The Israeli Regime, Palestinian Arabs and the Apartheid Analogy: Methodological and Theoretical Reflections

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1.   Posing the question

This paper is part of a larger project that examines two related issues: (1) the extent to which the notion of 'apartheid' is applicable to Israel/Palestine today, and (2) the extent to which we can engage in a meaningful historical comparison between Israel/Palestine and South African societies. Within this overall context, this presentation focuses on background questions of a methodological and theoretical nature, rather than on the direct comparison itself, though historical material is used for purposes of illustration of the arguments.

The two issues above are closely related but have distinct meanings, which are frequently conflated. They lead to two different aims: the first is to use the concept of apartheid, defined in international law, as a benchmark against which to evaluate the practices of the Israeli regime in relation to its Palestinian Arab subjects. It has nothing specifically to do with South Africa, despite its historical origins in that country. The second aim is to use the social and political histories of Israel/Palestine and South Africa in order to examine them against each other, make sense of the evolution of each one of them, outline similarities and differences between them, and draw analytical and practical-political conclusions from the study.

What is the rationale for comparing these two specific cases? In principle, any society can be compared to any other society. Having said that, Israel/Palestine and South Africa share features which make the comparison interesting. Both came into being in the course of conflict between indigenous people and settler immigrants. The process of settlement took place as part the overall expansion of European political and economic domination over the globe, though in different historical periods: white settlement in South Africa had started more than two centuries before its Jewish equivalent in Israel/Palestine. The majority of settlers, especially in Israel/Palestine, did not come from the ranks of the principal colonizing power – the British Empire. In this sense, both settlement processes are instances of what has been referred to as a "surrogate colonization" process.

Perhaps of most significance here is that indigenous people in Israel/Palestine and South Africa have never ceased to pose a fundamental challenge to settler domination. In many other colonies indigenous people were wiped out almost completely as in the Caribbean, North America and Australia, or merged to varying degrees with settlers as in Central and South America. In still other places, European powers took over Asian and African territories but later withdrew without leaving behind permanent populations (the French in Algeria and Indochina, for example, and the Portuguese in Angola and Mozambique). It is only in few places that the colonial conflict is going on as intensely as ever and the originating violence, which marks the foundation of new states and nations, repeats itself indefinitely. This is the

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case clearly for Israel/Palestine today, though less so for South Africa since 1994 (even if the demise of political apartheid has not led to reduction of social inequalities).

The reference above to colonialism allows us to place conflicts in these places in context, but colonialism is a historical rather than theoretical concept, since it does not have distinct laws of motion. Although useful at the descriptive level, models of colonialism cannot account for the variety of and changes in the dynamics and internal relations in different societies. A theoretical model must outline specific relations between concepts, but models of colonial societies (exploitation, plantation, settler and so on) do not tell us how they differ from other societies in the ways class, race, identity, state, gender, power and other forces manifest themselves, or interact with one another. In other words, these models do not establish any *specific social-theoretical dynamics* unique to colonialism that serves to distinguish it analytically – and not just historically – from other types of societies.

As an alternative method of investigation, I suggest a strategy of dealing with the multiplicity of colonial and post-colonial societies with a two-track approach:

- Studying them in their historical specificity without imposing artificial boundaries between classes of cases, and
- Examining them by deploying general analytical concepts rather than idiosyncratic models (such as 'colonialism of a special type' or 'ethnic democracy combined with protracted occupation' or 'regimes of separation') which may serve as useful political labels but are theoretically vacuous.

The extension of this strategy to the comparative field should not present difficulties. The greater attention to the analytical dimension in comparative studies may come at the expense of historical specificity, but this is justified in light of the rewards of stimulating research and theoretical elaboration.

2.   The role of models and theory

In studying Israel/Palestine and South Africa we need to identify the goals of the comparative strategy. There are different possible ways in which to proceed: the focus could be on a giant compare and contrast exercise, in which the two cases receive equal attention, with the task being to identify what they have in common and in what ways they differ. Alternatively, we could use one case in order to highlight the specific features of the other (and vice versa). Or, we could focus on one case and use the other merely to illustrate an argument. And, in a more political than academic vein, we could use the comparison in order to score debating points by developing a big argumentative stick with which to hit people on the head, as is frequently done with this specific comparison. In principle, the use of analytical material for political purposes is legitimate as long as it does not interfere with the analysis through a deliberate selection of evidence in order to lend support to preconceived political positions.

Beyond the historically specific details of the comparison – important in their own right – raising the question of models allows us to link empirical evidence to more abstract conceptualization. Thompson's view in *The Poverty of Theory* provides a useful guide:

> A model is a metaphor of historical process. It indicates not only the significant
> parts of this process but the way in which they are interrelated and the way in

which they change. In one sense, history remains irreducible; it remains all that happened. In another sense, history does not become history until there is a model: at the moment at which the most elementary notion of causation, process, or cultural patterning, intrudes, then some model is assumed. It may well be better that this should be made explicit. But the moment at which a model is made explicit it begins to petrify into axioms … at the best … we must expect a delicate equilibrium between the synthesizing and the empiric modes, a quarrel between the model and actuality. This is the creative quarrel at the heart of cognition (Thompson, 1978: 287-8).

Earlier I discussed some problems with colonial models. An example should suffice to illustrate the difficulties involved in using such models in our context: Israel/Palestine and South Africa have been defined as settler-colonial societies but followed different historical trajectories: the last 25 years have seen shifts up and down in the degree of inter-group segregation in both places, but the overall trend during that period has been towards intensifying state-led segregation in Israel/Palestine in contrast to its consistent relaxation in South Africa. Other cases to which this model has been applied have seen relatively peaceful incorporation of white settlers in post-1990 Namibia compared to their increasingly violent exclusion in post-colonial Zimbabwe. The model of settler colonialism has been useless in predicting the divergent paths taken by these societies, nor has it been of much help in predicting the move towards greater use of political violence in Israel/Palestine and its gradual disappearance in South Africa and the ups and downs it has experienced in Zimbabwe.

The crucial point here is *not* that the model applies unevenly in different cases but rather that it has nothing specific to say about the expected direction of change, and thus is without predictive value. It may serve as a useful label to refer to a set of societies that share some historical characteristics, but is of limited theoretical interest otherwise. Even if we stick to the descriptive level it is not clear what is to be gained by deploying a model that of necessity reduces empirical diversity without allowing for greater theoretical elaboration. An alternative to models would be to treat each case as unique, with a specific trajectory of its own which cannot be generalised. If we adopt this approach, however, we run the risk of hampering our ability to develop theory. The challenge facing us, then, is to address the inadequacies of models, which are too general, without getting bogged down in an empiricist mode of investigation. In other words, we need to retain both the complexity of empirical description and the generality of theory, without compromising either.

Charles Ragin's diversity-oriented approach is one possible way of moving beyond the standard methodological focus on *cases*, seen as singular entities that must be examined holistically, and on *variables*, seen as disparate forces each of which has an independent effect on the case in question. Ragin's approach involves looking at cases as configurations of elements with a combined impact that is affected by the historical context. The two important methodological elements that he adds here are *configurations* (clusters of variables and processes that operate together, rather than separately as normal variables do) and *context* (the same variables or configurations may lead to different outcomes in changed contexts). These elements are not new in themselves, of course, but their deployment in the comparative field may offer us a way of deriving new insights into the nature and evolution of our cases.

What are the relevant configurations? There are many clusters of interrelated variables and those identified here are illustrative of possibilities rather than exhaustive. They centre on the

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modes of political domination (including resistance) as the key concept in the investigation:

1. Race, class stratification, ethnic division of labour, uneven access to natural resources (land in particular), and the relationship between economic prosperity, poverty and inequality, and modes of political domination
2. Demographic relations between collectives, incorporation/exclusion of extra-territorial populations, and their relations to shifts in modes of political domination
3. Processes of group formation, overlaps between racial, ethnic, national and religious modes of identification, open and exclusionary identities and their relationships to modes of political domination
4. Settlement processes, geographical expansion, the formation of boundaries and frontier territories and spatial arrangements, and their relationship to modes of political domination
5. Cultural motifs, notions of civilisation, savagery and modernity, constructions of self and others, perceptions of gender, honour and masculinity, pioneering and progress, and their relationship to modes of political domination
6. State organisation, military and security apparatuses, civil society structures and their relationship to racial/ethnic mobilisation, and consequent modes of political domination
7. Positioning within the global system of states and empires, regional/continental arrangements, solidarity with and by global forces and movements, and their relations to modes of political domination and prospect of change.

