

2000 – Or Commission Arab Sector
Translated by Roni Eshel, December 2010

In the first 10 days of October 2000 waves of violent events and demonstrations that were held by Israel Arabs swept the country. These events were concurrent with the flare-up of the second Intifada, known as Al-Akza Intifada in the areas that were under the control of the Palestinian Authority. During the events, some of which were violent, in the Arab Sector in Israel 13 Arab Israeli citizens were killed by Israeli security forces, hundreds were wounded and one Israeli Jew was killed by a heavy stone thrown at his vehicle while driving under an over-pass bridge on a highway.

The events engulfed the whole country. Arab demonstrations blocked the country's roads and intersections, tires were set on fire, and malicious fires were set in numerous Israeli forests. All these led to confrontations between the Arabs and Israeli security forces and police. On the first wave of the events that were between October 1, and October 3 the number of incidents were as follows: 33 events that took place in Arab villages and town and Israeli towns as well on October 1. During the following day there were 24 major incidents, where 7 Arabs were killed and hundreds were wounded. The events included the blocking of 9 major intersections and numerous fires were set on the roads and in forests. On October 3, there were 15 major incidents. Between October 4 and October 6, a meeting that was held between Israel Prime Minister, Ehud Barak and the Arab Action Committee led to relative quietness where 12 major events and demonstrations took place. October 6, was declared by the Palestinian Authority that was sympathetic and supportive of the civil eruptions within Israel as a "Day of Rage".

October 7 marked the renewal of the riots and 14 such events took place during that day, and 19 in the following day which was the Eve of Yom Kippur. In addition to numerous confrontations with the police and the security forces many fires were set specifically in the forests in Northern part of the country. On October 9, the number of the events grew to 36 and they swept the whole country and covered also many predominantly Jewish cities including neighborhoods in Tiberius, Tzfat, Petach Tiqva and Tel-Aviv-Yaffo. In the following day there were 19 major incidents around the country and by that time local Arab leaders called upon the Israeli Arabs to ease the tension and stop the riots which were duly subsided and came to a complete halt in the following days.

These events have not erupted in either a social or in a political vacuum. The historical background of the events dates back to the early days of Israel statehood. The desire to live in a peaceful co-existence between Jews and Arabs in Israel has been already stated in Israel Declaration of Independence of May 14, 1948. As a

result of Israel's War of Independence approximately 600,000 of the Arabs who lived in Mandatory Palestine, left the country and became refugees in refugee camps in neighboring Arab countries, including in Jordan who controlled at the time the areas of Judea and Samaria and in the Gaza Strip that was under Egyptian control. About 150,000 Arabs chose to remain in country and became Israeli citizens. Many of those who remained had family ties with those who departed. Soon after independence Israel had imposed a military administration on the Israeli Arabs, though they were its citizens. One of the main reasons for constituting such an administration was Israel's fear that the conflict with the Arab countries will erupt again and it feared that the Israeli Arabs may serve as a "fifth column", namely side with Israel's enemies. Consequently there were many restrictions that were imposed on the Arabs in Israel. They were subjected to curfews and their movement within the country required special permits. The military administration was finally annulled in 1966 by a majority vote in the Israeli Knesset.

The number of the Arabs in Israel is about 1.2 millions which constitute approximately 20% of the total population of the country (the majority of whom are Muslim and a small minority are Christians.). They live in more than 125 large villages, towns and cities, including East Jerusalem. For many years their political needs were represented by Israeli political parties but from the late 1980s they formed their own indigenous political parties and have their own representative in the Knesset.

The majority of the Arabs in Israel regard themselves as part of the Arab world. They support the political aspirations of the Palestinian people to have their own state alongside Israel. At the same time they regard themselves as loyal Israeli citizens though they do have many grievances resulting from objective reasons and subjective feeling of being discriminated against by the Jewish population and Israel official institution.

The emphasis that Israel put in absorbing new immigrants and undertaking settlement enterprises around the country, which means allocating significant budgets for these purposes, only inflames the Arabs grievances about lack of funds for their education, municipal needs and the absence of an overall official policy to improve the infrastructures needs on the Israeli Arabs.

These feeling of discrimination first erupted in 1976 when the government decided to confiscate 5,000 acres of Arabs' land in the Galilee for the development of Jewish settlements in those lands. This decision led to a series of demonstrations that were held in the Galilee and spread to other locations in the country as well. During those demonstrations, stones were thrown at the police and at passing cars, tires were set on fire and major intersections were blocked. During those unruly events that were turned into riots six Arab demonstrators were killed by the police

and seven were wounded. These events and their feelings of being regarded as “second class” citizens have been commemorated since then in the “Earth Day” that is observed by the Israeli Arabs on March 30th.

