

# Political Monitoring Program

## Israel and the Palestinian Minority: Mada's Bi-monthly Report

*MTANES SHIHADAH\**

At the end of February 2009, the first session of the Eighteenth Knesset began, and at the end of March, the Knesset approved and swore in the Netanyahu government. These two incidents will help shape the political, legal, and economic situation of Palestinians in Israel. The election results and the composition of the new government have not yet left their mark on legislation and governmental policy, but buds have already begun to appear.

The first sign of change appears in the coalition agreements that Likud signed with Israel Beitenu and Shas, as shall be seen below. Israel Beitenu did not succeed in achieving everything it wanted in its coalition agreement; particularly notable in this regard is its failure to include sections that seriously infringe upon political, social, and cultural rights of Palestinians in Israel. Shas managed to increase the children's allotment, as it promised it would do during the election campaign, but its coalition agreement specifies conditions that will make it hard for Arab families, especially those living in the Negev, to benefit from the increase.

This report, covering February and March, discusses these subjects and political statements and conduct that reflect the attitude of the Israeli public, and public officials, toward Palestinian citizens. The report focuses on the coalition agreements mentioned above, the march conducted by the extreme Right in the Arab city of Umm el-Fahm, and racist actions taken by Israel Railways, a government corporation. The report does not discuss legislation and governmental policy, given that the Knesset and the government have just begun. Presumably, there will be much to report on these matters in upcoming reports.

### ***Anchoring discrimination in coalition agreements***

During the election campaign, Avigdor Lieberman clearly stated that his party would seek to enact a citizenship law that conditions citizenship on signing a declaration of loyalty to the State of Israel, and revokes the citizenship of persons who do not show loyalty to the state. This demand is not included in the coalition agreement between Likud and Israel Beitenu, even though the Likud party does not object to such a condition, as the coalition negotiations and statements of Likud representatives prove.<sup>1</sup> The Likud-Israel Beitenu coalition agreement stipulates that the government will take action against “disloyalty by enacting legislation that revokes social rights and allotments to anyone who is a terror activist and anyone convicted of espionage.”<sup>2</sup> Section 40 of the coalition agreement states:

The government will take action in response to the phenomenon of disloyalty to the state, in part, by authorizing, in statute, the court or an administrative authority to revoke the right to allotments, grants, support, or financial assistance, given by law and/or by the state and/or a body funded by it, to a person who is found by the competent body to have committed an offense that authorizes revocation of citizenship or is an “act of terror” within the definition of the term in the Prohibition on Financing of Terror Law, 5765 – 2005.

From the contents of the agreement and from past experience, the principal target group of this section is the Palestinian population of Israel. Furthermore, the two parties to the agreement view it as an acceptable alternative to amending the Citizenship Law, as proposed by Lieberman.

Another section agreed upon by the two parties relates to a change in the Knesset Elections Law, whereby Israelis living abroad who are not official representatives of the state would be allowed to vote in elections for the Knesset. The proposal arose immediately after the elections, in which calls were made to limit the scope of political action of the Arab parties, which will be discussed below. Section 34 of the Likud-Israel Beitenu coalition agreement states that the government will formulate a law,

---

<sup>1</sup> See *Israel and the Palestinian Minority*, Second Issue, March 2009.

<sup>2</sup> *Ha'aretz*, 17 March 2009. The complete text of the coalition agreement between Likud and Israel Beitenu is available at [www.knesset.gov.il/docs/heb/coal2009YisraelBeitenu.pdf](http://www.knesset.gov.il/docs/heb/coal2009YisraelBeitenu.pdf) (in Hebrew).

that it will sponsor, to enable Israelis living abroad on Election Day to vote, under the conditions and tests that the coalition members shall determine.

This proposal is not new to Israeli politics; a number of similar proposals have been raised in recent years.<sup>3</sup> Ostensibly, the proposal accords with practice in most democratic regimes. However, in the Israeli political reality, these proposals are part of a continuous trend in recent years to place obstacles before representatives of Palestinian citizens. Moreover, the desire to reduce the electoral power of Palestinian citizens in the country, and increase the advantage held by parties on the Right, has been stated openly.

