



**“We know too well that our freedom is incomplete without the freedom of the Palestinians.”**

—President Nelson Mandela, Pretoria, December 4, 1997

## Frequently Asked Questions on Israeli Apartheid

### A CLOSER LOOK AT ISRAEL'S APARTHEID POLICIES

#### What is apartheid?

Apartheid is the Afrikaner word for “apartness.” It became systematized in South Africa in 1948 when the Afrikaner Nationalists took power. It is a system of institutionalized segregation designed to perpetuate the supremacy of the dominant group. It reflects a belief that certain people are less human than others. In South Africa it translated into the systematic imprisonment of Black South Africans, torture in prisons, ghettoized neighborhoods, lack of equal opportunities to work, education, and living standard. That’s what most people think of as Apartheid. But in fact, Apartheid is not only South African phenomenon.

According to the International Convention on the Suppression and Punishment of the Crime of Apartheid GA Resolution 3068 (1973),<sup>1</sup> *Apartheid* refers to policies and practices enacted in order establish and maintain domination by one racial group of persons over any other racial group of persons and systematically

oppressing them.<sup>2</sup> More broadly, Apartheid refers to any social system that separates and discriminates against people based on race or ethnicity or other similar non-malleable characteristic, when that system is institutionalized by laws or decrees.

#### What is/was the relationship between Israel and Apartheid South Africa?

The parallels between policies in Israel and apartheid were not incidental. They grew out of a close connection which helped South Africa sustain its apartheid regime.

Given South Africa’s support for Nazi Germany the alliance it formed with Israel soon after the state was founded is surprising. For this was no ordinary alliance. In his 1987 book *The Israeli Connection: Who Israel Arms and Why*, Israeli Professor Benjamin Beit-Hallahmi described the intimate collaboration between Israel and apartheid South Africa as “a unique alliance...the most comprehensive and the most serious Israeli involvement anywhere in the world. Many countries conduct business with South Africa, and many countries support the survival of apartheid in variation ways, but only Israel’s support is so direct and unreserved. Only in Israel are the red carpets rolled for the visits of South African leaders”—as it was in April 1976 for Prime Minister John Vorster, who had been imprisoned by the British for pro-Nazi activities which he never repudiated. Only Israel, wrote Beit-Hallahmi, offered South Africa assistance “with everything from public relations to military and counterinsurgency measures.”

Israel played a key role in helping South Africa evade sanctions. Under the guise of a web of joint ventures, dummy companies, and middlemen, Israel supplied South Africa with needed technology, and also turned South African materials into finished products that were exported to Africa, the US and Europe bearing a “Made in Israel” label.

There was a network of sister-city agreements between South African and Israeli towns. Bisho, the capital city of South Africa’s notorious “homeland” Ciskei was paired with Ariel, the West Bank settlement which early in 1989 ordered its Palestinian labor force to wear badges proclaiming them to be “foreign workers.” Sister-city relationships were also formed between Tel Aviv and Johannesburg, Haifa and Cape Town, Eilat and Drbuan, Askelon and Port Elizabeth.

Both countries saw the possession of nuclear weapons as the ultimate guarantee of their existence. In 1962 Israel received ten tons of uranium from South Africa for use in its Doimona nuclear reactor. By the 1970s, Israel and South Africa were collaborating in the development of their nuclear programs.

#### Israel is not like South Africa, why are you using the word Apartheid?

It is true that Israeli apartheid policies don’t mirror those of Apartheid South Africa exactly, but that lack of perfect symmetry does not shatter the stark parallel between the two cases. Consider that whereas in South Africa, apartheid distinguished between whites and non-whites, in Israel the parallel categories are Jews and non-Jews. In its application, the main difference between the two case studies is that in South Africa, the system was created both to seize land and exploit non-white labor, while in Israel it’s implemented in order to control as much land for exclusive Jewish use. Both systems are designed for economic gain for the dominant group that causes and sustains the disempowerment and impoverishment of the subjugated group.

Expropriation of Land—Israeli expropriation of Palestinian lands began in 1948 when Zionists founded the State of Israel and displaced approximately 700,000 indigenous Palestinians and destroyed nearly 500 Palestinian villages. Confiscation of Palestinian land for Jewish use within

The US Campaign is a diverse coalition of over 200 groups working for freedom from occupation and equal rights for all by challenging US policy towards the Israeli-Palestinian conflict. The Campaign is based on human rights and international law, providing a non-sectarian framework for everyone who supports its *Call to Action*. Its strategy is to inform, educate, and mobilize the public so as to change the US role in the Israeli-Palestinian conflict.

