

Apartheid Israel?

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Introduction

Since 1994, people from various parts of the world have looked to South Africa as a model, a 'miracle' by which conflict might be resolved, liberation of oppressed peoples might be achieved or reconciliation might be realised. For some of these seekers of solutions the South African story has been able to provide some clues of what to do and what not to do. Others have just been looking in the wrong place. The context that is increasingly being referred to as being similar to South Africa's and which could, therefore, benefit from the South African experience, has been the struggle for liberation of the Palestinian people.

This article seeks to examine the Palestinian situation with a view to analysing whether there is anything to learn from the South African context. I will argue that there are many lessons towards a resolution of the Palestinian question. However, solutions develop within and out of contexts and one cannot simply attempt to draw parallels between solutions without first deciding whether the contexts themselves are comparable. Acclaimed Palestinian scholar, Edward Said, has recently repeatedly called for a linking of the struggles of the Palestinian and South African peoples and for a declaration by the people of the world that Israel is an apartheid state. I respond to that call and argue that, while there are many differences between apartheid South Africa and Israel, Israel is, in fact, an apartheid state comparable in many respects to

South African apartheid. And, I suggest, similar problems within similar contexts can use similar solutions.

Apartheid Israel?

In arguing that Israel is an apartheid state, one needs to be careful about not conflating 1) the question of Israel as a state and its internal laws and policies and 2) the issue of Israel's relationship to the so-called Occupied Palestinian Territory. These need to be dealt with separately because they represent very different manifestations of the Israeli state and its organs. I will first discuss the Israeli state and some laws that govern it internally to show that it is indeed – within itself – an apartheid state. Thereafter, I will discuss the role of the Israeli state in the ‘Occupied Palestinian Territory’. I argue that as far as the latter is concerned, the apartheid comparison is not entirely helpful because the military occupation and the repression of Palestinian people far surpasses anything that South African apartheid meted out to Black people.

An Apartheid State

My first contention is that Israel is, internally, a state that is based on a system of exclusivity akin to apartheid in South Africa and hence allows it to be regarded as an apartheid state. I understand Apartheid as a system of privileging and advantaging one group of people over others on the basis of race or ethnicity. In the South African context privilege and advantage flowed from one's being white; in the Israeli context they are based on one's being Jewish. I will look at two issues within the Israeli

context to argue this case, and briefly sketch similarities in the South African context of the past: the questions of 1) citizenship and 2) land and land ownership.

Citizenship

The question of citizenship is crucial and central to any discussion of apartheid and the privileging of groups of certain people over others. In South Africa 75 percent of the population – Africans – was de-nationalised; citizenship for these people was transferred to the so-called homelands (or Bantustans) that were created by the apartheid state. African people were thus made aliens in their homeland.

In the Israeli context, of the four million Palestinian that today are entitled to citizenship in terms of UN General Assembly Resolution 181 (1947), only 25 percent have been granted such citizenship by the state. The rest have been denationalised. However, unlike in the South African context, in Israel these three million Palestinians have also been defined out of legal existence – in terms of the Absentee Property Law (1950). The Absentee Property Law was one of two laws passed in 1950 that served to deprive the majority of Palestinians who had lived within what had by then become Israel of their citizenship of the new state and to privilege Jews over Palestinians in respect of the issue of citizenship. The other was the Law of Return, enacted after the Absentee Property Law.

The Absentee Property Law placed Palestinians who had lived in what had become Israel into three categories: those who were present, those who were absent and the present absentees. The first group were those Palestinians who had lived in their homes or on their land continuously through the 1947-1948 period during which the