Uzi Arad was among the persons supporting the idea in 2005. Arad, who served as advisor to Netanyahu when he was first elected prime minister, in 1996, and later served as head of the “of the Institute for Policy and Strategy, of the Interdisciplinary Center Herzliya” said that the proposed bill was intended to strengthen the Jewish character of Israel.<sup>4</sup> This argument was supported by research presented to members of the Likud’s Knesset faction in 2005, which found that granting a right to vote to Israelis living abroad would benefit political parties on the Right (for example, the Likud’s total would rise by 10 percent, and the Torah Judaism party’s vote would be 40 percent higher). On the other hand, support for Arab parties by Israelis living abroad would be no less than 80 percent lower than the number of votes they receive in Israel.<sup>5</sup> Nor is this objective hidden by those who propose the current bill.<sup>6</sup> In his column in *Yediot Aharonot*, the journalist Hanoch Daum wrote: “I understand that the subtext of this bill is the desire to minimize the power of Israel’s Arabs. This, too, doesn’t cause me a particularly great problem.”<sup>7</sup>

Another aspect of the coalition agreement that contains buds of discrimination against Palestinians in Israel touches on the benefits given to soldiers following their military service or to persons who performed alternative national service. It is common knowledge that Palestinian citizens do not serve in the army, and the state

---

3 In 2005, a similar proposed bill was submitted to the Seventeenth Knesset. For a discussion of the bill and the debate surrounding it, see, Mtanes Shihadeh, *Israel and the Palestinian Minority, 2005* (Haifa: Mada al-Carmel, 2006). (in Hebrew).

4 Ibid.

5 The findings were reported by Alon Gidon in *Ha’aretz*, 16 July 2005.

6 For example, the interpretation of Dr. Shaul Rosenfeld in support of the bill, “Voting Abroad Benefits Us,” *Ynet*, 18 March 2009.

7 Hanoch Daum, “Connecting with Zionism,” *Yediot Aharonot*, 8 March 2009.

has, in recent years, tried to force national service on young Arabs by offering them incentives. Conditioning benefits on military or alternative service constitutes, in many cases, indirect discrimination against Palestinian citizens, and seeks to legitimate the policy of discrimination. Sections 38 and 39 of the Likud-Israel Beitenu coalition agreement specifies a number of benefits, in part, as follows:

The government will establish and/or enact into legislation packages of benefits for discharged soldiers.

1. A full exemption from tuition at any academic institution, up to annual tuition of NIS 8,800. The said exemption will vary, with the allotment based on the number of months of service and the nature of the service.
2. The government will take action to allocate land for building in a manner that benefits discharged soldiers... The government will act to allocate, under extremely preferred terms, to discharged soldiers land in the periphery, and in accordance with a work plan that shall be determined.
3. The government will act to give additional preference to discharged soldiers when setting eligibility for subsidized mortgages in purchasing an apartment.

These sections are aimed at excluding Arab citizens from the benefits, despite the grave economic and education (regular and higher) situation, and the shortage of land for the Arab population.<sup>8</sup> Moreover, the state does not allow Arab citizens to buy or lease lands under the control of the Israel Lands Administration.<sup>9</sup> Implementation of this agreement will further aggravate the economic distress of Palestinians in Israel and their inferior social, political, and legal status.

---

8 For comparative figures reflecting the inferior economic situation of Palestinians in Israel, and the gaps in level of education, see "The Economic and Demographic Situation of Palestinians in Israel" (in Arabic), available on Mada's Website at [www.mada-research.org/arabic/archive/haifareadingcover2.htm](http://www.mada-research.org/arabic/archive/haifareadingcover2.htm). For further discussion on this topic, see Mtanes Shihadeh, *Impeding Development: Israel's Economic Policies Toward the Arab National Minority*, Haifa: Mada al-Carmel, 2006. ( in the Hebrew).

