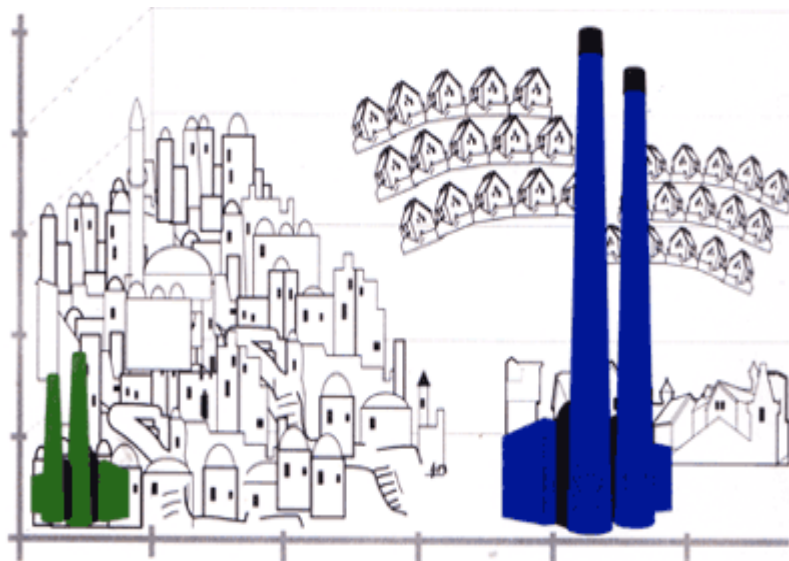


The Sikkuy Report 2002-2003

July 2003

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ZONED OUT: Industrial land supervised by the Ministry of Industry & Trade: only 3.2 percent for Arab towns

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Jerusalem, July 2003

In memoriam Hanan Baron

1924 - 2003



Hanan Bar-On, who died in May, chaired the Board of Directors of Sikkuy for ten years. This was in addition to the demanding positions he held at the Weizmann Institute of Science during that period, as Vice President and later Senior Advisor to the President.

Hanan brought to Sikkuy his wealth of experience in Israel's Foreign Ministry including appointments that had taken him to Africa, Europe, and the United States.

He accepted, without hesitation, our invitation to chair the board, succeeding Sikkuy's first chairman, Dr. Israel Katz. For a decade, Hanan was involved wholeheartedly in Sikkuy initiatives, sharing in and critiquing the decision-making as the need arose and, above all, consistently providing unfailing encouragement.

Hanan lives on in our hearts.

EXECUTIVE SUMMARY

The five sections of this report address various matters involving the work of government ministries, and one, the concluding section, deals mainly with developing the citizens' ability to deal with inequality:

The Ministry of Education still practices structural discrimination toward Arab students, despite inauguration of a Five-Year Plan for improvement.¹ The plan did not fundamentally alter the gap between Jewish children and Arab children, and certainly did not repair the damage accumulated since the founding of the state due to the gap between the Arab school system and the Jewish school system. This chapter provides detailed current data on the gap in the allocation of classroom hours, gaps in improving the quality of instruction, on dropout rates, and also on the beginnings of improvement in attaining bagrut (matriculation). Next year, we will examine the impact of implementation of the Shoshani Report on the allocation of class hours among students.

Of the issues within the purview of the Ministry of Labor and Social Affairs, we chose to focus on the inequality in daycare facilities for Jewish children and Arab children. Our report this year provides significant data, including the fact that only 2% of the daycare facilities in Israel today are designated for Arab children. We also made various other comparisons relevant to the question of daycare facilities. The Ministry of Labor and Social Affairs' struggle to retain its control over daycare facilities nationwide only emphasizes its importance (a budget of NIS 450 million a year = approximately \$100 million) and significance to the general public.

The Ministry of Industry and Trade initiates the creation of new industrial zones pursuant to geographically related national population policy and bears complete responsibility for their establishment, from emplacement of infrastructure through marketing commercial space to the businessmen. Industrial zones provide considerable commercial tax income, a crucial counterbalancing factor for less affluent communities with relatively low residential property tax income. The additional income makes possible many basic services that would otherwise be under-funded, particularly social welfare and education. In the pages that follow, we provide detailed data from the Ministry of Industry and Trade demonstrating that Arab localities receive only a very small share of this resource, despite their much greater need for it.

The issue of fair representation has been under ongoing scrutiny by Sikkuy for more than four years, with a focus on increasing employment in the civil service. For the last year, this project has been run in conjunction with the Center for Jewish-Arab Economic Development and with support from The Abraham Fund Initiatives. The overview provided in this year's report is a

¹ The Shoshani Commission was appointed by the Minister of Education and headed by Dr. Shimshon Shoshani. Its report identified many inconsistencies, inequalities and lack of transparency in the allocation of government funds to the different elementary school tracks (religious, secular, Arab etc.). Its recommendations for establishing universal criteria for funding were adopted by the Ministry of Education and are currently being implemented.

continuation of last year's results (in "The Sikkuy Report 2001-2002", available at www.sikkuy.org.il). This is one of the few subjects for which data is freely and easily obtainable, in this case from the Civil Service Administration itself. The achievements, on the other hand, are meager. Statistics and commentary are found in the section by Attorney Ali Haider, who directs the program.

The article by Prof. Ismael Abu-Sa'ad on urbanization of the Bedouin in the Negev reviews the failed attempt by the state to control population dispersal in the Negev, and its implications. Here, too, it seems that the sizeable gap between the way the state treats Jews and the way it treats Arabs makes it very difficult to discern anything good about these efforts.

We are pleased to include a guest article on planning rights by members of the Jerusalem-based NGO, Bimkom: Planners for Planning Rights (www.bimkom.org). Shmuel Groag, an architect, and Shuli Hartman, an anthropologist, base their article on their important survey of the issue of land as a resource and who benefits from it. This issue is among the root causes of the problems between the state and the Arab citizens living in Israel. After reviewing the unequal manner in which the state allocates space for Jews and for Arabs in Israel, the authors place the matter of planning rights squarely at the center of this debate.

As the preface to this report points out, it was extremely difficult this year to obtain data from government ministries. Hence, some of the data used is necessarily from 2001-2002. In addition, for the discussion of education and social welfare, and even when current data is given, we have included data from previous years to demonstrate multi-year trends. Most of the data on the work of these two ministries was obtained from the Central Bureau of Statistics and from ministry websites, and only occasionally from the ministries themselves. Following the review of each ministry, we point to action that could change the situation.

We view the Arab minority in Israel as a unique group toward which the government has a responsibility to behave fairly, by treating its members as full partners in the state.

We trust that you will find this report useful and welcome your comments.

The Editors

A NOTE ON THE DATA

Freedom of Information: the lifeblood of civil society

In contrast to prior years, the research for this report was conducted with great difficulty. Every year we send questionnaires to the various government ministries, asking that they provide a detailed portrait of services rendered to Arab citizens of Israel including comprehensive statistics. After receiving the replies, we select the issues to be addressed and make comparisons with the services being provided to Jewish citizens. This year we sent questionnaires out early, beginning in October 2002, but received almost no replies. When replies were forthcoming they were partial or they addressed questions we hadn't asked.

This year, there was an especially evident reluctance on the part of the national bureaucracy to provide, with complete transparency, data about its services to the -Arab public. Moreover, in terms of comparing the services provided to Jews with those provided to Arabs, the answers tended to present detailed analysis of small-scale, local activity - tree by tree, as it were - while obfuscating the overall, comparative picture of the forest.

Whereas, previously, we were permitted direct contact with the administrators supplying the information and were able to ask them specific questions, this year we had to apply for the material via the administrator in charge of freedom-of-information decisions at each ministry. Some of them demanded a new application under the Freedom of Information Act for any additional question or clarification after the initial application had been processed. This gave the ministry another 30 to 60 days to respond.

Thus, for example, we asked the Ministry of the Interior how many houses had been razed in 2001 and 2002, how many of these involved Arab-owned houses and how many were Jewish-owned. The response was that 300 houses were razed in 2001, and 246 were demolished in 2002. The response did not address our question about the identity of the owners of the razed houses. To our question of how many were Jews and how many Arabs, we were told that the Ministry of the Interior does not make such a distinction. Hence we asked, by telephone, for a list of the homeowners whose houses had been razed. Then we were told that, for reasons of privacy, the name of a citizen whose home had been razed by the state could not be divulged. We asked for a list of the local authorities in the jurisdictions where the homes had been razed, but were told that this would require analysis and would take a long time to produce for public consumption. Moreover, the NGOs interested civil society would have to pay for the workdays and all related expenses for the researcher assigned this task by the ministry. If the intent of the Freedom of Information Act can be eroded in this manner, civic organizations are going to find that obtaining information about government actions is more difficult, rather than less.

Another of the tasks of civil society is to formulate the citizen's agenda, as distinguished from the government's agenda. This is an ongoing process carried out by civic organizations, which do not always work in complete coordination and sometimes even work at cross purposes. Yet this is the one of the secrets of the magical power of civil society: an array of checks and

balances that provides a varied but representative picture of the needs of the citizenry. At any given time, civil society is setting its agenda for dealing with government and is working to influence government to carry out that agenda, or at least to consider it when implementing government policy.

Reliable, up-to-date information that reflects the situation in the field is a crucial tool for setting the civic agenda. When government blocks citizen access to information, wholly or partially, civil society is weakened and is less capable of formulating a relevant agenda that can usefully influence government institutions. The increasing difficulty in easily obtaining real data from government has now become a concern among many civic organizations in Israel. Apparently, these organizations will have to make use of the expertise accumulated by SHATIL (the New Israel Fund's activist advisory center for grassroots social-change organizations), during its leadership of the coalition to create the Freedom of Information Act (1999), to compel the government to obey the law.

The Editors

FOREWORD

The government creates a dispute between Arab and Jewish citizens

The severe problems characterizing the relationship between the Arab minority in Israel and the state have intensified during the last year. The state's tendency to exclude Arab citizens from the benefit of state resources has become more entrenched. In the previous Sikkuy Report (June 2002), we disclosed a drop of dozens of percentage points in budgetary allocations for the Arab population of Israel as compared with prior years. This was despite the government's declared "Four Billion Dollar Plan," promulgated that same year. Our current report demonstrates that the tendency toward shrinkage in the proportional share of the state's resources allotted to the Arab population in Israel continues into 2003, this time in the context of wide-scale cutbacks in the state budget. Again and again, this ongoing policy of discrimination and inequality exacerbates the conflict between Jewish and Arab citizens.

Meanwhile, Arab citizens are now showing many signs of self-imposed isolation, accompanied by a marked pessimism about the prospects for integration in Israel. This tendency of the last two years stands in contrast to the trend in the 1990s, when Arab citizens made great efforts to integrate, the high point perhaps being the candidacy for prime minister of Dr. Azmi Bishara in the 1999 elections. Compared with the vigorous public discourse between Jewish and Arab citizens during the 1990s, the public behavior of Arab leaders in Israel during the last two years has been very restrained. This restraint was even evident among Arab Members of Knesset. Unable to make use of the parliamentary system to benefit their constituents, they have been holding a public debate from the podium in the Knesset plenum. This at least served to keep their interests in the media. Likewise, demonstrations by the Arab public, ever since Fall 2000, have been very restrained. With the overt inclusion in Jewish Israeli discourse of the subject of "transfer" (removing Arab citizens from Israel), Arab citizens now perceive themselves under real threat. These are some of the signs that Arabs in Israel are pessimistic about the possibility of integrating into the state as citizens with equal rights, and no longer feel secure in their citizenship.

In much of the discourse about the political resolution of the historic dispute over the land between the Jordan River and the sea, the question of internal relations between the two national groups in Israel is couched in terms of demographic projections designed to make Jews feel insecure. This enables those who frame the situation in such terms to propose simplistic solutions for coerced separation or the emplacement of a physical barrier between the populations. The Jewish public can easily conclude that there is really no way for Jews and Arabs to live together in one political framework, and that the existing situation is the lesser of the two evils. The entire thrust of this debate damages the prospects for moving toward fairness and equity in civil status between Jews and Arabs in Israel.

The Israeli media also generally portray Arab citizens as a potential security threat, and not as citizens with their own identity, desires and needs. The Jewish public, for its part, still avoids visiting Arab communities. In the last few months, there has been some evidence of the prime

minister's interest in the Arab public and its situation. That is still a far cry from formulating a new policy toward the Arab minority in Israel, which some of the recommendations in this report are designed to assist.

The context for the report before you is two-fold: firstly, a deterioration in the relations between the state and the Arab minority; secondly, the non-provision by state institutions of fully transparent data requested by citizens. This ongoing disregard for the painful realities of life in the Arab community in Israel, and for its strained relations with the state and with Israel's Jewish community, damages the future of all concerned, both Jews and Arabs. It follows that a violent confrontation between the two groups is a realistic possibility - something that everyone concerned, citizens and government alike, must work to prevent, while striving to bring about a relationship of greater fairness among citizens, and between them and the state.

Our intention in painting such a gloomy picture is not to cause despair among the readers, but the opposite. We want to sound a wake-up call that will galvanize the citizenry, on the one hand, and government, on the other, to take action that can lead to a better future for Israel's citizens - all its citizens. This report, outlining the reality as it now stands, is meant to be that wake-up call.

Because concerned citizens in search of the facts are not accorded the free access to information that is their legal right, this report has had to rely on sources that are open to public scrutiny. Paradoxically, it sometimes takes great effort to see what is right in front of us; the main requirement is a genuine desire to examine reality as part of a process to take responsibility for repairing it.

We hope that this report will become a tool in the hands of those who aspire to change the situation from the ground up.

Read on and then let's get to work.

Sincerely,

Shuli Dichter

Issues in the purview of government ministries

MINISTRY OF EDUCATION

*Michal Belikoff, Shuli Dichter**

Unequal allocation of classroom hours

In Israel, the Ministry of Education uses different criteria to allocate classroom hours for elementary schools, junior high schools, and senior high schools. The weekly allocation of class hours includes a basic allocation in addition to allocations under various supplementary classifications like enrichment hours, regional hours, road safety hours, national priority areas, confrontation line (geographic border) areas, etc.

From 1994/5 through 2002/3, Arab education was allocated fewer hours per class and fewer hours per student, as compared with Jewish education, at all three levels (elementary, junior and senior high school).

Table 1, below, shows recent allocations of average weekly hours per class and per student for Jewish schools and Arab schools at the elementary, junior high, and senior high levels. At every level, the average number of hours allocated per class and per student is lower in Arab schools than in Jewish schools.

Table 1: Average weekly hours per class and per student in Israeli schools

		1994/5		1999/00		2001/2		2002/3*	
		Jewish	Arab	Jewish	Arab	Jewish	Arab	Jewish	Arab
Average hrs. per class	Elem.	46.3	43.0	47.2	46.5	45.9	44.5	45.9	44.5
	Jr. High	54.7	47.6	53.8	49.5	55.8	48.3	55.8	48.3
	Sr. High	58.6	53.3	57.6	57.2	61.0	55.9	61.0	55.4
Average hrs. per student	Elem.	1.73	1.42	1.92	1.57	1.89	1.52	1.89	1.52
	Jr. High	1.81	1.43	1.75	1.51	1.83	1.46	1.83	1.46
	Sr. High	2.12	1.71	2.22	2.06	2.33	2.08	2.33	2.08

Source: Ministry of Education Budget Proposal 2003 www.mof.gov.il

*Ministry of Education forecast

Gaps in quality of teacher training

In the last decade, the gap in teacher's education between Arab and Jewish schools has grown. Diagram 1 shows that, in 1994, the proportion of unlicensed teachers in Jewish and Arab schools was identical: 12 percent. Since 1998, however, there has been a significant drop in the proportion of teachers in Jewish schools who are unlicensed, down to only 6 percent at the end of the period in question. In Arab education, the decrease was much less, down to 10 percent in the parallel period. The proportion of elementary school teachers with academic (university) education rose steadily during that period in both Jewish and Arab schools, but in Jewish schools it rose higher (see Diagram 2). Overall, between 1994 and 2001, the elementary school teacher training and education gap between Jewish teachers and Arab teachers grew.