Each of these configurations is a hefty topic in its own right, and studying all of them combined makes for a heavy-duty task, which cannot be undertaken within the framework of a single study. If we add the dimension of temporal context and consider that the political conflict under examination here, as conventionally understood, has stretched over 130 years in the case of Israel/Palestine and 360 years in the case of South Africa, it would become clear that we are facing an impossibly huge project. We must cut it up into manageable portions for any concrete study to proceed (a crucial step that is beyond the scope of this paper).

What kind of outcomes can we expect from this approach? To be sure, no model will emerge from it, but it directs our attention to key historical processes of settlement and conflict. For example, we could point out the impact of indigenous modes of political organisation on patterns of conquest and resistance, and highlight the greater capacity of Palestinians before 1948 to shape the terms of the evolving conflict. Or, we could point out the more fragile modes of social organisation of indigenous people in South Africa, which facilitated their conquest and incorporation into settler-dominated economic structures. Or we could raise questions about the ways in which parties to the conflict in Israel/Palestine have made use of their links to global Arab, Islamic and Jewish identities and resources, while actors in South Africa were reliant for long periods (before the 19th century and for much of the 20th century) only on their local affiliations and resources.

In a more contemporary vein, we could examine strategies of resistance and highlight the centrality of the labour movement in South African struggles as compared to its marginal role in Israel/Palestine, and link this difference to patterns of settlement and conquest on the one hand and to affiliations with extra-territorial populations (creating jobs for Jewish immigrants) on the other. The implications of this difference for strategies of mobilisation and change are important as well. Or, we could look at culture and discourse and discuss the prevalence of

demographic considerations in the one case and its relative absence in the other. The concern of Jewish settlers with becoming a numerical majority has to do with prior consolidation of ethno-national identities in Israel/Palestine, and with the absence there of the overwhelming technological advantage that was central to relations of domination between settlers and indigenous people in South Africa. In turn, it has affected political strategies of demographic exclusion (leading to ethnic cleansing or – when that is not deemed feasible – to territorial concessions) versus incorporation/exploitation of indigenous people as providers of labour power and, if necessary, as citizens.

These examples should suffice for us to conclude that our approach can yield specific historical explanations, enhanced by a comparative framework which serves to highlight what is distinctive to each case and what they have in common. Such explanations may resort to more than one cluster of variables (that is, more than one configuration) for optimal effect. This approach is unlikely on its own to develop theoretically generalizable models, however. It does not mean that theory has no role to play. On the contrary, it is essential for meaningful historical explanations.

We have no reason to expect the social theory applicable to our specific historical cases to differ from theory applicable to other cases and societies, regardless of their relationships to colonialism as a historical phenomenon. Whether we focus on power, identity, culture, class, gender or any configuration of these concepts, they are all potentially universal in nature. This is not to say that they operate in the same way across time and space, or that they always enter the same relationship with one another and acquire the same importance. Rather it means that we have to balance the complexity and specificity of our historical explanations with the generality of theory, if we wish to make a contribution to theory formulation. That generality is premised on the notion that all societies are subject in principle to the operation of the same forces even though these manifest themselves in specific ways. Having said that, it may be the case that 'outliers' to the mainstream preoccupations of 'normal' social science can shed particular light on conceptual issues. It would be interesting to explore how general theory may be applied to make sense of unusual settings and also how such application may require of us to modify our understanding of theory.

To give a couple of examples, South Africa and Israel/Palestine have been sites of political struggle combining questions of class and resources on the one hand, and racial and ethnic identification on the other. In what ways does studying these questions in this particular comparative context allow us to develop innovative insights about the intersection of race and class that would have broader relevance? In what ways does the study of identity formation and political conflict in the context of immigrant and extra-territorial populations (Afrikaners, Jews) allow us to understand aspects of global identity formation? It is precisely the marginalization of the case studies as atypical or abnormal societies that could offer an opportunity to gain useful theoretical insights that might be obscured under more standard conditions (Flyvbjerg, 2001).

Without belabouring the point it is enough to point out that comparative case studies can be sites for the application of general theory, as well as for its elaboration and modification in light of the specific features of these cases. This does not mean that we need to construct a separate theoretical model to analyse each case, even if it is unique from a historically descriptive perspective.

3. What is apartheid?

One of the crucial questions facing us is the meaning of the notion of *apartheid*. On the face of it there is an obvious answer: apartheid is a system of social and political domination that was in place in South Africa between 1948 and 1994. The apartheid era was characterized by attempts on the part of the National Party government to impose conceptual, legal and geographical distinctions between people on the basis of race. Legislation divided the population into white and black groups, and the latter were further divided into racial and ethnic sub-groups. Black African people were classified into various ethnic groups, each with its 'own' territory or homeland in which to exercise political rights and meet social needs. At the same time, in the crucial area of labour, state policy sought to ensure that black people continued to work for and serve white people, a principle that shaped white-dominated economy and society throughout South African history.

In a useful summary, historian William Beinart identified seven pillars of apartheid. None of these features were new, but they were strengthened, tightened and made more difficult to evade with the rise of the National Party to power in 1948:

- Starker legal definition of races
- Exclusive white participation in and control of central political institutions, and repression of those who challenged this principle
- Separate institutions and territories for black African people
- Spatial segregation in town and countryside
- Control of the movement of African people into the cities
- Tighter division in the labour market
- Segregation of amenities and facilities of all kinds (Beinart, 1994: 142).

Adopting this definition as a benchmark, we can compare other regimes and societies to its features and derive historical and theoretical conclusions from the comparison. This strategy makes sense – and has been used productively by scholars – but it must not stop us from exploring other ways in which the notion of apartheid has been used, especially on the international legal scene. Two notable attempts to expand the notion beyond South African boundaries need to be considered here: The International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the UN General Assembly in 1973, and The Rome Statute of the International Criminal Court, which dates back to 2002.

The 1973 International Convention regards apartheid as "a crime against humanity" and a violation of international law. Apartheid in it means "similar policies and practices of racial segregation and discrimination as practised in southern Africa … committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them".

A long list of such practices ensues, including "denial to a member or members of a racial group or groups of the right to life and liberty of person … by the infringement of their freedom or dignity", and legislative 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". In addition, this includes 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"
(http://www.anc.org.za/un/uncrime.htm).

This is not an exhaustive list, and not all practices must be present simultaneously to qualify, but it is based on key elements of South African apartheid. A point that stands out here is the notion of race: if we retain the common definition of race – indicating biological origins, usually associated with physical features, primarily skin colour – we can dismiss the case of applicability to Israel/Palestine. The definition clearly is not relevant to the relations between Israeli Jews and Palestinian Arabs. Both groups are racially diverse and cannot be distinguished on the basis of physical appearance.

Having said that, we must consider that race is a term that is relevant beyond its conceptual and geographical origins. The International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the UN General Assembly in December 1965, applies the term racial discrimination to "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." This does not apply, however, to "distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens", which raises the issue of criteria for acquiring citizenship. (http://www2.ohchr.org/english/law/cerd.htm)

Putting together the two conventions above, we come up with a definition of apartheid as a set of formal and informal policies and practices of legal discrimination, political exclusion, and social marginalization, based on racial, national or ethnic origins. This definition obviously draws on historical apartheid in South Africa but cannot be reduced to it. The focus of our attention should be on the actual practices of the state, and the extent to which they are exclusionary or discriminatory in the sense described in the Convention, rather than on the degree of similarity to or difference from the South African case. This is especially so since the 2002 Rome Statute of the International Criminal Court omitted all references to South Africa in its definition of 'the crime of apartheid'.