9 Only recently, and following many petitions to the courts, which found discrimination in the sale and leasing of land, a directive was given not to discriminate between citizens in the sale of land. As a result, the state proposed a change in the Lands Law and in the status of the Jewish National Fund. For further discussion on this topic, see Mtanes Shihadeh, *Israel and the Palestinian Minority, 2005* (Haifa: Mada al-Carmel, 2006).

Regarding the coalition agreement between Likud and Shas, one of its sections rectifies to some extent the cutbacks made in the children's allotment in recent years, primarily during the period that Netanyahu served as Finance Minister.<sup>10</sup> At the time, Netanyahu was proud that this policy led to a decrease in births among Palestinians in Israel, an objective he declared a national goal.<sup>11</sup> "On the other hand" Shas's demand for an increase in the children's allotment as a condition for entering the coalition conflicted with Netanyahu's economic and "national" beliefs. A solution was found that satisfies both parties: the parties agreed to increase the allotment gradually, and found a "creative" way to reduce the number of Arab children and families that will benefit from the increase. The Likud-Shas coalition agreement states, in section 70:

The National Insurance Law will be amended to specify that the children's allotment will not be provided in the following instances: A. to a parent whose children were removed from the parent's custody in accordance with a decision of the competent court; B. to a parent whose children do not regularly attend an educational institution, as the term is defined in the Compulsory Education Law; C. to a parent whose children do not receive the immunizations required for their age in accordance with the immunization program of the Ministry of Health.

At first blush, the conditions specified in section 70 appear universal and do not seem to discriminate between different groups in the general population. However, one wonders about the source of these conditions and their connection to the children's allotment. Statements made by Netanyahu in the past support the argument that the objective of the conditions is to discriminate against the Arab population. This argument is supported by a letter sent by Adalah to the Attorney General and the heads of the Likud and Shas Knesset factions. In its letter, Adalah argued that:

1. Denial of eligibility for payment of the allotment from parents to children who do not regularly attend school and from children who do not receive immunizations in accord with the

---

<sup>10</sup> The complete text of the agreement between the parties is available at [www.knesset.gov.il/docs/heb/coal2009Shas.pdf](http://www.knesset.gov.il/docs/heb/coal2009Shas.pdf).

<sup>11</sup> See Nimer Sultany, *Israel and the Palestinian Minority, 2003*. Haifa: Mada al-Carmel, 2004, Pp: 100-103.

immunization program of the Ministry of Health is not in and of itself a proper purpose, and is unrelated to the purpose underlying payment of the children's allotment.

2. Furthermore, denial of the children's allotment for the aforesaid reasons means that all children of Beduin families in the Negev will be excluded, in that most of the children who do not receive immunizations and do not regularly attend school are Beduin children in the Negev. For example, a report of the Ministry of Health in 2009 points out that the percentage of Beduin children who are not immunized in accord with the Health Ministry's program is relatively large, and there is a gap between the percentage of children in recognized villages who have received immunization and those who reside in unrecognized villages.
3. Furthermore, the outcome of denial of the allotment for children who do not regularly attend school is harm to Arab Beduin children living in the Negev: based on figures of the Central Bureau of Statistics, 8.7 percent of Arab children in grades 9-11 dropped out of school in 2007-2008, compared with 4.4 percent of Jewish students who dropped out of the school system (see Table 8.24, *Israel Statistical Abstract for 2008*). Among Beduin children in the Negev, the situation is worse, with the drop-out rate approaching 70 percent. These statistics show that the great majority of Beduin children in the Negev would not be entitled to a children's allotment because of the extremely high percentage of school drop-outs.
4. Consequently, the outcome of placing new conditions on entitlement to a children's allotment as agreed in the coalition agreement is harm to Arab Beduin children, and therefore, based on the outcome test, constitutes discrimination against them on grounds of ethnic background. Denial of the children's allotment by restricting the conditions of eligibility for payment of the allotment also infringes the right of children to social security

and to minimal living conditions and their constitutional right to dignity.<sup>12</sup>

The future policy guidelines of Israel's government toward the Palestinian population are outlined in the coalition agreements. In the near future, we shall feel, almost certainly, the effects that implementation of the policy will have on the daily lives of Palestinians in Israel. Of course, this is not to say that there is currently no discrimination and racism toward the Palestinian minority, or that that state relates to them as citizens holding equal rights. The discrimination and racism are clear, as appears from a review of Mada al-Carmel's monitoring reports since 2002.