Diagram 1
Percentage of unlicensed teachers in
Jewish and Arab elementary schools

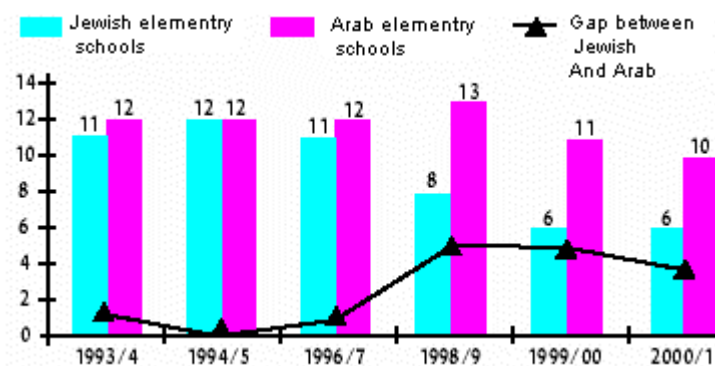
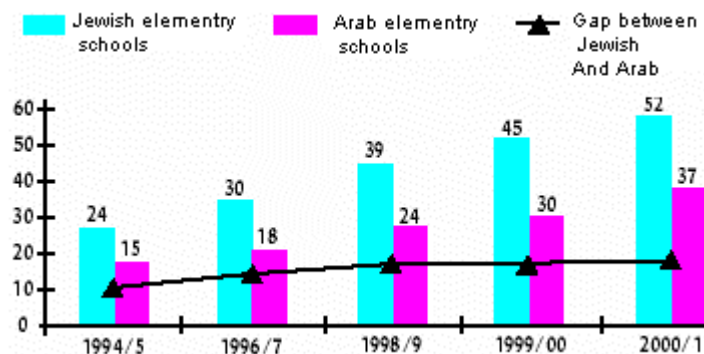


Diagram 2
Percentage of teachers with university education (B.A. or higher) in
Jewish and Arab elementary schools, 1994/5 -2000/1



Source: Ministry of Education Budget Proposal 2003 www.mof.gov.il

Teacher training and education at the junior high school level:

In both the Jewish and the Arab school systems, the proportion of unlicensed teachers dropped, and that of university-trained teachers rose. Nonetheless, the gaps between Jewish and Arab education in terms of teacher training and education remained constant during the period in question (see Diagrams 3 and 4, below).

There are two explanations as to why Arab teachers are not continuing to higher education. First, the short-term cost of education is very high. These teachers have large families, generally, and the family budget cannot carry the burden. In addition, the major universities and teacher-training colleges are located far from most Arab towns, requiring extended, costly travel for the duration of studies, usually a year or two.

Diagram 3

Percentage of unlicensed teachers in Jewish and Arab junior high schools 1993/4 - 2000/1

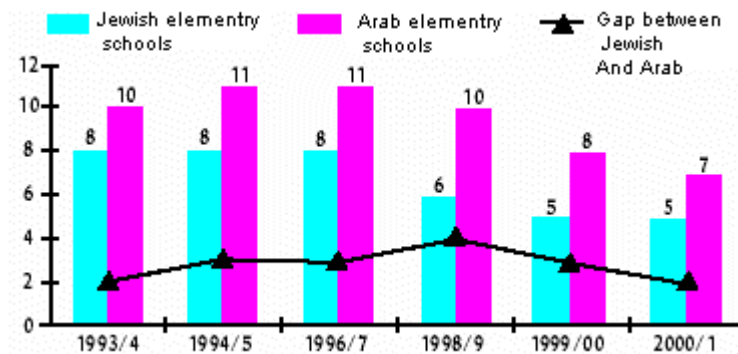
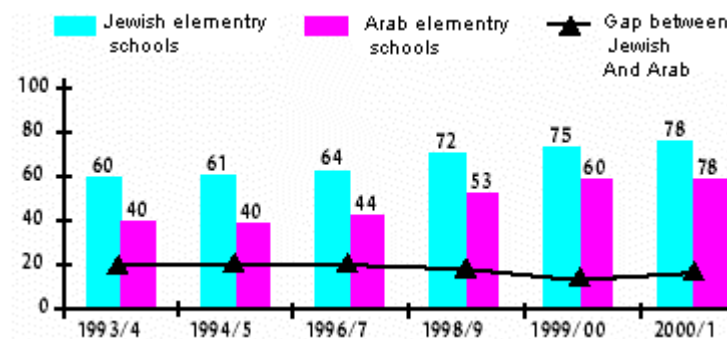


Diagram 4

Percentage of teachers with university education (B.A. or higher) in Jewish and Arab junior high schools, 1994/5 - 2000/1



Source: Ministry of Education Budget Proposal 2003 www.mof.gov.il

Continued improvement in the education of teachers is key to student success. While Jewish teachers enrolled in programs for teacher education, the Arab teachers were left behind. Whatever the reasons, the Ministry of Education must find the means to create conditions enabling Arab teachers to continue their education, for their students' sake.

Seniority in Education: Arab education costs the state less

As seen in Table 2 (below), the proportion of teachers under age 30 is higher in the Arab school system than in the Jewish school system (40 percent vs. 20 percent, respectively). The proportion of teachers over 50 years of age is lower in the Arab school system than in the Jewish school system (5 percent vs. 13 percent, respectively).

Table 2: Proportion of teachers under age 30 and over age 50 in Jewish and Arab school systems, 2000/01

	Under 30	Over 50
Jewish school system	20%	13%
Arab school system	40%	5%

Source: Ministry of Education Budget Proposal 2003

Approximately 80 percent of the cost of one teaching hour consists of the teacher's salary,¹ while the remaining 20 percent covers non-teacher costs and purchases. Since teacher salaries are differential, depending on seniority and the level of education and training of the teacher, the data above suggest that, in general, a teacher in the Arab school system costs less.

Since the teacher's salary is the main component of the cost of a teaching hour (c. 80 percent), this impacts the cost of education in the Arab school system, which in any case is cheaper. Without any special allocation, it should at least be possible to apply that difference in cost to improving teacher education and promoting basic change in the quality of instruction.

¹ Ministry of Education Budget Proposal 2003 <http://www.mof.gov.il/>

Participation in the educational system

Increase in proportion of 3-4 year olds attending preschools

Pursuant to government policy, the Compulsory Education Law, for children aged 3-4, is being implemented first in communities that participate in “Partnership 2000”, or that are located in National Priority “A” Areas, as well as those classified on a commonly used index of socio-economic need at the lowest levels (1 and 2). In these communities, the cost of preschools is waived entirely. The data indicate that giving preference to socio-economically deprived populations has significantly improved the situation of Arab children. Between 1999/00 and 2000/01, the proportion of 3- and 4-year-olds in preschools grew by 11 percent and 12.5 percent respectively (see Table 3, p.14). Nevertheless, a gap remains.

Table 3: Proportion of 3- and 4-year-olds attending preschools, 1999-2002

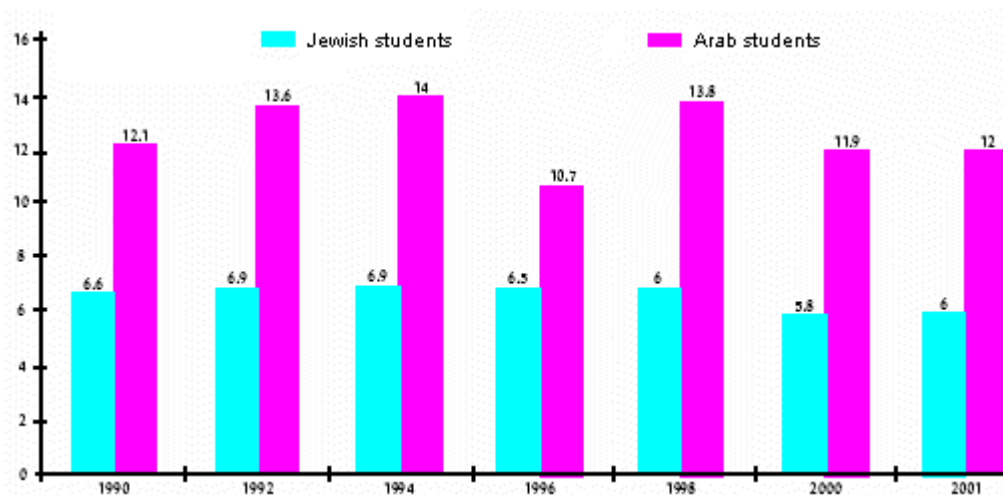
Year	Age 3		Age 4	
	Jewish toddlers	Arab toddlers	Jewish toddlers	Arab toddlers
1999-2000	64.5	32.1	77.9	42.3
2000-2001	69.9	42.4	74.0	46.8
2001-2002	65.0	43.2	81.9	54.8

Source: Ministry of Education Budget Proposal 2003 www.mof.gov.il

Dropout rate in grades 9 to11: No change

In the last decade, there has been no change in the dropout rates for ages 14-17. The dropout rates for these age groups in the Arab school system have remained double those in the Jewish school system (See Diagram 5).

Diagram 5
Dropout rates among 14-to 17-year-olds, 1990-2001



Sources: (1) Ministry of Education Budget Proposal 2003 www.mof.gov.il
(2) Ministry of Education, The School System between 1990 and 2001: An Overview

Diagram 6
Proportion of 17-year-olds earning matriculation certificates 1994/95 - 2000/01

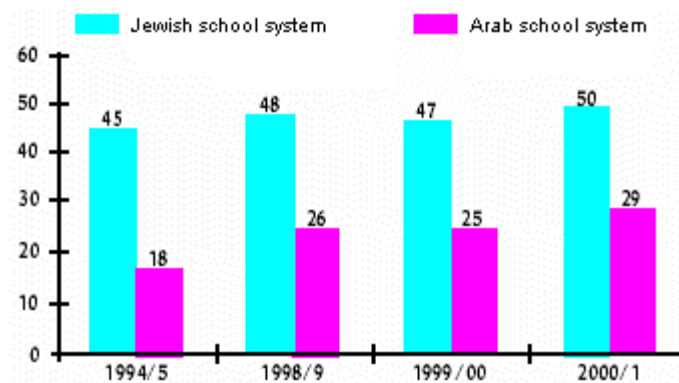
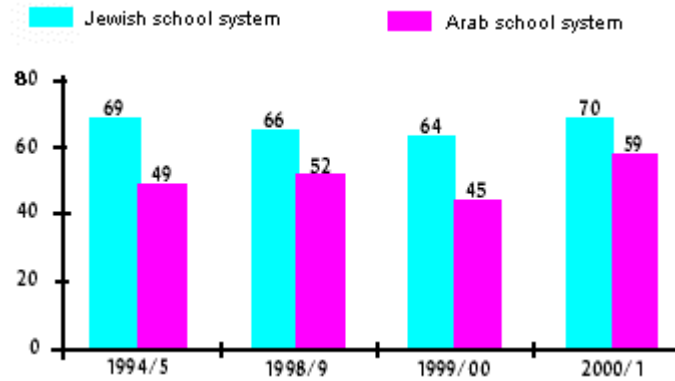


Diagram 7

Proportion of students tested earning a matriculation certificate 1994/95 - 2000/01



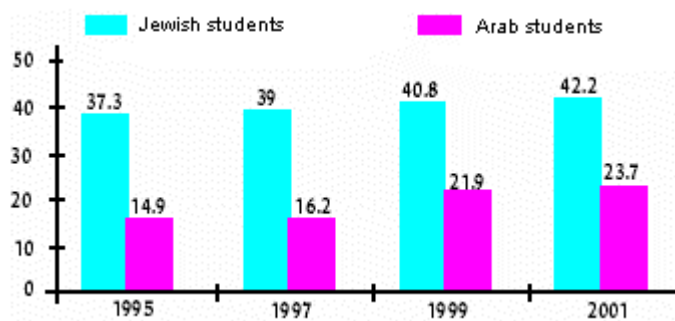
Sources: Ministry of Education Budget Proposal 2003 www.mof.gov.il

Scholastic achievements - Higher percentages earning matriculation and a narrowing of the gap between Jews and Arabs

There was a marked increase in the number of 17-year-olds in the Arab school system who earned a matriculation certificate (see Diagram 6, above) and an increase in the proportion of those earning a certificate among Arab students who took the exams (see Diagram 7, above). There was also a marked increase in the number of those awarded an academic matriculation certificate which qualifies the student for a college education (see Diagram 8, below). On these three indices, there was a discernible narrowing of the achievement gap between Arab and Jewish students.

Diagram 8

Proportion of students tested earning an academic matriculation certificate 1995-2001*



*Note: Data excludes Druze or Bedouin students; includes ultra-Orthodox students and Palestinian students from East Jerusalem.

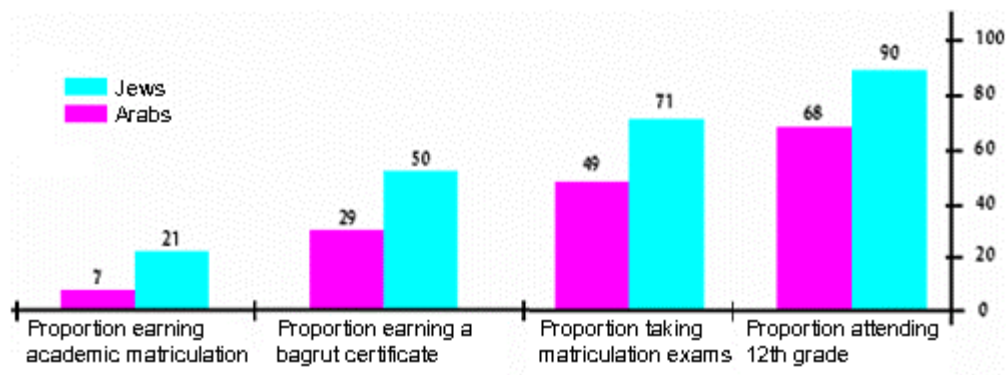
Source: Y.Kopp (Ed.), "The Allocation of Resources for Social Services, 2002"

Matriculation without advancement

Despite this trend to improved achievement, (see Diagram 9, below) the educational system is still far from equal with respect to Jews and to Arabs. Of all Arab 17-year-olds, only two-thirds enter 12th grade (compared to 90 percent of Jewish youngsters); only half take the matriculation exams, and only one-third achieve matriculation certification. Those who attain an academic matriculation certificate represent a mere 7 percent of all Arab students earning a matriculation certificate, as compared with 21 percent among Jewish students.

Diagram 9

Among all 17-year-olds: Proportion attending 12th grade; proportion taking matriculation exams; proportion earning matriculation certificates; and proportion earning academic matriculation - data for 2001



Source: (1) Ministry of Education Budget Proposal, 2003
(2) Y. Kopp (Ed.), "The Allocation of Resources for Social Services, 2002"

Despite the increase in the number of Arab youngsters aged 3-4 who attend preschools, and despite the increase in Arab students taking the matriculation examinations and earning matriculation certificates, the Arab system still lags behind the Jewish system. There are still considerable gaps in the state's allocation of classroom hours and in teacher training.

Arab society in Israel has been suffering an ongoing crisis in all spheres of life for the last 50 years, and education can help with rehabilitation. The state plays a decisive role here, and should be allocating funds accordingly.

***Michal Belikoff** is Sikkuy's research coordinator.
Shuli Dichter is co-director of Sikkuy.

Sources

Ministry of Finance website: www.mof.gov.il - Ministry of Education Budget Proposal 2003

Ministry of Education website: www.education.gov.il

Kopp, Yaacov (Ed.), **The Allocation of Resources for Social Services**, 2002, Center for the Study of Social Policy in Israel, Jerusalem, December 2002.

MINISTRY OF LABOR AND SOCIAL AFFAIRS

Perpetuating social and economic hardship for generations to come

Only 2 percent of daycare centers in Israel cater to Arab children.

There are huge gaps in early childhood education facilities in the Arab sector:

As of 2003, the Ministry of Labor and Social Affairs oversaw some 1,700 daycare facilities, of which only 36 are in Arab communities.¹

Daycare facilities supervised by the Ministry of Labor and Social Affairs are the prevailing educational/caregiving facility for young children (ages 0-3) in Israel. The centers operate on a “long school day” format (roughly, 7:30 AM to 4:00 or 5:00 PM) and are intended to serve the children of working mothers and children referred by local social services departments.

The daycare center staff is responsible for providing babies and toddlers with a secure, safe environment for playing and sleeping, plus drinks, snacks, and a hot lunch. As an educational facility, although not under the purview of the Compulsory Education Law, the center is supposed to make a direct contribution to the healthy development of the child prior to his or her entry into kindergarten. In the center, each child acquires and develops skills in all the relevant areas: play, language, social interaction, sensory-motor, etc.