The 2000 riots erupted after the visit of the then opposition leader, Member of the Knesset, Ariel Sharon on the Temple Mount on September 29, 2000. The visit was regarded as provocative both by Israelis and Arabs and was meant to be a political statement by Sharon about the rights of access and visitation of Jews on the Temple Mount. The well protected visit of Sharon and his small entourage led to a wide spread Palestinian demonstrations in Judea Samaria and Gaza and were named by them as the Al-Akza Intifada (uprising) – named after one of the Mosques on the Temple Mount.

As an act of identification with the Palestinians the Israeli Arabs commenced their demonstrations and riots on October 1, 2000.

On November 8, 2000 the Government decided to establish a *Commission of Inquiry into the Clashes between Security Forces and Israeli civilians*. The Commission was formed on November 15, and its members were appointed by the President of Israel Supreme Court, Aharon Barak. The Commission Chairman was Supreme Court Justice, Theodore Or, and its additional two members were the Israeli Arab judge at the Municipal Court of Nazareth, Hashem Khatib and Middle Eastern Affairs historian, Professor Shimon Shamir.

The meetings of the Commission that examined the events that “Shook the Land” lasted over two years during which 92 public hearing were held and 377 witnesses presented 435 testimonies. The Commission also examined 4,289 exhibits and the Commission’s protocols held 16,000 pages. By the end of February 2002 the Commission concluded the first stage of its work and it wrote warning letters to 14 people who held central positions during the October 2000 events. Two of the warned ones were politicians one of whom served at the time as the Prime Minister, Ehud Barak. Nine such letters were issued to nine police officers and to three Arab leaders. The next stage of the hearing began in June 2002 and it related primarily to the warned persons and their lines of defense.

The final Commission Report was concluded on September 2, 2003 and in its introduction it emphasized the following points:

1. ...In large number of instances the aggression and violence was characterized by great determination and continued for a long periods. The police acted to restore order and used a variety of means to disperse the crowd. As a result of the use of some of these means, which included firing rubber bullets and a few instances of live fire, Arab citizens were killed and

many more injured. In the second wave of events, some places saw retaliatory Jewish riots against Arabs.

2. The riots inside the state coincided with serious riots in Judea, Samaria and the Gaza Strip. Prominent Arab leaders in the Arab Sector indicated that it was not coincidental and reflected the interaction between Palestinians inside the Green Line and the Palestinians in the other side of the demarcation.
3. The events, their unusual character and serious results were in consequence of deep-seated factors that created an explosive situation in the Israeli Arab population...Government handling of the Arab Sector has been primarily neglectful and discriminatory...as a result serious distress prevailed in the Arab Sector in various areas...Another cause was the ideological- political radicalization of the Arab Sector., Identifying and even support the Palestinian struggle against the state...Serious conflicts existed between Muslims in Israel and governing matters like the Waqf's property; worsening conflicts between Muslims and the government on the issue of the Temple Mount; and cheers from the radical branch of the Islamic movement, for Islamist organizations that are Israel's enemies, including Hezbollah and Osama Bin Laden.
4. The behavior of the Arab Sector leadership contributed to the depth of the events and their force. The leadership did not succeed in directing the demands of an Arab minority into solely legitimate democratic channels...Various circles raised demands to grant autonomy in some areas to the Arab minority, and to abolish the definition of the state as a Jewish State and make it a state for all its citizens...The Arab leadership took no precautions to prevent the deterioration into violence, and did not warn against violating the law at demonstrations and processions it had initiated.
5. ...It was evident in a lack of clear policy [of the Police] in handling the events during the first two critical days...It was evident in a lack of appropriate police riot gear. It was evident in the police center of gravity relying on a very problematic means – rubber-coated cylinders...
6. A series of deeds and omissions close to the events and during them combined to actualize the explosive potential that grew with time. Ariel Sharon's visit to the Temple Mount led to serious responses to it from the Arab sector's leadership inside Israel and from Palestinians leadership in Judea and Samaria and the Gaza Strip. One day later, there was serious unrest at the site, and during its dispersion by the police some were killed and many injured. Against this backdrop, serious riots began in Judea and Samaria in which residents were killed and many were injured. The Higher

Arab Monitoring Committee chose, in this sensitive situation, to send the masses into the streets and call for processions and demonstrations...

7. The Committee sent cautions to 14 persons and office holders... They were given the opportunity to bring evidence and make arguments in order to rebut the content of these warnings.

The following are summaries of the Commission recommendations on the performance of the major figures that were in charge during the events, based on the responses of those who have been cautioned by it.

