THE APARTHEID SMEAR

Israel is not an apartheid state
The allegation damages the peace process

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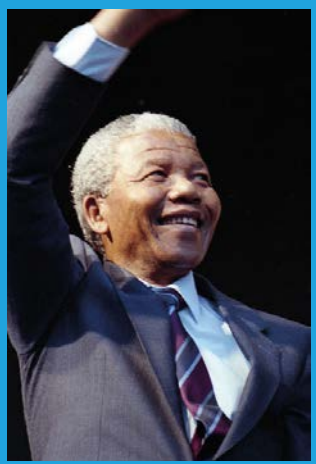
As a movement we recognise the legitimacy of Palestinian nationalism just as we recognise the legitimacy of Zionism as a Jewish nationalism. We insist on the right of the state of Israel to exist within secure borders, but with equal vigour support the Palestinian right to national self-determination. We are gratified to see that new possibilities of resolving the issue through negotiation have arisen since the election of a new government in Israel. We would wish to encourage that process, and if we have the opportunity, to assist.[1]
Nelson Mandela, 1993

The whole world must see that Israel must exist and has the right to exist, and is one of the great outposts of democracy in the world … Peace for Israel means security and that security must be a reality.[2]
Martin Luther King Jr, 1967

The charge that Israel is an apartheid state is a false and malicious one that precludes, rather than promotes, peace and harmony.[3]
Judge Richard J. Goldstone (former Justice of the South African Constitutional Court, who led the United Nations 2008-9 fact-finding mission on the Gaza conflict), 2011

If Israel were an apartheid state, I, for example, would not be allowed to work for a Jewish newspaper or live in a Jewish neighbourhood or own a home. The real apartheid is in Lebanon, where there is a law that bans Palestinians from working in over 50 professions. Can you imagine if the Knesset passed a law banning Arabs from working even in one profession? The law of Israel does not distinguish between a Jew and an Arab.
Khaled Abu Toameh (journalist, Arab citizen of Israel), 2010



Nelson Mandela. Archives de la Ville de Montréal/Flickr

1 Nelson Mandela, 'Address by ANC President, Nelson Mandela, at the opening of the 37th Congress of the South African Jewish Board of Deputies'. 21 August 1993. **http://www.anc.org.za/show.php?id=4096**
2 Martin Luther King Jr., 'Israel ... is one of the great outposts of democracy in the world'. Israel SDM YouTube. **https://www.youtube.com/watch?v=kvr2Cxuh2Wk**
3 Richard J. Goldstone, 'Israel and the Apartheid Slander'. New York Times, 21 October 2011. **http://www.nytimes.com/2011/11/01/opinion/israel-and-the-apartheid-slander.html?_r=2&**

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INTRODUCTION

- 'Apartheid' is the term used to describe the racial segregation and discrimination that was violently enforced on black people by white minority governments in South Africa from 1948 to 1994.
- The Apartheid Smear is the claim that Israel is an 'apartheid state' like South Africa was in those years. It is the intellectual foundation stone of 'BDS' – the effort by anti-Israel pressure groups to boycott, divest from and sanction Israel.
- This pamphlet shows that this is factually wrong, malicious, politically polarising and damages the peace process.

WHY ISRAEL IS NOT AN APARTHEID STATE

- Israel is not an apartheid state for the 20 per cent of its citizens who are Arabs, as is sometime claimed. Although they are critical of a range of discriminations and inequalities, 77 per cent of the Arab citizens of Israel say that they prefer living in Israel to any other country in the world.
- Israel is a multi-racial, multi-ethnic democracy. The Arab, Druze and other minorities in Israel are guaranteed equal rights. All citizens vote in elections on an equal basis. Discrimination based on race is against the law. The universities are integrated. Some Israeli towns and cities are mixed Arab-Jewish (e.g. Acre, Haifa, Jaffa, Lod and Ramle). The Israeli Courts are effective in countering unfair discrimination. Israel's Arab minority participates fully in the political process.
- Israel's Arab citizens also hold some collective rights as a national minority. Arabic is Israel's second official language, and there is a thriving Arabic mass media, literature and theatre scene.
- The Israeli government is working to reduce the gaps between the minority and majority. Especially since the Or Commission of 2000, Israel has been closing the economic gaps, opening up the civil service, equalising welfare, introducing Arabic into Jewish schools, and improving access to higher education.