Table 4: Development of the daycare center system, 1990-2001*

Year	Total number of daycare centers	Of these, number in Arab sector	Number of centers added during the year	Of these, number added in Arab sector
1990	1,170	1	-	-
1991	1,264	2	94	1
1992	1,300	3	36	2
1993	1,350	5	50	2
1994	1,606	8	256	3
1995	1,603	9	-3	1
1996	1,645	12	42	3
1997	1,720	13	75	1
1998	1,750	17	38	4
1999	1,865	19	115	2
2000	1,618	22	-247**	3
2001	1,650	23	38	1

*Including kibbutzim and moshavim.

** The reduced number resulted from the merger of smaller units and the transition to new buildings.

Source: 1. Ministry of Labor and Social Affairs Web site, www.molsa.gov.il

2. Ministry of Education Budget Proposal 2003, www.mof.gov.il

¹ Data from the Ministry of Labor and Social Affairs.

A review of the data in Table 4, p.17, shows that, in the last decade, an average of about 40 new daycare centers were added annually - of which only one, on average, was added in the Arab sector. Between 1990 and 2001, 480 centers were added to the list of those overseen by the Ministry of Labor and Social Affairs, including only 23 in Arab localities - or 4.8 percent of all newly added centers.

In 2003, approximately 82,500 children are attending daycare centers supervised by the Ministry of Labor and Social Affairs, of whom only 1,750 are Arab children - 2.1 percent of all children in daycare centers.

The lack of early childhood educational frameworks has a negative impact on children's readiness for kindergarten and school and prevents the participation of more women in the workforce. But the dearth of educational facilities for younger children also has long-term detrimental effects. Studies have shown a link between quality education in the first few years of life and the prospects for escaping the cycle of poverty. Hence, the lack of daycare facilities today translates into continued social and economic hardship for the Arab population in Israel in the future as well, by perpetuating the gap between Arab and Jewish children.

The hypothesis linking quality early childhood education and improved prospects for breaking out of the cycle of poverty has been significantly validated by Head Start programs for preschoolers in the United States, an effort dating back to 1965 under President Lyndon Johnson's "Great Society" program. Such programs give preschoolers two years or more of intensive enrichment and school readiness preparation. Evaluation studies in the USA and elsewhere have found that, 30 years later, a high proportion of these former Head Start youngsters, all from disadvantaged family backgrounds, have attained university educations and better jobs, as compared with control groups from similar background who did not participate in such a preschool program. Furthermore, former Head Start children in the follow-up study were neither on welfare nor involved in criminal activity. Overall, their socio-economic status as adults was much more positive than that of their peers who had not participated in the program.²

Daycare centers have two principal target populations: children of working mothers, and children from disadvantaged backgrounds.

Children of working mothers: The proportion of Arab women in the labor force is relatively low. In 2001, it was 27.7 percent, as opposed to 53.7 percent of Jewish women.³ Despite this low participation, there has been a 5.7 percent increase in Arab women's participation in the labor force since 1997, when the figure was only 22 percent. These relatively low levels are an outcome of social and cultural inhibitions along with the low demand for labor.⁴

² P. Toynbee, p.125.

³ Central Bureau of Statistics, "Statistical Abstract of Israel, 2002."

⁴ R. Wertzberg, "Background Information for Discussion of Women's Unemployment in the Arab Sector," Knesset Research & Information Center, 13 May 2001.

The existence of facilities serving children aged 0-3 provides a solution for potential working mothers and a source of encouragement for those who are undecided to look for work outside the home. Furthermore, developing the early childhood daycare services in Arab towns is likely to create a modest number of new jobs for Arab women.

The increased share of Arab women in the labor force in the last five years emphasizes the tremendous need for daycare facilities. The statistics on poverty, which are the second component of entitlement to daycare, highlight this need even further.

Children from disadvantaged families: According to National Insurance Institute data, as of 2001, 41.3 percent of all non-Jewish households were living under the poverty line even after taking into account income supplements, child allowances, etc.⁵

In Arab localities, 50 percent of all young children referred to daycare centers and home-based daycare come from disadvantaged families⁶, compared to a countrywide average in the last decade of only 20 percent.⁷

An educational, caregiving facility in early childhood provides a small window of opportunity for the children of disadvantaged families to acquire, early in their development, the skills and capacities that can help them succeed at later stages of the educational process. This improves their prospects for social mobility, higher education and an escape from the cycle of poverty.

Daycare facilities in Jewish vs. Arab towns - highly unequal:

In 2001, there was not a single daycare center under Ministry of Labor and Social Affairs supervision in five of the ten Arab cities in Israel (Rahat, Shfaram, Taibe, Baka el-Gharbiyye, and Sakhnin). Nazareth had four centers; and Umm al-Fahm, Tamra, Kalansua, and Tira each had one center under Ministry of Labor and Social Affairs supervision (see Table 5, below).

Table 5: Arab towns with daycare centers in 2001

Nazareth	4	Abu Snan	1	Tamra (village)	1	Beit Jann	1
Tira (Triangle)	1	Tarshiha	1	Kufr Yassif	1	Kufr Kama	1
Umm al-Fahm	1	Ma'ilia	1	Daburiyye	1	Kufr Kana	1
Kalansua	1	Acco	1	Rihania	1	Dir Hana	1
Tamra (city)	1	Fassuta	1	Beit Safafa	1	Arara	1

Source: 1. Ministry of Labor and Social Affairs Web site, www.molsa.gov.il

In (Jewish) development towns, there is one daycare center for every 2,500 residents. In Nazareth, there is one daycare center for every 15,000 residents.

Table 6 (p.22) shows Jewish towns and Arab towns with similar-sized populations and/or similar socio-cultural profiles. In development towns, and in towns where there is a sizeable population or a majority of ultra-Orthodox residents (who tend, like the Arab population, to

⁵ National Insurance Institute, "Indices of Poverty and Inequality in the Division of Income in the National Economy for 2001," November 2002.

⁶ Ministry of Labor and Social Affairs Budget Proposal 2003.

⁷ Abas, 2001.

have high birth rates and low socio-cultural profiles), the ratio of daycare facilities to residents is about 1:2,500. Meanwhile, in the city of Nazareth, the largest Arab city in Israel, the ratio is approximately 1:15,000.

Daycare centers in Rahat, 2001: None. Daycare centers in Beitar Elite, 2001: Seven.

At the end of 2001, there was not a single daycare center in the Bedouin city of Rahat in the Negev, which had a population of 32,400, and the lowest socio-economic ranking (Cluster 1) for localities nationwide. In the same year, there were seven daycare centers in the ultra-Orthodox town of Beitar Elite, for its 17,300 residents.

Table 6: Daycare centers in Jewish and Arab communities (Data for 2001)

Daycare centers in Arab communities				Daycare centers in Jewish communities			
Locality	Pop. (000)	Cluster*	Daycare Centers	Locality	Pop. (000)	Cluster*	Daycare Centers
Rahat	32.4	1	0	Beitar Elite	17.3	1	7
Umm al-Fahm	36.8	2	1	Tiberias	39.9	4	14
Tamra	23.3	2	1	Netivot	21.1	2	6
Tira	18.8	4	1	Kiryat Malachi	19.1	3	8
Kalansua	15	2	1	Or Akiva	15.3	3	5
Nazareth	60.6	3	4	Kiryat Gat	48.2	4	23
Shfaram	29.5	3	0	Safed	25.9	4	12
Taibe	29.6	3	0	Migdal Ha'emek	24.1	4	11
Baka el-Gharbiyye	19.2	3	0	Sderot	19.2	3	7
Sakhnin	22.4	2	0	Ofakim	23.1	2	6
Kufr Kana	15.6	2	1	Beit She'an	15.7	4	6
Abu Snen	10.6	3	1	Yeruham	8.7	3	4
Fassuta	2.8	5	1	Emanuel	3.0	2	1
Kufr Yassif	7.7	4	1	Shlomi	4.2	4	4
Daburiyye	7.5	4	1	El'ad	8.9	4	4
Beit Jann	9.3	3	1	Hatzor Haglilit	8.5	4	4

Source: Ministry of Labor and Social Affairs Web site, www.molsa.gov.il

Daycare centers vs. home-based daycare

In 2000, some 79,500 children in Israel were enrolled in daycare centers under the supervision of the Ministry of Labor and Social Affairs, including 1,520 (1.9 percent) Arab children. In the same year, 4,350 Arab children were being cared for in 870 home-based daycare environments, about half of all children in home-based daycare in Israel. This year, most Arab preschoolers (4,350 of a total of 5,870) were in home-based daycare, compared with the majority of Jewish children, who were in daycare centers. This phenomenon was discussed by Swirsky et al. (Adva Center, 2001)⁸, which emphasized the clear educational advantage of a formal facility over home-based daycare.

⁸ Swirsky et al., "Looking at the Budget of the State of Israel, 2002."

Table 7: Home-based daycare establishments in the Arab sector in 2000

Region	No. home-based daycare facilities
Haifa and Northern Israel	611
Tel Aviv and Central Israel	116
Jerusalem and Southern Israel	143
TOTAL	870

Source: Abas, Gideon, Survey of Activities of the Ministry of Labor and Social Affairs in the Arab and Druze Sector in 2000

Home-based daycare does have two advantages over formal daycare facilities: First, the home-based arrangement is personal and intimate - a care-giving and educational environment for about five toddlers, compared with twenty or more children in a daycare facility. Secondly, a home-based arrangement can be set up in a fairly short time and with relatively little investment. The only training required is 220 hours for the caregiver and some basic equipment for the home in which the children will be served.

A formal daycare facility, on the other hand, requires a dedicated building, and 700 hours of training per staffer. Herein also lies the advantage of the formal facility, since we may expect the level of care and education provided to be higher than that in a home-based establishment. The principle reason there are so few formal facilities in Arab communities is the difficulty locally in marshalling the resources required to establish centers consonant with the standards and requirements of the Ministry of Labor and Social Affairs, in order to enjoy ministry certification, funding, and support. Swirsky et al. (2001) also notes that when the Ministry of Housing and Construction builds a Jewish neighborhood of at least 1,000 housing units, it also allocates funding for the construction of a daycare facility. Since the Ministry of Housing does not budget construction projects of this scope (1,000+ residential units) for the Arab population, this source of funding is closed to Arab communities.

Summary

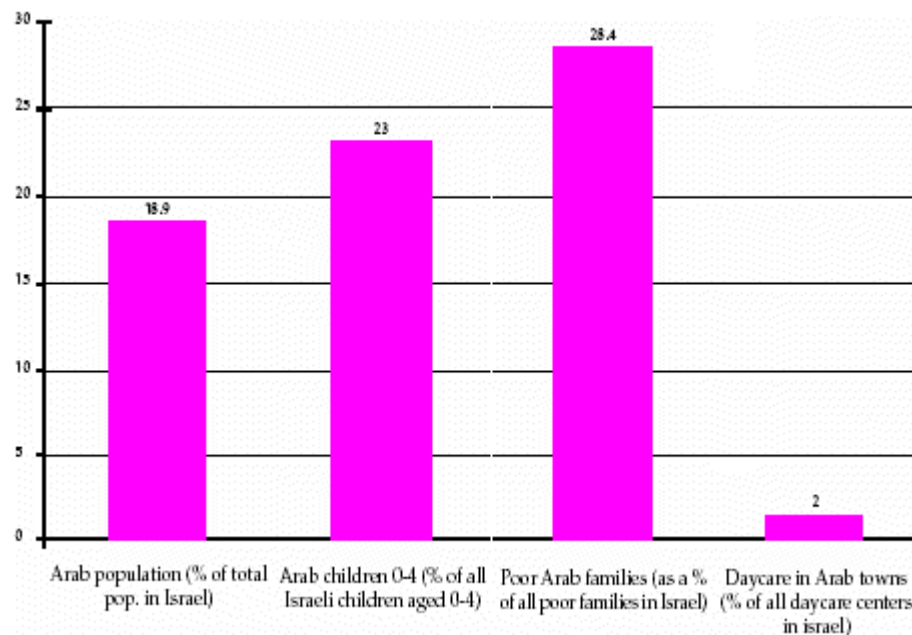
Far fewer daycare facilities supervised by the Ministry of Labor and Social Affairs exist in the Arab sector than in the Jewish sector. The gap is particularly glaring if we compare Arab communities and Jewish communities with similar socio-economic profiles and birth rates. In many of the Arab cities, including the planned city of Rahat, there is not a single daycare facility under ministry supervision, whereas there is one ministry-supervised daycare facility for every 2,500 residents in (Jewish) development towns and mainly ultra-Orthodox Jewish communities.

The lack of high-quality, early childhood educational facilities is liable to have continuing negative consequences for the Arab community. This situation makes it very difficult for

mothers to be employed outside the home, which is a particular hardship during the current economic recession, when the additional income would be welcome. A great many Arab children are thus also denied the opportunity to acquire, early in life, the skills we know are crucial for successfully breaking out of the cycle of disadvantage and poverty. Their developmental education and skills are liable to suffer.

Diagram 10

The Arab sector's share of all daycare centers in Israel today,
compared with other relevant indices (%)



Sources: Central Bureau of Statistics; Statistical Yearbook of Israel 2002; National Insurance Institute, "Indices of Poverty and Inequality in the Division of Income in Israel, 2001 - Principal Findings," November 2002; Ministry of Labor and Social Affairs.

Regardless of how the calculation is made - Arab population as a percentage of the overall population (18.9 percent), Arab children as a percentage of the number of children in the country (23 percent), or Arab families living in poverty as a percentage of all Israeli families living in poverty (28.4 percent) - there should be at least a few hundred daycare centers today in Arab towns. In fact, however, of approximately 1,700 centers in the entire country, only 36 daycare centers are located in Arab towns. This certainly does not adequately address the situation.

Between 2001 and 2003, 13 new daycare centers were built in Arab towns, but these are 13 miniscule dots in an ocean of need. The state must do its part to break the cycle of poverty and redress the lack of equal educational opportunity, not only in the development towns and the ultra-Orthodox communities, but also in Arab towns. This implies more than simply improving the existing situation, but rather establishing an extensive infrastructure of daycare in Arab towns.

Proper redress will require a special effort, separately budgeted by the Ministry of Labor and Social Affairs and the Ministry of Housing. Such a campaign would enable the accelerated establishment of daycare centers in Arab towns for entitled children. A substantial change in the daycare center situation should provide a significant boost both for women's employment outside the home and for the children's own development.

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MINISTRY OF INDUSTRY AND TRADE

Establishing new industrial zones: a state resource to be fairly allocated

Only 3.2 percent of the industrial zones situated in local municipalities and under ministry supervision are located in Arab localities.

Developing industrial zones within the jurisdictions of Arab localities and integration of Arab towns in regional industrial zones is crucial to the advancement of three objectives:

- # Creating a local revenue base for Arab towns through a more equitable division of the nation's income-generating assets, including land for industrial zones. This will help reduce the dependence of Arab local governments on government funding.
- # Additional jobs: The Arab population has a low rate of participation in the labor force and high unemployment.
- # Proper zoning and land use: To create suitable separation between residential, commercial, and industrial uses: In Arab towns, light and even heavy industry are located in the midst of residential areas, severely damaging residents' quality of life.

In the early 1990s, more than 40 years after the founding of the state, the Ministry of Industry and Trade began developing industrial zones in Arab towns. As detailed in the Report of the State Comptroller for 2002, the ministry through 2001 developed 21 industrial zones in Arab local jurisdictions with an aggregate land area of 1,561 dunams (390 acres). When the industrial plots proved difficult to lease, the ministry's Industrial Zones Authority offered special prices and discounts on the cost of developing the plots. A project coordinator was named to supervise and assist entrepreneurs through all the stages of establishing their plants and, in the last year, parts of the ministry's Internet site were even translated into Arabic.

During the last decade, Arab localities were gradually included in National Priority A zones. In 2000, 13 Arab industrial zones held Priority A status. At the end of 2002, 27 industrial zones in Arab localities had National Priority A status, of a total of 88 industrial zones in Israel.¹

¹ Ministry of Industry and Trade website, www.tamas.gov.il

Table 8:

Industrial zones in Arab jurisdictions with National Priority Zone A status, as of December 2002

Cities	Towns		
1. Umm al- Fahm	1. Abu-Snen	8. Tuba-Zanegria	16. Arrabe
2. Tamra (city)	2. Ikhsal	9. Tamra (village)	17. Peki'in/Kasra-Same'a
3. Nazareth	3. Bu'ena Nujidat	10. Yarka	18. Rama/Sajjar
4. Sakhnin	4. Julis	11. Kufr-Kana	19. Khoura
5. Shfaram	5. Dir-Hanna	12. M'ghar	20. Aruar
6. Rahat	6. Daliat al-Carmel / Isfiyya	13. Mash'had	21. Segev Shalom
	7. Zarzir	14. Ilabun	22. Tel-Sheva
		15. Ilut	16. Arrabe

At the beginning of 2003, the Ministry of Industry and Trade held 66,300 dunams (4 dunams = approx. 1 acre) for industrial development, in 71 industrial zones in development areas (see appendix). Within Arab jurisdictions, 1,737 dunams in 20 industrial zones were put on the market (for long-term lease), of which 1,011 dunams were actually leased (3.5 percent of all land leased nationally).

