectors of the population) or by abridging the rights of the Arab minority. These discriminatory laws touch all aspects of life, including: restrictions on

immigration and citizenship; expropriations of land; restrictions on land use and ownership; quasi-governmental status given to solely Jewish bodies such as the Jewish Agency and the World Zionist Organisation; designations of Jewish symbols and national holidays (while ignoring Arab religious dates and holidays); and, laws that mandate separate and unequal educational and cultural systems.

When asked to explain such prejudiced laws, legislators tend to deny that any discrimination exists. A typical response compares the living conditions of Arab citizens of Israel with those in neighbouring countries and insists that the Arab citizens of Israel should be grateful. Other common responses question the loyalty of the Arab minority to the state, arguing that second-class treatment is all that a fifth of the population should expect and pointing to the Arab citizens' exemption from army service as a justification for discrimination. All of these responses demonstrate the contradiction between the definition of the state as Jewish and as democratic. As long as the Jewish character of the state dominates over the need for democratic equality, the legal status of the Arab citizens will not be secure. Contrary to popular belief, recognition of Palestinian Arabs as an Israeli minority and provision of 'full and equal citizenship' would not threaten the Jewish right to self-determination, but may act to preserve it.

Because of the intensified climate of conflict and occupation during the past two years, the legal status of the Arab citizens of Israel has come under severe attack. In the past year, several legislative proposals were submitted that would retract and limit the rights of the Arab community in numerous ways: a bill that would enable state land to be apportioned for Jewish use only; a bill to eject Bedouin villagers from their traditional homelands (which the government claims as state land); a bill that would exclude Arabs from participating in national referendums; a bill that would deny citizenship to the spouses of Arab citizens; and, a bill to legalise the physical transfer of Arabs from Israel to the West Bank, Gaza or to other Arab states. All of these legislative proposals have been submitted to the Knesset and are currently in various stages of debate by the full plenum or in committee.

Of all the legislative proposals, the most alarming ones have to do with population transfer, the idea of physically moving the Arab population to neighbouring Arab countries. In July 2001, MK Michael Kleiner (Herut) proposed a law to encourage Arab citizens to move to neighbouring countries. In September 2001, Minister of Infrastructure Avigdor Lieberman (Yisrael Beiteinu) proposed a move of Arabs from Israel into the territories. In December 2001, MK Benjamin Elon (Moledet) published an article recommending a program of increasingly discriminatory laws, to make life in Israel so difficult for Arab citizens as to promote their emigration. Current Prime Minister Ariel Sharon has claimed to support the rights of Israel's Arab citizens, yet he has included several pro-transfer MKs in his 16th Knesset government, including MK Lieberman, whose party distributed pro-transfer flyers over the city of Um El-Fahem during the campaign.

Many political parties denounce the idea of transfer as both unethical and unrealistic. Nevertheless, transfer has become a common concept in the political debate, gaining credence in Israeli public opinion and is increasingly proposed as a solution by various right-wing parties. According to annual national security poll by the Jaffee Centre for Strategic Studies, 46% of Israel's Jewish citizens are in favour of transferring Palestinians out of the territories and 31% favour transferring Arab citizens out of the country.

The alarming concept of transfer is approaching reality: the 15th Knesset passed, in its first reading, "The Public Land Law: Removal of Intruders". The measure, if enacted, would effectively declare that the Bedouin of the 'unrecognised' villages are intruders upon the land they have inhabited since before the State of Israel. The goal of the government is to

concentrate the traditionally nomadic Bedouin into fixed settlements, in order to make room for new Jewish settlements in the Negev.

The growing acceptance of intense racism in the legal, political and public arenas demonstrates the extent to which Israel has departed from the “full and equal citizenship” for all inhabitants, as pledged by the Proclamation of Independence. In the past ten years, the Arab minority has developed strong methods of legal and legislative advocacy. Several Supreme Court cases have been won, creating legal precedents that guarantee some language, education and religious rights. Despite the importance of these landmark decisions, the absence of actual and constitutionally mandated equality will continue to permit fundamental threats to the legal status of the Arab citizens of Israel.

The failure of Israel’s democracy to serve its Arab citizens was confirmed by the Israel Democracy Institute’s Democracy Index study. The overall conclusion of the study was that “Israel is mainly a formal democracy that has not yet acquired the characteristics of a substantive democracy”. In relation to the Arab community specifically, there is serious political and economic discrimination against the Arab minority. As of 2003, more than half of the Jews in Israel (53%) state clearly that they are against full equality for the Arabs; some 77% say there should be a Jewish majority on crucial political decisions; less than a third (31%) support having Arab political parties in the government; and the majority (57%) think that the Arabs should be encouraged to emigrate.

The following law amendments, passed by the 15th Knesset, exemplify the manifestation of the above findings in the Israeli political system. These law amendments have the effect of limiting the Arab citizens’ freedom of speech and political organisation.

- i) *The Law of Political Parties (1992) (amendment 12), 2002*. Article 5 of this law is entitled “Limitations on Registering a Political Party”. This law sets forth various ideological limitations on the registration rights of political parties, similar to Section 7(A) of *The Basic Law: The Knesset*. The new amendment to Article 5 adds the following provision: that a political party that wishes to run for the Knesset elections will not be registered if its goals or actions, directly or indirectly, “support armed struggle of an enemy state or of a terror organisation, against the State of Israel”.
- ii) *The Basic Law: The Knesset (1958) (amendment 35), 2002*. Section 7(A), added in 1985: “Prevention of Participation in the Elections”. The law sets forth various ideological limitations on the ability of political parties to run in Knesset elections. In 2002, the Knesset enacted several amendments to Section 7(A). The most important changes in the law are that: 1) the provisions now apply not only to political party lists but also to individual candidates (subject to judicial review by the Supreme Court); and 2) “support of armed struggle, of an enemy state or of a terrorist organisation” was added to the list of prohibitions on participation.
- iii) *The Law of Election (1969) (amendment 46), 2002*. The new amendment to Section 57 of the Law of Elections states that a candidate who wishes to run for election to the Knesset must declare: “I commit myself to uphold the loyalty for the State of Israel and to avoid acting in contradiction with Section 7(A) of *The Basic Law: The Knesset*”. The main purpose of this amendment is to set complementary instructions for the implementation of Section 7(A) of *The Basic Law: The Knesset*.
- iv) *Penal Law: Article 144D2 – Incitement to Racism, Violence and Terror (amendment 66), 2002*. On 15 May 2002, the Knesset passed an amendment to Article 144 of the Penal Law. The new law prohibits the publicising of “a call for an act of violence or terrorism” or supporting such an act. An individual found guilty of this offence can be sentenced to

