

The Apartheid Analogy: Wrong for Israel

“The South African apartheid state never inflicted the sort of repression that Israel is inflicting on the Palestinians.” - Speaker, Rally for Palestine, London, May 21st, 2005.

Introduction: Israel as the New Pariah

The demand for sanctions against Israel is one of the pillars of the global campaign against the legitimacy of the Jewish state which has surfaced over the last five years. In July 2005, a conference in Paris held under the auspices of a UN body, The Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP), culminated in a declaration endorsing “a global campaign of boycotts, divestment and sanctions” against Israel. That the momentum for a boycott campaign is building is evidenced by the support for such measures in various sectors, from British university campuses to American Protestant churches. Of course, not of all these bodies call for the complete isolation of Israel, but they share the flaw of pinning upon Israel the greatest responsibility for the ongoing conflict in the Middle East. Therefore, Israel is singled out for punishment.

The boycott campaign against Israel takes its inspiration from the struggle against apartheid in South Africa, which involved a sustained campaign of economic sanctions. In drawing this parallel, many activists take the view that Israel, like apartheid South Africa, is a colonial state whose laws and institutions enforce the subservient status of the indigenous population. Moreover, the solution is implicit in the diagnosis; because white domination was dismantled in South Africa, it follows that what is regarded as Jewish domination, in the form of the State of Israel, should go the same way.

In combating the various boycott and divestment campaigns, supporters of Israel will invariably come up against the apartheid analogy. At the U.N. World Conference Against Racism, held in Durban in 2001 – and notorious for its obsessive demonization of Israel – non-governmental organizations issued a declaration with numerous references to Israel as an “apartheid state.” More recently, European and American campus activists, among both faculty and students, have based the case for an academic boycott of Israeli higher education institutions on the alleged similarities between the Israeli occupation of the West Bank and Gaza, and apartheid. So pervasive has this analogy become that many opponents of Israel’s security fence refer to it pejoratively as the “apartheid wall.”

The apartheid analogy is critically flawed. It bears little resemblance to the realities of contemporary Israel and plays down the uniqueness of the apartheid state in South Africa. That state was extraordinarily repressive, regulating every detail of the lives of its subjects – 90 percent of whom were non-white – on the basis of their skin color. By contrast, Israel is a democracy which encourages vibrant debate, which has a flourishing free press and which shares with other liberal democracies a core value: the equality of all its citizens before the law.

Apartheid: What was it?

In 1994, one of the modern era’s most heinous forms of social organization came to a peaceful end. In the new South Africa, apartheid was no more. Black and white South Africans, along with the outside world, celebrated the demise of a system which, in the Afrikaans language, means “separateness” and “apartness.”

The racial separation and discrimination inherent in the principle of apartheid was enshrined in 1948, when South Africa’s National Party came to power. Convinced of their racial and moral superiority, the white architects of apartheid imposed what former President F.W. de Klerk, looking back on apartheid, called a “manifest injustice” on the Black population.

That injustice was not confined to just denying the vote to Black South Africans. It was rooted in law. Dozens of laws were enacted by the apartheid regime to enforce segregation, among them:

The Group Areas Act – Passed in 1950, this enforced physical segregation by creating different residential areas for whites, blacks and other racial groups, such as Asians and those of mixed race (known as “coloreds”).

Prohibition of Mixed Marriages Act – Passed in 1949, this forbade individuals from different racial backgrounds from marrying each other. Through this law, and through the **Immorality Amendment Act** of 1950, which prohibited sexual relations between whites and blacks, the apartheid regime echoed the infamous Nuremberg Laws of Nazi Germany, which discriminated between Jews and those of “pure” German origin.

Bantu Education Act – Passed in 1953, this law stunted the intellectual and creative development of Black children by gearing their education to reinforce their subservient social position (Hendrik Verwoerd, later to become South Africa’s Prime Minister, used the phrase “in accordance with their opportunities in life”). An extension to **University Education Act** in 1959 banned Black students from attending white universities and created separate higher education institutes for Blacks, whites, Asians and “coloreds.”