### ***The extreme Right demonstrates in Umm el-Fahm***

In September 2009, the police refused to allow Itamar Ben-Gvir and Baruch Marzel, extremists whose political beliefs are drawn from the Kach movement of Rabbi Kahane and call for the expulsion of Palestinians from Israel, to have a procession in the Arab city of Umm el-Fahm. The police had a real fear that the procession would lead to severe public disturbances and result in personal injury and property damage.<sup>13</sup> Following the police's refusal, Ben-Gvir and Marzel petitioned the High Court of Justice, which ruled, on 29 October, that the petitioners were allowed to demonstrate in the streets of Umm el-Fahm. The justices reached their decision after the police agreed to allow the procession along a route far from the center of the city. The court's decision indicated the demonstration would take place on 11 November, following the elections to the local authorities in Israel, which were scheduled for earlier in the month.<sup>14</sup>

Relating to the High Court's decision, Knesset member Jamal Zahalka (Balad) said that the court had given legitimacy to racism: "The High Court of Justice treated the demonstration as a matter of freedom of speech, while in the enlightened world, racism is a criminal act whose perpetrators are punished."<sup>15</sup> Umm el-Fahm's mayor at the time, Sheikh Hashem Abd a-Rahman warned that, "The visit will waste five years of effort to turn the Wadi Ara area, and its Arab and Jewish communities, into a

---

<sup>12</sup> The complete text of the letter is available online in *Adalah Newsletter*, Volume 58, March 2009.

<sup>13</sup> Aviad Glickman, "State: The Right's Procession in Umm el-Fahm is Dangerous," *Ynet*, 3 September 2008.

<sup>14</sup> Tomer Zarhin and Yoav Stern, "High Court Permits Marzel and Ben-Gvir to March in Umm el-Fahm," *Ha'aretz*, 29 October 2008; Aviad Glickman and Sharon Rofe-Ophir, "Victory to Marzel in the Supreme Court: Will March with Flag in Umm el-Fahm," *Ynet*, 29 October 2008.

<sup>15</sup> Zarhin and Stern, "High Court Permits," *supra*.

pleasant place to live.” Knesset member Muhammad Barakeh (Hadash) said that the High Court “became a partner in crime” in giving “legitimacy and freedom of movement to known criminals who are members of a racist, banned organization.”<sup>16</sup>

Most of the criticism voiced by Arab leaders resulted from the purpose of the procession, which was to show the Arab population who controls the state and has the upper hand, and from the fact that the organizers of the procession were members of the extreme Right in Israel, which seeks to expel the country’s Arab citizens.

The police postponed the procession until after the general elections to the Knesset and because of the war in Gaza. In March, the demonstration was finally held. The police allowed 100 persons to take part in the procession and kept secret the exact route of the procession in the city. On the day of the procession, the police assigned some 2,500 police officers in and around the city to safeguard the participants in the procession and to prevent riot acts, in the words of the police.<sup>17</sup> The police also used bullet-proof vehicles to transport the marchers.<sup>18</sup>

At the head of the procession walked Marzel, Ben-Gvir, and new Knesset member Micha’el Ben-Ari (National Union). Ben-Gvir said to reporters who accompanied the procession, “Our statement is loyalty to the State of Israel... Umm el-Fahm contains a band of lawbreakers, who think violence will bring them victory. The State of Israel is the state of the Jewish people. We have come to speak the truth as we see it, and not to provoke.”<sup>19</sup>

On the day of the procession, residents of Umm el-Fahm and Arab citizens from throughout the country, along with Jewish citizens, demonstrated in the city against the march. The demonstrators were angered by the march and the great amount of protection provided by the police, which was perceived as police shelter for the procession. “This is a sad day for me, the police giving shelter to racism in Israel,” said one of the Arab demonstrators, who added that, “We are not against Jews. We love everyone who loves us and hate everyone who hates us. What is taking place

---

<sup>16</sup> Ibid.

