

AN OCCUPATION THAT CREATES CHILDREN WILLING TO DIE Israel: an apartheid state? by
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BISHOP DESMOND TUTU, the South African Nobel Prize winner, described how he saw on his visit to Israel "much like what happened to us black people in South Africa. I have seen the humiliation of the Palestinians at checkpoints and roadblocks, suffering like us when young white police officers prevented us from moving about" (1). Comparisons between apartheid South Africa and Israel/Palestine have often been made, but not always clearly explained. Many factors have made the comparison attractive.

The first, perhaps most important, is the historical colonialist foundation of the two conflicts. White settlers in South Africa, like Zionist pioneers, colonised a land already inhabited. As in South Africa, the settlers in Palestine expelled the indigenous population, some two-thirds of the Palestinians in the land that became Israel in 1948, took possession of their properties and legally segregated those who remained.

However, admitting that Israel's foundation was colonialist does not mean that it is comparable to apartheid South Africa. As Gershon Shafir, a leading Israeli sociologist, has noted, while both conflicts were about control of the land, they took place in different historical and economic conditions that had an impact on their evolution and their relation to the natives (2).

White South Africans and Israelis dealt differently with the indigenous demographic reality. In Palestine the Zionist project wanted to negate the idea of a native non-Jewish population, coining the phrase "people without a land for a land without a people" (3). It sought to establish Jewish demographic dominance by expelling Palestinians and preventing structural dependence on the Palestinian economy, particularly on its labour. Before 1948 fewer than a third of the workers in the Jewish sector were Palestinian (4). From 1948-67, the remaining Palestinian Arabs supplied no more than 15% of the labour force (5).

South Africa was different. The white settlers sought to dominate, rather than expel, the native population by incorporating them as inferior citizens in a polity under exclusively white control. The indigenous population was in the majority, more than 75% of the total labour force since 1913, when the first segregation laws were passed. The white minority imposed apartheid in 1948, institutionalising legal, economic and residential discrimination. Fundamental to this was the construction of territorial segregation, through the labour reserves; the white-designated distinct geographic spaces - 13% of the land - on which blacks had to live.

Between 1951 and 1970 four major Acts (6) turned these reserves into bantustans. Those in these polities were given "self-government" rights and responsibilities, could define their own economic policies and run civilian and functional affairs. However, they had to coordinate with settler authorities on security matters, and could not have independent foreign policies. In 1974 bantustan citizenship was created and between 1976 and 1981 four of the 10 bantustans were granted independence, so their people were no longer South African citizens.

In Israel/Palestine no such territorial structure of segregation was created, though from 1948-66 the military governments controlled Israeli Arabs' movements, curfewed them, controlled where they lived and confiscated their land to favour Jewish occupation. South African apartheid wanted the land and the people, albeit with segregation; the Israeli leadership tried to take the land without the people, a policy seriously challenged by the 1967 war, which altered the demographic reality of the Israeli-Palestinian conflict. Nearly a million Palestinians remained in the occupied territories in 1967, equal to a third of the Jewish population on the total land controlled by Israel. Although Israel continued to pursue a transfer policy, more voluntary than forced (7), most of the Palestinian population remained. Examining Israel's response to this, we begin to understand the similarities that have emerged between Israel and apartheid South Africa, despite their initial historical differences.

After the 1967 war Israel consolidated its claims to the occupied land. The rightwing government elected in 1977 developed an elaborate policy of territorial integration and

demographic separation. The military government in the West Bank and Gaza Strip (WGBS) expropriated and enclosed Palestinian land and allowed the transfer of Israeli settlers to the occupied territories: they continued to be governed by Israeli laws. The government also enacted different military laws and decrees to regulate the civilian, economic and legal affairs of Palestinian inhabitants. These strangled the Palestinian economy and increased its dependence and integration into Israel. From 1967-90 the borders between Israel and the occupied territories were kept open. More than a third of the Palestinian labour force was employed in Israel and generated over a quarter of the territories' GDP.

Israel had constructed more than 145 settlements by 1993 and moved in 196,000 settlers; half lived in 10 settlements around East Jerusalem (8). The settlements' exponential growth and scattered distribution over the occupied areas began the structural-territorial fragmentation of the WGBS; they were intended to challenge the Palestinian demographic in the WGBS. Many view these Israeli policies of territorial integration and societal separation as apartheid, even if they were never given such a name (9).

The applicability of the South Africa model to Israeli-Palestinian relations is problematic. The first issue is the geographical delineation of Israeli "apartheid": does it cover all of Israel or only the WGBS? Palestinians living beyond the Green Line are Israeli citizens, while Palestinians in the WGBS are not. The former are not confined to specific geographic areas out of which they cannot move, nor are they excluded from the Israeli political process - they vote and can be elected, though they are discriminated against. The latter are an occupied population awaiting a political solution.