Reservation of Separate Amenities Act – Passed in 1953, this law provided the icons of the apartheid regime: signs on public buildings, transport and other amenities which declared ‘Europeans Only’ or ‘non-Europeans Only’. The law specified that public facilities had to be separated on racial grounds and did not require these facilities to be of equal standards.

Suppression of Communism Act – Passed in 1950, this law used such a wide-ranging definition of “communism” that any meaningful act of opposition to apartheid was banned.

Through these and a host of other laws, apartheid South Africa was able to tightly regulate, and therefore discriminate against, its Black population: where they lived, with whom they could engage in social contact, what they were permitted to study, what they were allowed to say.

Why there’s no comparison with Israel

Apartheid was a unique system. Those who lived under apartheid rule were governed by its rules and conventions every minute of every day.

In Israel and the territories, there are tensions and divisions over citizenship, ownership of land and human rights – basic elements which one recognizes in the apartheid model. But to turn such recognition into affirmation that Israel practices apartheid defies logic and poses a basic question: Why, out of all the countries in the world in which national, religious or ethnic minorities claim discrimination, is Israel selected for the apartheid label?

There are two components to the accusation that Israel is an apartheid state: historical and legal. The Palestinian version of the 1948 war provides the historical justification for apartheid analogy. According to this narrative, Jewish settlers with a grand colonial purpose grabbed the territory of the indigenous Arab population, expelling the majority and marginalizing the minority which remained. Since that time, the State of Israel is accused of having practiced systematic discrimination against its Arab citizens and of ruling mercilessly over those Arabs living in the territories captured during the 1967 war.

In legal terms, the argument continues, Israel bears a striking resemblance to apartheid South Africa. Therefore, the argument concludes, Israel is a paradox: it claims to be both a Jewish state and a democratic state, but does not accept that one precludes the other. By entrenching and reinforcing its Jewish majority through a combination of legal, political and military measures, Israel is said to have imposed an apartheid system upon its non-Jewish population.

The argument is a dramatic one. To many people in the human rights community, it is seductive as well. It is also wholly false.

Israel: Behind the Green Line

In 1948, just as the white regime in South Africa was creating the legal framework for apartheid, Israel's leaders, having survived a war of extermination waged by the Arab countries, anchored the new Jewish State in the principles of democracy. The Declaration of Independence stated: 'The State of Israel... will promote the development of the country for the benefit of all its inhabitants; will be based upon the precepts of liberty, justice and peace taught by the Hebrew prophets; will uphold the full social and political equality of all its citizens, without distinction of race, creed or sex; will guarantee full freedom of conscience, worship, education and culture; will safeguard the sanctity and inviolability of the shrines and Holy Places of all religions; and will dedicate itself to the principles of the Charter of the United Nations.'

Of course, that doesn't mean that no national or ethnic group in Israel has suffered from discrimination. Many Arab citizens of Israel complain, often with justification, about unequal allocation of resources; about the fact that 13 percent of land in Israel is administered by the Jewish National Fund (JNF) and cannot be leased to Arabs under that body's covenant (neither Jews nor Arabs may buy JNF land); about their exclusion from the military service required of Jews and members of the Druze minority, which they argue means they can never be regarded as full citizens; about the impact of the security fence on the Palestinian population, particularly in and around Jerusalem.

Jewish communities, too, have claimed discrimination in Israel. Many Jews from Arab countries or from Ethiopia have said that they do not receive the same educational or career opportunities afforded to Jews of European origin; some representatives of these communities also say that their native cultures and traditions are not respected.

None of this makes Israel unique. In fact, the reverse is true – all democracies have faced claims of discrimination at one time or another. One thinks of African-Americans in the U.S. or, more recently, Roma gypsies in the newly emerged democracies of Eastern Europe. Moreover, any assessment of Israel's record on discrimination needs to recognize the following points:

- Israel's citizens enjoy full equality before the law. This includes not only Jews from a vast array of ethnic and racial backgrounds – including many who would have been the victims of apartheid had they lived in South Africa – but the Muslim and Christian Arabs who make up one-fifth of the population.
- Unlike Blacks in apartheid South Africa, Arab citizens of Israel have full political rights. They vote and participate in the political process, with Arab Knesset representatives across the spectrum, from the Communist and Arab nationalist parties through to the Likud. Salim Jubran, an Israeli Arab, is a judge on Israel's Supreme Court.
- In Jerusalem, the 120,000 Arab residents of the city are entitled to Israeli citizenship, but the vast majority have retained their pre-1967 Jordanian passports and therefore remain in Israel on the basis of permanent resident ID cards. In both 1996 and 2005, Arab Jerusalemites were permitted to vote in elections to the Palestinian Authority. The extraordinarily low turnout on both occasions was duly noted by observers. In the case of the post-Arafat elections in 2005, disillusionment with PA corruption, as well as the decision of the Palestinian Election Commission that all but 6,000 of the voters had to cast their ballots outside of Jerusalem, were the main reasons cited for the turnout.
- Israel is one of the few countries in the Middle East and wider Islamic region where Christians, as well as Muslims and Jews, can freely worship. This stands in contrast with Saudi Arabia, where Islam is the only religion permitted, and with Iraq and Pakistan, where Christians have faced attack from Islamist terror groups.

- Arab students and professors study, research, teach and – above all – argue and debate on all of Israel's university campuses. At Haifa University, selected for a boycott by Britain's Association of University Teachers (AUT), some 20 percent of the student body is Arab.

No reasonable person would dispute that discrimination is a problem in Israel. But the nature and scale of the discrimination is not exceptional. And discrimination is not the same thing as apartheid.

Apartheid Analogy Fails for West Bank and Gaza

Neither does the apartheid analogy hold water in the West Bank and Gaza Strip, despite the undoubted hardships which Palestinians face in their day-to-day lives. Given the sizeable number of Israelis who support a withdrawal from some or all of these areas, as well as Prime Minister Ariel Sharon's decision to disengage from all settlements in Gaza and parts of the West Bank, it is abundantly clear that Israel does not want to indefinitely rule over the Palestinian population of these territories. Israel's stance in that regard was confirmed by its decision to sign the Oslo Accords, which created the Palestinian Authority, and in its peace agreements with Egypt and Jordan.

- In South Africa, around 12 million disenfranchised Blacks were crammed into Bantustans (impoverished autonomous homelands whose borders were designed to exclude economically viable land) to be used as a reservoir of cheap labor. Four of the 10 Bantustans were proclaimed 'independent' – meaning that residents lost even the handful of limited rights they had in South Africa – but were not recognized as such by foreign governments.
- Israel could not be further from imposing a Bantustan solution on the Palestinians. Not only has the Israeli government and the majority of the Israeli public accepted the idea of a Palestinian State but – as Israel has made clear in the past – genuine guarantees of security will result in important territorial concessions. Israel's goal is to achieve both its own security and Palestinian self-determination. In direct contrast to the Bantustans, which were frozen in a legal no-man's land, a Palestinian state will enjoy both international recognition and generous aid: recent pledges include \$3 billion from the World Bank alone. Rather than being ruled by a puppet leadership appointed by Israel, the Palestinians elect their own leaders. Finally, it should be recalled that apartheid South Africa intended to deport all of its Black citizens into the Bantustans; in the case of Israel's Arab citizens, such an idea is abhorrent to the vast majority of Israelis.
- The importance of Israel's security was noted by Nelson Mandela, the symbol of the struggle against apartheid, who remarked, in 1999, that he could not conceive of Israeli withdrawal 'if Arab states do not recognize Israel within secure borders.'

The world is rightly concerned about the humanitarian impact of checkpoints and curfews on the Palestinians. Such measures are driven not by a racist ideology, but, in the main, by legitimate security concerns on Israel's part. These measures, along with the security fence, are the consequence of a campaign of terror by Palestinian groups such as Hamas and the Al Aksa Martyrs Brigade, which, in deliberately targeting civilians, have claimed over 1,000 innocent Israeli lives.

Some analysts argue that Israeli policy is also informed by its need to secure a Jewish majority within defined borders. It is perhaps more accurate to say that Israel wishes to safeguard its democratic character and its status as a haven for the Jewish people. Permanent occupation of another people who wish to rule themselves is, therefore, not an option, which is why Israel has committed itself to disengagement and future negotiations.