

Equality and Non-Discrimination in Israel: The Use of Land

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Abstract : Within the Jewish and democratic Israeli state, as dually characterized, the treatment of citizens differs according to their religious groups and nationalities. The laws and policies against Arab citizens concerning ownership and use of land are the main focus of this article. As the Jewish character has led to Jewish based legal provisions which give the privilege to Jews, first, this article examines the legal bases which distinguish between citizens in Israel based on their religion. It examines the major Israeli laws which are used to confiscate, manage, and lease properties. Second, the article demonstrates the de facto practices against Arab citizens in using lands. Most of the Palestinian land was confiscated and turned over to Jewish owners or to state land, Palestinian citizens are distinguished in using the state administered lands. They are also restricted in using full ownership rights and denied using plots of lands and housing units. Such policies have created, within the same state, a class of secondary citizens who are categorized as non-Jews. Last, within the Basic Law: Human Dignity and Freedom which has served as the constitutional bill of rights for Israelis and also the International law, particularly the International Convention on the Elimination of All Forms of Racial Discrimination, it will be concluded whether these restricted policies against Arab citizens in using land constitute a religion-based-discrimination among Israeli citizens and create a situation of separation and inequality between two groups of people in Israel.

Keywords : Israel, citizens, discrimination, equality

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