In its Article 7, addressing crimes against humanity, the Rome Statute defines the 'crime of apartheid' as "inhumane acts of a character similar to those referred to in paragraph 1, committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime". The acts referred to in paragraph 1, which are most relevant here, include "deportation or forcible transfer of population" and "persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender … or other grounds that are universally recognized as impermissible under international law". Persecution in turn is defined as "intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity".

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With the passage of time and the political transition in South Africa, apartheid is becoming a legal rather than only a descriptive historical term. While its association with the unique South African regime is strong, it has acquired a general meaning of systematic oppression and discrimination on the basis of origins. It would be premature to de-link it from its historical foundations. In the minds of most people it continues to evoke a specific system rather than an abstract concept. For this reason, the best strategy would pursue two tracks simultaneously: it would examine Israeli state practices by comparing them to their South African equivalents (and vice versa), and also examine the applicability of international law to such practices. The outcomes of the two tracks would not be the same: the first of them would generate material of historical and analytical interest, while the second would add contemporary legal and political depth to it. They are thus complementary rather than competing approaches.

Adding the international law dimension to the analysis means we do not need to focus on practices that are identical to those of pre-1994 South Africa in order to determine whether apartheid exists elsewhere. The test is independent of our understanding of that specific history, especially since some features of apartheid in South Africa changed during the course of its own evolution and thus cannot serve as a benchmark in evaluating other regimes. To be clear, this is **not** a call to eliminate South Africa from the analysis but rather to add to it alternative conceptualisations of apartheid. The relative weight of the two dimensions of the comparison cannot be determined in advance, and will be an outcome of the analysis itself.

There is one critical point to be made about the preceding definitions of apartheid. They focus entirely on the visions, plans, policies and practices of the politically dominant force in society, particularly whites in South Africa. This may seen obvious but there are other dimensions to consider. Without offering a full-fledged analysis here, we need to realize that apartheid was not only a regime but also a social arrangement that generated a degree of intimacy between people of different racial backgrounds, though not on a basis of equality. Most white children grew up with black women nurturing them, especially in their younger years. Black people were ever-present in white-dominated workplaces, farms, and homes, always in a subordinate position but always physically there. The problem in such sites was not segregation, meaning keeping people apart, but the lack of equal respect, dignity and access to rights.

What are the implications of this set-up for our understanding of the rise and demise of apartheid? Did it make the prospect of post-apartheid racial reconciliation more palatable to black and white people? If white people regularly entrusted their most cherished possession – children – into black people's hands, did that make formal political equality less scary for them? And if they did not make such connections, how did they manage to distinguish between these spheres? There is a range of questions about this relationship that is usually obscured with the excessive focus on class and politics, and needs to be interrogated.

Another dimension neglected in the definition of apartheid is black responses, modes of social and political organization, shifts in their identities, and so on. This means building into the definition not just overt political resistance but also the background to the system, coping mechanisms used by subordinate people, the ways in which they reacted to policies and initiated change strategies, and the ways in which they shaped their own identities. All these may be as much a part of apartheid (at least in South Africa) as the political foundations of white supremacy, and have implications for the comparative project.

4.   What (and where) is Israel?

Once the meanings of apartheid in the comparative framework are sorted out, other terms need to be clarified, and in particular the notion of Israel. We need to consider which Israel is our topic of concern: Israel as it exists today, a regime which extends from the Mediterranean sea to the Jordan river, or Israel as it existed before 1967, along the Green Line? Is it Israel as a state that encompasses all its citizens, within the Green Line and beyond it? Are the Palestinian territories occupied in 1967 part of the definition or external to it? Which boundaries (geographical, political, ideological) are relevant for our discussion, and what are their implications for our understanding of the nature of the regime and its relation to different groups in the population subject to it?

Each definition of the situation carries with it different consequences for the analysis of the apartheid analogy. The central question in this respect is the relationship between three components:

1. Israel proper (within its pre-1967 boundaries)
2. Greater Israel (within the post-1967 boundaries), and
3. Greater Palestine (a demographic rather than geographic concept, covering all Arabs who trace their origins to pre-1948 Palestine).

While discussion of the relationship between the first two components is fairly common, the third component is usually ignored, even by many voices critical of Israeli policies. However, it is only by considering the three aspects together that we can meaningfully explore the relevance of the apartheid analogy to our case. Failure to do so results in analyses that are inevitably skewed politically to the right. They take for granted some realities that became entrenched through violent processes of conquest and dispossession – the exclusion of the 1948 refugees – and ignore other such realities: the permanent 'temporary' occupation of 1967, which incorporates the land under Israeli control and excludes its Palestinian residents.

How to position the discussion correctly is a methodological question with profound implications. It is the most important political questions in Israel/Palestine today, as the geographical distinctions between the three components above are linked to radically different conceptualizations of citizenship, identity, and rights.

Israel proper within the Green Line boundaries, which prevailed from 1948 to 1967, had a large Jewish majority (80-85% of the population) and a small Palestinian-Arab minority. These figures were the outcome of two combined processes: UN General Assembly resolution 181 of 1947 partitioned Palestine into a Jewish and an Arab state. The proposed Jewish state was carved up in a way that left most Jews living in the territory (approximately 500,000) within its boundaries. Only a small minority of 10,000 was expected to reside in the Arab state, and further 100,000 were to be residents of the international zone of Jerusalem. The Jewish state was supposed to accommodate 400,000 Arabs, who would have become 45% of its population. The bulk of the rest (725,000 Arabs) were to become residents of the Arab state, and 100,000 Arabs were to be residents of the international zone of Jerusalem. This plan never materialized as the country was plunged almost immediately into civil war, which ended with the conquest of additional territories by Jewish forces (increasing the size of their state by 50%). These territories had been home to 500,000 Arabs before the war, a figure that would have brought the total Arab population of the new state to 900,000. From a small

majority (55% according to the UN plan) Jews would have become a minority in their own state – no more than 40% of the total population.

The prospect of this state of affairs led Jewish military forces to embark on a campaign of 'ethnic cleansing' (a term not yet known at the time). Together with the hardships caused by the war and residents' fears for their future, the campaign resulted in the depopulation of the Israeli-controlled territories: at least 80% of their Arab residents fled or were expelled in what became known as the *Nakba* (catastrophe). Regardless of the circumstances of their departure, they were prevented from returning to their homes and have been refugees ever since.

The demographic outcome of the war thus was a unified and growing Jewish population concentrated in the newly-created state of Israel, and a fragmented Palestinian-Arab population. About 15% of Palestinians remained in Israel, and were granted citizenship there: this figure includes people forced out of their homes and villages who remained within Israeli state boundaries (known as 'present absentees'). A further 25% remained in other Palestinian territories that were occupied in the course of the war by Jordan and Egypt, and became known respectively as the West Bank and the Gaza Strip. The rest – 60% of the total – were refugees dispersed in various areas, inside Palestine and in neighbouring Arab countries.

Only members of the first group – variously referred to as Israeli Arabs or Palestinian citizens or the Arabs of 1948 or the Arabs of the Inside – acquired citizenship rights in their homeland and place of residence. Their rights are real enough even if subject to various qualifications, and they are best regarded as second-class citizens. It is crucial to keep in mind though, that this group is a rump community, representing only 20% of the original Arab residents of what became Israel. The rights to which they have access are denied to the other 80% who hail from these territories but became refugees in 1948. For this reason we cannot speak about 'Israel proper' in isolation. It is misleading to discuss any aspect of Israeli ethnic policies and practices in its 1948 territory without realizing that they are all premised on the dispossession of the refugees. The erasure of the legacy – physical and conceptual – of this 'excluded presence' was not a once-off event but is an ongoing project that shapes Israeli practices to this day (in a sense, more now than at any other time since the early 1950s).