<sup>17</sup> Sharon Rofe-Ophir and Efrat Weiss, “About 30 Injured, including the Deputy Police Commissioner, in Procession by the Right,” *Ynet*, 24 March 2009.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

here is the policy of the Right.”<sup>20</sup> Another demonstrator complained about the police’s policy: “You can see for yourself how the police protect settlers rather than protect residents of the city.”<sup>21</sup>

As expected, clashes between the police and Arab citizens ensued, during which the police used tear gas and other means to disperse demonstrators, and dealt with Palestinian citizens violently. Several persons were injured. Knesset member Barakeh said, “We are witness to a trigger-happy police. Rather than prevent provocations, they assault the people who came to defend their city.”<sup>22</sup> Knesset member Hanin Zoabi (Balad) said that the demonstration [by Marzel, Ben-Gvir and others] is not an expression of a legitimate political position, but is part of the ongoing campaign of incitement against Arab citizens, and the permit given to hold it is a “license for racist positions.”<sup>23</sup>

In addition to violent means to suppress the Palestinian citizens’ protest against the Right’s procession, the police conducted, the next day, a wave of detention of residents Umm el-Fahm, twenty-three in total, with minors among them.<sup>24</sup> Residents of the city said that the wave of arrests was intended to frighten and deter the residents, and were unnecessary.<sup>25</sup> The police’s behavior during the procession recalls to a large degree its response in the clashes of October 2000, in which thirteen young Arabs were killed, indicating that the police still treats Palestinian citizens as enemies, as the Or Commission (the state commission of inquiry that investigated the events of October 2000) concluded.

---

<sup>20</sup> *Ha’aretz*, 25 March 2009.

<sup>21</sup> Ilan Sadeh, head of the Menashe Regional Council, said: “I really hope the police will carry out its function and not enable these raving people to enter... They come with the intent to destroy,” *Ha’aretz*, 25 March 2009.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Arab48 Online*, 25 March 2009.

<sup>25</sup> *Ibid.*

### ***Prohibition on participation in celebrations of Jerusalem as the capital of Arab culture***

At the end of March, the Minister of Public Security, Avi Dichter, issued orders preventing festivities in the Arab city of Nazareth as part of the celebrations of “Jerusalem, the Capital of Arab Culture.” The orders were sent to the Nazareth Municipality the same day that the festivities were to take place, a Saturday. The timing of the sending of the orders was not accidental, in the opinion of Ramez Jeraysi, Nazareth’s mayor, but was “intended to thwart any possibility for the municipality and the organizers to go to court to nullify the orders.”<sup>26</sup>

The main reason for the Public Security Minister’s decision was to prevent “organization of events under the auspices of the Palestinian Authority inside Israel,” even though cultural events, singing and poetry reading, were involved, and the aim was to express the political-cultural ties of Israel’s Arab citizens. The minister ordered the police, according to press reports in Israel, “to suppress with a heavy hand any attempt of the Palestinian Authority to hold events in the country and in Jerusalem, openly or hidden.”<sup>27</sup> The action was taken because the events breached the Implementation of the Interim Agreement Law, which prevents the Palestinian Authority from holding events on Israeli territory.<sup>28</sup>

Mayor Jeraysi said in response that, “Dichter’s order removed the last fig leaf of Israeli democracy,” and that, “I never believed they would go so far. After all, this is a cultural event, and their action gravely harmed the event. It wasn’t by chance that we received the order in the afternoon, though the order explicitly stated it was intended to affect the event already on the eleventh of the month... Dichter waited nine days so as to make it impossible to mount public protest and petition the court. By doing so, he sought to outdo Lieberman in his anti-Arab approach, and anyone interested in democracy and freedom of speech must protest and condemn this position.”<sup>29</sup>

---

<sup>26</sup> *Nrg, Ma'ariv Online*, 21 March 2009.