Israel Proper continues to this day and is facilitated by a number of laws including the Absentee Property Law of 1950. The Absentee Property Law declares all lands that were fled from in 1948 as State Property thereby depriving its indigenous inhabitants access to the land or even compensation. Between 1948 and 1953, Israel established 370 new settlements for Jews only, 350 of which were located on land confiscated as “absentee” property. Since 1978, settlement policies inside the State have focused on settling Jewish populations in the areas outside greater Tel Aviv, especially the Galilee in order to manipulate the local demography.<sup>3</sup>

Land expropriation began in the Occupied Palestinian Territories after the Israel occupied the West Bank, Gaza, and East Jerusalem in the aftermath of the 1967 6-Day War. Since 1967, Israel has systematically confiscated Palestinian land in East Jerusalem, Gaza, and the West Bank for settlement expansion. The situation is especially harsh in Jerusalem where Israel has embarked on a “Judaization” campaign by disproportionately serving its Jewish residents. According to the Israeli human rights group B’tselem, Jerusalem’s Jewish population, who make up 70% of the city’s 700,000 residents, are served by 1,000 parks, 36 public swimming pools and 26 libraries. In contrast, the 260,000 Palestinians living in the east of the city have 45 parks, no public swimming pools, and 2 libraries.<sup>4</sup>

### **I thought the problem was occupation, why are you calling it Apartheid? Which one is it?**

Apartheid is the framework which refers to the institutionalized discrimination against Palestinians within Israel Proper and the Occupied Territories. Military occupation in East Jerusalem, Gaza, and the West Bank is one manifestation of Israel’s Apartheid policies. Other symptoms include the denial of entry of Palestinian citizens into Israel and/or the Occupied Territories. The Nationality and Entry into Israel Law (also known as the Ban on Family Unification) which prevents Palestinians from the West Bank or Gaza who are married to Palestinian citizens of Israel from gaining residency or citizenship status is another symptom of Israeli Apartheid policies.<sup>5</sup> In other words, apartheid is the overall framework and occupation is one of its symptoms.

### **Are Israel’s Apartheid Policies limited to the Occupied Palestinian Territories?**

No, although apartheid policies are most stark in the Occupied Palestinian Territories where a Jewish settlement program necessitates the confiscation of Palestinian land, the disproportionate allocation of water between Jews and non-Jews, and the construction of by-pass roads for exclusive Jewish use, apartheid policies also exist within Israel Proper and are applied against its Palestinian citizens.

Within Israel, there are 4.6 million Jewish citizens, 1.3 million Palestinian Christian and Muslim citizens of Israel and 0.5 million citizens who are neither Jewish nor Palestinian. Israel explicitly privileges its Jewish citizens over its non-Jewish citizens. It does so by implementing de jure and de facto policies.

Discrimination by law—Structurally, Israel has 20 laws that privilege its Jewish citizens over its non-Jewish citizens. The most fundamental of these laws are the The Law of Return (1950) and The Citizenship Law (1952), which allow Jews to freely immigrate to Israel and gain citizenship, but denies Palestinians refugees that same right as guaranteed by UN Resolution 194.

Another less insidious law is the National Planning and Building Law which denies basic services, such as water and electricity to roughly 70,000 residents of over 100 “unrecognized” Arab villages in the State. These villages are not recently created squatter villages—they each existed before the State’s establishment. The main purpose of the law is to force the people to leave their villages and move to government-planned areas. There are no equivalent unrecognized Jewish villages in Israel. The consequence of this is that 100,000 Palestinian citizens of Israel (i.e., 15% of their total) live without services and with incremental demolition.

### **If Palestinian-Israelis are citizens, and can vote in Israel, doesn’t that make them equal?**

Israel defines itself as a Jewish and Democratic State. That means that while some rights are based on citizenship, others are based on nationality, distinguishing the rights available to Jew and non-Jew, irrespective of one’s citizenship. In effect, Israel’s Jewish citizens are privileged.