ZIONISM IS NOT RACISM

- The Apartheid Smear says that Zionism is a form of racism. It isn't. Zionism is the national liberation movement of the Jewish people, calling for the restoration of sovereign Jewish life in the land of Israel after 2000 years of exile and persecution. The persecution of Jews was a constant of European life culminating in the Holocaust.
- Mainstream Zionists always believed that a non-Jewish minority would live alongside the Jewish people. Israel's Declaration of Independence in 1948 promised the Arab inhabitants of the State of Israel 'full and equal citizenship and due representation in all its provisional and permanent institutions.'
- The right of the Jewish people to create a national home in Palestine was recognised by the British in the 1917 Balfour Declaration, and then approved by the League of Nations (the forerunner of the United Nations) in 1922. In 1947, the General Assembly of the United Nations approved the partition of Mandate Palestine into 'Independent Arab and Jewish States.'
- In 1948 the Jewish community declared the establishment of Israel in line with this UN resolution. Five Arab armies immediately invaded. The Palestinian refugee problem was *born of war, not by design*. Reaching a just and agreed resolution of the refugee question is rightly central to the peace process.

BEING A 'JEWISH STATE' DOES NOT MAKE ISRAEL AN APARTHEID STATE

- 'Jewish state' does not mean that Israel is a theocracy (rule by clerics) or a state exclusively for Jews. Israel is a democracy, governed by the rule of law as drafted by an elected parliament, the Knesset. All faiths vote. All enjoy freedom of worship. The Declaration of Independence explicitly provides for the protection of minorities.
- Yes, Israel is the national home of the Jewish people. But many states around the world are *both* national homelands for a majority ethnic or racial group *and* democracies. Such states are still democracies because of their systems of government and because the rights of the minority are protected.

ISRAEL AND THE TERRITORIES

- Since 1967 Israel has occupied the West Bank after winning the Six Day War against Arab armies that were once again massed on its borders, intent on 'driving the Jews into the sea.'
- The occupation persists 47 years later not because Israel wants to rule over the Territories but because peace talks – in which Israel seeks recognition and security guarantees in return for the creation of Palestinian state in the Gaza Strip and West Bank – have failed thus far.
- Israel's actions in the Territories that are mis-labelled 'apartheid' – such as the so-called 'apartheid Wall' – are actually security measures. Palestinian terrorism against Israeli civilians reached unprecedented heights during the Second Intifada (2000-2004).
- Israel does not give Israeli citizenship to West Bank Palestinians because they *do not wish* to become subject to Israeli law. They want their own state, and Israel is prepared to make an agreement on that basis.
- Israel's does not simply walk out of the West Bank without any peace deal or security guarantees because in recent experience, Israeli withdrawal from territory (south Lebanon in 2000 and the Gaza Strip in 2005) has led to Iranian-backed extremists taking over and using the territory as a base to attack Israel. So Israel seeks a negotiated solution.
- Israel is serious about dividing the land through negotiations. In 1937, 1947, 1967, 2000, 2001, and 2008 Israel made or accepted proposals to divide the land. It has peace treaties with Egypt and Jordan. Every Israeli government since 2000 has endorsed the creation of a fully sovereign and independent Palestinian state in a two state solution. The Israeli people back the two state solution by a solid two-thirds majority.
- The pamphlet challenges some powerful myths about the Territories. For example, settlements have not killed the two state solution: a final peace settlement is expected to see the restitution of almost all of the West Bank to the Palestinians. The exceptions – the land along the 'Green Line' that contains about 80 per cent of the settlers – will be compensated by 'land swaps', a principle which has already been agreed with the Palestinian negotiators, and is endorsed by President Obama and the EU and, since April 2013, the Arab League.

THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS

- The Apartheid Smear works *against peace*. It poisons hopes for a peaceful resolution of this national conflict by encouraging extremists, demoralising moderates, and fostering a destructive 'boycott activism' in the West.
- The Apartheid Smear and the linked BDS campaign consume energies that should be invested in a different kind of activism; pro-Palestinian *and* pro-Israeli: *pro-peace*. Many organisations do just that, by bringing Israelis and Palestinians together, including One Voice, Parents Circle – Families Forum (PCFF), MEET, and The Peres Centre for Peace. Getting involved with these constructive 'pro-Israel, pro-Palestine, pro-Peace' organisations is the real alternative to the dead-end and destructive politics of 'BDS' and the Apartheid Smear.