<sup>27</sup> *Ynet*, 21 March 2009.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Nrg, Ma'ariv Online*, 21 March 2009.

### ***Discrimination in Israel Railways***

Israel Railways is a government corporation subordinate to the Ministry of Transport. The company employs, through a human resources subcontractor, some 130 Arab workers as watchmen and guards. At the end of March, the human resources company sent letters of dismissal to about 40 workers, contending that the tender's terms had been changed, and that Israel Railways now wants these positions to be filled by persons who have completed compulsory military service.<sup>30</sup> The dismissals were to take effect at the beginning of April. The Arab employees perceived the dismissals as a deliberate action to rid Israel Railways of Arab workers, using the military-service criterion as the pretext. In the opinion of the journalist Avirama Golan:

The letters of dismissal received by Arab employees of Israel Railways were expected. For several weeks, Israel Railways has been searching for phrasing that would enable it to get around the law and lay them off ... Since the electoral success of Avigdor Lieberman's campaign slogan "No loyalty, no citizenship," many people say the country has been hit by a dangerous wave of racism. But excluding Arab workers from Israeli society in general and the job market in particular did not begin last week, and Israel Railways, along with the interior and finance ministries, did not wait for Lieberman for them to be discriminatory.

The railway layoffs may not have been inspired by Lieberman's platform, but the spirit he brought with it makes them look particularly ominous.<sup>31</sup>

In response to the dismissals, Adalah sent a letter to the director-general of the Ministry of Transport, and to the CEO of Israel Railways, contending that,

Making military service a prerequisite for employment of persons at lookout and guard points is discrimination against Arab employees based on ethnic origin, given that the Arab population is, as a rule, exempt from military service; therefore, the criterion is ultimately liable to result in the dismissal of all Arab employees due to their not having done military service. Consequently, the military-service

---

<sup>30</sup> *Ha'aretz*, 30 March 2009; *Alarab Online*, 30 March 2009.

<sup>31</sup> Avirama Golan, "They did not Wait for Lieberman," *Ha'aretz*, 1 April 2009.

condition completely blocks current Arab employees from continuing their employment in Israel Railways and/or placement of new Arab workers.... Furthermore, establishing a military-service criterion for employment in Israel Railways Ltd. constitutes forbidden discrimination in contravention of the Equal Opportunity at Work Law, 5748 – 1988, which prohibits employers from discriminating between jobseekers on grounds of their nationality.”<sup>32</sup>

In its response, of 7 April, to Adalah’s letter, Israel Railways argued that conditioning employment of lookouts and guards on military service results from the nature of the position. These positions, the company claimed, require expertise and requirements that are acquired during compulsory military service, such as “coping with sudden events that rapidly occur, which require quick response, composure, and action carried out systematically, in an organized manner, one after the other, in sequence...” The company added that, “the tender for selection of human resources companies to supply guards and lookouts has already ended, and a number of companies were selected and will soon begin their work.”

The employees who received letters of dismissals were employed where the tracks intersect with roads, in places where deadly accidents had occurred. The Hashmira company employed them at more than ninety crossings around the country. Some of the workers were employed at this work for three years. It should be noted that they received inferior wages and conditions of employment. Their wages approached the minimum wage, and they were required to work long hours in harsh conditions. “At first, they supervised railway crossings while sitting in a chair, later they were given booths, and now there are small huts to protect them from the weather.”<sup>33</sup> Not only were their work conditions harsh, an attempt was made to deny them their right to fight the dismissals. One of the workers told *Ha’aretz*, “In recent days, when the matter reached the media, workers received threatening messages that it was forbidden to provide details to journalists.”<sup>34</sup>

It is unclear if Israel Railway’s action is an omen of government and private companies’ treatment of the Arab population under the Netanyahu government and

---

<sup>32</sup> *Adalah Newsletter*, Volume 58, March 2009.