According to the U.S. State Department’s 2005 Annual Human Rights

Report, “[There is] institutionalized legal and societal discrimination against Israel’s Christian, Muslim and Druze citizens. The government does not provide Israeli Arabs with the same quality of education, housing, employment and social services as Jews.”<sup>6</sup> For example:

- Ninety-three per cent of the land in Israel is owned either by the state or by quasi-governmental agencies (such as the Jewish National Fund) that discriminate against non-Jews. Palestinian citizens of Israel face significant legal obstacles in gaining access to this land for agriculture, residence, or commercial development.
- Most non-Jewish children attend schools that are “separate and unequal” in comparison to those attended by Jewish Israeli children. Government budgets allocate far more money to Jewish schools than to non-Jewish schools. Zama Coursen-Neff, counsel to the Children’s Rights Division of Human Rights Watch. Comments “Government-run Arab schools are a world apart from government-run Jewish schools. In virtually every respect, Palestinian Arab children get an education inferior to that of Jewish children, and their relatively poor performance in school reflects this.”<sup>7</sup> Doesn’t Israel have the right to defend itself against Palestinians trying to destroy it? How is that apartheid?

Israel often uses the pretext of self-defense to justify its policies against Palestinians, but in almost all cases this is not true. Consider the construction of the Annexation Wall, also known as the Separation Fence. Israel claims that it built the Wall in order to prevent Palestinians from committing suicide bombings in Israel. Were that truly the case, the Wall would run along the Armistice Line separating the West Bank from Israel Proper. Instead the Wall runs two times the length of the Armistice Line and juts 13 miles east into the West Bank annexing Israel’s illegal settlements. The Wall effectively divides families from one another, children from their schools, farmers from their agricultural lands and creates tiny enclaves similar to Bantustans. According to the July 2004 Advisory Opinion of the International Court of Justice, Israel can not use “self-defense” as a justification to violate international legal principles.<sup>8</sup>

More generally, Israel’s attacks on the Occupied Territories are consistently disproportionate and excessive. Between the

kidnapping of an Israeli soldier on June 25th 2006 until November 13th 2006, Israel had seized eight Palestinian cabinet members, bombed the office of the Palestinian Prime Minister, destroyed a power electric generator in the Gaza Strip which provided Gaza's 1.3 million Palestinians with 40% of its electric supply, created 25 sonic booms in pre-dawn hours, and killed 300 Palestinians.<sup>9</sup> Such acts can not be described as acts of self-defense. Instead they constitute collective punishment against a civilian population prohibited by Article 33 of the Fourth Geneva Convention.

### **Wasn't the Oslo Peace Process designed to end the occupation, and maybe end what you call apartheid?**

Oslo was not a peace process. Oslo marked the drafting of the Declaration of Principles which would establish the terms of negotiation towards peace without a defined outcome. The terms of Oslo prefaced Israeli security above Palestinian statehood and self-determination. Meron Benvenisti one of the foremost Israeli experts on the West Bank and former deputy mayor of Jerusalem, referred to Palestinian self-rule under Oslo as "merely a euphemism for Bantustinization" and continued occupation, "albeit by remote control."<sup>10</sup>

Consider that in the aftermath of Oslo, the Occupied Territories were divided into 3 areas: A, B, and C.

Area A constituted 3% of the Territories and was under full Palestinian Authority military and civil control.

Area B constituted 23% of the Territories and was under full Palestinian Authority civil control and joint Israeli-Palestinian military control.

Area C constituted 74% of the Territories including 145 settlements and new Jewish neighborhoods around East Jerusalem and was under full Israeli civil and military control. Effectively, Israel maintained military control over 97% of the Territories.<sup>11</sup>

Settlements—The heart of the conflict in the Occupied Territories are the settlements because they represent the encroachment and domination of the land. Settlements are illegal pursuant to Article 49 of the Fourth Geneva Conventions which prohibits the transfer of one's civilian population into Occupied Territories. Notwithstanding their illegality, during Oslo,

between 1992 and 1996, settlements and settlers increased. The West Bank settler population grew by 39% and only 16% of this figure was due to natural population growth. In East Jerusalem, the Jewish settler population grew from 22,000 to 170,000 and the Israeli government built 10,000 new subsidized housing units.<sup>12</sup>

Far from being an era of peace, Oslo represented nearly a decade of Israeli violations of international law under the guise of peace and reconciliation.

### **How was Apartheid overcome in South Africa?**

The Anti-Apartheid Movement began in the late 50s. Its mission was to work for the total isolation of the apartheid system including a boycott of South African products; an end to sports, academic and cultural contacts; an end to bank loans, military and economic ties, and the purchase of Krugerrands; divestment from South African companies and companies that have investments in South Africa; and for government sanctions to be imposed on the apartheid state.

