



מרכז مساواة
لحقوق المواطنين
العرب في إسرائيل
(م.ج)

מרכז מוסאוא
לזכויות האזרחים
הערבים בישראל
(ע-ר)

Mossawa Center
The Advocacy
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**MOSSAWA'S BRIEFING PAPER FOR THE U.S. STATE DEPARTMENT
INTERNATIONAL RELIGIOUS FREEDOM REPORT 2013
Discrimination against the Arab minority in Israel based on religion
18 October 2013**

Summary of Religious Freedom in Israel for Arab minority

The Mossawa Center advocates against discrimination against the Arab minority. It is difficult to unwind whether the discrimination is because people are Arab or because the Arab people are primarily non-Jewish. At Mossawa, we often discuss the discrimination against the Arab minority yet all the discrimination against the Arab minority flows from a religious discrimination.

Equality and non-discrimination, fundamental principles of a democracy, are consistently shoved aside by Israel to protect the Jewish state.¹ Israeli Basic Law grants the right to “life, body, and dignity” yet this right is subjugated to the protection of a Jewish state.² In October 2013, the Supreme Court of Israel reiterated the difference between nationality and citizenship.³ The Supreme Court distinguishes between ‘civic nationalism’ in which one’s nationality and political citizenship are identical, and ‘ethnic

¹ The entire October 17, 2013 submission by Mossawa Center details the abandonment of the democratic principles of equality and non-discrimination by the State of Israel using religion as the foundation of the discrimination.

² Basic Law: Human Dignity and Liberty, Purpose, Article 1, State of Israel, 1992. “The purpose of this Basic Law is to protect human dignity and liberty, in order to establish in a Basic Law the values of the State of Israel as a Jewish and democratic state.”

³ Jonathan Cook, I am Israeli, *The Majalla*, Oct 15, 2013, <http://www.majalla.com/eng/2013/10/article55246019>.

The Mossawa Center is the Advocacy Center for the Arab Citizens in Israel. Established in 1997, the Center is a non-profit, non-governmental organization that works to promote the social, economic, cultural and political rights of the Palestinian Arab citizens in Israel and the recognition of this community as a national indigenous minority, with their own national, cultural and historical distinctiveness.

nationalism,' in which the individual's belonging to a national group stems mainly from shared characteristics such as language, culture and religion.⁴ Thus, recognition of Israeli nationality, independent of being Jewish, undermines the Jewish state and is not allowed. Whether the state can be Jewish and democratic is an ongoing debate. Erstwhile the state remains unwaveringly Jewish and the discrimination flowing from the Jewish state, discrimination based on religion, effects religious freedom.

Religious Influence on Israeli policy

Religious extremists exercise tremendous influence on the government. Just this past week, the director of the National Service Administration (NSA), Sar-Shalom Jerbi, announced a ban on volunteer shifts past 9:00 pm due to safety concerns. The NSA folded to pressure from Zionist rabbis, including Kiryat Arba Rabbi Doy Lior. This rabbi was arrested in 2011 for incitement against Arabs and legitimizing the killing of non-Jews during war times. Lehava, a radical Israeli organization, also pushed for this change out of concern of reports of intimate relationships occurring between Arab doctors and Jewish volunteers.⁵ This is just one example of the influence of extremist Jewish organizations on the policies, laws and regulations within Israel that lead to discrimination.

Irrational Religious Discrimination

Despite, costing Israel billions, religious extremists continue to put forward discriminatory policies. In fact, recent reports within Israel and by the OECD show discrimination against the Arab minority costs Israel billions as Arab citizens continue to be discriminated against through lack of educational opportunities and by Jewish owned banks.⁶ A recent OECD Report on labor in Israel points out that Arab students receive inadequate education in terms of core subjects and there is a failure to provide sufficient professional studies to the Arab community explaining the high poverty rates in Israel of 21%, of which 50% of Arabs live under the poverty line.⁷ Leading

⁴Dmitry Shumsky, Israel has two nationalities, not one, and they need a federation, *Haaretz*, Oct 10, 2013 <http://www.haaretz.com/mobile/opinion/.premium-1.551498>.

⁵ Mairav Zonszein, Jewish women can't volunteer at night - to avoid 'contact with Arabs,' *972 Mag*, Oct 17, 2013, <http://972mag.com/jewish-women-cant-volunteer-at-night-to-avoid-contact-with-arabs/80527/>.

⁶Emily L. Hauser, "Discriminating Against Arabs Costs Israel Billions," *The Daily Beast*, Jun 18, 2013, <http://www.thedailybeast.com/articles/2013/06/18/discriminating-against-arabs-costs-israel-billions.html>.

⁷Gad Lior, "OECD: Haredi, Arab integration insufficient," *Ynet News*, May 23, 2013, <http://www.ynetnews.com/articles/0,7340,L-4383139,00.html>. See also OECD Report, Review of Recent Developments and Progress in Labour Market and Social Policy in Israel - Slow Progress Towards a More Inclusive Society, May 13, 2013, <http://www.oecd.org/els/israel.htm>.

researchers in Israel, Prof. Eran Yashiv, head of Tel Aviv University's Department of Public Policy, and Dr. Nitzza Kasir of the Bank of Israel's Research Department, show how Israel's policies are economically flawed.⁸ Israel was in last place among OECD members and it is because of the continued discrimination against the Arab minority.⁹ These policies causing discrimination and disparity in labor, education and economics are not based on rational choice theory as the policies are costing Israel billions, yet the United States currently appropriates \$2.9 billion in foreign aid for Israel.¹⁰