Table 9: Land zoned for industry under the purview of the Ministry of Industry and Trade at the beginning of 2003*

	No. industrial zones	Area (dunams) put on the market	Area (dunams) actually leased
Arab localities	20	1,737	1,011
Jewish localities	44	48,844	20,521
Jointly administered	3	1,807	1,014
Mixed Jewish-Arab jurisdictions	2	2,583	1,780
Industrial Councils	2	12,426	2,966
TOTAL	71	66,300	28,292

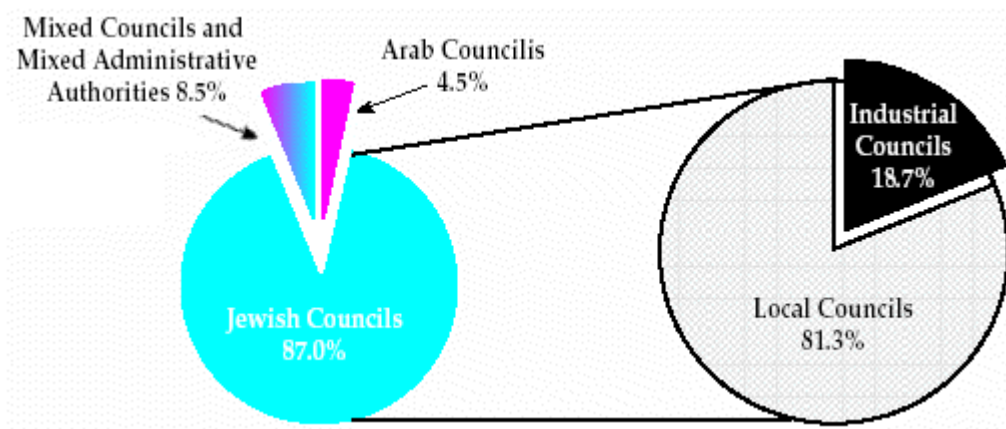
Source: Ministry of Industry and Trade

Internal allocation of industrial land area under the purview of the Ministry of Industry and Trade in 2002:

- 81.3 percent of land zoned for industry falls under the jurisdiction of local authorities, and 18.7 percent is governed by special industrial councils.²
- Of all the industrial land within the jurisdiction of local councils, 90.7 percent is in the jurisdiction of Jewish local councils, and 6.1 percent is in the jurisdiction of councils with mixed populations (including the Administrative Authorities for regional industrial zones, in which 4 Arab councils are partners).
- Arab local councils supervise only 3.2 percent of all industrial land under the purview of the ministry (see Diagram 11, p. 26).

Diagram 11

Division of local council jurisdiction over land slated for industrial development, under the purview of the Ministry of Industry and Trade, as of January 2003



Source: Ministry of Industry and Trade

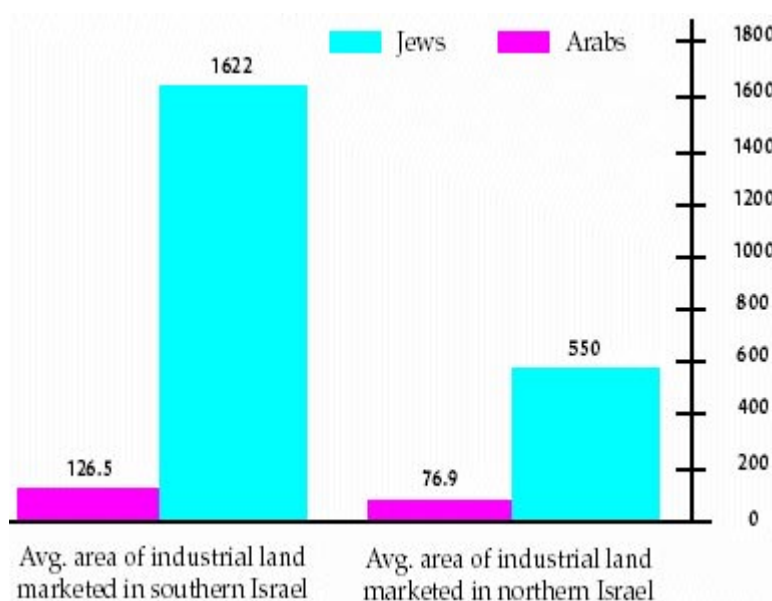
² An Industrial Council is a local council within whose jurisdiction there is only an industrial zone, without residents. This is a framework for local governance, which includes representatives from government ministries, industrial plants, and adjacent local councils, headed by a representative from the Ministry of the Interior. The taxes collected by Industrial Councils are invested in the development of the industrial zone itself. In Israel, there are two such Industrial Councils: Migdal Tefen, and Ramat Hovav

Land for Industry: size does matter

Data from the Ministry of Industry and Trade shows that an average size industrial park under Jewish jurisdiction in southern Israel, with its greater supply of land, spans 1,622 dunams (just over 400 acres), while an average Arab (Bedouin) park covers only 126.5 dunams. In northern Israel, the average size of industrial zones in Jewish jurisdictions is 550 dunams. But in Arab jurisdictions, the average area of industrial land put on the market is 76.9 dunams (see Diagram 12, below).

Diagram 12:

Average mass of industrial land offered for long-term lease
in northern and southern Israel in Jewish and Arab jurisdictions (in dunams)*



Source: Ministry of Industry and Trade

* Data excludes Industrial Councils, Joint Administrative Authorities and Mixed Jewish-Arab Councils

The gap between Jewish and Arab localities is heavily influenced by large industrial areas, particularly those within the jurisdiction of Jewish regional (rural) councils, for which larger land reserves have been allocated. Nonetheless, comparison between Jewish and Arab cities and towns shows a considerable gap in favor of the Jewish localities in industrial land area for development. Table 10 (below), compares industrial land put on the market in Jewish vs. Arab cities and towns with similar populations in northern and southern Israel.

Table 10: Comparison between industrial lands made available by the Ministry of Industry and Trade for long-term lease in Jewish and Arab towns and cities (in dunams), as of March 2003

Region	Population	Jewish towns		Arab towns	
		Town	Industrial land area (dunams)	Town	Industrial land area (dunams)
Northern Israel	<i>Up to 10,000 inhabitants</i>	Hatzor Haglilit	279	Abu-Snen	39
		Shlomi	239	Ikhsal	77
				Bueina	42
				Nujeidat	90
				Julis	41
				Gush-Halav	34
				Zarzir	16
				Tuba-Zenegria	33
				Ilut	45
				Ilabun	53
Northern Israel	<i>Up to 20,000 inhabitants</i>	Yokneam	206	Yarka	20
				Kufr Kana	191
				M'ghar	106
	<i>More than 20,000 inhabitants</i>	Tiberias	159	Tamra	276
		Karmiel	1,695	Sakhnin	153
		Migdal	903	Shfaram	15
		Ha'emek	289		
		Safed	1,471		
		Kiryat Shmona			
Southern Israel	<i>Up to 10,000 inhabitants</i>	Yeruham	1,430	Khoura	72
		Mitzpe Ramon	877	Segev-Shalom	195
		Netivot	454	Aruar	39
		Omer	349		
	<i>Up to 20,000 inhabitants</i>	Sderot	614		
	<i>More than 20,000 inhabitants</i>	Ofakim	1,149	Rahat	200
		Dimona	1,693		
		Arad	3,816		

Source: Ministry of Industry and Trade

The overall shortage of land in Arab communities, and of state land in particular, indicates the difficulty in obtaining suitable land for industry in Arab jurisdictions. These small industrial zones are supposed to provide a suitable location for the light industry and small commercial businesses thus far located in residential areas of Arab communities. Yet they cannot replace large industrial areas, which are needed to provide a broad range of employment opportunities for residents who then contribute to the local tax base.

A share in regional industrial zones - for Jewish localities only?

In 2002, there were 29 regional industry administrations, partnering 60 local councils. Nearly all 56 of these partner localities were Jewish councils. Only 4 Arab local councils were partners in regional industrial zone administrations.³

This shortage of land, however serious, is not a problem only for Arab localities. A number of Jewish localities share this difficulty in locales where the majority of land reserves have been allocated to adjacent regional councils. Hence, in the last ten years, the Ministry of Industry and Trade has encouraged regional cooperation via the establishment of regional industrial zones partnering neighboring councils. Thus, for example, Migdal Ha'emek and the Jezreel Valley Regional Council established a regional industrial zone, as did Karmiel and two neighboring regions, Misgav and Mateh Asher - among others.

These regional industrial parks are operated jointly, by an administration representing the participating local and regional councils. The administration's job includes supervising the planning, management, lease, operation and maintenance of the industrial park. The administration is also responsible for marketing the park to developers and entrepreneurs, and provides supervision and assistance from the point at which they submit an application to set up a plant until the new enterprise become operational.

The regional parks enable the participating communities to take collective advantage of large-scale benefits, and bring more industrial activity to the region — thus contributing to a fairer distribution of property tax revenues among the partner municipalities.

3 Ministry of Industry and Trade website, www.tamas.gov.il

Equality is a fair share of whatever there is

The addition of Arab jurisdictions to regional industrial administrations is appropriate and legitimate and should be adopted without delay. Arab localities should immediately be made full partners in the entire national program of industrial zones. Their integration into the regional industrial zone administrations would not require new construction or infrastructure, but only changes on paper. By decision of the relevant government officials, this step could be carried out within a relatively short time. The Ministry of Industry and Trade should be working toward conditions that would make integration of neighboring Arab towns worthwhile for the existing partner jurisdictions.

Meanwhile, state land should quickly be located for the establishment of local industrial zones for Arab communities. They should be granted National Priority A status, and be provided with appropriate guidance for the communities to prepare the organizational infrastructure needed to manage the industrial zones within their jurisdiction.

This process will take several years, and accordingly requires internal organizational adjustments at the Ministry of Industry and Trade.

Sources

Ministry of Industry and Trade website, www.tamas.gov.il

Ministry of Industry and Trade

Appendix 1 to the chapter on the Ministry of Industry and Trade
Industrial land under Ministry of Industry and Trade jurisdiction on the market in 2003

No.	Industrial Zone	Area (dunams)	No.	Industrial Zone	Area (dunams)
	<i>Jewish Jurisdictions</i>			<i>Arab Jurisdictions</i>	
1	Avshalom	193	1	Abu Snen	39
2	Ofakim	1,149	2	Ikhsal	77
3	Eilat	469	3	Bueina-Nujeidat	42
4	Eilat / N. Shahoret	373	4	Julis	90
5	Alon Tavor	1,244	5	Gush Halav	41
6	Ashkelon South	1,533	6	Zarzir	34
7	Ashkelon North	1,449	7	Khoura	72
8	Be'er-Sheva North	2,093	8	Tuba-Zangeria	16
9	Be'er-Sheva / Emeq Sarah	1,574	9	Tamra	276
10	Beit She'an	326	10	Yarka	20
11	B'nei-Yehuda	123	11	Kafr Kana	191
12	Goren	209	12	M'ghar	106
13	Lower Galilee	577	13	Sakhnin	153
1	Dimona	1,693	14	Ilut	33
15	Hatzor-Galilit	279	15	Ilabun	45
16	Tiberias	159	16	Aruar	39
17	Jerusalem, Har Hotzvim	185	17	Rama-Sajjur	53
18	Jerusalem, Atarot	912	18	Rahat	200
19	Yokne'am	206	19	Segev Shalom	195
20	Yeruham	1,430	20	Shfaram	15
21	Karmiel	1,695			
22	Migdal-Ha'emeq	903			
23	Mishor Rotem	14,943	Mixed (Arab & Jewish) Local Councils		
24	Mitzpe Ramon	877	1	Barlev	739
25	Mercaz Sapir	199	2	Ma'a lot-Tarshiha	445
26	Naharia	93	3	Tardion	302
27	Noam	683			
28	Netivot	454	Joint Administrations		
29	Omer	349	1	Dalaton	434
30	Azata	318	2	Tsachar	513
31	Afula	522	3	Tsipporit	860
32	Arad	2,816			
33	Park Tsva'im	451	Industrial Councils		
34	Rotam Industrial Park	140	1	Ramat Hovav	11,383
35	Safed	289	2	Tefen	1,043
36	Katzrin	772			
37	Kiryat Shemona	1,471			
38	Kiryat Gat	3,906			
39	Ramat Negev	342			
40	Sagi 2000	342			
41	Sderot	614			
42	Shelomi	239			
43	Sha'ar Hanegev	250			

FOLLOW-UP: ARAB REPRESENTATION IN THE CIVIL SERVICE, IN GOVERNMENT CORPORATIONS AND IN THE COURT SYSTEM

*Ali Haider**

Introduction

The Israeli government has explicitly committed itself to work toward creating jobs for men and women from the Arab sector at the most senior levels of the civil service. More broadly, the government has committed itself to study the issues of concern to Arab citizens and to work toward their resolution. These promises were included in the formal guidelines of the last two administrations, headed by Ariel Sharon, in the section dealing with the status of Arab citizens in Israel.¹

Among the issues high on the agenda of the Arab community is a glaring lack of parity in the hiring and promotion of Arabs within the nation's civil service and in government-owned companies. This is a concern for Arab citizens because (among other reasons) civil service jobs are a direct and indirect gateway to professional advancement in various realms of the public sector. The subject has far-reaching significance for Arab citizens' status as members of the Israeli minority. There is no doubt that a serious attempt to resolve this matter equitably would have ramifications for other problems confronting the Arab minority in Israel.

The government's explicit commitment to redress existing inequities is not the only basis for pressing the demand for equality in the civil service. A law passed in December 2000 obliges the government to advance fair representation for Arab employees in civil service employment, at all ranks and in all professions, in every government ministry and affiliated agency.² That law likewise obliges the civil service commissioner and all government ministries and related agencies, each in its own sphere, to take all necessary steps to enable and encourage fair representation. The law also authorizes the government clearly to designate positions for qualified applicants from the Arab population. Every government ministry and affiliated agency is obliged to submit an annual report on its implementation of the law, including data on the representation of Arab citizens.

The Civil Service Law on Appointments applies to all modes of hiring and promotion, including jobs filled with or without tender, and acting appointments. The civil service

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1 "Haaretz," p. A14, February 27, 2003.

2 Amendment 11 to the Civil Service Law (Appointments) of 1959 promising fair representation for Arab citizens in the civil service, was passed by the Knesset on December 18, 2000. Allied agencies include, e.g., Rafael and Ta'as, both major autonomous military-industrial enterprises of the Ministry of Defense.

commissioner is charged with monitoring implementation. By law, the commissioner must submit annual recommendations to the government, outlining his proposed objectives for advancing implementation. In addition, the state comptroller is required to submit an annual progress report, both to the government and to the Constitution, Law and Justice Committee of the Knesset.³

Meanwhile, the Government Companies Law holds that the composition of boards of directors of government-owned companies must include fair representation for Arab citizens. The law requires ministers to appoint, insofar as possible under the specific circumstances, directors from among this population - until the Arab population is fairly represented.⁴

A decision by the nation's highest court in *Association for Civil Rights in Israel v. the Government of Israel et al.*, Justice Zamir held:

"Positions in the civil service are also a state resource. They are particularly important because they encompass the possibility of bringing influence to bear on a great many matters, including the allocation of financial and other resources. Hence, the principle of equality obliges that state jobs also be allocated without discrimination between Jews and Arabs. This means that naming someone to a government job cannot be prevented simply because he is an Arab."⁵

Within this narrow framework, we will attempt to examine whether the government has carried out its obligations. Has it made an effort to fulfill this promise? Has the government implemented the laws promising fair representation to Arab citizens in the civil service and on the boards of government companies? Concurrently, we will take a look at the related issue of how fairly Arab citizens are represented in the employment ranks of the nation's court system.