THE second point of contention is the role of territorial partition as a solution to the conflict. The African National Congress (ANC) in South Africa, the main political voice of the indigenous peoples, rejected the Afrikaners' separatist position and called for the end of apartheid and the creation of a democratic South Africa for all citizens. The Palestinian Liberation Organisation (PLO) had accepted by 1974 the idea of partition as the way to fulfil Palestinian rights to self-determination. Although it took 19 years more, and the Oslo process, for Israel to recognise the PLO as the only negotiating party, Israel accepted the idea of partitioning land with the Palestinians. The question was the definition of the boundaries and the political content of this partition.

The third difference between Israel-Palestine and apartheid South Africa is the position of the international community over the resolution of the conflicts. The international community never accepted apartheid or the idea of separate nationhood in South Africa. In 1976, when the South African government tried to get Transkei, one of the 10 bantustans, admitted to the United Nations as an independent state, the UN refused (10). In the Israeli-Palestinian conflict, the UN endorsed separate nation states as the model for conflict resolution. The UN Security Council resolution 181 in 1947 clearly set up the idea of land-for-peace as the guiding principle for solving the conflict. UN Security Council resolution 242 in 1967 reaffirmed that principle. While not specific about the boundaries of the land that Israel occupied or about Palestinian national rights, resolution 242 affirmed that the way to peace in the Middle East had to be through returning land and recognising all states. The Oslo process was based on resolution 242.

Despite these important differences between the Israeli-Palestinian conflict and South African apartheid, the past decade has brought them closer together. By institutionalising the societal separation and territorial integration that Israel created between 1967 and 1993, the Oslo process has prepared for the bantustanisation of the WGBS, transforming the Palestinian territories into fragmented population reserves, neither sustainable economically nor sovereign politically.

Oslo led to the territorial fragmentation of the WGBS. Although the Palestinian National Authority (PNA) was supposed to control most of the West Bank by 1996, it only had jurisdiction over 19%, or less, of the West Bank by July 2000 (area A) (11). It can be argued that political opposition to Oslo - manifested in suicide bombings and their repercussions in the

Israeli political establishment (the murder of Yitzhak Rabin and the election of Benjamin Netanyahu) - was a reason for the failure to ensure adequate Israeli redeployment. But the Palestinian jurisdiction before the al-Aqsa intifada was fragmented and excluded 59% of the West Bank (other than East Jerusalem) and 30% of the Gaza Strip.

Settlements were the key to the territorial fragmentation of the WBGS and to the bantustanisation of the Palestinian territories. Area C divided the West Bank into three parts that were further subdivided into smaller population reserves by the road bypass system and four major settlement blocs (Jerusalem, Ariel/Shomron, Gush Etzion, Binjamin/Jordan valley). Between 1993 and 2000 the settler population (including East Jerusalem) doubled to 410,000, around 15% of the territories' total population. Israel built more than 400km of bypass roads and 72 settlement outposts (12).

The Oslo process made the Palestinian situation legally similar to South Africa's bantustans. The Oslo accords did not make the native electorate the only source of authority for the Palestinian entity (as in the South African bantustans). Although the accords established a democratically elected Palestinian National Council and presidency, the jurisdiction of these elected institutions did not stem solely from the national electorate. The Israeli military government, which was not dismantled, continued to delegate to the newly elected Palestinian Council its civilian and legal jurisdictions. The elected Palestinian Council and the PNA were given mainly civilian, or functional, jurisdiction over 93% of the Palestinian population, but provisional territorial jurisdiction over 19%, or less, of the West Bank.

Oslo did not affirm the superiority of international law over Israeli law. It did not end the occupation and it did not mention the Fourth Geneva Convention, or UN resolution 181, which provides international legitimacy for an Arab state in historic Palestine. The accords referred only to UN Security Council resolutions 242 and 336, but these were vague about Palestinian rights to statehood and the size and boundaries of the occupied territories.

The Oslo agreements focused on establishing an infrastructure of close cooperation between the Israeli and Palestinian sides, rather than on separation. Joint Israeli-Palestinian committees were created in every field, especially in security, which remained under Israeli supreme control. This was the kind of security cooperation there had been in South African bantustans.

The way that Oslo dealt with the Palestinian demographic presence contributed to bantustanisation. By institutionalising the permit and closure system, introduced in 1990, Oslo imposed on Palestinians similar conditions to those faced by blacks under the pass laws. Although the pass system in South Africa was created to ensure the control and supply of cheap labour, while in the WBGS it was introduced for security reasons, the consequences were the same. Like the pass laws, the permit system controlled population movement according to the settlers' unilaterally defined considerations. The permit system, the pattern of Israel's territorial control and the continuing Palestinian demographic presence, transformed the WBGS into fragmented, unsustainable population reserves.