• It grew into a grassroots movement which took root throughout Europe and in the United States, and took its guidance from the liberation movements, especially the ANC with its call for a new system based on "one man, one vote." A major challenge was whether or not to support armed struggle—the armed wing of the ANC (Umkhonto we Sizwe) was formed in 1961.

At least as important as the sanctions imposed by the US and national governments (there were always ways around them) was the support given the boycott by NGOs, private businesses and individuals who refused to buy South African goods as long as apartheid lasted, and the moral decisions taken by private citizens and companies to mobilize their financial clout through divestment.

Support for the movement dramatically increased with the State of Emergency proclaimed by South Africa in 1985. In that context, international banks refused to renew South Africa bank loans so it could no longer raise funds abroad, a step which influenced leading South African capitalists to push for negotiations with Nelson Mandela (who was for decades considered "terrorist number one")

Abdul Minty, the secretary of the British Anti-Apartheid Movement, looked back on its achievements from 1999: "The world-

wide movement was effective because it was a coalition of committed governments and people's movements in the west which managed to influence policy at the national level, as well as at institutions like the UN. We used to say that the degree of unarmed pressure mobilized against apartheid would determine the degree of armed pressure that would be necessary to end it."

### **What does the rest of the world, including governments, think about Apartheid as a description of Israeli policies?**

The reference to the Israeli-Palestinian conflict as an example of Apartheid is not unique. Globally, governments, non-governmental organizations, and people like us are describing the Israeli-Palestinian conflict as Apartheid.

The most well-known example of this usage is Jimmy Carter's book, *Peace not Apartheid*. Although Carter limits the framework's application to the Occupied Territories and not to all of Israel's policies towards its Palestinian citizens and subjects, his book helps shed light on the less known fact that the situation is less one about security and more about racial discrimination. In discussing the wall he draws on interviews done with Palestinian Christian Religious leaders to address its legitimacy, he writes "Countering Israeli arguments that the wall is to keep Palestinian suicide bombers from Israel, Father Claudio adds a comment that describes the path of the entire barrier: 'The Wall is not separating Palestinians from Jews; rather Palestinians from Palestinians.' Nearby are three convents that will also be cut off from the people they serve. The 2,000 Palestinian Christians have lost their place of worship and their spiritual center.

Carter is not alone amongst former national leaders to use the word Apartheid to describe the conflict. Desmond Tutu is the recipient of the Nobel Peace Prize in 1984 for his work against apartheid. In his 2002 article, "Do I Divest?", he writes, "Many South Africans are beginning to recognize the parallels to what we through. Ronnie Kasrils and Max Ozinsky, two Jewish heroes of the anti-apartheid struggle, recently published a letter titled 'Not in My Name.' Signed by several hundred other prominent Jewish South Africans, the letter drew an explicit analogy between apartheid and current Israeli policies. Mark Mathabane and Nelson

Mandela have also pointed out the relevance of the South African experience.”

John Dugard is a South African law professor and the U.N. Special Rapporteur to the Occupied Territories. In his article, “Apartheid: Israelis adopt what South Africa dropped,” he comments that “Many aspects of Israel’s occupation surpass those of the apartheid regime. Israel’s large-scale destruction of Palestinian homes, leveling of agricultural lands, military incursions and targeted assassinations of Palestinians far exceed any similar practices in apartheid South Africa. No wall was ever built to separate blacks and whites.

Others who are using the word Apartheid include Professor Leila Farsakh at UMASS Boston University, Omar Barghouti, choreographer of the Palestinian folklore dance troupe, al-Funoun, the Anti-Apartheid Wall Campaign, author Virginia Tilley, campus universities across the U.S. and abroad including UC Berkeley, Oxford, and Temple University, and Chris McGreal of the *Guardian*.

### Why should the international community divest from Israel?

Israel will not abandon its apartheid policies without concerted pressure from an international community concerned with social, economic, and political justice. At present, the United States provides Israel with 3 billion dollars in direct aid annually, about two-thirds of it for military aid.<sup>13</sup> Without this sustained aid, Israel could not continue to discriminate against its Palestinian-Israeli citizens nor violate international law and human rights in the Occupied Territories.