3 The Constitution, Law and Justice Committee of the 15th Knesset established a subcommittee to monitor the integration of the Arab population into the civil service, boards of directors of government companies, the court system, local government, and the workforce at the Knesset itself. This subcommittee, chaired by MK Talab al-Sana, has thus far met four times in order to address the matter of fair representation for Arab citizens in the civil service: the first meeting examined the entire civil service system; the second, boards of directors of government companies; the third, the Ministry of Justice and the court system; and the fourth, government service positions in the Southern Region of Israel. One may hope that in its current term as well, the Knesset will establish a similar subcommittee to monitor the law's implementation and promote the matter of fair representation of Arab citizens. It is noteworthy that, beginning in January 2002, new (external) hiring for the civil service was suspended due to state budget cutbacks. Nonetheless, a committee was set up to handle exceptional, urgent requests from government ministries to fill crucial positions with candidates from outside the civil service. After the first meeting of this committee, on February 3, 2002, Ms. Henia Markowitz, who heads a senior division (Planning and Control) in the civil service commission, sent a notice to senior deputy general managers, personnel directors in government ministries, and assistant general managers for human resources at related agencies, announcing that "beginning on February 1, 2002, any ministry applying to the Exceptions Committee for an exception to the freeze on hiring new employees via the committee, will be required to allocate 10% of all such positions to members of minority groups.

4 Amendment 11 to the Government Companies Law of 1975, passed by the Knesset on May 30, 2002, p. 207.

5 High Court of Justice 6924/98, *The Association of Civil Rights in Israel v. The Government of Israel et al.* The High Court accepted the ACRI petition and instructed the government to appoint Arabs to the Executive Council of the Israel Lands Authority. The verdict was handed down on July 9, 2001.

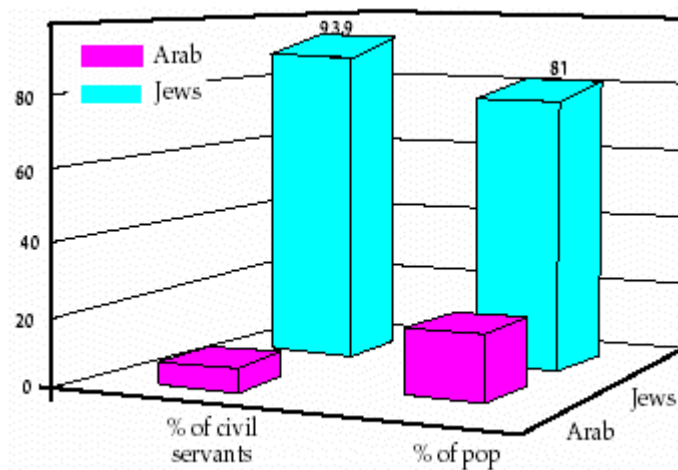
The situation in the civil service, the boards of directors of government companies and the court system provides an indication of the severity of the problem in other sectors as well - various government authorities, institutions of higher learning, the state banking system, and other public or quasi-governmental institutional systems.

Arab citizens in the civil service

The “Summary Report - Integrating Arabs and Druze in the Civil Service, 2002,” prepared by the civil service commission, shows that at the end of 2002, there were 3,440 Arab employees in the nation’s civil service, of a total of 56,362 overall - or about 6.1 percent of all civil service workers in the State of Israel.⁶

This number includes employees within the government ministries themselves, but does not include employees of government-owned companies, teachers employed by the Ministry of Education, employees of the government’s Employment Bureau, the National Insurance Institute, or the various other government authorities.

Diagram 13
Jews and Arabs in the Civil Service (%)



⁶ This statistic includes non-Arab Muslims (59 employees, or 1.7% of the total number of Arabs, probably Circassians), and non-Arab Christians (155 employees, or 4.5% of the total number of Arabs in the civil service, probably immigrants from the former Soviet Union).

Table 11: Growth in number of civil service employees overall, and of Arabs in civil service jobs (in absolute numbers, and as percentages)

Year	Arab employees	All employees	Arabs employees as % of all employees
1992	1,117	53,549	2.1
1993	1,369	53,914	2.5
1994	1,679	55,278	3
1995	1,997	56,183	3.5
1996	2,231	56,809	4
1997	2,340	57,286	4.1
1998	2,537	57,580	4.4
10/1999	2,818	58,115	4.8
4/2001	3,128	54,337	5.7
12/2001	3,176	55,886	5.7
12/2002	3,440	56,362	6.1

In the last decade the proportion of Arabs employed in the entire civil service increased from 2.1% in 1992 to 6.1% in 2002. Despite this seemingly significant increase in the number of Arab citizens employed by the state (the number tripled in 10 years), a closer analysis reveals a disappointing picture: if the average annual increase in the number of Arabs in the civil service during the last decade (11.25%) continues, it will take another ten years for the Arab representation in the civil service to equal their proportion in the population; if the increase continues at the same rate as in the last five years (7.7%) it will take 15 years to reach parity.

Data from the civil service commission indicates that 431 Arabs were newly hired as civil servants during 2002, of a total of 4,192 new employees (c. 10.3 percent). In 2001, 402 new Arab employees were hired, among a total of 4,780 (c. 8.4 percent). That was down from 2000, even before adoption of the relevant amendment to the Civil Service Law, when 8.9 percent of new employees hired by the civil service were Arabs - 306 Arabs of 3,428 new employees overall for the year.⁷

In other words, although last year saw an increase in the new hiring and representation of Arab citizens in the civil service, the improvement is so small as to be almost negligible, when contrasted to the situation before amendment of the law. One would have expected more substantial improvement more than two years after the amendment took effect. Moreover, one year after the law's amendment, there were actually fewer Arab civil service employees (in absolute numbers) than the year before. Despite efforts of the planning and control division of the civil service commission to change the situation, fair representation of Arab citizens is still a long way off.

⁷ "Haaretz," January 23, 2002

Table 12: Arab employees in the civil service according to personnel status
(in absolute numbers and percentages)

Year	Personnel status	Temporary	Contract	Permanent	Interns	TOTAL
April 2001	No. Arab employees	21	1,106	1,902	99	3,128
	% of all Arab civil service employees	1	35	61	3	100%
	Total # all employees	423	13,827	40,159	1,393	55,802
	% of all civil servants	1	25	72	2	100%
Jan. 2003	No. Arab employees	40	1,225	2,078	97	3,440
	% of all Arab civil service employees	1.2	35.6	60.4	2.8	100%
	Total # all employees ⁸	252	13,790	40,929	1,020	55,991
	% of all civil servants ⁹	0.45	24.63	73.1	1.82	100%

^{8 9}

Table 12 (p.34) shows that there is still a large gap between permanent employees and contractual workers. The percentage of Arab employees who are permanent staff is lower than that for employees generally. The percentage of Arab employees working on contracts, on the other hand, is higher than that of employees generally. Permanent employment status and the prospects for tenure are a significant inducement for working in the civil service. Based on these data, the prospects for an Arab employee to receive tenure are lower than those for a Jewish employee; hence the Arab worker enjoys less job security.

Table 13: Arab employees with permanent vs. non-permanent positions
in absolute numbers and percentages

Year	Permanent positions	Non-permanent positions	Total employees	% in permanent positions	% in non-permanent positions	Total %
1/2000	1,930	905	2,835	68	32	100
1/2001	1,860	1,137	2,997	62	38	100
1/2002	1,978	1,198	3,176	62.3	37.7	100
1/2003	2,078	1,362	3,440	60	40	100

An examination of the data on Arab workers in permanent vs. non-permanent positions during the last three years, shows a drop in the number with permanent positions (see Table 13, above).

The 1,222 Arab civil servants with university degrees comprise 35.5 percent of all Arab employees in the civil service (577 hold BA degrees or the equivalent, 183 have master's degrees, and 462 hold Ph.D.s or the equivalent, most of them physicians).

Including university degrees and other training, a full 65 percent (2,233) of all Arab civil servants have a post-secondary education. This is up from 60.8 percent of all Arab civil servants in April, 2001.

⁸ As of November 30, 2002.

⁹ As of November 30, 2002.

Table 14: Arabs in the civil service, by ministry (in absolute numbers and percentages)

Ministry	No. Arab employees	% of all Arab civil service employees	Comments
Health	2,207	64.15	Incl. hospitals & district health offices
Religious Affairs	298	8.66	
Finance	216	6.27	Including allied agencies
Labor & Social Affairs	190	5.52	Including allied agencies
Education	118	3.43	Including allied agencies
Justice	180	5.23	Including courts administration
Other ministries	231	6.71	
TOTAL	3,440	100	

93 percent of Arab civil servants - or 3,209 Arab employees - are employed in only six (of a current total of 19) ministries. Of these, 2,207 - 64 percent - are employed by the Ministry of Health alone, including government hospitals. In the remaining government ministries, representation of Arab citizens is still marginal or nonexistent.

There is not a single Arab employee in the Ministry of Communication. There is only one Arab employee in the Ministry of Public Security. There are only two Arab employees in the Ministry of National Infrastructure.

During the last two years, the number of Arab employees at the Ministry of Justice has increased, thanks to the transfer of the Shari'a (Muslim Religious) Courts from the Ministry of Religious Affairs to the Ministry of Justice. On the other hand, during the last two years, there has been no increase in the number of Arab employees at the Ministry of Labor and Social Affairs, and even a drop of nine Arab employees at the Ministry of Education. Furthermore, there is not a single Arab director-general in any of the government ministries. And the sole Arab deputy director-general in a government ministry was named by the previous government, at the Ministry of Culture.

Most Arab citizens are still employed in junior positions or functions dealing strictly with Arab affairs, generally in their area of residence. Their representation in the major ministries in Jerusalem, where significant decisions are made and national policies shaped, is still marginal to nonexistent. Data on hundreds of candidates shows that Arab applicants are prepared to change their place of residence and move to Jerusalem or to the center of the country, should they be offered positions consonant with their talents, but these offers are not forthcoming.

Integrating Arab citizens into decision-making and policy-making processes is important, not only to provide talented, highly educated candidates with a livelihood and an opportunity for self-actualization, but also because all citizens, including Arab citizens, are entitled to be partners in running the country. Moreover, there is no doubt that the presence of Arab citizens at the foci of decision-making and policy determination could help lead to substantive improvement in terms of their equality with Jewish citizens.

The data shows that most Arab citizens working as civil servants fill professional positions that mainly provide services related to health, social welfare, religious affairs or education, and they are subordinate to the senior policy-making echelons. Arabs are still conspicuous by their absence in ministries that significantly influence the country's future, such as Industry and Trade, Science, Transportation, Environment, National Infrastructure, Housing and Construction, Tourism, and Communication, and in key affiliated agencies like the Public Works Department and the Israel Lands Authority.

The facts and figures also show no change in the general trend. Arab citizens are still excluded from the senior echelons of the civil service and are only partially integrated at lower levels. They are not integrated in decision-making roles or positions with the authority to set policy, adopt initiatives, develop programs, or actualize ideas with an impact on the country's full citizenry.

Arab women in the civil service

There are now 1,316 Arab women in the civil service¹⁰, comprising 38.3 percent of all Arab civil service employees. The total number of women in the civil service is 34,938, comprising 62.4 percent of the civil service workforce¹¹, or nearly double the proportion of Arab women among all Arab civil service employees.

Among the Arab women employees, 432 (38.3 percent) hold academic degrees (252 have BA degrees, 56 master's degrees, 128 Ph.D.s or the equivalent). These women comprise 35.3 percent of all Arab civil servants with university degrees.

Inclusion of Arab women employees with some post-secondary or academic education brings the total to 938, or 71.2 percent of all Arab women in the civil service.

Although an increasing number of Arab women have joined the civil service in recent years, their presence as a proportion of all Arab civil servants is less than two-thirds that attained by Jewish women as a proportion of all Jewish civil servants (38.3 percent compared with 62.4 percent, respectively).

Table 15: Arab women in the civil service, by ministry in absolute numbers and percentages

Ministry	No. Arab women civil service employees	% of all Arab women in the civil service
Health	1,078	81.9
Labor & Social Affairs	71	5.39
Education	36	2.73
Finance	35	2.65
Justice, incl. courts administration	45	3.41
Justice	16	1.21
Other ministries	35	2.65
TOTAL	1,316	100

As with male Arab civil servants, the vast majority of Arab women in the civil service - 1,281, or 97.3 percent - are concentrated in only 6 of 19 ministries, with 82 percent in the Health Ministry alone.

The Ministries of Science, Foreign Affairs, Public Security, Transportation, National Infrastructure, Housing and Construction, Tourism, and Communication do not employ a single Arab woman. The Ministries of Religious Affairs and the Environment employ one female Arab civil servant apiece. The Ministry of Industry and Trade and the Israel Lands Administration have two Arab women employees each.

10 This statistic includes Arab women who are not Muslims (1.3% of all Arab women civil servants), and 104 Christian women who are not Arabs (7.9%).

11 As of 30.11.02.

In order to implement the Civil Service Law - Appointments effectively, a special unit should be established at the civil service commission with the authority to deal solely with matters involving the hiring and promotion of Arab citizens. This unit would work directly with the civil service commissioner. In addition, every ministry and allied agency should have someone in charge of the hiring and promotion of Arab citizens, reporting directly to the director-general of the ministry and the new unit for the employment of Arabs. This unit and the responsible officials at each ministry and agency should devote their full energies to this issue: setting objectives, creating action programs, and assuring their implementation. These people should serve as a significant force in addressing the various concerns of Arab civil service employees, and should facilitate coordination between all ministries on the subject.

An administrative approach of this nature could translate the language of the law into the language of action, and the declarations of intent into operative programs; it could get the long-sought process of change moving. Note that similar arrangements have been made regarding the employment of women and of the disabled, under the Commission on Equal Rights for People with Disabilities, within the Ministry of Justice.

Arab citizens in government-owned companies

The Government Corporations Authority reports on government-owned, government-operated companies, subsidiaries of government companies and combined (governmental nongovernmental) companies. According to the latest report, which includes data until March 9, 2003, there are now 116 such companies in Israel. Arab citizens are members of the boards of only 33 of these, leaving them absent from the remaining (83). Of 641 serving directors overall, only 38 are Arabs, comprising 5.9 percent of the total.

Of the Arab directors, only six are women - less than one percent of all government company directors. It is noteworthy that, during the last two years, the number of Arab women directors of such companies has increased by only one.

A three-year-old amendment to the Government Corporations Law guarantees that the boards of government companies will provide fair representation for the Arab population. Despite some increase in this representation during the last two years, the Government Corporations Law is not being implemented satisfactorily. For one reason, the various ministers responsible for these appointments are not making an effort to increase the numbers of Arab directors.

The High Court of Justice recently rejected a suit by Adalah, The Legal Center for Minority Rights in Israel, against the prime minister and others¹², which addressed the issue of increased representation of women and men from the Arab community on the boards of directors of government companies. The suit was based on a declaration by the prime minister and other ministers concerning continuing efforts to achieve fair representation for Arab women and men on the boards of directors of these companies. Nonetheless, the High Court took care to note:

12 High Court of Justice 10026/01, Adalah v. the Prime Minister et al. (not yet published), in a ruling handed down by Hon. Justice Aharon Barak on April 2, 2003.

“It is incumbent on the respondents to take steps to identify suitable candidates from the Arab population. This obligation is, as stated, among the chief obligations placed upon them by Articles 18A and 18A1 of the law... By force of that obligation, they must use reasonable means to identify suitable candidates. Objective difficulties in identifying suitable candidates shall not be used as an argument by respondents when these difficulties have not led them to make greater efforts in their canvassing as time progresses. The respondents must bear the burden of proof with respect to such efforts... They must take further reasonable steps to continue to find suitable candidates from the Arab population... It stands to reason that, with the passage of time, respondents will find a way to identify additional suitable candidates from the Arab population who are qualified to be named directors by the government. This is the reasonable outcome of the canvassing effort that they are obliged to undertake. Accordingly, there is an expectation that women and men from the Arab community will have increased representation on boards of directors of government companies. If this does not happen, the doors of this court will be open once again to the petitioner.”