state of Israel was founded. They have citizenship rights in Israel (even though these rights are limited by their not being Jewish). The 'absentees' were Palestinians not present in their homes in what later became Israel for a period between 29 November 1947 and 1948. Many that fell into this category had fled their homes as a result of Zionist terror perpetrated by the Haganah, Irgun and Stern, and expected to return once there was no danger. The Absentee Property Law not only denationalises them and denies them citizenship as required by Resolution 181; it also deprives them of the right to their properties. Almost all of those regarded as 'absent' expected to return to their homes at some later stage but were then prevented from doing so by the Israeli state. Note that the 'absentee' status is hereditary. Children of 'absentees', born inside or outside Israel, are regarded as 'absent'. The third category is those referred to as 'present absentees'. These are Palestinians who, for some aspects of the law, are regarded as 'present' (eg. earning salaries in Israel and paying taxes and national insurance) and, for other respects of the law, regarded as 'absent' (eg. For property ownership). People in this category include Palestinians who left their homes for a period of time between 29 November 1947 and 1948 and later returned. Many of them did not leave the country but were displaced – sometimes for as little as 2km – within Israel itself.

The Absentee Property Law, then, created a situation worse than that faced by Black South Africans – and Africans in particular – in that it defined 75 percent of the Palestinian population of Israel out of legal existence. In the South African context citizenship was not just removed; it was transferred to a new – albeit fictional – entity, a bantustan.

The Law of Return then takes advantage of the dispossession caused by the Absentee Property Law. This law gives Jews anywhere in the world the right to request and be granted Israeli citizenship. These include Jews who – and the majority of Israelis fall into this category – have no lineage relationship to Palestine. Such citizenship includes a number of settlement and other benefits. These benefits are at the expense of the Palestinians dispossessed by the Absentee Property Law. One of the major aspects of dispossession, of course, was land dispossession.

Land

The land question is another major manifestation of Israeli apartheid. Land dispossession was a major factor in the apartheid ideology and apartheid policies. Black South Africans were dispossessed of land through a number of laws before the establishment of the apartheid state and after, including the Natives Land Act (1913) and the Group Areas Act (1950).

Palestinians regard the land question as the ‘original sin’ of Palestinian dispossession and oppression. While this is the Palestinian complaint in a general sense about their dispossession, legal land dispossession is also an issue within Israel.

Land in Israel is categorised into two broad groups: national lands and private lands. The former is further broken down into state lands (land owned by the Israeli state), Jewish National Fund lands and Development Authority lands. ‘National lands make up 92.6 percent of all the land in Israel. (It is somewhat incorrect to talk of ‘all the land in Israel’ since Israel has, over the past 45 years, refused to define its borders. One, therefore, cannot precisely say which land is actually part of Israel.) A large part

of the private lands – the remaining 7.4 percent – is owned by Palestinian citizens of Israel. Palestinian citizens of Israel – who make up 20 percent of the Israeli population – are not allowed to own or use any class of ‘national lands’.

A little historical digression is in order here. It must be noted that in 1947, just before the UN passed the partition resolution (181) which divided Palestine into two states – a Jewish state on 55 percent of the land and an ‘Arab’ state on 45 percent of the land – Jews comprised 30 percent of the Palestinian population and owned just seven percent of the land. That 30 percent, of course, was in Palestine largely through the efforts of the Zionist movement to encourage Jewish immigration into Israel from the late 19th Century. The current Israeli state is on 78 percent of historical British Mandate Palestine. Land ownership by Jews in Israel – whether privately-owned or national lands – were acquired through a variety of means. A very small proportion was purchased from Palestinians.

Other lands were acquired through, inter alia, Zionist terrorism, the Absentee Property Law, transfer of land to kibbutzim and motshavim, house demolitions and the non-recognition of a number of Palestinian villages. Unrecognised villages are proscribed from receiving any services or providing services – like water – for themselves. Currently too, lands belonging to the Palestinian Bedouin population in Israel are still under attack by the state. Their crops are often repeatedly sprayed with toxic chemicals, lands taken over and they are forced into dense settlements with dire consequences to their quality of life. Land dispossession and land ownership, then, clearly display patterns of an apartheid situation where land rights are based on ethnicity.