Greater Israel, created in the aftermath of the June 1967 war, is another component essential to our understanding of the Israeli regime. It came into being with the occupation of the West Bank and the Gaza Strip, which continues to this day although in different ways. While these territories never have been formally annexed to Israel, and are subject to an indefinite 'peace process' to determine their status, they fall under the overall Israeli system of control. Using Weber's definition of the state as a body that successfully claims a monopoly on the legitimate use of physical force in a territory, Israel is the only state in the entire area of historical Palestine, from the sea to the river. This means we are looking at an integrated regime in all of its post-67 territories, even if its rule is applied in an internally differentiated manner.

The official Israeli line is that the Occupied Palestinian Territories (OPTs) are disputed rather than occupied, and will remain so until their final status is decided though negotiations. International legal bodies have ruled that the territories are under a temporary regime of 'belligerent occupation', and that Israeli actions there must be justified by military needs and maintaining public order and safety of the population. In practice, over the last 45 years Israel has kept Arab residents subject to military rule while allowing hundreds of thousands of its own citizens to settle on land confiscated or illegally bought from the original owners. Israel has built hundreds of Jewish-only settlements, whose residents enjoy full citizenship rights,

have access to services funded from the regular state budget, and are armed and defended by Israeli military forces. It has constructed segregated roads for its own citizens, built the 'separation fence' (Apartheid Wall), erected hundreds of road blocks to restrict the movements of Palestinian residents, and put in place thousands of military regulations that affect the daily lives of local people, their access to resources and services, and their ability to make a living.

In all these activities the concerns and voices of Palestinian residents are ignored. They have no say in the way in which they are governed by Israel, and the powers of the Palestinian Authority – established in terms of the Oslo Accords of 1993 – are little more than those of a municipal government. In most things that matter to the daily life of people – land, water, traffic between towns and villages, immigration, construction, trade – the Israeli regime is the sole authority. Although most steps undertaken by the regime aim to entrench its control and facilitate the settlement of Jewish civilians in the territories, the Israeli courts have routinely endorsed the pretence that these policies are motivated by military or security needs – the sole grounds permissible in international law. Only in few cases the courts challenged the military authorities, usually on minor aspects of policy (for example, changing the precise route of the 'separation fence' without challenging the legality of its construction on private land). In that sense the Israeli legal system has played a major role in making the 'temporary' occupation permanent, while providing it with a (shrinking) fig leaf of international legal legitimacy.

Palestinian residents of the OPTs have no representation in the state, and live under a regime that systematically separates them from the rights-bearing Jewish citizens of Israel who live in the same territory. The analogy with apartheid naturally arises as a result. Little wonder then that must uses of the apartheid label refer to the OPTs (statements by Archbishop Desmond Tutu and John Dugard, the special rapporteur for the UN Commission on Human Rights, President Jimmy Carter's 2006 book *Palestine: Peace not Apartheid* and the South African Human Sciences Research Council 2009 study, *Occupation, Colonialism, Apartheid?*).

It is easy to make the case that everything that happens in the OPTs is shaped, to a greater or lesser extent, by the overarching Israeli regime. It is equally easy to apply the apartheid analogy to the relations between Jewish settlers and Palestinian residents. Glaring legal and social inequalities between citizens and subjects, and the decisive stand of the regime behind the settlers, whom it arms and funds, reinforce the analogy. The complete lack of interest on the regime's part in gaining the consent of local Palestinians is a testimony to the exclusionary thrust of its policies. After 1967 it focused on taking possession of land but also attempted to govern the population by showing some concern with its welfare, if only in order to decrease the chances of mass revolt. In the last two decades, however, and especially since 2000, it has abandoned even this limited concern, moving from 'the colonization principle' (seeking to shape the body) to 'the separation principle' (seeking to crush it), to use Neve Gordon's terms.

Clearly the notion of 'separation' as used in Israel does not imply relinquishing domination or demarcating clear boundaries between Israel and Palestine. Rather it is a new mode of control. In the classical Zionist imagery, it is an attempt to win the 'bride' (land) without the 'dowry' (its people). The growing integration of the territories into the structure of the Israeli regime has been accompanied by growing exclusion of their non-Jewish population, legally, conceptually and physically, wherever possible. Paradoxically, the rhetoric of *Hafarda* (separation or segregation), dominant in Israeli political discourse, disguises intensified control over the OPTs and their Palestinian population. Rather than facilitating autonomy and taking charge of their own affairs, it results in reduced ability by Palestinian residents to

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determine their own destiny. This is done **not** in order to entrench the hegemony of the regime or exploit the labour of the 'natives', as in apartheid South Africa, but to destroy any independent political challenge they might raise to unfettered Israeli control of the OPTs and of Israel itself (analyses of the occupation regime are offered in Weizman, 2007; Gordon, 2008; Ophir, Givoni and Hanafi, 2009; Raz, 2012; Azoulay and Ophir, 2012).

Three factors in particular have complicated the identification of the occupation regime with apartheid: the notion that it is temporary and will last only until negotiations are successfully concluded (the so-called peace process); the notion that it is a legitimate response to security concerns according to international law; the notion that whatever happens 'there', is irrelevant to our analysis of what happens 'here', in Israel proper, where democratic rule prevails.

These pillars of Israeli *Hasbara* (state propaganda) were dealt a blow with the recent report of the Levy Commission of June 2012. Convened to examine legal issues related to construction in the OPTs, and composed of hand-selected right-wing jurists, the Commission concluded that the term 'occupation' and its legal implications were inapplicable to the situation in 'Judea and Samaria'. The area had been held before 1967 by Jordan, which had no legitimate rights there and eventually renounced its claim to it. As a result, the report argues, "the legal status of the area was restored to its original status, that is an area meant to serve as a national home for the Jewish people". Palestinians have a claim to civil and religious rights, based on the 1917 Balfour Declaration, but not to national rights, which leaves the State of Israel as the only power with a claim to sovereignty there.

The report was widely ridiculed on its release for blatant failures of logic. For example, if the Balfour Declaration is the source of authority, we must recognise that it talks about a 'national home' under a British Mandate rather than an independent state, and it does not accord Jews superior political rights in the territory. If the right to a Jewish state is derived from the 1947 UN partition resolution, then a right to an Arab state is found there as well. On what basis then can the one be asserted and the other denied? Also, it is not clear what legal mechanism transformed "the Jewish people" (a diffuse multiplicity of many people and groups of diverse political affiliations) into the State of Israel as a singular entity. And, if Palestinians are indeed entitled to civil rights, as the report concedes, on what basis can Israeli authorities prevent them from free movement around the country, the right to work, settle and live wherever they wish? Crucially, if there is no occupation, where is the authority of the Israeli military, and its numerous regulations governing every aspect of life in the territories, derived from?

The report may be devoid of legal value (similar arguments had been consistently rejected not only by the international legal community but also by much of the Israeli legal establishment), but it is an important political statement. It undermines the state's standard defence of its policies: it denies that the situation can be regarded as temporary and therefore allows for suspension of legal rights; it denies that settlements were built because of military needs; it recognises that a national world-view (the quest for Jewish settlement of *Eretz Israel*), rather than security, is the prime motivation of policy; and, it assimilates the territories fully into the Israeli legal-political system. In other words, it rejects attempts to deny that Israel proper and the OPTs are distinct entities that live side by side but somehow remain unrelated. In doing that, it exposes the state's approach, which is inclusive towards the land, resources and Jewish settlers, at the same time that it excludes non-Jewish residents. The convenient legal pretences that are largely meant for external consumption are thus swept away.

All this leaves us with a query: if this is not occupation, what is it? If Israel is the sole sovereign power in 'Judea and Samaria', and Palestinians there are not occupied, on what legal basis can their rights to equality be denied? A logical step would be to recognise that a single regime governs the lives of all residents, but only some of them have a say in the way they are governed. Without the notion of 'occupation', the illusion that the situation is temporary, and that its arrangements are dictated by military needs, fades away. Adopting the report would thus amount to recognition that a system of 'separate but unequal' has formally emerged, and the alternative to it would be to grant equal rights to all residents of the OPTs, which no Israeli government ever contemplated. Most likely, the government will continue to deny the occupation in order to facilitate Jewish settlement and control, and assert it in order to avoid extending rights to Palestinians residents. Whether the international community will continue to turn a blind eye and do nothing to redress the situation remains to be seen.