<sup>33</sup> Yoav Stern, “Israel Railways Fires 40 Arab Workers – Because They Didn’t Serve in the Army,” *Ha’aretz*, 30 March 2009.

<sup>34</sup> *Ibid.*

in the wake of the economic crisis. It may be that Arab employees will pay a double price, from the change in policy and the economic crisis. On this point, in its editorial of 21 April, *Ha'aretz* wrote:

It is difficult to avoid the conclusion that Israel Railways' management is trying to correct its mistakes and looking for complicated excuses and convoluted compromises at any price. But these excuses simply emphasize that the workers' dismissal is directly linked to their origin and that their especially weak socioeconomic status, as Arabs employed by a human resources agency, made it easier for the company to take on new employees as it saw fit. Israel Railways must explain these considerations to the employees, to the judge, and to the public... The new criterion that filters out employees who did not serve in the army is a flagrant breach of the law, bearing bad news of Arab workers being shut out. The matter is much graver during a recession and in light of Sisyphean efforts to increase integration of Arab citizens in the labor force.

Employees who received letters of dismissal filed suit in the Labor Court, which issued a temporary injunction against dismissal of the company's inspectors, freezing the letters of dismissal.<sup>35</sup> On 23 April, Israel Railways announced that it withdrew the demand that lookouts at railway crossings completed compulsory service in the IDF. The announcement stated that the company's management had decided to revise the criteria for this position and delete the requirement of military service.<sup>36</sup>

### ***Failure to prosecute for racist statements***

In the political monitoring report for 2005, we quoted the racist statements of Dr. David Bukai, of Haifa University. Dr. Bukai, an expert in Islam religion, said in one of his lectures, according to an Arab student in the class, that "Arabs should be shot in the head," and "Arabs pursue money, sex, and alcohol."<sup>37</sup> As a result of the student's allegation, the Center Against Racism and Defamation submitted a complaint to the Attorney General. The Ministry of Justice decided to open a police

---

<sup>35</sup> *Ha'aretz*, 19 April 2009.

<sup>36</sup> *Ibid.*

<sup>37</sup> Mtanes Shihadeh, *Israel and the Palestinian Minority, 2005* (Haifa: Mada al-Carmel, 2006). ( in Hebrew).

investigation into the matter. The investigation continued into 2009, and apparently will go on forever, even though the police closed the file. The police closed the file on grounds that, “the investigation files against the lecturer were lost in the “general distributor” of the Haifa police.<sup>38</sup> A letter the State Attorney's Office sent to the Center Against Racism and Defamation states: “A regrettable breakdown is involved, and we are sorry that in all cases like this we have great difficulty in reconstructing the investigative material that was collected in the files. Because of the years that have passed since the time of the incident, we have no option other than to close the files.”<sup>39</sup>

### ***Disciplining students for participating in a demonstration***

In early March, Haifa University decided to bring five Arab students before a disciplinary panel for their participation in a protest demonstration against the war in Gaza. The demonstration was held inside the university without a permit from university officials. During the war, the university prohibited demonstrations, fearing they would lead to violent clashes between Arab and Jewish students. Arab students contended they had a moral duty to oppose the war, and that they had the right to demonstrate and express their opinion, even if the university prohibits demonstrations on university grounds. Furthermore, the students argued that expressing a political position and taking part in the demonstration did not warrant disciplinary proceedings.<sup>40</sup> The students' arguments did not convince university officials, who decided to continue the disciplinary proceedings against them. The disciplinary panel has not yet made its decision.

\* **Mtanes Shihadeh** is a Research Associate at Mada al-Carmel and a Ph.D. Candidate in the Political Science Department at the Hebrew University of Jerusalem

---

<sup>38</sup> *Ha'aretz*, 12 March 2009; *Arab48 Online*, 12 March 2009.

<sup>39</sup> *Ha'aretz*, 12 March 2009.

<sup>40</sup> *Arab48 Online*, 1 March 2009.