The Israelis' response to the al-Aqsa intifada was to develop the permit system and fragment the WBGS territorially. In April 2002 Israel declared that the WBGS would be cut into eight main areas, outside which Palestinians could not live without a permit (13). Settlement expansion went on unabated; more than 2,500 houses and 52 settlement outposts were constructed between September 2000 and January 2003 (14). The construction of the wall between Israel and the West Bank, expected to be at least 360km long, is establishing a unilaterally defined Israeli border that encroaches on the 1967 boundaries and cuts Palestinian areas off from each another (15).

The United States' proposed "road map" is no different from Oslo; it insists on positive performance in security cooperation and Palestinian institution building, affirming Israel's right to intervene in Palestinian affairs. It envisages the establishment of an independent Palestinian state with provisional borders by 2005, but it does not specify how such a state can be independent and sovereign while having only provisional borders. It remains vague about

three other issues central to the establishment of a viable Palestinian state: settlements, Jerusalem and refugees.

THE road map does provide a role for the international community that was absent in Oslo. It makes the Quartet (the UN, the European Union and Russia) guardian of the agreement with the US responsible for monitoring cooperation between the sides. However, the Quartet is given no power to impose arbitration and monitoring. The road map is an international endorsement of the bantustanisation of the WBGS; the international community accepted the establishment of a Palestinian state with provisional borders while settlements are not dismantled and the 1967 borders continue to be redefined by Israel.

Despite their initial differences, apartheid South Africa and the Israeli-Palestinian conflict have become similar since 1993. Will these similarities prove lasting? The Palestinian bantustans are neither as clearly defined nor as large as those of South Africa. Israel has less need of the Palestinian labour force, replaced more than a decade ago by 250,000 workers from Asia, Africa and Eastern Europe. If the current situation continues, the two-states solution is in peril. The disappearance of that option would condemn Israel to being an apartheid and binational state, unless it were to embark on a massive programme of population transfer. Palestinians and their supporters abroad would do well to take the South African resistance movement into account when rethinking their political vision and resistance strategy.

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See also : Israel: beyond hope and Facility 1391: Israel's Guantanamo

(1) The Guardian, London, 29 April 2002.

(2) Gerson Shafir, Land, Labour and the Origins of the Israeli-Palestinian Conflict 1883-1914, Cambridge University Press, Cambridge, 1989.

(3) The idea of expulsion, or transfer, of the indigenous population was fundamental to Zionism since its inception. See N Masalha, Expulsion of the Palestinians: the Concept of "Transfer" in Zionist Political Thought, 1882-1984, Institute of Palestine Studies, Washington DC, 1991.

(4) Baruch Kimmerling, Zionism and Economy, Schenkmen, Cambridge, Massachusetts, 1983.

(5) Statistical Abstract of Israel, Israeli Central Bureau of Statistics, Jerusalem, 2002.

(6) Bantu Authorities Act 1951, Promotion of Bantu Self-Government Act 1959, Bantu Homeland Citizenship Act 1970, amended 1974.

(7) See Masalha (1997), op cit.

(8) Report on Israeli Settlements in the Occupied Territories, vol 11/6, Foundation for Middle East Peace, 2001.

(9) Uri Davis, Israel: An Apartheid State, Zed Books, London, 1987; Roane Carey, ed, The New Intifada: Resisting Israel's Apartheid, Verso, London, 2001; Marwan Bishara, Israel/Palestine: Peace or Apartheid, Zed Books, London, (2001); Law, Apartheid, Bantustans and Cantons: The ABC of the Oslo Accords, Jerusalem, 1998, and the Palestinian NGO paper.

(10) A Kerby, South Africa's Bantustans: What Independence for the Transkei, World Council of Churches, Geneva, 1987.

(11) According to the agreement signed in Oslo at the end of September 1995, area A (3% of the West Bank) was under autonomous Palestinian jurisdiction; area B (27%) was run jointly, and area C (73%) was ruled by the Israelis. See *L'Atlas du Monde diplomatique*, Paris, 2003.

(12) Report on Israeli Settlements in the Occupied Territories, Foundation for Middle East Peace, vol 13/2, 2003.

(13) See "The Israeli Security Zone makes up 45.25% of the West Bank", Applied Research Institute Jerusalem.

(14) Report on Israeli Settlements in the Occupied Territories, Foundation for Middle East Peace, 2002, vol 12/2.

(15) 120km of the wall has been constructed, cutting off 14,000 Palestinian families from their land and from other Palestinian areas (Betselem 2003).