However, the United States in particular will not end aid to Israel easily since it considers Israel a strategic ally in the region. This should not be an impediment to those concerned with social justice. Rather than target the United States in its formidable bureaucratic structures—concerned citizens can target United States based corporations that profit from Israel’s apartheid policies. The CAT Campaign, in which grassroots organizations including the Jewish Voice for Peace and Stop are urging Caterpillar, Inc. shareholders to end its business with Israel until it comports with international law, represents one such divestment campaign. The most common divestment campaigns exist on University campuses

nationally including UC Berkeley, University of Wisconsin, Harvard, and Columbia University. These campaigns target their Board of Trustees and urge them to divest their holdings in all corporations that profit from Israel’s illegal apartheid policies.

Internationally, the Canadian Union of Public Employees, COSATU the largest South African Trade Union, and the Anglican Parish of the Church of England have all joined the Divestment Campaign from Israel.

According to Archbishop Desmond Tutu, “The end of apartheid stands as one of the crowning accomplishments of the past century, but we would not have succeeded without the help of international pressure—in particular the divestment movement of the 1980s. Over the past six months a similar movement has taken shape, this time aiming at an end to the Israeli occupation.... These tactics are not the only parallels to the struggle against apartheid. Yesterday’s South African township dwellers can tell you about life in the Occupied Territories.”<sup>14</sup>

### ENDNOTES

1 & 2 These policies and practices include:

- (a) Denial to a member or members of a racial group or groups of the right to life and liberty of person: (i) By murder of members of a racial group or groups; (ii) By the infliction upon the members of a racial group or groups of serious bodily or mental harm, by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment; (iii) By arbitrary arrest and illegal imprisonment of the members of a racial group or groups;
- (b) Deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part;
- (c) Any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;
- (d) Any measures including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof;
- (e) Exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour;
- (f) Persecution of organizations and persons, by depriving

them of fundamental rights and freedoms, because they oppose apartheid.

3 Habitat International Coalition Housing and Land Rights Network Middle East/North Africa, <http://www.hic-mena.org/documents/CrossChart3.doc>. Also see Applied Research Institute-Jerusalem, “Israel to Activate ‘Absentee Property Law’ to Steal Palestinian Lands in Occupied East Jerusalem,” (January 31, 2005) available at [http://www.poica.org/editor/case\\_studies/view.php?recordID=479](http://www.poica.org/editor/case_studies/view.php?recordID=479).

4 B’tselem, “East Jerusalem: Neglect of infrastructure and services in Palestinian neighborhoods,” available at [http://www.btselem.org/english/Jerusalem/Infrastructure\\_and\\_Services.asp](http://www.btselem.org/english/Jerusalem/Infrastructure_and_Services.asp). According to John Dugard, UN chief human rights monitor in the occupied territories, “We had the Group Areas Act in South Africa, East Jerusalem has territorial classification that has the same sort of consequences as race classification had in South Africa in respect of who you can marry, where you live, where you can go to school or hospital,” as quoted in Chris McGreal, “Worlds apart,” *The Guardian* (February 6, 2006) available at <http://www.guardian.co.uk/israel/Story/0,,1703245,00.html>.

5 Adalah, “Special Report: Ban on Family Unification,” available at <http://www.adalah.org/eng/famunif.php>.

6 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, “Israel and the occupied territories,” Country Reports on Human Rights Practices 2005. (March 8, 2005) available at <http://www.state.gov/g/drl/rls/hrrpt/2005/61690.htm>.

7 Human Rights Watch, “Israeli Schools Separate, Not Equal: Palestinian Arab Citizens Face Discrimination in Access to Education,” (December 5, 2001) available at <http://hrw.org/english/docs/2001/12/05/isrlpa3399.htm>

8 Sliman, Nidal, “World Court’s Ruling on Wall Speaks with Utmost Clarity,” MERIP (July 27, 2004) available at <http://www.merip.org/mero/mero072704.html>.

9 “Switzerland says Israel uses collective punishment in Gaza,” VOA News (July 4, 2006) available at <http://www.voanews.com/english/archive/2006-07/2006-07-04-voa24.cfm?CFID=74394115&CFTOKEN=78254382>.

10 Carey, Roane, “The Road Map to Nowhere,” *The Nation* (21 July 2003).

11 Beinun, Joel, “The Demise of the Oslo Process,” MERIP (March 26, 1999) available at <http://www.merip.org/mero/mero032699.html>.

12 *Id.*

13 Mark, Clyde R., “Israel” U.S. Foreign Assistance,” Issue Brief for Congress available at <http://www.adc.org/IB85066.pdf>.

14 Urbana, Ian and Desmond Tutu, “Against Israeli Apartheid,” *The Nation*. (July 15, 2002). Available at <http://www.thenation.com/doc/20020715/tutu>.