Diagram 14

Arab and Jewish directors of government companies

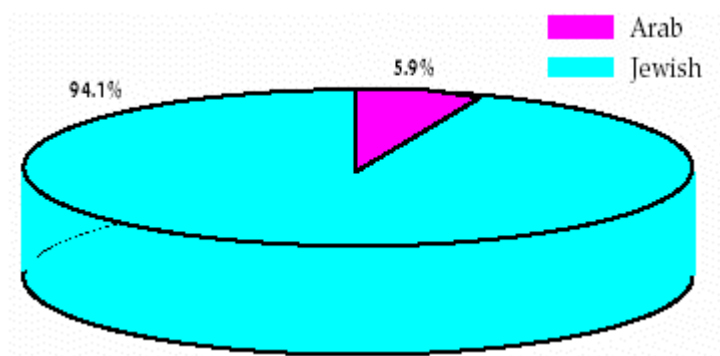


Table 16: Arab and Jewish women directors of government companies in absolute numbers and percentages

	Arab women	Jewish women	All women
No. of directors	6	214	220
% of all directors	0.94	33.39	34.32%
% of women directors	2.72	97.28	100%

Table 17: Government companies with Arab directors (in absolute numbers)

Company name	No. Arab directors	Maximum total no. directors
Agrexco Agricultural Export Co. Ltd.	1	9
Amidar, Israel National Housing Ltd.	3	20
Arim Urban Development co. Ltd.	1	13
Association for Quality Housing	1	13
Ayalon Highways Co. Ltd.	1	7
Bezeqcall Communications Ltd.	1	11
Bezeq International Ltd.	1	11
Bezeq- Israel Telecomm. Corp.Ltd.	1	19
El-Al Israel Airlines Ltd.	1	15
Environmental Services Company (Ramat Hovav) Ltd.	1	15
Fund for Graduates in Social Work	1	5
Hakfar Hayarok Ltd.	1	9
Inbal Insurance Co. Ltd.	1	11
Insurance Fund for Agriculture Ltd.	1	14
Isr. Government Tourist Corp. Ltd.	1	18
Isr. Technical Engineers & Technical Professionals Study Fund Ltd.	1	5
Israel Association of Community Centers Ltd.	2	25
Israel Consumer Council	1	11
Israel Electric Corp. Ltd.	2	21
Israel Foreign Trade Risks Insurance Corp. Ltd.	1	13
Israel Government Coins and Medals Corp. Ltd.	2	13
Laromme Hotels International Ltd.	1	10
Lod-Ramle Development Company Ltd.	1	11
M.I. Holdings Ltd.	1	9
Marine Education & Training Authority	1	5
Nechsey Hail Ltd.	1	7
Old Acre Development Co. Ltd.	1	11
Shikmona	1	8
Study Fund for Workers on the Standard Scale	1	7
Tamam Aircraft Food Industries Ltd.	1	9
Teshet Tourist Enterprises & Aviation Services Co.	1	15
The Marine Trust Ltd.	1	9
Trans-Israel Highway Ltd.	1	11
TOTAL		

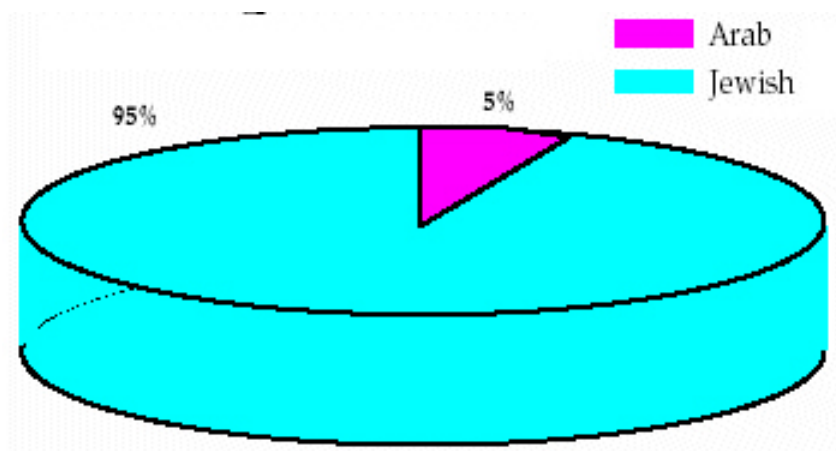
The Court System

Data from the subcommittee established by the Knesset's Constitution, Law and Justice Committee to monitor Arab citizens' representation in the civil service, government companies, the court system, local government, and the Knesset workforce shows the following, as of May 2002:

Judges and Magistrates:

- Of 484 judges in Israel, only 27 are Arab, comprising 5 percent of all judges in the country (7 in district courts, 19 in local courts and 1 in a regional labor court).
- Of 73 magistrates, 8 are Arabs, comprising 10 percent of all magistrates.

Diagram 15 Jewish and Arab Judges (%)



Administrative staff:

Of 3,182 administrative workers in the court system, 117 are Arabs, or 3.67 percent. Of 706 court stenographers, only 5 are Arabs, and those are employed in Haifa (which has a large Arab population) and Nazareth (an Arab city). In the remaining court districts, there is not a single Arab court stenographer.

Diagram 16 Arab and Jewish administrative staff in the court system (%)



These figures paint a picture far from fair representation. But the Civil Service Law - Appointments does not apply to judges, because judges are not civil servants. Rather, they are named by an appointments committee composed of representatives of the Supreme Court, the government, the Knesset, and the Israel Bar Association. Not a single Arab sits on this committee. The acrimonious public debate now in progress over the proper composition and size of this committee and the proposed addition of new members (from certain sectors, e.g., academia), provides a fitting opportunity to find some way to assure reasonable representation of Arab citizens on the committee, as well. Furthermore, in April 2001, a committee charged with examining how judges are selected, under the chairmanship of Justice Yitzhak Zamir, called for the composition of the bench at the Supreme Court itself to reflect the various population sectors in the nation.

When he was named Minister of Justice in the current government, Joseph Lapid pledged that, during his tenure, he would name an Arab to the Supreme Court. In April 2003, Judge Salim Jubran was named an acting justice. Since the founding of the State of Israel, not a single Arab has been named to a permanent seat on the Supreme Court, hence one may hope that the nomination of Justice Jubran will become permanent. One may also hope that Arab judges with the requisite professional qualifications, abilities, and judicial temperament will be named to and promoted throughout the nation's court system (at all levels and in all types of courts -- traffic, youth, labor, small claims, and family court as well as local and district courts and the Supreme Court).

Likewise, there is a concrete need to increase the representation of Arab citizens among the senior administrative echelons of the court system and as public representatives in labor courts.

Conclusions

The lack of Arab representation in the civil service, on boards of directors of government companies, and in the court system is a scathing reflection of the marginal status of Arab citizens in Israel's public sector. Israel's Declaration of Independence promises "complete social and political equality" for all citizens of the state; the declaration's signers called on Arab citizens to take part in building the state "on a foundation of full citizenship and full representation in all the state's institutions"; laws have been passed promising full representation for Arabs in official institutions, decisions have been handed down in the Supreme Court emphasizing the importance of a fair allocation of state resources, including public appointments; and successive governments have repeatedly promised to redress the historical injustice in this area. Yet no significant improvement in Arab representation in the public sector has been made thus far.

Even when Arabs are employed by state institutions, they tend to be employed at lower, less influential levels. Insuring that Arab citizens receive the full equality to which they are entitled, with an appropriate share of positions - and particularly senior positions - in public service, must become an urgent concern among the senior ranks of Israel's government.

Laws guaranteeing fair representation must be enforced; government promises must be translated into concrete programs and real action. Vague general pronouncements should be avoided. The current government has the obligation to fulfill its promise to create jobs for Arabs in the civil service and public service generally, at the highest levels.

Beyond that, the government must insure representation of Arab citizens in the various government authorities, in state institutions, as members of public committees established by institutions of higher learning (including both faculty and senior administrators), in committees handling nominations and public tenders, and in committees that oversee the allocation of resources.

The inclusion of Arab citizens in the official institutions of the state is not intended simply as a means of finding jobs for highly qualified individuals with no other employment. It is intended to make Arab citizens authentic partners in planning the state's future - including that of its Arab citizens -- and giving them their fair share of influence on the shaping of national objectives and the allocation of national resources. The integration of experienced Arab professionals in public service will help translate past promises into programs that can implement and actualize those promises.

Because of the extreme under-representation of Arabs in the public sector, too many talented young Arab university graduates who seek public-sector jobs meet with frustrating obstacles in the attempt to find employment consonant with their qualifications. The government must develop special programs to absorb Arab academics and open new channels to the kinds of employment from which Arab citizens have thus far been improperly excluded. The

government will have to develop suitable new avenues of training and placement to further this effort.

Sources:

“Haaretz,” p.A14, February 27, 2003

Amendment 11 to the Civil Service Law

Amendment 11 to the Government Companies Law of 1975

High Court of Justice 6924/98, The Association of Civil Rights in Israel v. The Government of Israel et al.

High Court of Justice 10026/01, Adalah v. the Prime Minister et al.

BEDOUIN TOWNS IN ISRAEL AT THE START OF THE 21st CENTURY:

The Negev Bedouin And The Failure Of The Urban Resettlement Program

*Ismael Abu-Sa'ad**

The statistics on the situation of the Bedouin towns in the Negev reveal the complete failure of the urbanization policy they were designed to implement. Factors in this failure include provision of insufficient land and inadequate auxiliary services; budgetary hardships in the local councils; an absence of local autonomy; the lack of a sound economic base; lack of government jobs; inferior education; and inadequate health, social, and leisure services. The glaring result of long years of discrimination is a series of third-world enclaves in the midst of an affluent society.

Since the late 1960s, the government of Israel has carried out an urbanization policy of resettling the Bedouin community of the Negev in towns. This policy was problematic from its inception, firstly because the entire process was imposed from the outside. The Bedouin had no share in decision-making and were not participants in shaping the program or designing the new communities. The stiff price of the failure of this policy, unfortunately, is being paid mainly by the new towns' Bedouin residents themselves.

The history of the Bedouin resettlement policy

The nature of the permanent settlement selected for the Bedouin people of the Negev did not attempt to account for their traditional lifestyle.

Bedouin have been living in the Negev since the fifth century B.C.E. They were traditionally organized into tribes, and earned a living by raising livestock. During the 1948 war and immediately thereafter, the Israeli authorities evicted many Bedouin from the Negev, who became refugees in nearby Arab countries, mainly Egypt and Jordan. Of some 65,000 Bedouin residents of that period, only 11,000 remained. Those left in the Negev were then forcibly removed from their lands and concentrated in distant, unfertile areas, to make sure they would pose no obstacle to rapid Jewish settlement or to recognize the validity of Bedouin claims. Of 3,000 Bedouin property claims submitted in the last twenty years, not a single Bedouin has won his case.¹

The declared intentions of the programs for urbanizing the Bedouin was to create conditions that would enable the provision of basic services to the Bedouin population. The real purpose, however, was to concentrate them in urban locales and prevent them from cultivating, living on, and/or claiming ownership of the lands the state had expropriated.

Successive governments of Israel have dealt with the Negev Bedouin via a policy based on

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1 Campbell, 10: 1998

massive and systematic transfer of people to permanent towns and registration of Bedouin lands as state lands. This policy is intertwined with the nationalist vision of its Zionist sources: The Negev was perceived as an empty space (“a state without a people”) that needs to be populated. The Bedouin were portrayed as representing a backward culture now in its terminal stages of disappearing from the theater of history.² As a consequence of this policy, the Bedouin were stripped of their assets and expelled from the land that provided their livelihood.

The seven Bedouin towns in the Negev (Rahat, Tel Sheva, Kseifa, Arara of the Negev, Segev Shalom, Houra, and Laqiyya) now have some 70,000 residents. This is about half the total Bedouin population in Israel, and about a quarter of the population of the Negev as a whole.

The failure of the Bedouin towns

The state’s approach guaranteed the failure of the experiment to urbanize the Bedouin. It created a reality in which the community is mired in poverty, without decent education, confronting galloping unemployment, and facing hostility by the establishment - alienated from the state and the majority of the people living in it. The problems enumerated below are among the principal factors that led to the failure of the Negev Bedouin urbanization program.

A. Shortage of land and related services

The land area allocated to these towns is insufficient to permit orderly growth of the community and inclusion of a reasonable range of services, infrastructure, public and community facilities, commercial enterprises, businesses, and shops. The Bedouin towns do not have adequate sewage systems, sidewalks, or public transportation; the roads are inferior; sports fields and play facilities for children are inadequate or nonexistent; community centers are lacking; etc. Notably, there were no industrial zones set up. Although some of the towns potentially could expand, there is no land for that; the adjacent land is owned by the state or by kibbutzim, or other interest groups. The case of the expansion of Omer (a Jewish suburb of Be’er-Sheva) at the expense of nearby Tel-Sheva (a Bedouin town) illustrates the double standard that exists today in the matter of land in the Negev.

Normal, healthy growth for these Bedouin towns will require that land be made available, in the requisite quantities. The towns will need adequate land zoned for industry, with auxiliary services, if they are to develop a proper economic base and the commercial and industrial foundation required to get economic development moving ahead. And they must have a reasonable inventory of residential plots for future housing, at reasonable prices, if they are to cope with their projected population constraints. Note that such allocation of land would not represent a cost component in the national budget, but simply a change in land allocation priorities at the Israel Lands Administration.

B. Inadequate budgets at the local councils

Operating budgets for the Negev Bedouin towns come from two sources: government allocations and local tax revenues. In addition, the towns are sometimes entitled to grants for development projects that are not part of regular budget funds. An article by Professor Eran

² Shamir, 1999: 473

Razin on “The Budgetary Capacity of Negev Bedouin Towns” shows that the Bedouin towns were the object of systematic budgetary discrimination on the part of government ministries.³ The very formulas used to calculate the funds budgeted for these towns were discriminatory, and the development grants allotted to them were miniscule, in view of the urgent needs and compared with what is allotted to Jewish towns.

An examination of aggregate monetary measures for all seven of the Bedouin Negev towns, compared with Jewish towns in the Negev (see Table 18, below), permits us to generalize about the state of the budgets in these Bedouin towns.

The independent (local tax) income per resident was very low in the Negev Bedouin towns, equaling only about 30 percent of the independent income per resident in Jewish towns in the Negev. Meanwhile, the Bedouin towns received government grant funds per resident that were actually a little higher than those received by Jewish towns in the Negev. Razen explains this as follows:

This statistic does not necessarily testify to an absence of discrimination toward the Bedouin towns, because it does not address the low economic status of the Bedouin residents or the absence of the advantages of scale in the small Bedouin towns; it does, however, show that the government today is investing considerable resources in the municipal system in this sector. Based on certain assumptions, which attribute responsibility for the tremendous municipal fragmentation in this sector to the Arab councils themselves, some would even rely on this data to show that the Arab local councils, among them the Bedouin councils, are actually benefiting from affirmative action in the allocation of the Interior Ministry general funding.⁴

Table 18: Local councils in the Negev by community sector and fiscal indicis, 1998.

Councils:	Bedouin town & city councils in the Negev	Jewish town & city councils in the Negev
Monetary measures:		
<i>No. of councils</i>	7	11
Local tax income per capita (NIS 000)	0.57	1.94
Government ministry allocations per capita (NIS 000)	2.37	2.00
Of that: General (Interior Min.) grant per resident (NIS 000)	1.16	0.64
Percent comprised by local tax (independent) income (%)	19%	49%
Total expenditure per capita (NIS 000)	2.93	4.52
Debt burden per capita (NIS 000)	1.01	2.01
Surplus (deficit) per year per capita (NIS (000))	0.01	-0.54

The proportion of local tax income in the regular budget in Bedouin towns in the Negev is very low, only 19 percent, as opposed to 49 percent in Jewish towns in the Negev. The debt burden

³ Razin, 2000; in Hebrew

⁴ Razin, 2000, pp. 46-47

in the Bedouin towns is low, in stark contrast to the Jewish towns in the Negev,⁵ where the debt per resident is particularly high, as may be seen in Table 18.

The lack of an economic base and the high unemployment rates mean that local tax collection is paltry. This failure was formally recognized in recent reports from the state comptroller's office.⁶

C. Lack of local autonomy

Until September 2000, the five new Bedouin towns were run by non-local people named by the Interior Ministry to run the local councils. They weren't Bedouin, but outsiders whose loyalty was first and foremost to the party that appointed them.

D. Lack of an economic base

A survey of businesses, published in 2000 by the Center for Research on Bedouin Society and Development, shows a tiny number of private initiatives in Bedouin towns, mostly small, with most failing. Nearly all the potential workforce is forced to seek employment outside the communities, where systematic discrimination awaits. In the entire Negev, from a sector with a workforce of 15,000, fewer than 400 Bedouin are employed in manufacturing companies. A few are employed in large, modern industries, and none are employed in high tech.⁷ The result is especially high rates of unemployment and a shortage of jobs, particularly for women in the labor force, among whom traveling to work outside the community is less accepted.