- The Prime Minister, **Ehud Barak**

It was proven that Mr. Barak was not aware of or sufficiently attentive to the processes occurring in Israel's Arab society and did not hold a comprehensive discussion on matters of their grievances, though it was requested by the security establishment. It further proven that Mr. Barak did not take sufficient action to prevent the use of g\deadly force by the police, or to limit it... In contrast, it was not proven as charged that Mr. Barak gave instructions prior to October 2, to open traffic arteries at any price... It was determined that he did not do enough to bring calm during the events... The commission decided not to take operative recommendations regarding Mr. Barak (who at the time of the published report did not serve any longer as Prime Minister.)

- The Minister for Public Security, Prof. **Shlomo Ben-Ami**

The Commission held the opinion that he did not, in the period prior to October 2000 take sufficient action to ensure that the police be ready for wide-spread riots in the Arab Sector despite being aware that it might happen under certain circumstances. He also did not prevent the use of the rubber coated bullets for riot dispersion and the Commission held him responsible for that. The Commission also held him responsible for ignoring the prospects of such an occurrence and not taking the proper measures for the preparedness of the police. The Commission also found that he failed to demand a trust-worthy and reliable reports from the police. But, on the other hand the Commission noted that the He made great efforts to improve the relations between Jews and Arabs prior to the October 2000 events. The Commission also noted that during the period prior to the events he was required to invest much of his efforts as Israel Foreign Minister. The Commission recommended that Mr. Ben-Ami should not serve again, in future governments in the post of a Minister for Public Security.

- Head of the Northern Branch of the Islamic Movement in Israel, **Sheikh Ra'ed Salah**

The Commission charged that he was responsible, as a Mayor of major city in the Arab Sector, and in the two years prior to the riots for the transmission of messages that negated the legitimacy of the existence of the State of Israel and presenting Israel as the enemy. The Commission also noted that the Sheikh was responsible prior to October 2000 for transmitting messages of alleged Jewish planned massacre at Al-Akza on September 29, 2000. He was also found responsible for encouraging violence during the October riots. But since the Sheikh decided to resign as the mayor of the city of Umm al-Fahm the Commission decided not to give any recommendation with regard to him.

- Member of Knesset, Dr. **Azmi Bashara**

The Commission found him as an Arab leader responsible for advocating violence as a means of achieving the goals of the Arab Sector. He was also charged with a substantial contribution to inflaming the atmosphere and the escalation of violence during the events. However, since he was an elected public official and thus immune from sanctions, the Commission saw no reason for personal recommendations regarding him.

- Member of Knesset, **Abdulmalik Dehamsha**

As Head of a political faction in the Knesset he was accused by the Commission for incitements in the years prior to the October events. He was also held by the Commission to have been responsible for incitements during the events. But as a Member of the Knesset the Commission applied the same conclusions to him as to Mr. Bashara.

- The Police Commissioner, **Yehuda Wilk**

The Commission found that he did not properly equip the police with means that were necessary to handle serious events and thus permitted the use of rubber bullets despite the risks that were inherited in their use. It was also proven that he did not allot sufficient time for appropriate training in anticipation of such riots. The Commission noted that from the onset of the events he did not order a proper deployment of the police, especially in Northern Israel. The Commission further determined that Mr. Wilk did not respond to the initial events in which citizens were killed resolutely enough to prevent further loss of life and bodily injuries. The Commission determined that that he was aware after the fact of the use of live fire by police snipers and did not reveal this fact to his civilian superiors and did not take any step to prevent live fire and even more so he even expressed his retroactive agreement with the use of snipers as a deterrent.

Following the Commission findings, Yehuda Wilk resigned as a Police Commissioner shortly after the October events. Still, the Commission recommended that he will not fill any senior positions in public security in the future.

- The Commander of the Northern District of the Police, **Alik Ron**

According to the Commission findings Alik Ron was directly responsible to serious mishaps. There was significant deterioration of the relations between him and the Arab Sector that resulted from his verbal expressions as well. He did not have a contingency plans for events of the nature of the October riots. He failed to have sufficient control over the events and did not activate an Operation Command to deal with the breaking events. He did not have sufficient response to the fact that there were death cases in the first days of the riots. He gave an unnecessary order to use snipers and did not report it to his superiors. He was blamed for resorting to extreme measures to contain the events including rubber bullets while less extreme could have sufficient.

The Commission concluded that failed in performing his duties and recommended that he will not fulfill more posts in the area of internal security.