up to five years of imprisonment. The new law also criminalises the possession of a publication “which is an incitement to violence or terrorism”. The punishment for this offence is up to one year in prison.

- v) *The Law of Immunity of Members of the Knesset: Their Rights and Their Duties (1951) (amendment 29), 2002*. On 22 July 2002, the Knesset passed an amendment to this law in order to “remove any doubt” as to expressions of opinion or actions taken by MKs, which are considered to be official acts and part of his/her duties. The new amendment adds to the existing law that any statement of action that “supports an armed struggle against the State of Israel,” is deemed not to be an official part of an MK’s duties. Statements or acts that fall outside of an MK’s duties are not protected by his/her parliamentary immunity and thus may be subject to criminal prosecution.

2.4 Political participation

2.4.1 History of participation in the Knesset

In the years immediately following the establishment of the State of Israel, the Arab population was repressed and restricted to the point of having virtually no political power. In many ways, the population was in shock. The 1948 War had caused the emigration of most of the political leaders and intellectuals, damaging the foundations of social organisations, political movements and the overall political infrastructure. As the population started to rebuild these foundations, the military’s strict regulations blocked the formation of new political parties.

From 1948 to 1968, a time characterised by military rule over the Arab population, Arab politics in Israel were dominated by lists of those Arabs who were appointed or sponsored by Mapai, Israel’s major labour party and by the Jewish-Arab Communist Party. Mapai developed these lists on the basis of family leadership, clans and personal favours. In exchange for political appointments and other favours, the Arab lists were responsible for raising Arab support of Mapai through successful voter mobilisation efforts. The elected Arab MKs were largely token figures with minimal political power or clout on behalf of the Arab population.

After the establishment of the state, the Jewish-Arab Communist Party was the only legal party that represented the Arab minority independently. It was active against the military rules and it suffered from security forces harassment. In 1977, the Communist Party, along with independent groups in the Jewish and Arab communities, created the Jewish and Arab Democratic Front for Peace and Equality, which was the main political force in the Arab sector during the 1970s.

The Jewish and Arab Democratic Front for Peace and Equality (DFPE) was the main political force in the Arab sector during the 1970s. Following the tradition of the Communist Party, the DFPE established several organisations in cooperation with independent groups in Arab society, including the National Committee of Heads of Arab Local Councils, the National Union of Arab Students and the Supreme Follow-up Committee for Arab Citizens. During this time, the Labour and other left parties decided to include Arabs in their membership, which increased their influence in the Arab population.

Al-Ard or ‘The Land’, was the first Arab nationalist movement to develop in Israel. Founded in 1959, the *Al-Ard* movement called for equal rights for all citizens, the end of discrimination on the basis of ethnicity and recognition of the UN partition plan. But *Al-Ard* was quickly labelled an illegal organisation, resulting in the closing of its newspaper and the physical relocation of many of its leaders out of their home villages.

2.4.2 Arab citizen voting trends

As seen in Table 3, the Arab electorate, historically, has supported Zionist parties, especially those on the left. From 1948 onward, the overwhelming majority of Arab votes went to Zionist parties. In 1992, Zionist parties received approximately 60% of the Arab vote. Only in 1996 did this trend shift, as Arab political parties received over 60% of the Arab vote. In 1999, Arab parties received approximately 70% of the Arab vote. A history of broken promises by Zionist leaders and discriminatory legislation supported by Zionist parties has driven a wedge between Arab citizens and Zionist politics. Perhaps the final blow for Arab voters took place after the 1999 elections.

Table 3. Voting preferences among Arab citizens in parliamentary elections, (in percentages)

Party	% in 1992	% in 1996	% in 1999	% in 2003
Balad	0.00	0.00	16.80	21.4
Hadash	23.20	37.00*	21.29	28.8
Labour	20.30	16.60	7.43	6.3
Likud	19.30	5.20	4.84	2.3
Meretz	9.70	10.50	5.02	4.2
United Arab List	15.20	25.40**	30.55	18.6
National Progressive Unity List			Ran with UAL	7.0
Other***	12.30	5.30	14.07	8.4
Voter Participation	69.7	77.0	75.0	64.0

*Includes Balad; **Includes the Islamic Movement; *** Includes Daam, Shas and Israel Baalia.

When Azmi Bishara (National Democratic Alliance) pulled out of the race for prime minister, he and other leaders of the party then called upon their supporters to vote for Ehud Barak (One Israel-Labour Party). Subsequently, 400,000 Arab votes went to Mr Barak, who won by a margin of 350,000 votes. Nevertheless, when Mr Barak formed his coalition government, he chose to include parties such as Shas (Haredi), that had opposed him in the elections, rather than to include the Arab parties. This move was viewed as a political betrayal in the eyes of the Arab minority.

The subsequent election boycott campaign of 2001, a show of condemnation for unfulfilled promises by Prime Minister Barak, was a collective action by the Arab community organised by a majority of the Arab parties. Although promotion of an election boycott in Israel is illegal, organisers proceeded with little official opposition and the result was a mere 18% voter turnout in the Arab community – the lowest tally in the history of the state. This year's 62.8% turnout is also historically low.