E. Lack of public sector jobs, and inferior education

Only 15 Negev Bedouin are employed in the civil service, aside from those in education and culture or religious affairs.⁸ This figure reflects blatant, systematic discrimination.

In 1998, the Katz Commission report (publishing the findings of a special government commission) documented the gross failure of the educational system in the Bedouin sector: an inferior, untrained corps of teachers, a severe shortage of classrooms, dismal results on matriculation examinations, high drop-out rates, special problems among female students. Since publication of the report, the authorities have completely ignored its recommendations for tackling what is wrong with the system, and fixing it.

F. Health, social, and leisure services

Health services in Bedouin towns are at a much lower level than those in Jewish areas. Local social services departments are critically understaffed. Leisure-time options are few in a sector where they are desperately needed to help combat violence and drug use among young people and there is an urgent need for services for children. Local social services departments in the Bedouin towns have no more than one quarter the number of staff found in social services departments in Jewish towns of similar size. Most tellingly, perhaps, there are no public libraries in these Bedouin communities.

5 Razin, 2000

6 State Comptroller, 1999; 2002

7 Lithwick, 2000

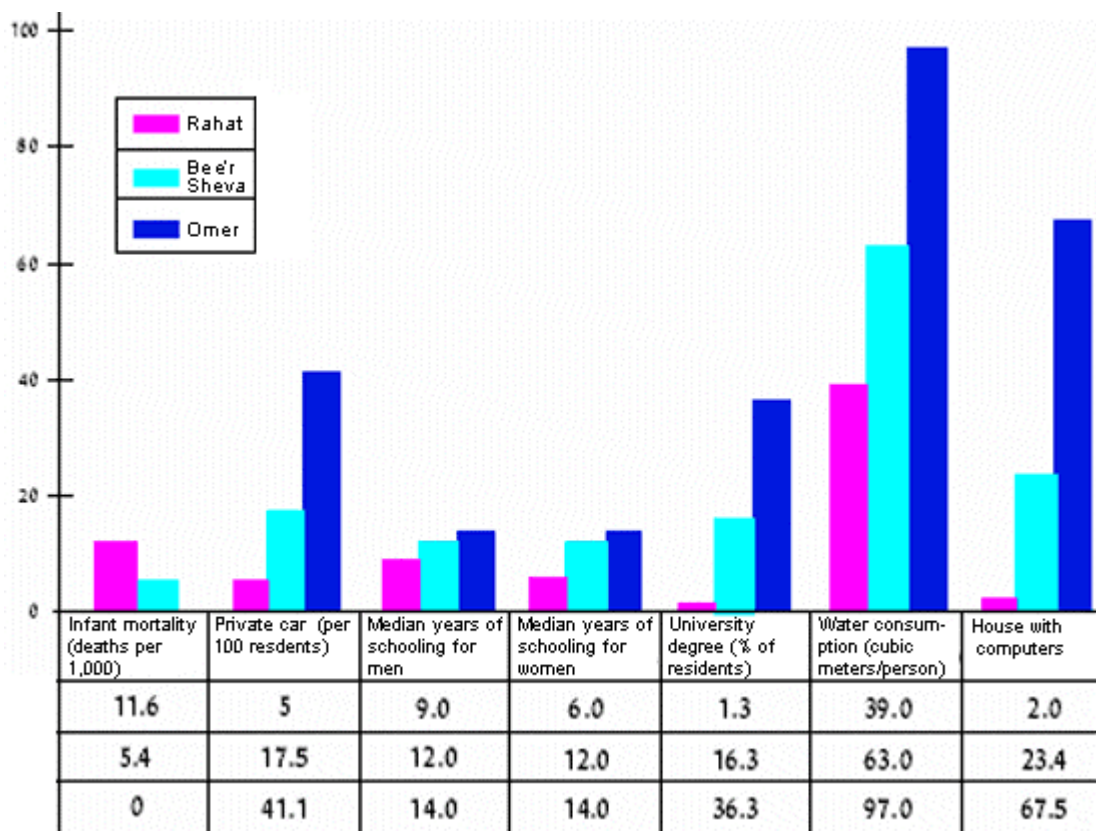
8 Lithwick, 2000

The result: inequality

The “Statistical Yearbook of the Negev” for 2000 provides, for the first time, detailed figures on the situation of the Bedouin. The picture that emerges is one of overwhelming inequality in every sphere: economic, social, cultural, and educational. Diagram 17 (below) highlights some of the of inequality indexes, comparing the largest Negev Bedouin town, Rahat, with Be’er-Sheva and its largest and best-established suburb, Omer. The tremendous gaps between Rahat and Be’er-Sheva are evident, among other ways, in an infant mortality rate in Rahat double that of Be’er-Sheva. Only 2 percent of Rahat residents have a computer at home, compared with 23 percent of Be’er-Sheva residents. Rahat residents, men and women both, average many fewer years of schooling than their Be’er-Sheva counterparts. The gaps between Rahat and neighboring Omer are even greater. The only conclusion to be drawn from the data is that the Bedouin towns, for whose residents so many basic services are either missing or greatly inferior when compared with neighboring Jewish towns, lag far behind. Neglect of the Bedouin towns has made them Third World enclaves in the surrounding affluent society.

Diagram 17

A comparison of selected urban indices in Rahat, Be’er-Sheva and Omer



Source: Statistical Yearbook of the Negev, 2000

The dismal contrast portrayed in the “Statistical Yearbook of the Negev” is reinforced by additional data from the Central Bureau of Statistics (CBS) for 2002, in its annual rankings of local authorities in Israel on a scale of socio-economic deprivation: The Bedouin communities are at the head of the list nationally (the lower the numerical ranking, the greater the distress;

see Table 19 below). The largest Negev Bedouin town, Rahat, is ranked second. These rankings, in and of themselves, suggest the level of hardship faced by these Bedouin towns. What they do not provide is a sense of how wide the gap is between Rahat, in second place, and Be'er-Sheva, the capital of the Negev and its largest city, ranked 115th. This can be seen more clearly via comparative income data.

With lower incomes and higher unemployment, as reported by the CBS, the gap is stark. An urban Bedouin worker earns 30 to 40 percent of what the average worker in Be'er-Sheva earns. Bedouin women who are employed earn much less relative to the rest of the workforce. They average less than seven months' work a year, while in Be'er-Sheva the average is nine months a year. The net result is that average family income for urban Bedouin families in the Negev is less than half that of a Be'er-Sheva family, which in turn is much lower than the national average to begin with. Consider also that every Bedouin household is, on average, double the size of a household in Be'er-Sheva; hence the per capita household income for the Bedouin families drops at least another 25 percent as compared with the per capita income for a Be'er-Sheva family. Thus average per capita household income for Bedouin families is actually around 20 percent of that for Be'er-Sheva families. The most extreme contrast is between average per capita household income in Bedouin households compared with households in suburban Omer; the Bedouin figure is 10 percent that of Omer.

Table 19:
Socio-economic distress ranking of local Bedouin and Jewish towns in the Negev, 2002

		ranking
Bedouin towns	Kseifeh	1
	Rahat	2
	Tel-Sheva	3
	Segev Shalom	4
	Arara	5
	Khoura	7
	Laqiyya	8
Jewish towns	Be'er-Sheva	115
	Dimona	82
	Arad	119
	Meitar	201
	Lehavim	205
	Omer	209

There is a commonly held notion that the Bedouin receive "compensation" for their low incomes, in the form of generous allowances from the government. Allowances to larger families are theoretically an ameliorating factor, but many of the Bedouin families do not receive them. For Israel nationally, 98 percent of children receive such allowances, while in Bedouin communities, the proportion ranges from 49 percent to 92 percent of families ("Statistical Yearbook of the Negev," 2000). Unemployment compensation is also supposed to be a mitigating factor, but here, too, payments received by Bedouin are lower.

Summary

The factors that led to the failure of urbanization among Negev Bedouin may not be readily comprehensible from the outside. A visit to any of the Negev Bedouin towns followed by a visit to a neighboring Jewish town illuminates the reasons for the failure better than a stack of statistical data possibly can. The endless discrimination visible in the former, and the obtrusive luxury evident in the latter, are unmistakable to any observer.

There is simply no doubt whatever that the guilt for the failure of urbanization belongs squarely with the governments of Israel present and past. The programs they have prepared and continue to prepare do not reflect the needs or interests of the Bedouin community. The Bedouin have had no part whatever in the planning process. Moreover, government commitments to redress distortions in priorities and funding, and government promises to end systematic discrimination, have for the most part not been honored. In this context, the observer has an easier time understanding the Bedouins' sense that the failed urbanization process was never intended to succeed. Otherwise, we would have to believe that the entire mess is the outcome of random chance or a gross incapacity on the part of government.

The vast gaps between the Bedouin and their Jewish neighbors contribute to amplifying the Bedouins' sense of outrage, demonstrating very clearly that the urbanization policy has failed and that a fundamentally different approach is needed. The issue of the failure of the policy of urbanizing the Negev Bedouin is part of the larger question of intentional discrimination by the Israeli Jewish establishment toward the Arab minority. Hence in order to address this, the State of Israel must provide equality for Arab citizens and acknowledge their standing as a national minority with collective rights. The state must also recognize the right of the Bedouin to their land and stop the official and systematic state discrimination against them. Discrimination as government policy has halted development and progress among the Bedouin. Meanwhile, when they resist the imposition of coercive and ill-considered policies in whose formulation they have had no part, the Bedouin find themselves cast as a traditional and conservative society, resistant to change, resistant to moving ahead - instead of being made full partners in the quest for constructive progress in an egalitarian framework. All of this is inconsistent with the values of a progressive democratic society, and must be changed.

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PLANNING RIGHTS IN ARAB COMMUNITIES IN ISRAEL: AN OVERVIEW

Shmuel Groag, Shuli Hartman*

Planning rights an inseparable part of civil rights

Planning in Israel is not unconnected with the larger political, national, and economic context, and not infrequently appears to reflect biased priorities on the part of decision-makers. The result is a sense of ongoing discrimination among large segments of the population attributable to, among other things, discriminatory planning. In this light, the advocacy organization Bimkom: Planners for Planning Rights decided to examine the status of planning rights with respect to two relatively disenfranchised populations in Israel: Arab communities, and (Jewish) development towns.¹ The object is to assess the degree to which this sense of discrimination is borne out by the data.

The term “planning rights” connotes equality in the allocation of land and in how it may be used; the allocation of government resources required to actualize this; and a planning process that has transparency and that involves residents in shaping planning policy and processes. The Bimkom report now in preparation will delineate planning and legal standards by which to assess actualization of these rights and will present various other aspects of the issues involved, not only on the individual level but also on a collective basis (the rights of communities, neighborhoods, towns and population groups). Arab towns and Jewish development towns will be assessed using a variety of standards in comparison with other Jewish towns in the same vicinity. Given the scope of the objective, this first report will not include mixed cities or so-called “unrecognized” villages and towns (not built pursuant to an officially sanctioned master plan). These will be examined in future reports.

This article will address planning rights of Arab communities only. At the same time, it should be emphasized that development towns also suffer planning discrimination, if not in the blatant manner meted out to the Arab population. In general, we can say that in Arab communities, discrimination plays a role in all components of the planning process, while in the development towns, only some components are involved.

In the next few pages, we will present an overview of the implementation of planning rights in Arab communities, based on the following parameters:

1. The situation on the ground: Municipal boundaries; state-owned vs. privately-owned land; population density; urban infrastructure; public housing; and the status of public buildings.
2. Plans: the extent to which plans address all the needs of a community, present and future; buildings built without permits — how many, and why; the degree to which the plan includes sufficient areas allocated for industrial and commercial uses, sport, leisure, and public buildings.
3. Representation: existence of a local planning committee; representation of the community on the regional planning commission; degree of involvement of residents in the planning that

affects their communities.

Physical space, density, and the opportunity to grow

The State of Israel has about 1,200 communities - towns, villages, and cities. Of these, in the Arab sector, 76 have local authorities (each of which comprises the local government entity for several small villages combined) and 32 have local councils or municipalities, for a total of 108 local governance entities. Even if we add the 8 mixed (Arab-Jewish) cities, recognized Arab localities are still only 9 percent of all Israeli localities, while the Arab population is 18.9 percent of the general population. Moreover, the municipal land areas of Arab communities include only 2.5 percent of the state's land. After the war of 1948, the large and medium-sized Arab cities in Israel disappeared; essentially, the community fabric of Arab life in Israel was destroyed. Since the founding of the State, about 1,000 Jewish communities have been established, but not a single Arab community, except for those designed to concentrate the Bedouin into selected enclaves in the north and south of the country. This gap, in and of itself, is injurious to the planning rights of the Arab minority in Israel.

Land in the rural areas of Israel is controlled by 53 regional councils, with some 10 percent of the nation's population residing in these jurisdictions. And yet, in administrative terms, the regional councils control about 90 percent of the state's land area and benefit from property-related taxes accordingly. Not a single one of these regional councils is Arab. In the Arab "regional councils" that do exist, the component communities do not have territorial contiguity; the spaces between them belong to a neighboring Jewish regional council. (e.g., the Nof Hagalil Regional Council; the land between its constituent communities belongs to the Jezreel Valley Regional Council.)

There is a similar injury to Arab citizens' planning rights in terms of municipal boundaries. Numerous requests to enlarge municipal boundaries have been submitted by Arab communities, but only a few have had any response, and even in those cases, the additional territory allocated has been very limited. Nearby Jewish towns, on the other hand, that have requested expanded municipal boundaries have usually been allocated generous additional areas. Many suits have been brought to the High Court of Justice on this subject. A clear cut example of this policy is Kafr Kasem, adjacent to Rosh Ha'ayin.

In the 1950s, 2,600 dunams (a dunam is roughly a quarter of an acre) of land belonging to Kafr Kasem were transferred to the jurisdiction of Rosh Ha'ayin. A small part of this land (200 dunams, i.e., less than 10 percent) was returned to the village in 1993, but the remaining land that was supposed to be returned, as announced publicly, has still not been transferred.

Another example of the gap between Arab and Jewish towns with respect to municipal land areas is the neighboring pair Omer and Tel Sheva, both satellites of Be'er-Sheva. Omer has 6,000 residents and 17,000 dunams of land (2.8 dunams per capita); Tel Sheva has 10,000 residents and 4,000 dunams of land (0.4 dunams per capita). In the year 2,000, an area of 7,000 dunams was annexed to Omer; this area has 5,000 Bedouin residents belonging to the Tarabin A-Sana tribe (which has meanwhile received an alternative site for its community, solely so that it won't become part of the Omer municipality) and to the Umm Betin and Abu Atrash tribes. The area also contains Tel Be'er-Sheva and the Tel Sheva cemetery. Tel Sheva has been accorded no territorial expansion, much less the kind that could yield substantial property tax

income.

Nor will the municipal area of the Arab towns grow as a result of the move currently underway to merge some of their jurisdictions. This dramatic step, which could have redressed some of the existing discrimination, instead looks as if it will make the status quo permanent from a planning standpoint. Most of the towns involved have no territorial contiguity and the proposed merger will not include the territory between them. Any potential advantage of increased size is thus unlikely - whether from an economic efficiency perspective (the unification could be an impetus to strengthen the new, combined local authority), or from the standpoint of improved public services - since the geographic separation will require functionally separate service systems.

The restricted municipal areas for Arab towns lead to tremendous crowding, creating a situation in which the traditional "Arab village" is no longer possible. A report from the Jerusalem Institute published recently shows that, while population density in Jewish villages is 1.3 persons per dunam, the density in Arab villages is 4.7 persons per dunam - nearly four times greater.

These gaps are clearly visible, to anyone who cares to look, in many other neighboring Arab and Jewish communities, such as Fureidis / Zichron Ya'acov; Jisr a-Zarqa / Ma'agan Michael; or Sakhnin and Arrabe compared with the nearby Misgav communities.

The right of choice

Beyond all of that, the current planning policy prevents the establishment of diverse models of Arab communities. Hence the Arab citizen is denied the right and the ability to choose between different lifestyles in different kinds of communities. (For example, Arabs have no access to "Build your own home" projects, a special kind of urban construction program; nor do they have access to rural agricultural modes like moshavim and kibbutzim.) The Arab citizen has only one option: To live in a uniformly suburban area, imprisoned as it were between the city and the village, in a manner neither clearly urban nor clearly rural. The only Arab city with more than 50,000 residents is Nazareth (where the density is 2.5 times that of Upper Nazareth, the Jewish neighbor); Israel has 17 Jewish cities of similar population size.