Internally, when large portions of the military budget and civilian expenditure, and so much of the political energy and state practice goes into entrenching Israeli rule in the OPTs (but also – simultaneously – hiding it from view), to ignore the ways in which it has irreversibly shaped Israel proper is to lend support to such deception. It makes neither analytical nor political sense.

Greater Palestine is the third component of the situation, at once the most neglected and the most critical for our understanding of the unique origins and nature of the Israeli regime. It is an essential component precisely because it is absent from the mainstream political discourse in Israel and on the international diplomatic circuit. Most people writing about Israeli society would likely be surprised to see this concept treated as internal to it. What then is the rationale for including it here? The regime in Israel has been based from its inception (even before its formal foundation) on an exclusionary imperative, of which Greater Palestine is the outcome. It is the mirror image of the Zionist vision of the 'Ingathering of the Exiles': the gathering of Jews in Israel has been accompanied by the dispersal of Palestinians into the Diaspora. The two not only coincide in time but are causally related: Israel could acquire a permanent Jewish majority in its population only through an accelerated migration of Jews *into* the country and forced departure of non-Jews *from* the country.

This feat was realized in the course of the 1947-49 war, but was not a once-off event. It had to be reinforced repeatedly. In the course of the 1950s the physical remains of Palestinian homes and villages were systematically destroyed, their property confiscated and lands allocated to Jewish agricultural settlements and their urban neighbourhoods populated with immigrants from Middle Eastern countries. Arab names disappeared from official maps though at times lived on in popular culture. The remaining Palestinian citizens were cut-off from their ethnic kin and from the broader Arab world. A new 'Israeli Arab' identity was imposed on them, though rarely adopted willingly. All this with a view to erasing all traces of pre-1948 Arab Palestine. However, the 1967 war and consequent extension of Israeli domination over the rest of the country reunited Palestinian citizens with part of their people from whom they had been separated. Together with the rise of resistance organisations based among refugees in Lebanon, Jordan and Syria, it revived Palestinian nationalism as a movement seeking to represent all segments of the population of Greater Palestine, despite their diverse conditions of existence. In response, the regime intensified its efforts to relegate the refugees into 'the dustbin of history' (as active agents), at the same time that it highlighted their demands for return which would mean 'the destruction of Israel'.

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It is this last element that makes the Israeli regime unique. It is not exercising control and competing for domination in its own territory only. It has to reassert its power in relation to an extra-territorial population, whose legitimacy and potential presence must be suppressed. Any recognition accorded to it, even limited and symbolic, would constitute a mortal threat to the regime. This, not in an immediate sense but as a portent of a future fearfully imagined as the sudden uncontrolled influx of the great unwashed masses. This spectre haunting Jewish Israel affects all policies undertaken vis-a-vis Palestinians, which is why we cannot understand the regime and its policies without it: the forcible exclusion of a large part of its potential citizens makes the conceptualization of the situation a challenge. The intensified efforts to prevent any mention of the 'original sin' of the *Nakba, by* prohibiting public acts aimed to retain its memory, penalizing financially bodies that organise and participate in such commemorative events, and purging any dissent from school textbooks, are evidence that this issue remains alive in the consciousness of parties to the conflict.

This challenge is compounded by another extra-territorial population – that of Jewish people (in the plural). Perhaps uniquely in modern history, the definition of Israel is not primarily as a state of its citizens but rather state of a people (in the singular) that is dispersed in different countries but is destined to return to its homeland. This 'return', of people who never set foot in the territory, they and their ancestors, for millennia (if ever they did) is another unique element. Other states that maintain a link with Diaspora communities recognise people who can trace their origins to concrete families and regions that their ancestors had left a century or two ago. Similarly, Palestinians refugees talk about a return to a place in which they or their immediate ancestors used to live a generation or two ago. In some cases they can point to specific houses that belonged to their families. In all such cases the historical links are concrete. Not so with the 'return to Zion'. Without fearing hyperbole, we can state that not a single Jewish immigrant to Israel/Palestine in the last 130 years can establish specific links to any place in the country, piece of land or property. The relationship is abstract and ideological rather than concrete.

What are the practical implications of this difference? This may require a study of its own, but for our purposes here we can point out that for Palestinian refugees the envisaged return is to a specific piece of land to which they are personally connected, whereas for most Israeli Jews the state itself – a political entity they dominate – is the object of desire rather than any specific location within it. For non-Israeli Jews, this abstract relationship means that they are not a relevant group in a direct sense (unlike the Palestinian refugees), though their role as a pressure group in their own countries may have important diplomatic consequences and make a solution to the conflict more difficult.

Regardless of the specific details, it is clear that the role extra-territorial populations play in Israel/Palestine was not important in apartheid South Africa. There it was a local relationship between communities with limited links to outside forces. While whites were descendants of European settlers and blacks were largely indigenous to the country, their affiliations to broader collectives (whites or Europeans or Africans or black people in general) was equally weak. There was no pool of immigrants or 'returnees' waiting for the opportunity to settle in the country, nor were there obvious external supportive communities, sharing ethnic or religious ties with local parties to the conflict. In that sense, the alignment of forces was simpler and more conducive for a solution.

Many critical scholars agree that it is impossible to look at Israel proper in isolation from Greater Israel, and regard the latter as the effective boundary of control and meaningful unit of analysis. Some may also agree – but do not discuss it explicitly – that Greater Palestine is a crucial part of the picture even though it lies beyond the 1948 and 1967 boundaries. In fact, precisely how Palestinians from the 'beyond' came to occupy that position and remain there against their will is part of the system of control which is ignored and must be reintroduced into the analytical framework.

Having said that, it is clear that the conceptual distinction between Israel and the Occupied Territories is still entrenched. This is a testimony to the success of the Israeli strategy of excluding Palestinians from its body politic while retaining effective control over them. It is also a testimony to the spirit of nationalist resistance to the occupation (in the OPTs) and struggle for equal rights by Palestinian citizens of Israel: despite their common themes these struggles have been waged so far as separate, even if related, campaigns, thus reinforcing the distinction between the different components of the situation.

5.   Who is the regime?

The principal actor in apartheid South Africa was clear: the state, the regime, the government, were all run by the same group of people. Apartheid was a term referring to a set of policies and related institutions using racially oppressive legislation and practices to enhance white domination. The case in Israel/Palestine is less clear. The State of Israel plays an obvious role and has similarly put in place policies and institutions meant to entrench Jewish political and demographic dominance in the country. And yet, many analyses refer to the notion of Zionism as a corollary of apartheid.

But what is Zionism? Is it an ideology, a political movement, a programme of action or an umbrella term referring to a common theme found in state practices? The Zionist movement emerged in Central and Eastern Europe in the late 19th century, targeting Palestine (or *Eretz Israel*) as a destination for Jewish immigration and settlement efforts. It remained a minority movement among Jews, the bulk of whom chose to immigrate West, primarily to the United States, or stayed put and joined political movements acting to change society from within. It received a major boost in 1917, when the British Government issued the Balfour Declaration that recognised the movement and its aspiration to establish in Palestine a 'national home' for Jews, a phrase left deliberately vague in order not to imply support for an independent Jewish state in the country.

With the Declaration, the relations between Jewish settlers and indigenous Arabs acquired an explicit political dimension. The Zionist movement started to play a key role in representing the organised Jewish community in the country, and in facilitating further immigration, land purchases and agricultural settlement. At the same time, the local community took the initiative in building up military forces and shaping the development of the Jewish-dominated economic sector. The institutions governing the concrete activities of the settlers – the labour movement, municipal councils, economic associations – were dominated by people and parties based within the country, accountable to local constituencies. Although the Zionist movement continued to be an important player on the diplomatic scene, its power vis-a-vis local forces gradually declined.