In 2003, the Sons of the Village (SOV) party promoted a boycott of the national elections. The SOV's reasons for the boycott were that the illegitimate actions taken by the Jewish majority showed that the majority gave no credence to the Arab electorate. Therefore, participation in the Zionist political establishment was futile. On the day of election, the SOV organised a motor boycott demonstration in the north, for which several of the organisers were arrested.

The above trends were also observed in a 2002 survey conducted by Givat Haviva, the Institute for Peace Research. Prior to the announcement of early elections, 47.8% of the Arab citizens polled declared their intention to vote. Following the announcement of the early elections, the percentage increased to 54.6%. But at the time of polling, as many as 30.0% of

those surveyed declared that they would not participate in the elections at all. These results, as stated by Givat Haviva, pointed to “the continuing trend of loss of confidence in the Israeli democratic system and a feeling that the Arabs do not have the ability to influence it” and underscored the survey conducted in 2001 that showed 83% of Arabs shared these feelings.

Voter abstention in 2003 is also significant, considering the views held by the Arab community of Prime Minister Sharon’s government. The same survey revealed that 78.4% of respondents evaluated the performance of this government toward the Arab citizens as ‘bad or very bad’, 16.4% as ‘fair’, 4.3% as ‘good’ and only 0.9% as ‘excellent’.

Election results also reveal the ideological inclinations within the Arab sector. In the 1999 elections, three Arab political parties vied for seats. Since then, the number of Arab parties has grown to seven. The 2003 election results show that those parties that broke away from the three primary parties were unable to earn enough votes to gain seats in the new Knesset. The four ideologies voted into the 16th Knesset by the Arab electorate are: Communist/Socialist (Hadash), National Agenda (Balad) and Islamic (UAL).

2.4.3 Election results in 2003

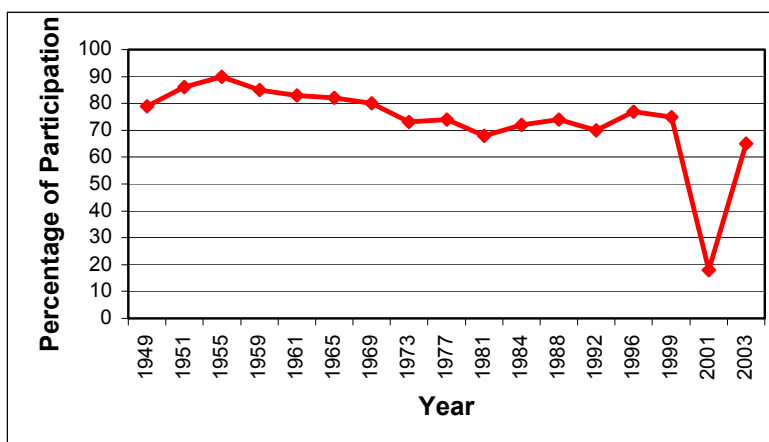
Results of the 2003 Israeli National Elections show that the Balad and Hadash parties have gained strength in the Arab sector, while MK Hashem Mahamid and the United Arab List (UAL) have weakened. In total, the 16th Israeli Knesset will seat ten MKs who will represent the Arab community, down from 14 in the previous Knesset (see Table 4).

Table 4. Number of Knesset MKs who represent the Arab community, per party

Party	1999	2003
Hadash	3	3
United Arab List	5	2
Balad	2	3
Labour	2	0
Meretz	1	0
Likud	1	2
National Progressive Unity List	0 (w/UAL)	0 (20,571 Votes)
Daam	0 (2,151 Votes)	Did not earn min. required
	14	10

Arab voter turnout reached 64.0%. In 1999, 75% of Arab voters cast ballots; in the 2001 Prime Ministerial elections, 18% of Arabs participated (see Figure 3). The lowest participation rates for this election were in the ‘unrecognised’ villages of the Negev. The Mossawa Centre reported to the Central Election Committee that the voting places for ten Arab localities in the Negev had been moved without prior notice, resulting in a 0% participation rate in these areas.

Figure 3. The Arab electorate's participation in national elections from 1949 to 2003



Disappointment was felt among the thousands of Arabs citizens whose votes were lost with the National Progressive Unity List, earning less than the 1.5% of total votes necessary to win a seat. The following Arab MKs lost their Parliamentary seats: Tawfik Khatib (United Arab List), Mohamad Kinaan (United Arab List), Saleh Tarif (Labour) and Hosnie Jebara (Meretz). The following are newly elected MKs representing the Arab community: Jamal Zahatka (Balad), Wasil Taha (Balad) and Wihbi Majali (Likud).

2.4.4 Political delegitimisation and the 2003 elections

The climate in the Knesset reflects the escalating tensions between Arabs and Jews within Israel. The general atmosphere has become intolerant, permitting a growing trend of laws that seek to affect the political legitimacy of the Arab minority. In the past two years, several laws have been passed that limit and restrict the Arab minority's freedom of speech and political organisation. Changes in the Party Law forbid political parties to express support for resistance against the occupation and were used to disqualify Arab parties from participating in the upcoming national elections.

The Central Elections Committee (CEC) utilised these laws to disqualify the National Democratic Alliance (NDA) and its leader, MK Dr. Azmi Bishara, from the national elections on 28 January, 2003. Dr. Ahmad Tibi, an MK from the Ta'al party was also disqualified. The action succeeded despite the decision of the CEC Chairman, Supreme Court Justice Michael Heshin, who found that no evidence existed to substantiate the disqualification.

A coalition led by an Arab High Follow-Up Committee and the Mossawa Centre demonstrated outside the Supreme Court building on the day of the hearing. Jewish and Arab organisations participated along with individual activists in support of the Arab parties' politicians and to encourage the Supreme Court's eventual rejection of the CEC's decision.

Regardless of the positive outcome in the Supreme Court, the action taken by the CEC was, in effect, an attempt to limit the freedom of speech of the Arab citizens and their political leadership. The action, added to the Basic Law amendments noted above, shows that the Israeli government has consistently challenged the ability of the Arab citizens to organize themselves politically in recent years.