THE HISTORY OF THE APARTHEID SMEAR

- The Apartheid Smear originated in the 'anti-Zionist' campaigns waged by the Communist states during the Cold War. These campaigns frequently descended into antisemitism, the word 'Zionist' understood by all as a fig-leaf for 'Jew'.
- The second key moment came in 1975 when the Soviet Bloc, the authoritarian Arab states, and the so-called 'Non-Aligned Movement' used their built-in majority at the UN General Assembly to pass Resolution 3379, which equated Zionism with racism.
- The third key moment came in 2001 after the failure of the Camp David peace talks. A group of NGOs and anti-Israel activists hijacked the UN's World Conference against Racism, Racial Intolerance and Xenophobia in Durban, South Africa to launch a global campaign to smear Israel as an 'apartheid state.'
- The pattern is clear: whatever the good intentions of some supporters of the Apartheid Smear, in the minds of its hard-core promoters there is a darker purpose: the demonisation of Israel as a pariah state in order to prepare the ground for its eventual destruction.

Advocates of the boycott of Israel repeatedly invoke the boycott of South Africa. The parallel they draw between Israel and apartheid South Africa is false. The Palestinian, Druze and other minorities in Israel are guaranteed equal rights under the Basic Laws. All citizens of Israel vote in elections. There are no legal restrictions on movement, employment or sexual or marital relations. The universities are integrated. Opponents of Zionism have free speech and assembly and may form political organisations. By radical contrast, South African apartheid denied non-whites the right to vote, decreed where they could live and work, made sex and marriage across the racial divide illegal, forbad opponents of the regime to express their views, banned the liberation movements and maintained segregated universities.[4]

The historian **Simon Schama** and the writer and lawyer **Anthony Julius.**

The historian Simon Schama, 2009. Monica Campi/Flickr

4 Anthony Julius and Simon Schama, 'John Berger is wrong: The call for a cultural boycott of Israel is banal, gestural and morally compromised.' The Guardian, 22 December 2006. **http://www.theguardian.com/commentisfree/2006/dec/22/bergerboycott**

THE APARTHEID SMEAR

INTRODUCTION

The apartheid accusation is factually wrong, politically polarising and damages the peace process. It should be dropped.

WHAT WAS 'APARTHEID' IN SOUTH AFRICA?

'Apartheid' is the Dutch-Afrikaans term for separation, used to describe the racial segregation and discrimination enforced violently by white minority governments on non-whites in South Africa from 1948 to 1994. During those years a comprehensive system of racial classification divided the population into four categories – white, black, coloured (i.e. mixed-race) and Asian. The black majority could not vote in general elections or marry white people. They were segregated from white people and barred from doing most skilled work. An official state-promoted racist ideology of white supremacy justified all of this.

How has the international community defined apartheid?

Article 3 of the 1965 International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) defines apartheid as 'governmental policies based on racial superiority or hatred.' All signatories to the Convention, including Israel, 'condemn racial segregation and *apartheid* and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.'[5]

In 1976, the Communist bloc, Islamic bloc and the Non-Aligned Movement combined to draft the 'International Convention on the Suppression and Punishment of the Crime of Apartheid.' As international law expert Anne Herzberg notes, 'This instrument attempted to define apartheid so broadly as to apply to all Western states … as a Cold War tactic by the Soviet Union … no Western governments have become a party to it. Articles 1 and 2 of the International Convention on the Suppression and Punishment of the Crime of Apartheid defined it as 'inhuman acts 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.'

Article 7 of the 1998 Rome Statute of the International Criminal Court defines 'the crime of apartheid' as 'inhumane acts … committed in the context of an institutionalised 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.'

A segregated beach near Cape Town during apartheid in 1982. United Nation Photo/Flickr

Jews and Arabs swimming together in the Dead Sea. Bluestar

5 The International Convention on the Elimination of All Forms of Racial Discrimination. United Nations. Office of the High Commissioner for Human Rights, 1965. **http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx**

Those who are saying that Israel is an apartheid state don't know what apartheid really is. I think that people who make such statements minimise the pain of people who suffered under apartheid, because if South Africans, black people like myself were having the rights that the Palestinians are having then there would not have been an armed struggle in South Africa.

As a black person, moving from one residential place made for black people, to another residential place made for black people, I needed a permission … going to a white area was even worse; you'd have to give reasons why you want to go there, so there was no freedom of movement.