In the mixed (Jewish-Arab) cities in Israel, the Arab residents do not enjoy appropriate levels of public services, and planning is not conducted with their needs in mind. Take, for example, the Arab neighborhood of Pardes Snir in the city of Lod, built on land that is still zoned for agriculture, while the adjacent Jewish neighborhood of Ganei Aviv was built on agricultural land rezoned as residential in an accelerated process and with encouragement from the authorities. The residents of Pardes Snir build on their private property, without building permits, since the lack of proper planning for the neighborhood as a whole makes permits unobtainable. The authorities treat this phenomenon as illegal construction, and fight it with the full force of their legal power. Meanwhile, commercial construction by Jewish residents using agricultural land in moshavim (semi-collective villages) is treated very tolerantly. The absence of planning creates a de facto norm of building without a permit, without payment of municipal fees and without benefit of proper infrastructure. This harms both the city and the Arab neighborhoods.

Local planning commissions, representation, and planning rights in practice

Representation on planning commissions is tremendously important, because that is what confers the ability to influence planning policy and land use policy in a community and in the nation. In this respect, too, Arab communities suffer blatant discrimination.

Although Arab localities are 40 percent of all local authorities, only in 6 percent (four cities) is there a local planning commission. Compare this with Jewish localities, 55 percent of which have local planning commissions. The importance of a local planning commission is implicit in, among other things, its ability to initiate a plan for a community and to issue building permits, an authority which gives the local authority a certain degree of planning autonomy. In the present circumstances, most Arab towns, except for relatively large ones, and even those designated formally as cities, are not authorized to, and cannot, initiate a plan or issue building permits. These places are dependent on decisions made by planning commissions on which, in the main, they have no representation.

When an Arab community does have representation, it's very partial. Umm al-Fahm, for instance, with 38,000 residents, has no local planning commission, while Rosh Ha'ayin, with the same size population, and Kiryat Tivon, only about a third the size of Umm al-Fahm, do have their own planning commissions. The representation of Arab communities on regional planning and building commissions and on the relevant national committees and agencies is negligible - and this is frequently the subject of suits brought before the High Court. In the absence of fair representation, the involvement and influence of Arabs in Israel on the decision-making regarding these issues is almost nonexistent, rendering their official status as citizens next to worthless.

The move to merge local authorities, mentioned earlier, is perceived as part of a continuing trend of discrimination in the realm of representation for the Arab population, which not only reduces the scope of its representation, but also does not expand municipal boundaries and doesn't provide any sort of response to the planning and economic needs of the Arab local authorities.

Socio-economic characteristics

The Bimkom report on planning rights surveys the socio-economic status of the Arab local authorities, with respect to characteristics like sources of income, level of motorization, employment and unemployment data, level of basic and higher education, and data on the scope of economically disadvantaged population groups, as ranked from 1 (the most disadvantaged) to 10 (the least) on a national socio-economic cluster scale. All the Arab localities and Bedouin communities in the Negev are concentrated in the lowest cluster (1). Nazareth, the largest Arab city, is in the third cluster. The only Arab town in the sixth cluster is Ma'iliya. In general, most of the Arab localities are in the lowest clusters in terms of socio-economic status in Israel. The severity of this finding is especially conspicuous when compared with Jewish towns. Most of the Jewish towns are in the 5 highest clusters, and only one Jewish town is in the lowest cluster.

The data from the report, some of it previewed in this article, reflects a planning policy designed to limit and to obstruct; this is the reigning policy in the Israeli establishment as far as Arab communities are concerned. As may be gathered from published remarks by decision-makers, Arab citizens in Israel are perceived as a “demographic problem,” and their towns are “creeping out of control” and into the national space. Against this background, “national campaigns” are launched, like the notorious “Judaization of the Galilee” begun in the 1980s. Recently, after government decisions that bypass planning, a policy of individual farmsteads and new Jewish communities has been promulgated for the Negev. This trend is completely at odds with the planning policy recommended by qualified professionals in the field as codified in the existing regional and national master plans.

The harm to Arab citizens’ planning rights, like the low budgets allocated to them by the state and the terrible economic distress of Arab citizens, all create very strong feelings of alienation and frustration. Land, and questions about control of land, are undoubtedly the foundation of the conflict between Jews and Arabs. The prospects for reconciliation between Jews and Arabs and for the civic status of Arabs to reach the point where they are, and feel themselves to be, full and equal citizens of Israel, depends on a resolution of their land and planning problems along lines of complete civic equality. These problems cannot be resolved on the basis of discrimination and spatial, ethnic, or national segregation. Equal status in civil affairs and in planning for Arab citizens in Israel is a necessity - not only for the sake of justice in a civic and moral sense, but also as the only road offering any prospect of living in peace in this land, as good neighbors and civic partners.

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1. “Development town,” a literal translation from the Hebrew, is the term used in Israel to designate planned Jewish towns created by the state, mainly in the 1950s-1970s, to serve state ends, primarily population dispersion to the periphery, absorption of immigrants, and establishment of a Jewish demographic presence in selected areas. - Translator’s note.

SUMMING UP AND LOOKING AHEAD

As'ad Ghanem*

Time to take stock

Everyone interested in the relations between Jews and Arabs and in the status of the Arab minority in Israel knows very well that the past year has been a low point for the way the state and all its official arms have related to the Arab minority and its rights. Not only has the Sharon government - in either of its two incarnations, this or the previous one - not offered any special plan nor taken any special stance about dealing with the problems of the Arab constituency; the government and its many agencies are increasingly hostile toward Arab citizens and their rights. The government has done terrible damage by continuing a brutal policy of razing homes in Arab communities and spraying herbicides on Bedouin crops in the Negev, alongside extreme measures taken against the Arab leadership.

Two flagrant instances of the state's attitude toward the leadership of the Arab public occurred one after another: First came the attempt in the winter of 2002-03 to deny the Balad party and MKs Azmi Bishara and Ahmed Tibi the right to run in the elections for the 16th Knesset, an attempt that failed after the intervention of the Supreme Court. The second was the attempt (underway as this article goes to press) to neutralize the activities of the Islamic Movement of Israel, so as to prevent its leaders from advancing its political goals to assist the Palestinians of the West Bank and Gaza, as well as from contributions for internal institution-building within the Arab community in Israel. These and other events since 1948, and particularly the dismissive attitude toward Arab leaders in the Knesset and their proposals for addressing the problems of the minority that elected them to represent it, have seriously damaged Arab citizens' trust in the various arms of government, both legislative and executive, in Israel. This was very clearly demonstrated when nearly 40 percent of Arab voters abstained from casting their ballots in the elections of January 2003.

In the aftermath of these latest events, a clear message has been sent by the Arab minority, a message the Jewish public and the country's decision-makers must heed and understand: True coexistence with Jews in this state is the essence of what Arab citizens, including the Islamic movement, aspire to. The basic condition for this is that the state cease discriminating against its Arab citizens and their leaders, and begin relating to them with respect, while recognizing their uniqueness and addressing their basic rights with real equality and fairness. Otherwise, our shared existence here will collapse. The present government's total inaction on matters of crucial concern to the Arab minority is blatant and needs no substantiation. From the Arab public's perspective, this is the worst government since 1948. Instead of attempting to hobble civic groups and individual activists who are working to correct the situation, the government must start to support and encourage them.

We all await the recommendations of the Or Commission, the state committee of inquiry charged by the government with examining the events of October 2000 and their aftermath.¹ This commission may propose bold, new ways to deal with the state's attitude to its Arab citizens, including treating them like real citizens in practice and not just in theory. But the

commission's work may turn out to be just another passing episode that will contribute only to making things worse rather than beginning a new chapter, especially if the commission attempts to draw parallels that create symmetry between the responsibility of the authorities and those over whom it wields its authority.

These two developments - expectations pending the publication of the Or Commission findings, and the way the courts have dealt with the arrest of the Islamic Movement's leaders - clearly suggest that the Israeli legal system is at a critical juncture from the standpoint of the continued ability of Arab citizens to trust the system.

The staffing of the court system does not reflect fair representation of Arab jurists (despite the recent nomination of an Arab as acting justice of the Supreme Court), and court rulings discriminate against Arab citizens as compared with Jewish citizens, as proven in a joint study by Professors Arie Ratner and Gideon Fishman of Haifa University. Nonetheless, all the surveys show that most of the Arab public still has faith in the legal system. Discriminatory treatment by the courts and the Or Commission with respect to the matters now before them will lead to a negative erosion in the attitude of Arab citizens toward the system as a whole.

The regime is about to be severely tested. Does it want, and intend, to undertake a soul searching that will lead to reconciliation, or will it perpetuate the confrontation between Jews and Arabs, and between Arabs and the state? Only the government can give the answer without having to turn to the Arab public once again and demand that it be the one to do the "soul searching".

The coming year may well be a decisive one in the conflict between the State of Israel and the Palestinians. Let the state not wait until every last problem has been solved before finding time to address its relationship with the Arab minority in Israel. The continuing refusal to grapple with this question merely adds to the pile of difficulties on the road to solving the issue of civic equality in Israel

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1. As we went to press the Or Commission submitted its report on the background to the protests by Arab citizens that resulted in the fatal shooting of 13 Arabs by the police and the death of one Jewish citizen. Its recommendations concerning equalizing the civic status of Israel's Arab citizens are reviewed in the next article.

The Or Commission: “To Remove the Stain of Discrimination”

At the beginning of October 2000, faced with a series of violent demonstrations and riots in various locations around Israel, police shot 13 Arab demonstrators to death and one Jewish citizen was killed by a demonstrator who threw a rock at his car. Following these events, the government of Israel established a state commission of inquiry to examine the course of the events and to determine their causes as well as the background to the events. Six experts were asked to give testimony before the commission including the two co-directors of Sikkuy, Shuli Dichter and Dr. As'ad Ghanem. Their testimony can be accessed on Sikkuy's website, www.sikkuy.org.il.

The commission's members, chosen by the president of Israel's Supreme Court, Aharon Barak, were: Supreme Court Justice Theodor Or, commission chairman; Nazareth District Court Judge Hashim Khatib and Middle East historian and former ambassador, Professor Shimon Shamir.

On September 1, 2003, after almost three years of work, the commission presented its findings and recommendations. The report is divided into six sections dealing with the background that led to the “October events.” It also covers the course of the events themselves in great detail including the actions of various Jewish and Arab individuals. The report also presents the testimony of 14 Jewish and Arab public figures as well as police officials who were given judicial warnings by the court with regard to actions they did or did not take during the events.

The first section of the report covers the background, processes and factors leading up to the outbreak of the demonstrations. Among the many issues reviewed were discrimination and exclusion as paramount factors in generating unrest among the Arab citizens of Israel. The report examines two main aspects of this discrimination: the first, the status of the Arab citizens of Israel and the group rights they are entitled to or not; the second, civic inequality between Jews and Arabs in Israel that is expressed in the unequal allocation of resources in all aspects of life.

The report's authors point out that the maintenance of civil harmony between the majority and minority is a difficult challenge that is the responsibility of all of the society's institutions. It demands particularly strenuous efforts on the part of the state institutions (reflecting as they do the majority's hegemony) in order to reduce the vulnerability of the minority with its inherent disadvantage in numbers and influence.

The Report found that “the Arab citizens of the state live in a reality in which they are discriminated against as Arabs. The inequality has been documented in a large number of academic surveys and research, confirmed by the courts and

government decisions and detailed in reports by the state comptroller and other official documents. "This, despite the fact that the principle of equality has been one of the cornerstones in the constitutional structure of the state of Israel since the 1948 Declaration of Independence and on through contemporary legislation and judicial oversight.

In the category of resource allocations the report specifies four main areas of inequality:

Land - The commission members point out that in the early years of the state, the government took control over large quantities of land owned by Arabs through various legal excuses and techniques and through massive land expropriation for the development of Jewish communities. The result was the drastic curtailment of the lands available to Arab communities and the subsequent shortage of land for Arab development and residential needs.

Budgets - "Discrimination against the Arab sector in government budget allocations is documented in the state budgets from whose data the unequal allocation of budgets in various areas can be ascertained."

Employment - There is inequality in the employment of Arabs both in the public and private sectors. This inequality is the result of a number of factors, among them security considerations as well as deeply rooted prejudices.

Poverty - Discrimination against the Arab citizens constitutes one of the factors intensifying poverty in the Arab sector. Poverty among Arabs is much more prevalent than in the Jewish sector (according to data of the National Insurance Institute, some 28% of the poor families in Israel are Arab while the Arab share of the general population is approximately 19%).

Relating to the status of the Arab minority in Israel and the issue of group versus individual rights, the Commission finds:

Cultural and symbolic status - There is no use of Arab symbols on stamps or banknotes, the official state holidays have Jewish and Zionist content but not even one reflects Arab values or shared Arab-Jewish values. The state enforces strict limitations on Arabic language radio and television broadcasts.

Religious Institutions - There is a longstanding neglect of Arab houses of prayer and cemeteries. There were not a few instances in which these buildings were destroyed or used as galleries, restaurants, stables, warehouses and synagogues. Until recently, the Ministry of Religion did not fund the maintenance of Muslim or Christian cemeteries.

Educational Institutions - There is inequality in the distribution of education budgets but the most sensitive issue is the content of the educational programs particularly with regard to their approach to Arab identity and culture in Israel.

Language - Despite the fact that Arabic is an official language in Israel, it does not enjoy equal status with Hebrew.

Political Status - The Arab members of Knesset are not real players in the parliamentary game and consequently cannot produce any real achievements for their voters. This engenders frustration and a lack of confidence in the ability of Israeli democracy to respond to its citizens' needs. The exception was during the Rabin government of 1992-95 when Arab MKs participated in the coalition by supporting it without being part of the government. During this period, there was a significant improvement in the government's regard for the Arab minority and real improvements were seen on the ground. These positive changes were eroded under subsequent governments.

Social Exclusion - Very acute displays of racism in day-to-day life are not uncommon and have deep social roots. Calls of "Death to the Arabs" have become common after terror attacks and security checks for Arabs are often degrading. Insulting behavior by bureaucrats is commonplace and all of these phenomena add to the Arab citizen's sense of insecurity and humiliation.

The report's authors reaffirm Sikkuy's message and actions over the last decade that much needs to be done so as to reach real equality between the Arab citizens and the Jewish citizens. It is difficult to avoid the conclusion, they write, that the government of Israel has yet to prove itself in terms of its attitude toward the minority of Arab citizens. In addition, the report goes on to say, the deep feelings of discrimination engender socioeconomic, cultural and political instability. This instability is in turn exacerbated by the ongoing governmental discrimination against the Arab public that was one of the main factors behind the extreme events of October 2000.

What Next?

The report's publication was at center stage on the public agenda for a week during which Sikkuy's representatives took an active part in the public debate. But Sikkuy does not delude itself that the government will immediately apply itself to active implementation of the report's major findings.

A few months prior to the report's publication, Sikkuy began networking with other organizations (Van Leer Institute, the Arab Center for Alternative Planning and others) to establish a framework to monitor and enforce implementation by the government of the Commission's institutional recommendations.

Sikkuy has already established a "senior civil servants" committee with 13 members. The Jewish members are former directors-general of government ministries; the Arab members are prominent academicians and public figures.

This group has taken upon itself a shared, long-term task to apply continual pressure on the government to implement the unequivocal recommendations of the Or Commission in order to “remove the stain of discrimination.”

The committee will operate systematically in parallel to the various areas of governmental responsibility as defined by the report and will constitute a “shadow committee” watching over the government-appointed ministerial committee charged with implementation. The committee members will make use of their intimate knowledge of governmental processes in order to maintain ongoing pressure on the government and to keep the subject on the public agenda.

The second team being formed is composed of journalists, writers and public-opinion experts who will identify ways to generate public support for full implementation. This group will focus on having an impact on the long-term attitudes of the public with the goal of creating a large and influential reservoir of support for civic equality between Jewish and Arab citizens in Israel.

The ongoing efforts of both of these teams will be fueled by data and research supplied by Sikkuy’s information center.

Sikkuy views the Or Commission’s recommendations as an unprecedented opportunity for advancing civic equality between Israel’s Arab and Jewish citizens and will do everything in its power to use this opportunity effectively. This long-term effort will require significant financial resources to be raised in Israel and abroad.

The Editors