3. The role of Arab citizens of Israel in the Middle East conflict

3.1 Relations between Palestinian-Arabs in Israel and the West Bank/Gaza

The 1948 War, known to Jewish Israelis as the 'War of Independence', is known to the Palestinians as *El-Nakba*, 'The Catastrophe'. Indeed, the 1948 War was a catastrophe for the Palestinian Arabs. Over 80% of the Palestinian Arab population fled or was forcibly expelled from the borders of the new State of Israel. The remaining Palestinian Arabs were mostly rural villagers, many of whom were displaced from the approximately 418 destroyed villages and became internal refugees.

From 1948 to 1967, there was minimal contact between the Arab population in Israel and the Palestinians living in the West Bank and Gaza. Although the Arabs in Israel were issued Israeli citizenship, their rights were strictly limited through the regulations of the military government. Freedom of movement was restricted even within the borders of Israel, let alone across enemy borders. Military rule ended in 1966, one year before the 1967 War and Israel's annexation of the West Bank and East Jerusalem from Transjordan. Since then, the occupied territories have remained under military rule.

The 1967 War reconnected the regions of the Palestinian people living in Israel and those living in the West Bank and East Jerusalem. Although the Arabs in Israel opposed the Israeli annexation and occupation of these territories, the erasure of the border created opportunities for family reunifications, exchanges of labour and goods, studying at Arabic universities in the West Bank and other social, cultural and economic exchanges. Israel's annexation of the Gaza Strip in 1972 created similar opportunities for the Arabs living in the Negev and the Palestinians in Gaza.

Over the years, the extent of contact and exchanges between the Palestinians in Israel and the West Bank and Gaza developed in many aspects. Thousands of Palestinians from the West Bank and Gaza were permitted to work in Israel, creating a pool of low-wage labourers and improving the economic situation in the territories. Arabs in Israel went to the West Bank for low-priced shopping and restaurants. Marriages were arranged between couples from either side of the border and families assumed that they would be able to visit one another regularly. Many students from Israel chose to study at universities in the West Bank and Gaza, due to the absence of Arabic universities in Israel. These multi-faceted contacts built a relationship between the Arabs in Israel and the Palestinians in the West Bank and Gaza, despite their social, economic and political differences and the intense disparity in their standards of living.

The first intifada erupted in December 1987. Characterised by massive popular resistance in the form of strikes, boycotts, stone-throwing and the building of independent infrastructures (such as the Agricultural Relief Committee and the Local Committees), the intifada galvanised the Palestinian people. The ongoing and steadfast nature of the resistance created an empowered national identity and brought the Palestinian issue to the forefront of international awareness. As the intifada continued, the Arabs in Israel used their position as Israeli citizens to support the Palestinians in the West Bank and Gaza with demonstrations of solidarity. They put forth Palestinian perspectives in Israel, sent food, medicines and funds as humanitarian aid. The Arab political parties within Israel largely organised these efforts.

The signing of the Oslo accords in 1993 sent a message to the world about the eventuality of an independent Palestinian state. This created a new hope among the Arab minority in Israel for an independent Palestinian state alongside Israel. Although supportive of the peace process and the right for Palestinian self-determination, the Arabs in Israel saw their own future as equal citizens of Israel and not as citizens of the Palestinian state. The Oslo accords

actually strengthened the drive for recognition as a national minority and for equal rights, along with the demand for budget allocations and equal treatment under the law.

When Yasser Arafat and the PLO leadership came to the Palestinian territories in 1994, the stage was set for establishing formal political relations between the Arab leadership in Israel and the Palestinian Authority. Activities that resulted from these relations have included the exchange of political assessments and analyses, the presentation of and support for Palestinian perspectives within Israel and lobbying efforts on behalf of the Palestinian cause within the Knesset. The PLO's formal recognition of the Supreme Follow-up Committee for Arab Citizens as a legitimate representative, reflected the general consensus among the Arab minority in Israel of their political independence from the Palestinian Authority, especially regarding the political agenda of equal rights in Israel.

During the late 1990s, the political leadership of the Arab minority in Israel also succeeded in building relations with neighbouring Arab countries. Large delegations of Arab citizens of Israel visited King Hussein of Jordan in 1998, 1999 and 2000, and similar delegations met with former Syrian President Hafez Assad and current President Bashar Assad. These visits were particularly significant, as the delegations included Arab members of the Knesset, with whom the Arab nations had previously refused to meet, viewing them as integral parts of Israeli institutions. The normalisation of relations with Israel remains an intensely debated issue in the Arab world. Despite the links that the Arab minority has established with Arab countries, the Arab minority in Israel is still largely viewed with suspicion and distrust, especially among the movements against normalisation of relations with Israel.

The *Al-Aqsa* intifada broke out in October 2000, expressing years of frustration over the failure of the Oslo accords to make real changes for the Palestinian people. Israeli security forces reacted with intense displays of force, creating a cycle of retaliation with the Palestinians in the Palestinian Authority. Arabs in Israel took to the streets in demonstrations of solidarity and the National Committee for Arab Citizens declared a general strike. These demonstrations were also met with high levels of force by the Israeli security forces and 13 Arab citizens were killed by rubber bullets and live ammunition, used to control the demonstrators.

Since October 2000, Israeli security forces have killed an additional 12 Arab citizens. A Mossawa Centre investigation revealed that most of these individuals were involved in routine daily activities, such as returning from work and were unrelated to demonstrations or criminal actions. Arabs within Israel fear that this type of policing, characterised by such use of excessive force, will become the usual approach to dealing with Arab citizens in Israel.

As in the first intifada, the Arabs in Israel organised humanitarian aid for Palestinians in the West Bank and Gaza, setting up collection points for food, clothing and medical supplies in Arab villages throughout Israel. These shipments of aid were then transported by truck and car to the border to be met by contacts on the other side. Due to physical proximity, many of the humanitarian shipments from Israel were able to reach the Palestinians in the West Bank even when international humanitarian aid was blocked at the border.