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Zionism as an ideology was a common denominator of all political forces taking part in the life of the organised Jewish community before 1948. But the concrete meanings of its tenets varied: different and sometimes contradictory interpretations and priorities ensued from the same set of general principles. All Zionists shared the notion that the Land of Israel should be a destination for Jewish immigration, but some argued for giving priority to productive settlement of the land, others prioritised taking over state power, and still others (a small but respected minority) called for making the country a 'spiritual centre' for Jews wherever they were, rather than a political entity in which Jews dominated as an organised force. While the local Palestinians regarded all versions of Zionism as illegitimate, only the first two were in direct opposition to Palestinian national aspirations. Spiritual Zionism rejected the quest for political independence and potentially was compatible with various political arrangements including what became known as bi-nationalism. It is thus misleading to refer to all Zionist tendencies as exclusionary or oppressive, even if they all insisted on the right of Jews to immigrate to the country (but not necessarily without limitations).

Regardless of these internal ideological debates, the centre of power within the Jewish community shifted inexorably away from the world Zionist movement towards the emerging state-like institutions dominated by the labour movement, identified above all with the person and policies of David Ben-Gurion. These institutions determined policies towards Palestinians, were in charge of the military campaign that resulted in the *Nakba* and prevented refugees from returning, and subsequently they became 'the regime' after 1948. These institutions further shaped the nature of relations with Palestinians in their different locations until 1967, and implemented the policies of settlement and control of the OPTs ever since.

All this is to say that for our comparative project the equivalent of apartheid in South Africa is Israeli state practices, rather than an abstract entity called 'Zionism'. Those who carry out the policies that are the focus of concern are Israeli state officials (as well civil society activists) rather than 'the Zionists'. Their system of self-justification as well as dissemination of the state-guided 'party line' is Israeli *Hasbara* rather than 'Zionist ideology', and so on. For both analytical and political purposes our object of inquiry is the Israeli regime: a concrete entity with identifiable institutions, officials and regulations. Using quasi-mystical language about 'the Zionist entity' and the 'Zionist lobby' and 'Zionist media' is a recipe for misguided analysis and self-defeating political action.

This does not mean that Zionism is not meaningful as an umbrella term for a range of ideas about Jewish identity and its relationship to the territory of Palestine/Land of Israel. But we must recognise that these ideas are diverse and may lead to radically different practices (even if historically they have led to the current State of Israel and its policies). Unlike apartheid in South Africa, which was a design meant to enforce relations of domination between groups formed in the course of the colonial encounter, Zionism had to do primarily with definitions of Jewishness and the relationship of the people to the territory. Palestinians were incidental to that ideology. Their presence in the country posed a practical difficulty rather than a crucial ideological problem, whereas black people and the relationship between them and white settlers were at the very core of apartheid ideology. We need to keep this distinction clear.

6. Apartheid of a special type[1]

If we use the international legal definition of apartheid, and thereby de-link the notion to some extent at least from its specific South African history, we do not need to retain a focus on South African racial policies and practices in the study. And yet, I argue in this section, it would be useful to keep a focus on comparing apartheid South Africa and Israel, in order to highlight crucial features of the Israeli regime. The comparison would allow us to analyze Israeli-Palestinian relations, evaluate possible alternatives to the status quo, and devise strategies of political struggle and transformation based (among other things) on South African experiences. We must keep in mind here that the point of a comparative analysis is *not* to provide a list of similarities and differences for its own sake, but to use one case in order to reflect critically on the other and thus learn more about both.

Back in the early 1960s, the South African Communist Party coined the term 'colonialism of a special type' to refer to a system that combined the colonial legacies of racial discrimination, political exclusion and socio-economic inequalities, with political independence from the British Empire. It used this novel concept to devise a strategy for political change that treated local whites as potential allies rather than as colonial invaders to be removed from the territory. Making analytical sense of apartheid in South Africa was relatively straightforward since it was an integrated system of legal-political control. Different laws applied to different groups of people but the source of authority was clear.

Making sense of the way apartheid as a legal concept may apply in Israel/Palestine is more complicated. The degree of legal-political differentiation is greater, as it includes an array of formal and informal military regulations in the OPTs, and policies delegating powers and resources to non-state institutions (The Jewish Agency, Jewish National Fund, and so on), who act on behalf of the state but are not open to public scrutiny. That much of the relevant legal apparatus applies beyond Israeli boundaries (to Jews, all of whom are regarded as potential citizens, and to Palestinians, all of whom are regarded as prohibited persons), adds another dimension to the analysis. For this reason, we may talk about 'apartheid of a special type' – a regime combining democratic norms, military occupation, and exclusion/inclusion of extra-territorial populations. There is no easy way of capturing this diversity with a single overarching concept.

What are the some of the characteristics of this regime?

- It is based on an ethno-national distinction between Jewish insiders and Palestinian Arab outsiders. This distinction has a religious dimension – the only way to join the Jewish group is through conversion – but is not affected by degree of religious adherence.
- It uses this distinction to expand citizenship beyond its territory, potentially to all Jews and to contract citizenship within it: Palestinian residents of the occupied territories have no citizenship, and cannot become citizens. Thus, it is open to all non-resident members of one ethno-national group, wherever they are and regardless of their personal history and actual links to the territory. It is closed to all non-resident

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[1] The Following sections were published in slightly different form in Ran Greenstein, "Israel/Palestine: Apartheid of a Special Type?", *The Johannesburg Salon*, volume 3, February 2011: 9-18: http://www.jwtc.org.za/volume_3/ran_greenstein.htm

members of the other ethno-national group, wherever they are and regardless of their personal history and actual links to the territory.

- It is based on the permanent blurring of physical boundaries. At no point in its 64 years of existence have its boundaries been fixed by law, nor are they likely to become fixed in the foreseeable future. Its boundaries are permanently temporary, as evidenced by continued talk of the 1967 occupation as temporary, even though it has already outlived South African apartheid, which effectively lasted 42 years. At the same time, its boundaries are asymmetrical. They are porous in one direction, through expansion of military forces and settlers into neighbouring territories, and impermeable in another direction: severe restrictions or total prohibition on entry of Palestinians – from the occupied territories and the Diaspora – into its territories.

- It combines different modes of rule: civilian authority with all the institutions of a formal democracy within the Green Line, and military authority without democratic pretensions beyond the Line. In times of crisis, the military mode of rule tends to spill over into the Green Line to apply to Palestinian citizens. At all times, the civilian mode of rule spills over beyond the Green Line to apply to Jewish citizens residing there. The distinction between the two sides of the Green Line is constantly eroding as a result, and norms and practices developed under the occupation filter back into Israel: as the phrase goes, the 'Jewish democratic state' is 'democratic' for Jews and 'Jewish' for Arabs.

- It is in fact a 'Jewish demographic state'. Demography – the fear that Jews may become a minority – is the prime concern behind the policies of all mainstream forces. All state structures, policies and proposed solutions to the Israeli-Palestinian conflict are geared, in consequence, to meet the concern for a permanent Jewish majority exercising political domination in the State of Israel (in whichever boundaries).

How do these features compare with historical apartheid?

- The foundation of apartheid was a racial distinction between whites and blacks (further divided into coloureds, Indians and Africans, with the latter sub-divided into ethnic groups), rather than an ethno-national distinction. Racial groups were internally divided on the basis of language, religion and ethnic origins, and externally linked in various ways across the colour line. This can be contrasted with Israel/Palestine in which lines of division usually overlap. All potential bases for cross-cutting affiliations that existed early on – anti-Zionist orthodox Jews, Arabic-speaking Jews, indigenous Palestinian Jewish communities – were undermined by the simultaneous rise of the Zionist movement and Arab nationalism to a dominant position in the course of the 20th century. This left no space for those straddling multiple identities.