More than just citizenship and land

Citizenship and land are not the only manifestations of apartheid within the Israeli state. There are a number of other laws and policies which prove the apartheid nature of the state. Indeed, Palestinian citizens of Israel are clearly second-class (or worse) citizens. One example is political participation. Much is made of the right of Palestinian citizens of Israel to vote and to be members of the Knesset. But political participation in Israel is not as free as it is made out to be. For any party to be recognised as a political party that can contest elections, for example, it has to explicitly accept the Jewish exclusivist nature of the Israeli state. The notion that Israel is (or should be) a state of all its citizens as oppose to being a Jewish state is regarded as being virtual treason. And, on the issue of treason, Jewish members of the Knesset can get away with virtually any statement on the basis of parliamentary privilege. Only an 'Arab' member (Azmi Bishara MK), however, has ever faced treason charges while still a parliamentarian.

In summary, what I have shown above, using just two very important examples – citizenship and land – is that Israel is an apartheid state insofar as rights and privileges within the Israeli state flow from one's being Jewish rather than from one's being a citizen. Israel is, quite simply, an apartheid ethnocracy.

In the Occupied Territory

While one can correctly refer to Israel as an apartheid state as far as its internal policies and its treatment of its citizens are concerned, such a label is incorrect if

applied to Israel's control over the Occupied Palestinian Territory and the treatment meted out to the inhabitants there. Of course, if one considered Israeli settlers in the Territory and compared their lot to that of the Palestinians, then one could stretch the apartheid analogy. But it would be an incorrect stretch since the presence of all Israeli settlers in these areas is illegal in terms of international law.

While in the South African context there existed theses which classified apartheid as 'internal colonialism', there never was in South Africa a comparable situation to the colonialism in the West Bank and Gaza. Furthermore, the objective of the Zionist project as far as the OPT is concerned is the realisation of the Zionist myth that 'Palestine is a land without a people for a people without a land'. Ethnic cleansing of the Palestinian population of the OPT has always been on the Zionist political agenda. Such ethnic cleansing aims to realise two objectives: 1) clear the land of Palestinians so that the Zionist objective of an Israeli state from the Jordan River to the sea becomes a reality, and 2) destroy the identity of the Palestinian people as a people. Such objectives did not exist in the South African context. One of the main reasons for that was the economic reliance of the apartheid state on Black labour. Ethnic cleansing of Black people or Africans would be disastrous for the racist state.

Furthermore, the treatment of Palestinians in the OPT by Israel far surpasses anything the South African apartheid state meted out to Black people. The combination of Regular and legalised torture, military trials and collective punishment – including curfews, closures, house demolitions, 'transfer' of family members of activists is quite unique to the Palestinian context.

However, it must be noted that the implications of whatever happens to Palestinians in the West Bank and Gaza will be very significant for Palestinian citizens of Israel. Notions of ethnic cleansing of Palestinians, for example, are not limited to residents of the West Bank and Gaza; serious proposals are being put forward for the 'transfer' of Palestinians out of Israel too – in order to realise the dream of a pure Jewish state.

Having discussed the apartheid nature of the Israeli ethnocracy – and its similarities with the South African context – and the conditions faced by Palestinians in the OPT, we need to ask what this means for the future of Israel and the Palestinian people.

A Future?