The *Al-Aqsa* intifada has reopened questions about the identity and loyalties of the Arabs in Israel. For many Arab citizens of Israel, the violent events of October 2000 were a turning point towards the realisation that Israel will always see them as an unwelcome population and a security threat, rather than as equal citizens. The killing of the 25 citizens is seen as proof of the government's prejudice against the Arab minority and as a violation of human rights.

The community's overwhelming response has been to protest this prejudice through official channels within the framework of the Israeli government, including the establishment of a

commission of inquiry, a massive boycott of the prime ministerial elections and joint advocacy with international bodies to request intervention. The community's intense feeling of betrayal by the Israeli government has also increased sympathy and identification abroad with the Palestinian struggle for independence.

3.2 Relations between Arabs and Jews within Israel

The most salient feature of relations between Arabs and Jews within Israel may be their separation. Arabs and Jews are separated by location, cultural differences and lifestyles, language, education, employment and occupation.

For the most part, Arabs and Jews live in different parts of the country. Arabs are concentrated in smaller towns and villages in the Galilee and the Negev, while Jews are concentrated in larger cities and suburban areas in the centre of the country. These towns and cities are largely homogenous. Only a few cities in Israel – mostly those which were mixed prior to 1948 – are considered “mixed cities”, a term describing an urban area with a significant minority of Arab, Haifa, Lod and Acre residents. Yet separation is still a factor even in these so-called mixed cities, where Arab and Jewish residents live in ethnically homogenous neighbourhoods and have little interaction with members of the other ethnicity.

Cultural differences and language create another element of distance. While Jews celebrate the nationally recognised Jewish holidays (Rosh Hashanah, Yom Kippur, Shavuot, Sukkot and Pesach), Arabs observe the Christian, Muslim and Druze holidays (Easter, Christmas and Ramadan), which are not officially recognised by the state. Different traditions of observing the Sabbath is noticeable on weekends, when Muslims work a half-day to observe the holy day on Friday, shops and streets are closed in Jewish cities to recognise the Jewish Sabbath and Christians observe the Sabbath on Sunday.

The responsibility of overcoming the language barrier has been placed on the Arab minority. Although Israel recognises both Hebrew and Arabic as official national languages, public life in Israel is conducted in Hebrew. Government offices and publications are published in Hebrew. Road signs often exclude Arabic. Business and commerce are conducted almost solely in Hebrew.

The language difference is reinforced by separate and parallel school systems. Arab students are taught the major subjects in Arabic, but there are extensive Hebrew requirements for graduation, matriculation and acceptance to university. Matriculation exams and university studies are offered in Hebrew only, as there is no Arabic university in Israel. Meanwhile, Jewish students learn in Hebrew, with a minimal requirement to study Arabic at the same level as any other foreign language.

In addition to the physical, cultural and linguistic separations noted above, one of the most significant factors of the Arab-Jewish separation is army service. The army is the major integrating element in Israeli society, bringing together and bonding youth from different cultural backgrounds. Legally, all Jewish citizens are obligated to serve in the army. Approximately 21% of the Jewish draft-age population does not serve, due to exemptions for religious study or medical reasons. Meanwhile, the majority of Arab citizens are legally exempt from military service, with the exceptions of the Druze and Circassian communities. Previous army service is often used as a qualification for employment, renting apartments or for community membership. Without explicitly saying so, using army service as a qualification is a means of excluding Arabs from applying for jobs, apartments, etc.

The physical and cultural separation of Arabs and Jews has resulted in the development of two separate communities within Israel. This is reflected in the business sector, where Jewish

companies work primarily with other Jewish companies, while Arab businessmen struggle to break into the market. Unequal levels of education and discrimination in employment have forced the Arab population into low-paying, physically demanding occupations, while the Jewish population dominates the public and business sectors.

Socio-economic factors have influenced the stereotypes that each group holds about the other. Common stereotypes cast Arabs as menial labourers, potential thieves and generally untrustworthy people. These stereotypes are prevalent throughout Israeli society, to the point that menial labour is described as “Arab work” and children in schools are instructed “not to act like Arabs”. Many Jews do not differentiate between Arab citizens and Palestinians in the West Bank and Gaza, and are quick to see all Arabs as a security threat. On the other side, common stereotypes cast Jews as cold, inhospitable people, as racists who discriminate against the Arab community and as slick-talkers who make promises but do not keep their word.

Although integration is a heralded ideal in many Western countries, it has never been an ideal in Israel. The majority of Arabs and Jews in Israel prefer to live in separate communities, in order to preserve their culture, religious traditions and ethnic integrity. Examples of integration are few and far between in Israel, with more symbolic value than actual influence on the society. Coexistence communities such as the Arab-Jewish Oasis of Peace and educational experiments such as the Bi-lingual School in Jerusalem have a significant impact on the participants and their families, but remain a marginal phenomenon.

The most common fear of integration is that it will lead to intermarriage. As the State of Israel does not recognise religiously mixed marriages, there are no official statistics about the prevalence of intermarriage. Nevertheless, anecdotal evidence reveals a small incidence of intermarriage, often within the context of a university or left-oriented political circles – two of the few fora where Arabs and Jews interact as peers. Couples who dare to cross the ethnic boundary face high levels of prejudice from both their families and societies, and are often forced to break ties.

A poll conducted in 2002 by Badi Hussein and Ami Podhozer of the Haifa University shows that 90% of Jewish respondents would not permit a member of their family to become romantically involved with an Arab. The poll sample of Jewish Israelis and participants were asked whether they agree with the following statements about social relationships with Arabs:

- I would not work for an Arab supervisor – 60% agreed;
- I would not host an Arab in my house – 47% agreed;
- I would not permit a member of my family to become romantically involved with an Arab – 90% agreed;
- I would not allow Arabs to live in my neighbourhood – 69% agreed; and
- I would prefer to break off all contact with Arabs – 64% agreed.