- In South Africa then, there was a contradiction between the organization of the state around the single axis of race, and social reality which allowed more diversity in practice and multiple lines of division as well as cooperation. This opened up opportunities for change. The apartheid state endeavoured to eliminate this contradiction by entrenching residential, educational, religious and cultural segregation, and by seeking to shift its basis of legitimacy from race to national identity, but to no avail. Its capacity was limited and it was further eroded over time. In Israel/Palestine there is tighter fit between the organisation of the state and social reality, with one crucial exception: Palestinian citizens are positioned in between Jewish citizens and Palestinian non-citizens. They are the only segment of the population of Greater Israel/Palestine that is fully bilingual, familiar with political and

cultural realities across the ethnic divide, with enough freedom to organize but not enough rights to align themselves with the oppressive status quo. As a minority group (15-20% of Israeli citizens *and* of Palestinian Arabs) they cannot drive change on their own but may act as crucial catalysts for change.

- Under South African apartheid a key goal of the state was to ensure that black people performed their role as providers of labour, without making difficult social and political demands. The strategy used for that focused on externalizing them. Although they were physically present in white homes, factories, farms and service industries, they were absent, politically and legally, as rights-bearing citizens. They were expected to exercise their rights elsewhere. Those who were no longer or not yet functional for the white-dominated economy were prevented from moving into the urban areas or forcibly removed to the 'reserves' (Bantustans or homelands): children, women – especially mothers – and old people. Able-bodied blacks who worked in the cities were supposed to commute – daily or monthly and even annually, depending on the distance – between the places where they had jobs but no political rights, and the places where they had political rights but no jobs.

- This system of migrant labour opened up a contradiction between political and economic imperatives. To fulfil apartheid ideology, it broke down families and the social order, hampered efforts to create a skilled labour force, reduced productivity, and gave rise to crime and social protest. To control people's movements, it created a bloated and expensive repressive apparatus, which put a constant burden on state resources and capacities. Domestic and industrial employers faced increasing difficulties in meeting their labour needs. From an economic asset (for whites) it became an economic liability. It simply had to go.

- The economic imperative of the Israeli system, in contrast, has been to create employment for Jewish immigrants. Palestinian labour power was used by certain groups at certain times because it was available and convenient, but it was never central to Jewish prosperity in Israel. After the outbreak of the first Intifada in the late 1980s, and under conditions of globalization, it could easily be replaced by politically unproblematic Chinese, Turkish, Thai and Romanian workers. In addition, a massive wave of Russian Jewish immigration in the 1990s helped this process. The externalization of Palestinians, through denial of rights, ethnic cleansing and 'disengagement', has presented few economic problems for Israeli Jews. There is little evidence of the contradiction between economic and political imperatives that undermined apartheid South Africa.

- Apartheid was the latest in a long list of regimes in which white settlers dominated indigenous black people in South Africa. For most of the colonial period, people of European origins were in the minority, relying on military power, technological superiority, and divide and rule strategies, to entrench their rule. Demography was never an overriding concern. As long as security of person, property and investment could be guaranteed, there was no need for numerical dominance. When repression proved increasingly counter-productive, a deal exchanging political power for ongoing prosperity became an option acceptable to majority of whites. Can such a deal be offered to – and adopted by – Israeli Jews, for whom a demographic majority is the key to domination and the guarantee of political survival on their own terms? Most likely, not.

In summary then, apartheid of a special type in Israel is different from historical apartheid in South Africa in three major respects:

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- At its foundation are consolidated and relatively impermeable ethno-national identities, with few cross-cutting affiliations across the principal ethnic divide in society.
- It is relatively free of economic imperatives that run counter to its overall exclusionary thrust, because it is not dependent on the exploitation of indigenous labour, and;
- Its main quest is for demographic majority as the basis for legal, military and political domination.

In all these respects it is a system that is less prone to an integrative solution along the lines of post-apartheid South Africa. At the same time, it is subject to contradictions of its own, which are crucial to its dynamics and present potential opportunities for change:

- Its foundational act of ethnic cleansing left behind a weak and disorganized minority Arab group. With Palestinians no longer a demographic threat, the rump community could be incorporated into the political system which displayed many of the characteristics of a normal democracy. Its members used this to re-organize and build a solid foundation for resistance politics, combining parliamentary and protest activities that have challenged Israel's exclusionary structures from within. This strategic location has given them a useful vantage point from which to play a vanguard role in the struggle to transform the system.
- The geographically expansionist drive of the Zionist project has come into clash with the demographic imperative to ensure a Jewish majority. Ethnic cleansing along the lines of 1948 might provide a way to reconcile these contradictory thrusts, but it is not really feasible under the glare of international media and public opinion. Although no immediate change is likely, it is clear that the status quo is becoming increasingly unstable and is not going to last long.
- There is no mass movement against the occupation inside Israel itself, but the tent protests of last year (July-August 2011) showed there is a deep underlying sense of grievance among the Israeli masses, which potentially can explode again and allow for a stronger alliance between citizens of Jewish and Arab background.
- The changing international scene begins to show signs of eroding support for some aspects of the regime. For two decades it benefited from an international context that saw the collapse of the Soviet block and its policies of isolating Israel in alliance with 'progressive' third world regimes. The turn of the USA and its western allies against major Arab and Islamic forces also benefited the Israeli regime, which positioned itself as the front-line in the 'war on terror'. This period was used to entrench its hold on the occupied territories, divide the Palestinian people and its leadership, isolate and crush resistance to the occupation, and silence critical voices. In the last few years though, both Israel's capacity to dominate its region, and the West's support for its campaigns, have declined. The Arab Spring has served to distance Israel's key ally in the region – Egypt – from it and, together with the cooler relations with another key ally – Turkey – has undermined its strategic position. It is not yet facing real military or political challenges, with the possible exception of looming conflict with Iran, but expressions of its weakness abound. Among them, growing international solidarity with the struggle of Palestinians against the occupation and for political rights plays a role. The rise of civil society movements and alternative media is increasingly counteracting the unconditional support given by western governments and traditional

media to the Israeli state, though not necessarily all its policies. There is thus room for cautious optimism that the tide of is beginning to turn.

7. Prospects, solutions and strategies

Where does all this leave us? Avoiding the temptation for easy labels and name calling, we must examine the actual consequences of the analysis.

In Israel/Palestine there are two ethno-national groups. Israeli Jews are unified by their legal status as full citizens. Palestinian Arabs are divided by their legal status into citizens in Israel proper, resident non-citizens in Greater Israel, and non-resident non-citizens in Greater Palestine. The two groups are distinct by virtue of their language, political identity, religion and ethnic origins. Only about 10% of them (Palestinian citizens) are fully bilingual. Many Jews have Arab cultural origins, but their legacy has been erased through three generations of political and cultural assimilation. The delusion that they actually or potentially share political consciousness – even if dormant – with Palestinians must be laid to rest. On the face of it, this seem an argument for a two-state solution, but things are a bit more complicated than that.

The South African rainbow nation, which was based on the multiplicity of identities and the absence of a single axis of division to align them all – unity in diversity – is clearly unlikely to be replicated in Israel/Palestine. Elements such as the use of English as the dominant medium of political communication, shared by all groups, or Christianity as a religious umbrella for the majority of people from all racial groups, do not exist in Israel/Palestine as a whole. At the same time, if we look at 'Israel proper' *in isolation*, the situation is not all that different from South Africa. People of all backgrounds – veteran Ashkenazi and Mizrahi Jews, new Russian and Ethiopian immigrants (many of whom are not Jews in a strict sense), and Palestinian citizens – use Hebrew in their daily interaction and largely share similar social and cultural tastes. In mixed towns, such as Haifa, Jaffa, Acre, there are neighbourhoods in which Jews and Arabs live together with little to distinguish between their life styles except for their home language and religious practices. Without idealizing the situation, they have much more in common with one another than white suburbanites have with rural black South Africans, during apartheid or now.