- The Commander of the Valleys District of the police, **Moshe Waldman**

He was accused by the Commission for being responsible for the use of snipers that had no justification for their use. He did not report his decision to deploy snipers who used live bullets and was found for personally issue an order of using rubber bullets that resulted in the death of a civilian. The commission concluded that he seriously failed in the performance of his duties and acted unethically when he conducted reviews of the affairs under his command and it recommended that he should not fill future post in internal security.

The Commission reviewed the cases of six more persons who were involved in the affairs and recommended various degrees of punishments to each.

At the end of its Report the Commission had presented general conclusions that related directly to the Arab Sector, the Public Security Ministry and the Police. **The Arab Sector:** The Commission called for immediate actions to be taken in stopping the discrimination against the Israel Arabs. These meant creating a more positive and accommodating treatment of issues concerning land and constructions; deployment of community oriented policing in the Arab Sector. It called upon the Arab leaders to refrain from using inciting statements and prevent the deterioration of legitimate demonstrations into riots and violence. And most important it called upon the Arab leadership to stop inciting against Israel and avoid total identification with the Palestinians in Judea, Samaria and the Gaza Strip.

The Ministry for Public Security: The Minister in charge should be more involved in the strategic policy making of the Police and should extend its supervision over the Police activities.

The Police: The series of recommendations to the Police included a change of attitude and behavior with regards to the Arab Sector; improve its deployment;

stop using rubber bullets and use less extreme means to contain demonstrations and riots; improve the compatibility of the policemen in dealing with the disturbances of the peace and document all its activities, conducts internal investigations and produce proper reports.

Following the submission of the Or Commission's recommendations there were variety of expressions of reactions. The Police remedied many of the subjects they were accused of and established operative teams to further improve its performance. The leaders of the Arab Sector claimed that the Commission's recommendations will have no contribution in improving the relations between Jews and Arabs in Israel. The political left in Israel held the view that the Commission made a significant contribution to the relations between the two People and some of the right wing groups maintained the Commission investigated the wrong issues: It should have concentrated solely on the caused for the identification of the Israeli Arabs with the Palestinians.

After the submission of the Report the Government decided on September 12, 2003 to adopt the Commission's recommendations. It established a Ministerial Committee to find way to implement the recommendations. The Committee recommended among others to establish a permanent Ministerial Committee for Arab affairs; establishing an Authority for Minorities; expedite the formation of a Master Plan for Arabs Towns and villages; and initiate a yearly weeklong event: "Knowing One Another" that will promote tolerance and cooperation between Jews and Arabs.

Or Commission - Sources

The 2000 riots (in Hebrew):

<http://www.ynet.co.il/yaan/0,7340,L-246015-MjQ2MDE1XzEzNzA1NTA2Ni8xNDg2ODcyMDAeq-FreeYaan,00.html>

Review of the events (in Hebrew) in the Israel Democracy Institute:

http://www.idi.org.il/PublicationsCatalog/Pages/pp_86/Publication_Catalog_86.aspx

The Commission work from the perspective of the Arab minority in Israel (in Hebrew):

<http://www.old-adalah.org/heb/october2000.php>

Historical review (in Hebrew) of the status of the Arab minority in independent Israel:

<http://lib.cet.ac.il/pages/item.asp?item=17806&kwd=6068>

The summary and highlights of the Or Commission Report in Ha'aretz Newspaper:
<http://www.adalah.org/features/commission/orreport-en.pdf>

Or Commission Report, in the Jerusalem Post, <http://info.jpost.com>

Dromi Uri, *Or Commission Findings*, the Miami Herald, August 29, 2003

Graham, Usher, *Uprising wipes of Green Line*, Al-Ahram Weekly, 12-18 October 2000, Issue No. 503, Cairo, Egypt <http://weekly.ahram.org.eg/2000/503/re6.htm>

Jewish Arabs Relations – past, Present and Future, (in Hebrew) <http://lib.cet.ac.il>

The Or Inquiry – Summary of Events, <http://haaretz.com>

Yair Ettinger, *Arab street tense on eve of Or Commission report*, (in Hebrew) Ha'aretz, August, 31, 2003

Ori Nir, *Ben-Ami: political echelon did not know about use of snipers*, Ha'aretz, November, 19, 2001

Ori Nir, *Alik Ron: We were not prepared for October Riots*, Ha'aretz, November 19, 2001

Dan Diker, *Lessons from the Or Commission: Rethinking the Ideological and Religious Dimensions of the Israeli Arab Riots of October 2000*, Jerusalem Center for Public Affairs, No. 512 February 1, 2004

Prof. Shimon Shamir, *The Arab in Israel – Two Years after Or Commission Report*, in *The Arabs in Israel*, Lecture Delivered in Tel Aviv University, September 19, 2005