Compared with similar studies conducted in the past, the above results reveal that Jewish attitudes towards the Arab minority have grown more negative and extreme in recent years.

The past two years of the Israeli-Palestinian conflict have had a terrible effect on relations between the Jewish majority and the Arab minority within Israel. Both communities suffer from the nearly daily occurrence of violence and live in constant fear and anxiety. Jewish Israelis have projected their anger and distrust onto the Arab minority, associating them with terrorists and viewing fellow citizens as a potential threat to security. Meanwhile, Arab citizens identify with the Palestinian struggle for independence and feel increasingly isolated from the policies and actions of the government.

The readiness of Jews to view Arabs as a security threat was shown in the events of October 2000. As thousands of Arab citizens joined popular demonstrations against the occupation, Israeli security forces cracked down on the rowdy crowds with extreme levels of force, using live ammunition and rubber-coated bullets to disperse the crowds. As noted previously, during the first week of October the Israeli security forces were responsible for the deaths of 13 Arab citizens. The double standard of treatment for Jewish and Arab citizens was clear. In contrast, when Jewish citizens were involved in similar demonstrations and even in destructive riots, Israeli security forces used tear gas and water cannons, never resorting to live ammunition. In the past two years, Israeli security forces have “mistakenly” killed an additional 12 Arab citizens, while security forces have killed no Jewish citizens, even in crime situations.

Race-related violence and racist public speech have also become serious issues in the past two years. After major suicide bombings, members of the Arab minority often become targets of Jewish anger, resulting in harassment, assaults, vandalism, arson and the destruction of Arab homes and property. Every week, the Arabic press in Israel reports two or three incidents of race-related violence. Yet the Hebrew press in Israel pays little attention to these incidents.

Meanwhile the Hebrew press has reported almost hysterically about the alleged increasing involvement of Israel’s Arab citizens in the support of violent activities. Ignoring the concept of “innocent until proven guilty”, the Hebrew press has seized on every alleged incident with the intensity of a witch-hunt. Although the involvement of the Arab minority in such violent activities remains marginal, the treatment of these activities in the media and the public discourse creates an impression of collective guilt and obliges their leadership to issue repeated apologies and condemnations.

Although the majority of Arabs and Jews seem to prefer separation to integration, the lack of meaningful interaction between the two communities has led to stereotyping and distrust. The intensity of the Israeli-Palestinian conflict has been reflected internally in the fragile, amicable relations, which are on the verge of completely breaking down.

4. Vision of the future

4.1 The Arab minority and the resolution of the regional conflict

4.1.1 Role in the peace process

As part of the Palestinian people and citizens of the State of Israel, the Arab minority in Israel is in a unique position to promote dialogue and bridge the gaps between the Palestinians and the Israelis. Through their identification with the Palestinian struggle and their experience as a minority suffering from discrimination, the Arab minority is better able to understand the needs and demands of the Palestinian people than the Jewish majority and leadership. Equally through the experience of living with Jewish citizens, participating in the Israeli political system and exposure to Hebrew news and media, the Arab minority is better able to understand the perspectives of the Israelis than the Palestinian people and leadership.

Until now, the Arab minority has not exerted enough effort to communicate these views, either through outreach to the Palestinians in the West Bank and Gaza or to the Jewish majority in Israel. Faced with the urgent needs to support the Palestinians with humanitarian aid and to defend their own civil rights against racism, the Arab minority has taken a reactive rather than proactive position. Nevertheless, this does not justify the silence. Through internal dialogue and community organisation, the Arab minority should develop messages that incorporate their unique understanding of both the Palestinian and Israeli perspectives and make efforts to communicate these perspectives to the other.

4.1.2 Internal dialogue

The identity of the Arab minority in Israel is complex. As Palestinians, the Arab minority is the historical part of the Palestinian people that remained in the homeland. Although culturally Arab, the Arab minority are largely disconnected from the other Arab countries, with minimal acceptance, communication or freedom of movement. Although they are citizens of Israel, the Arab minority is not integrated into Israeli society and faces social, political and economic discrimination. And even within the Arab minority, religious differences between Muslims, Christians and Druze threaten understanding and unity.

Although the Arab minority in Israel seems like a small group, it encompasses over 1.2 million people, concentrated in different areas of the country, with different cultural affiliations, lifestyles and even different linguistic dialects. Political movements within the Arab minority have different views about what is in the community's best interest, from integration on the basis of civic equality to separation on the basis of national identity or the establishment of a society based on the religious values of Islam.

While the Arab minority has reached consensus on several issues, the need for dialogue within the Arab minority is clear. Such a dialogue should include leadership and community members in an ongoing discussion about the identity of the Arab minority, its political aspirations, goals, needs, abilities and resources. The results of this dialogue should enable the Arab minority to better organise and coordinate itself, fostering proactive involvement in the resolution of the conflict alongside its struggle for equal rights.

4.1.3 Democratic participation and unity

Citizenship entitles the Arab minority in Israel to participate in the democratic institutions of the state and to use these democratic institutions to promote equality. The democratic instruments available to the Arab citizens include: voting in local and national elections; organising political parties and movements; advocating equal rights legislation; organising coalitions and cooperating with other groups; creating legal precedents in the judicial system; and, protesting through public statements, boycotts and strikes.

Until now, the Arab minority has not developed a civil rights action plan, coordinated by the community leadership nor fully utilised the available democratic instruments and strategies. Fragmentation of the community along religious, ethnic and territorial lines has prevented the Arab political parties from close cooperation, thereby diminishing their political leverage in the Knesset. Massive community mobilisation has largely focused on joint protests, including demonstrations, boycotts and strikes. But if the Arab minority focuses on negative methods such as boycotting the elections, the result may further isolate and undermine the political legitimacy of the Arab community. The struggle for equal rights requires cooperation and the use positive methods as well, to unite the strengths and resources of different streams on behalf of the community as a whole.