Of course, we *cannot* look at them in isolation, just as we could not have looked at the relatively benign white–coloured interaction in apartheid Cape Town in isolation from the broader racial scene in the country. What we *can* do is use these emerging realities to build a foundation for a new political perspective, that of bi-nationalism. Bi-nationalism is not a 'solution', and does not compete with the endlessly discussed but vacuous one-state or two-state solutions. It is an approach based on the recognition that two ethno-national groups live together in the same country, separately within homogenous villages and towns in some areas, but also mixed to varying degrees in other areas. Historical patterns of demographic engineering that resulted in forced population movement and dispersal (the 1948 N*akba* and the post-1967 settlement project) have created a patchwork quilt of mono-ethnic and bi-ethnic regions, separated by political intent rather than by natural or geographical logic.

Acknowledging this bi-national reality is not meant as an argument for a particular form of state. Rather it is a call to base any future political arrangement on the need to accommodate members of both national groups as equals, at both individual and collective levels. In the words of radical Jewish activists who put together the 2004 Olga Document, "this country

belongs to all its sons and daughters—citizens and residents, both present and absentees (the uprooted Palestinian citizens of Israel in 48')—with no discrimination on personal or communal grounds, irrespective of citizenship or nationality, religion, culture, ethnicity or gender" (http://www.nimn.org/Perspectives/israeli_voices/000233.php). This statement must not be confused with a call to establish a one state or a bi-national state. It is the essential condition for the success of *any* arrangement, be it one, two, or many states. The alternative would be an imposition by one side on the other, which would render a solution unviable.

It is interesting to note that the formulation above seems to draw on the 1955 Freedom Charter, which asserted, "South Africa belongs to all who live in it, black and white". The simple elegance of the South African original was transformed here into a comprehensive but very cumbersome language, a testimony to the difficulty of conveying unity in the face of rigid fragmentation. But it is far less difficult to convey unity – *as a first step* – among all Israeli citizens. Making Israel a state of and for all its citizens is both logical – just as France is a French state, the home of all French people, and South Africa is the state of all South Africans, so should Israel become an Israeli state, the home of all Israeli people – and just. In the same way that Nicolas Sarkozy of Hungarian (partly-Jewish) origins and Zinedine Zidane of Algerian-Muslim origins can be citizens equal to the descendants of the Gauls, all Israeli citizens are entitled to an equal status regardless of their links to the ancient Hebrews.

At the same time, unlike France, in Israel people seek incorporation as individuals *and* as groups. In the Vision Documents, a series of proposals and statements written by academics, intellectuals and activists representing the Palestinian-Arab minority in Israel, the quest for equality is combined with the quest for recognition as a national collective. For example, in the Haifa Declaration they call for a "change in the definition of the State of Israel from a Jewish state to a democratic state established on national and civil equality between the two national groups, and enshrining the principles of banning discrimination and of equality between all of its citizens and residents" (Mada al-Carmel, *The Haifa Declaration*: www.mada-research.org/UserFiles/file/haifaenglish.pdf). There is an unresolved tension here between the call for a democratic state with no ethnic character, and the notion of equality between ethnically-defined groups. A similar though milder tension is found in the post-apartheid South African constitution, which establishes non-racialism as an overarching principle but recognizes the legitimacy of racially-based affirmative action policies. It is an explicit attempt to redress historical legacies of racial discrimination, particularly regarding access to land and employment, without recognizing the permanent existence of racial groups, let alone any claims to representation and resources.

The bi-national approach is compatible with either option: a non-ethnic state, and a state that enshrines equality between individual citizens and provides structured representation for groups in fields such as education and culture. Both must lead to the removal of "all forms of ethnic superiority, be that executive, structural, legal or symbolic", and the adoption of "policies of corrective justice in all aspects of life in order to compensate for the damage inflicted on the Palestinian Arabs due to the ethnic favoritism policies of the Jews" (The National Committee for the Heads of the Arab Local Authorities in Israel, *The Future Vision of the Palestinian Arabs in Israel*: http://www.adalah.org/newsletter/eng/dec06/tasawor-mostaqbali.pdf). Democratizing Israel in this way is important in its own right and also as a way to reinforce other campaigns. If Palestinian citizens are no longer ostracized as illegitimate actors, the struggle against the occupation would receive a big boost by escaping the confines of the progressive Jewish left.

Making Israel a state of all its citizens would not change the boundaries of political sovereignty, would have no demographic implications, and would require no negotiation with external forces. It would not challenge 'the right of Israel to exist' but rather seek to modify the internal basis for its self-legitimation. In other words, it would be a process carried out entirely by its own citizens, probably undertaken over a period of time. Making Greater Israel a state of all its residents, and establishing common citizenship, is different in all these respects, however. It would mean a fundamental change in the boundaries of citizenship and the allocation of power, requiring a radical re-alignment of the political scene. It is not feasible in the short term as there are no serious political forces advocating it at present, and it cannot be seen as a substitute for the ongoing struggle against the 1967 occupation.

There is no doubt that the occupation is the biggest festering sore in Israeli-Palestinian relations. Futile negotiations over the last two decades have led to its intensification rather than mitigation. The only way forward is an ongoing campaign to put an end to it, without having anything to do with the diplomatic process or with the one-state, two-states, debate. The occupation manifests itself in the daily life of the population in numerous ways (both in Gaza and the West Bank, though differently). Wherever it operates it give rise to localized resistance. Without being specific, expressions of resistance to restrictions on free movement, access to land, economic activity, water use, study, construction, and so on must be supported, with the use of all means excluding armed attacks on civilians – demonstrations, sanctions, boycotts, mass defiance campaigns, legal challenges in Israeli and international courts, appeals to global public opinion, and the like. Strategically it is important to de-link the struggle against the occupation from the state of negotiations between Israel and the Palestinian Authority (or Hamas for that matter). A crucial lesson of the South African transition is that subordinating local struggles to the requirements of grand diplomacy helped the ANC gain power, but it also frequently led – after the transition – to the neglect of the concerns that gave rise to the struggle in the first place.

The third dimension of Greater Palestine – refugees and their rights – is the most challenging to the boundaries of Israeli citizenship and control. It can be resolved only in a staggered manner. First, the present absentees – about 25% of the Palestinian population in Israel itself who were removed from their original homes in 1948 but have become citizens – must be allowed access to their property and confiscated land. This would have no demographic implications and would not involve changes in citizenship status. Second, the original 1948 refugees could be invited back: only about 50 - 75,000 of them are still alive, a small number that could be accommodated demographically and logistically with ease (an addition of 1% to the population). Such steps obviously would be opposed with the use of one of the two most potent weapons in the Israeli arsenal of internal self-justification: they would create a precedent. And, indeed, the fear of the majority of the Israeli-Jewish population is that any recognition, even symbolic and limited in its practical implications, of the right of return would lead to an uncontrolled influx of millions of refugees. This is highly unlikely – research indicates that only about 10% of them are likely to exercise the right of return – but the matter would require ongoing educational, political and legal campaigns. Again, it is strategically important that the struggle have nothing to with the one-state/two-states debate or with diplomacy. The right of return is vested in individuals rather than the political leadership, and they are the only ones who can negotiate on their own behalf.

It is this issue, above all, that makes the Israeli apartheid of a special type different from historical apartheid, and more difficult to overcome. As a result of it, Palestinians have been

deprived of the most important weapon of struggle used by black South Africans: their strategic location in the economy and their ability to use the threat of withdrawing their labour power (in other words, strike) and disrupt the daily lives of white citizens, as a crucial political lever. Due to the historical trajectory of excluding indigenous people in Israel/Palestine, compared to their incorporation in a subordinate economic role in South Africa, they operate largely outside the boundaries of the Israeli-dominated economic system.

This exclusion is not complete: it does not apply to Palestinian citizens and to a minority among West Bank residents but it applies in Gaza and fully in Greater Palestine. Those excluded in that way can apply pressure from the outside, using protest, diplomacy and violence, but they lack any meaningful strategy of change from within. In this respect, they are dependent on the work of forces internal to Israel (Palestinian citizens together with progressive Israeli Jews), and on pressure applied by forces in the Middle East region and internationally. Solidarity and educational efforts are crucial here, as well as the evolving sanctions and boycotts campaigns.

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