No Mosque Allowed

As of September 2013, Be'erSheva still does not have a mosque.¹¹ The only mosque in Be'erSheva, the capital of the Palestinian Bedouin pre-1948, was seized by Israelis in 1948 when it was converted into a prison, a courthouse and finally a museum when in 1991 the mosque became empty. The community wanted to use the mosque for prayer and petitioned the High Court of Israel in 2002 to open the mosque to make it accessible to over 100,000 Muslims in the surrounding area. The municipality opposed the request. The court did not rule to open the mosque for prayer, but instead ordered the mosque be a museum for "Islamic culture." The municipality did not comply. Instead, the newly christened "Archaeological Museum" was dedicated to British colonial-era public buildings and architecture. In September 2013, it was planned to have a wine festival for the sixth time in the mosque. The staging of a festival of alcohol in the area of the mosque is considered a violation of the sanctity of the site that has been violated over the past five years while the court case was pending.¹²

Price Tag Attacks

The "price tag" attacks vandalize Arab property and often target religious buildings. The price tag attacks continue unabated. Price tag attacks are not limited to settler violence against Palestinians in the West

⁸"Closing the gap between Israel's Arabs and Jews," *Haaretz*, June 14, 2013, <http://www.haaretz.com/opinion/premium-1.529703>.

⁹ OECD Report, Review of Recent Developments and Progress in Labour Market and Social Policy in Israel - Slow Progress Towards a More Inclusive Society, May 13, 2013, <http://www.oecd.org/els/israel.htm>.

¹⁰ Foreign Assistance by Country Office, last visited Oct 21, 2013, <http://foreignassistance.gov/CountryIntro.aspx>.

¹¹Nasser Rego, "Dispute over wine festival in Be'erSheva mosque: 'Muslim rage' or Israeli hypocrisy?," *972 Mag*, Sept 12, 2012, <http://972mag.com/dispute-over-wine-festival-in-beer-sheva-mosque-muslim-rage-or-israeli-hypocrisy/56075/>.

¹²Id.

Bank and Gaza but include violence against Arabs in Israel.¹³ Cemeteries, churches and mosques are being defaced. Cars are being torched and racist messages are spray painted. The Israeli government and law enforcement still have not prosecuted those responsible.¹⁴

Conclusion

All discrimination flowing from the Knesset and the government of Israel is discrimination against non-Jews and impacts the daily life of each and every Arab living in Israel. Highlighted in this report are examples of discrimination and how religious extremists influence the government to act against its self-interest by discriminating against non-Jews, the Arabs living in Israel.

¹³Nir Hasson and the Associated Press, "Monastery near Jerusalem defaced in suspected 'price tag' attack," *Haaretz*, published on Aug 13, 2013, last published Sept 12, 2013, <http://www.haaretz.com/news/national/1.542771>. See also Noam (Dabul) Dvir, "Arabs out' graffiti in Abu Ghosh," *Ynet*, 18 June 2013, <http://www.ynetnews.com/articles/0,7340,L-4393746,00.html>; Ben Hartman, "Vandals deface Christian cemetery in Jaffa," *Jerusalem Post*, June 13, 2013, <http://www.jpost.com/National-News/Vandals-deface-Christian-cemetery-in-Jaffa-316427>; Hassan Shaalan, "Cars torched, 'price tag' graffiti sprayed near Afula," *Ynet* May 15, 2013, <http://www.ynetnews.com/articles/0,7340,L-4380254,00.html>; Hassan Shaalan, "Wadi Ara: Mosque desecrated; 3 cars set on fire," *Ynet*, May 14, 2013, <http://www.ynetnews.com/articles/0,7340,L-4380016,00.html>; Gilad Morag, "Racism in Tel Aviv: 'Death to Arabs' on apartment door," *Ynet*, 25 April 2013, <http://www.ynetnews.com/articles/0,7340,L-4372442,00.html>; Maor Buchnik, "Cars torched in Arab village; 'don't touch our girls'," *Ynet*, published Apr 23, 2013, <http://www.ynetnews.com/articles/0,7340,L-4371435,00.html>; Yaniv Kubovich, "Right-wing activist arrested in connection to 'price tag' attack on monastery," *Haaretz*, July 1, 2013, <http://www.haaretz.com/news/national/1.533096>. Nir Hasson, Oz Rosenberg, "Racist graffiti sprayed at mixed Jewish-Arab village in central Israel," *Haaretz*, June 8, 2012, <http://www.haaretz.com/news/national/racist-graffiti-sprayed-at-mixed-jewish-arab-village-in-central-israel-1.435216>; Jack Khoury, "Vandals set fire to Arab restaurant in Jaffa in suspected 'price tag' attack," *Haaretz*, Oct 31, 2011, <http://www.haaretz.com/news/national/vandals-set-fire-to-arab-restaurant-in-jaffa-in-suspected-price-tag-attack-1.392931>; Ilan Lior and *Haaretz*, "Israel man vandalizes Rabin memorial in protest of Shalit deal," *Haaretz*, Oct 14, 2011, <http://www.haaretz.com/news/national/israeli-man-vandalizes-rabin-memorial-in-protest-of-shalit-deal-1.389875>; Ravid Barak, Avi Issacharoff, Chaim Levinson, "Muslim, Christian graves in Jaffa defaced with racist slogans in suspected 'price tag' attack," *Haaretz*, Oct 8, 2011, <http://www.haaretz.com/news/diplomacy-defense/muslim-christian-graves-in-jaffa-defaced-with-racist-slogans-in-suspected-price-tag-attack-1.388822>. Hassan Shaalan "Price tag: Mosque torched in Upper Galilee," *Ynet*, Oct 3, 2011, <http://www.ynetnews.com/articles/0,7340,L-4130148,00.html>.

¹⁴Chaim Levinson "Israel Police creates unit to fight 'price tag' attacks - but only in West Bank," *Haaretz*, June 26, 2013, <http://www.haaretz.com/news/diplomacy-defense/premium-1.531950>.