4.1.4 Building the capacity for a civil society

The establishment of the State of Israel resulted in the destruction and repression of the Arab minority's social and political infrastructures. As the Arab minority emerged from the decades of submission under military rule, it began to rebuild these infrastructures, setting up national coordinating bodies, political parties and independent movements. In the past decade, the Arab minority has responded to the unequal and insufficient support of the government by establishing a multitude of civil society organisations working in the fields of social welfare,

education, health, the environment, care for children and the elderly, women's rights and others.

The existence of these civil society organisations does not remove the responsibility from the state to provide adequate public services to the Arab minority. Nevertheless, the development of these organisations is an important step for the professional and societal growth of the Arab minority. The experience of participating in these organisations and engaging in needs assessment and community planning is teaching the Arab minority self-reliance. Building the capacity of these organisations will not only provide better services to the Arab community but promote the democratic and cooperative aspects of the Arab society in Israel.

4.2 Recommendations to the Israeli government

4.2.1 The Arab minority as mediators in the Middle East peace process

The past two years of intense violence and conflict have almost completely destroyed the Middle East peace process. In the current climate of Palestinian suicide bombings and Israeli military incursions which cause innocent civilian deaths, it is unclear when the sides will be able to return to the negotiating table. It is clear that a fundamental reason for the present failure of the peace process is the lack of understanding between the two sides. Issues that one side regard as central to the resolution of the conflict, such as the Palestinian right of return or sovereignty over holy sites in Jerusalem, are not regarded as legitimate subjects for negotiation by the other side.

The Arab minority in Israel is in a unique position to mediate between the Israeli and Palestinian sides of the Middle East conflict. Identification with the Palestinian experience and culture, coupled with the experience of Israeli life and citizenship, gives the Arab minority a deep understanding of each side of the conflict – a fundamental necessity for mediation. When the Palestinians and Israelis are finally able to return to political negotiations, the Arab minority should be utilised in roles as translators, consultants and mediators.

4.2.2 Recognition of national minority status

Since the establishment of the state, the Israeli government has not officially recognised the existence of a distinct national minority and has referred to the Arab population as “non-Jews” or “minorities”. This vague definition has permitted the development of vastly disparate approaches to the Arab minority, from the advocates of forced physical transfer to preserve the ethnic purity of the state, to the advocates of completely renouncing the Jewish character of the state in favour of a democratic and bi-national state.

Neither of these extreme approaches is acceptable. Forced physical transfer is not a morally justifiable option. And renouncing the Jewish character of Israel is not realistic for a state explicitly founded as homeland and refuge for the Jewish people. Israel must find a middle ground and clearly define the character of the state somewhere on the spectrum between Jewish and democratic. As part of this process, Israel must recognise the presence of the Arab population in Israel as a distinct national minority. This includes enshrining the equal rights and citizenship of the Arab minority in the Basic Laws and incorporating these principles of equality consistently throughout official legislation and its practical implementation. The most urgent issue to be addressed, after the recognition of equality and full citizenship, is the full recognition of the land rights of the residents in the ‘unrecognised’ villages.

As part of the official recognition of the Arab minority, it is important to address the controversial issue of compulsory military service. Arab citizens of Israel are legally exempt

from military service, on the basis that the Arab citizens should not be forced to bear arms against their own people. Nevertheless, as full citizens of the State of Israel and entitled to all of the rights and benefits of citizenship, the Arab citizens of Israel must also be obligated in citizenship duties. Accordingly, the Israeli government and the representatives of the Arab minority must discuss the issue of compulsory military service and consider options such as non-military national service within their own community as an alternative. Without programs addressing all aspects of citizenship and equality, the Arab citizens will remain in an undefined and second-class status.

4.2.3 Education for tolerance and democracy

It is the responsibility of the Israeli government to incorporate tolerance and democracy in education. Programs that include democracy education in schools, mixed youth and community groups for dialogue and institutions for cultural exchange should not be the responsibility of non-profit organisations. Such programs should be implemented on a large scale with governmental support to give them social legitimacy.

4.2.4 Development and investment

While Israel has become a developed country with an advanced industrial economy and a high standard of living, the Arab sector has not been fully included in the country's overall progress. There are wide gaps between the Arab and Jewish communities, with the Arab community suffering from insufficient infrastructures in education, agriculture, industry, health and social welfare. Lack of development and poverty are especially extreme in the 'unrecognised' villages in the Negev and north of Israel.

Although the Israeli government has officially recognised the significant gaps in socio-economic levels between the Arab and Jewish populations, programs to address these gaps have been largely symbolic in nature. The Israeli government has a history of promising budgets to the Arab sector but not following through with the implementation. This history has left the needs of the Arab sector unaddressed, creating health and educational problems. Consequently, feelings of betrayal and resentment among the Arab community have been compounded, along with the sense that the Israeli government cannot be trusted.

The Israeli government should devise a comprehensive plan to address the development needs of the Arab minority. Based on a survey and needs assessment, the plan should include the input of the Arab leadership and localities. Furthermore, the plan should be directed by a steering committee composed of development experts, Arab representatives and government officials to keep the implementation timely and on track. By addressing the urgent development needs of the Arab minority, the Israeli government will take a first step towards building relations based on trust and mutual cooperation.

4.3 Recommendations for Europe

4.3.1 Barcelona process and the EU-Israel association agreement

In 1995, the European Union and the Mediterranean countries launched the Barcelona process, creating a European-Mediterranean Partnership for regional cooperation and exchange in the areas of politics, security, economics, trade, social and human issues. The first priority of the Partnership is to promote a regional political dialogue that advances peace and security. The Barcelona process also aims to establish a free-trade area, based on association agreements between the EU and the Mediterranean countries and trade agreements between each of the Mediterranean countries. As part of the Barcelona process, the EU

developed association agreements with several Mediterranean countries, including Israel, Morocco and Tunisia.