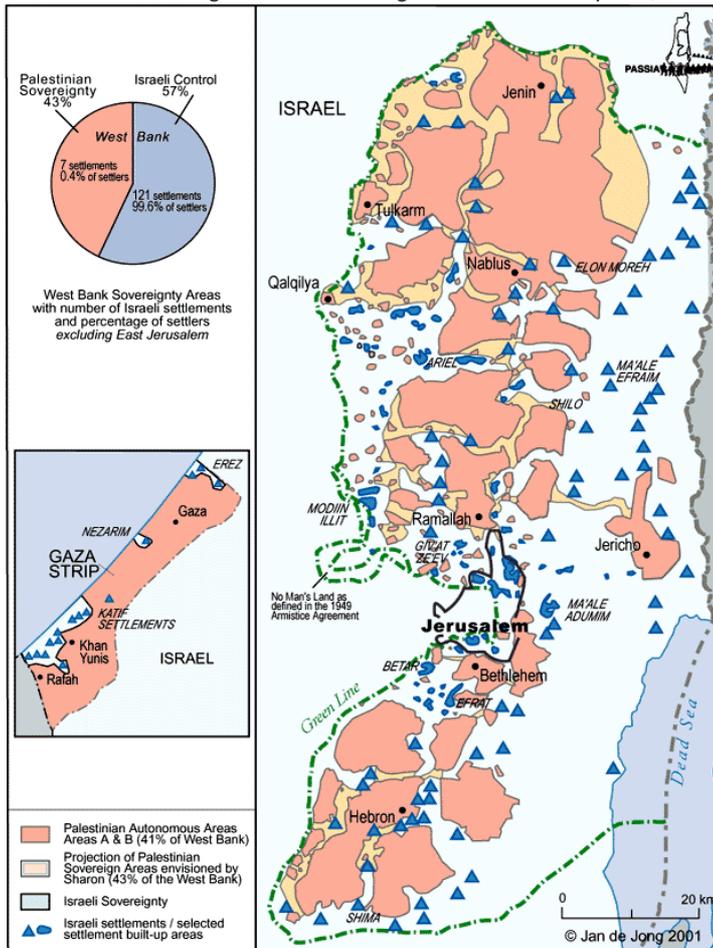
I propose that as Israel is an apartheid state akin to apartheid South Africa, so too should serious consideration be given to South African-type solutions and how relevant they might be for the Middle East. It is true that a number of differences exist between the two contexts, yet the similarities are sufficient to make such a consideration necessary.

No solution can be considered as long as any one side – Israeli or Palestinian – talk about kicking the other into the sea or ethnically cleansing or transferring. Palestinian are forced to accept, 54 years after the establishment of the apartheid state – that Israeli Jews are there to stay. Israelis, of course, have to accept that the Palestinian people do exist and to acknowledge the grave injustices committed in their names and by them against the Palestinian native population. But where does such an acknowledgement of the other lead? In the South African context it resulted in the acknowledgement that

apartheid was an injustice that had to go and the belief that the two peoples – oppressor white and oppressed black – were inextricably linked in their future in this country. Hence, no solution that sought to divide people into Bantustans or cantons would be acceptable. Nothing short of equal rights in a single non-racial country would suffice.

In the Palestinian context, on the other hand, far from realising that Israeli apartheid is destructive to Israelis and Palestinians, apartheid in the form of bantustanisation is being touted as the solution to the Palestinian question. The Sharon proposal of 2001, when looked at on the map, bears an uncanny resemblance to the Bantustan map of South Africa in the 1980s (see map).

Palestinian Sovereign Areas According to the Sharon Proposal, 2001



Palestinian Academic Society for the Study of International Affairs (PASSIA)

In all the talk by US president George W Bush or Israeli Prime Minister Ariel Sharon of the recognition of a 'Palestinian state', there is no consideration given to the possibility of a viable Palestinian state. Indeed, any such proposals desire a serf-state that will be completely beholden to Israel. But, when one goes beyond the Sharon and Barak plans, the reality is that no Palestinian state 'living side-by-side' with Israel is, in fact, viable. Such a state cannot be independent, sovereign or viable – just as a Bophutatswana or Transkei could not be any of these things.

The only solution – following the kind of acknowledgements from both sides that I suggest above – is a single bi-national state where both Palestinian and Jewish Israeli peoples can live as equal citizens with a sense of dignity, ownership and security.

Nothing short of this – which will be just an apartheid solution – will be workable or, indeed, acceptable either to Palestinians or Israelis. The road-map for such a solution must be based on international law (UN resolutions and Geneva Conventions): an immediate end to the occupation of the West Bank and Gaza and a withdrawal of Israeli troops to the pre-1967 borders; the dismantling of all Israeli settlements in the West Bank and Gaza and the return of all Palestinian refugees to their homes, whether those homes were in the West Bank, Gaza or in what is now called Israel. The final step would be the hammering out in negotiations between Israel and grassroots and legitimate Palestinian representatives of the shape of a new democratic, bi-national state.