Article 1 of the association agreement between the EU and Israel states that the aims of the agreement are to: provide a framework for political dialogue; promote harmonious economic relations; encourage regional cooperation with a view to peaceful coexistence and economic stability; and cooperate on other issues of reciprocal interest. Article 2 speaks of the essential elements of human rights and democratic principles as the basis for the agreement and a guide for all internal and international policy.

4.3.2 *The European Commission*

Although the association agreement includes the aspects of peaceful coexistence, democratic principles and human rights, the agreement does not mention the Arab minority in Israel. The programs and cooperation included in the association agreement have been conducted with the Israeli government, without sufficient outreach or inclusion of the Arab minority. The liaisons for the programs of economic networking, research and development cooperation, youth and cultural exchanges, and educational cooperation are primarily with Jewish institutions. This arrangement restricts the flow of information to the Arab community and excludes their participation. Without the intention of doing so, the association agreement and other agreements may actually be widening the gaps between the Jewish majority and the Arab minority in Israel.

Majority-minority relations and the transparent implementation of civil rights are clearly an essential priority for the EU, as can be seen from the importance given to reforming the treatment of the Kurdish minority in Turkey as a precondition for accession to the EU. The Turkish example shows how the association agreement between the EU and Israel can be used as an instrument to respect human rights. By explicitly referring to the Arab minority, the association agreement can be used as a method to develop and include this marginalised population. To extend this model, the association agreement could be used as an instrument that promotes the respect of human rights and even affirmative action for minorities in other Mediterranean countries as well, such as the Copt minority in Egypt and the Amazir minority in Morocco.

Among the southern Mediterranean countries participating in the Barcelona process, the State of Israel benefits from preferential relations with the European Union. In addition to the Euro-Mediterranean Association Agreement, the Public Procurement Agreements and the Agreement in Good Laboratory Practice, Israel is the only Mediterranean non-EU candidate country to be associated with the European Community's Framework Programme for Research and Technical Development, benefiting from the same advantages as EU candidate countries. But with regard to provisions on the respect for human rights (Article 2 of the EU-Israel association agreement),² the State of Israel fails to comply with its obligations *vis-à-vis* internal policies and legislation.

The EU plays an important role in the Middle East peace process, both politically and economically. Politically, the EU facilitates the peace process through meetings, public statements and the diplomatic activities of the Special Envoy to the peace process, Ambassador Miguel Moratinos. Economically, the EU is the major donor of humanitarian aid

² Article 2 states: "Relations between the parties, as well as the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of the Agreement".

to the Palestinian people, as well as an economic partner with Israel and the neighbouring countries of Lebanon, Syria, Jordan and Egypt.

Until now, the EU has not regarded the Arab minority of Israel as an essential element in resolving the Arab-Israeli conflict. Through meetings with European representatives, such as Ambassador Moratinos, the EU could utilise the unique position of the Arab citizens in Israel to increase understanding between the two sides.

The EU is active throughout the world, supporting governmental and non-governmental organisations to promote democracy, human rights and development. Support for non-governmental organisations is primarily disbursed through calls for proposals, administered by the European Commission. These calls for proposals are targeted to each country and population, aiming to match the need with the appropriate supportive measure.

Within the framework of these proposals, the European Commission has targeted the Arab minority in Israel as a specific issue to be addressed in the European Initiative for Democracy and Human Rights. The programs specifically call for objectives in the areas of human rights education, media and public debate, and improved access to the legal system for women, children and the Arab minority. This is an important initiative that demonstrates the European recognition of the Arab citizens as a national minority and a most disadvantaged group within Israel.

The particular status of the Arab citizens, as an underdeveloped group within a developed and industrial country, has disqualified the Arab minority from most of the European aid operations, which take place in developing countries. Due to Israel's advanced economic position, the EU does not consider Israel eligible to receive support for basic development aid. Nevertheless, the Arab populations in Israel – particularly the Bedouin residents of 'unrecognised' villages in the Negev and in the North – are in dire need of such aid. Recognition of the underdeveloped Arab minority as a distinct population group, separate from Israel, would allow development aid it and enable advances in health, nutrition and education.

4.3.3 The European Parliament

The Delegation of the European Parliament for Relations with Israel is a group of 17 Members of Parliament that discusses issues concerning EU-Israel relations. The Delegation is primarily concerned with issues of foreign policy: the Arab-Israeli conflict, anti-Semitism in Europe and relations between individual European countries and Israel. The Delegation makes recommendations to the European Parliament that are considered in the formation of official European policy.

Until recently, the European Parliament has not recognised Israel as a country with a national minority. The subject of Israel's Arab citizens has been absent in the context of human and minority rights and in the context of the Arab-Israeli conflict. It was not until 2001 that the Delegation for Relations considered the subject of the Arab minority in Israel.

In December 2001, a group of Israel's Arab citizens made a presentation to the Delegation, outlining the facts, history and status of the Arab minority. In June 2002, a second group of Arab citizens was hosted by a number of MPs to discuss the association agreement and the implications of Israel's treatment of the Arab minority upon the agreement's implementation. Most recently, in November of 2002 and May 2003, the Delegation met with representatives of the Arab minority to discuss issues concerning their community in Israel. These are favourable developments in the European Parliament's relations with the Arab minority in Israel.

The Delegation for Relations with Israel can express to the Israeli Parliament and government its general, deep concern Israel's material breaches of the Euro-Mediterranean Agreement and its particular concerns about the internal policies and legislation that lead to institutional discrimination against the Arab minority. The Delegation can also provide an informative report to the European Parliament Committees on Foreign Affairs, Human Rights, Common Foreign, Security and Defence Policy, which discloses the responses of Israeli officials to the Delegation's concerns about Israel's current implementation of the Agreement. As these meetings and presentations continue in the near future, it is hoped that the European Parliament and specifically the Delegation will realise the significance of the Arab minority and its potential to advance the resolution of the Arab-Israeli conflict.

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