In South Africa there were clinics that were just there for white people and if I needed help or had to see a doctor, a white doctor, that would be kind enough to look at my case there would have to be a side room or a storeroom where he could look at me. I could not go where the white people were going. Some of these experiences the Palestinians are not experiencing because they have the liberty to go to any medical institution they want in the country.

We did not have the right to vote [given only in 1994] and because of it we had no representation in Parliament, we had no say about what was happening in Parliament. A white person or white criminal accused of a crime could never appear before a black judge because we didn't have them. What was surprising to me was to hear yesterday that the former President of Israel appeared before an Arab judge. I mean, this would be unheard of in the South African context, when you talk about apartheid. A white person would never have a black person as a teacher, as a lawyer, as a judge.

Kenneth Meshoe, South African MP, 31 October 2011.

WHAT IS THE 'APARTHEID SMEAR' AGAINST ISRAEL?

It is the claim that Israel is an 'apartheid state' just like South Africa was from 1948 to 1994. This claim is the intellectual foundation stone of 'BDS' – the effort by anti-Israel pressure groups to boycott, divest from and sanction Israel. These groups have an extremist political agenda: to make Israel into a pariah state shunned by global civil society, diplomatically friendless, and eventually vulnerable to those in the region who have always opposed the very existence of a homeland for the Jewish people. They want to pass their campaign off as a reprise of the globally popular boycott of apartheid South Africa, which helped bring white minority rule to an end in that country. As Ben Cohen notes, 'pregnant within the accusation that the State of Israel practices apartheid is the recommendation for Israel's termination.'[6]

The apartheid analogy cuts against [the peace] process as its purpose is to suggest that Israel, like the [South African] apartheid regime, should not exist. It feeds the idea that negotiation with Israel is unnecessary as one day it will cease to exist. The notion that one side of a conflict ought not to exist or eventually will not inevitably prolongs conflicts.

John Strawson, Reader in Law, University of London, Co-Director, Centre on Human Rights in Conflict.

100,000 Israelis in Tel Aviv support the government's peace-making policies, 1995. AP PHOTO/Nati Harnik

6 Ben Cohen, The Ideological Foundations of the Boycott Campaign Against Israel. American Jewish Committee, 2007. http://www.ajc.org/atf/cf/%7B42D75369-D582-4380-8395-D25925B85EAF%7D/IDEOLOGICAL_FOUNDATIONS.PDF

IT'S A SMEAR – SO WHY NOT IGNORE IT?

It's tempting. As former Israeli Ambassador Robbie Sabel has observed, calling Israel an 'apartheid state' is a calumny – 'a deliberately malicious misrepresentation of the facts about a particular matter in order to ruin the reputation of whomever is its target.' There is a dilemma when rebutting *any* calumny: 'To respond puts the responder in the invidious position of having to prove his innocence and to engage in a dialogue on the subject, a dialogue which by its very nature may serve to spread the calumny.'[7]

> Most disgracefully of all, some openly call Israel an apartheid state. Think about that. Think about the twisted logic and outright malice behind that: A state, based on freedom, democracy and the rule of law, that was founded so Jews can flourish, as Jews, and seek shelter from the shadow of the worst racist experiment in history, that is condemned, and that condemnation is masked in the language of anti-racism. It is nothing short of sickening.[8]
>
> **Stephen Harper,** Canadian Prime Minister, 2014

However, supporters of the two state solution have no choice but to challenge the Apartheid Smear. By falsely associating Israel with apartheid South Africa, the boycotters hope to make Israel a pariah state. If they succeed, we will be further from peace in the Middle East than ever, because a negotiated agreement will only be possible when each side recognises the national rights of the other, and finds a way to reconcile those rights by sharing the same small piece of land. They must both make excruciating compromises.

The promotion of the Apartheid Smear encourages the Palestinians not to accept Jewish national rights and the State of Israel. Without this acceptance, Israel will not be prepared to consider the territorial compromises it must make for the creation of a Palestinian state alongside Israel. The Apartheid Smear also creates a poisonous climate for negotiations, by demonising Israel. It marginalises moderate voices on both sides and undermines the possibility of reconciliation.

Amos Oz. Das blaue Sofa/Flickr

Amos Oz, the Israeli novelist and a founder of Peace Now puts it best. In his wonderful little book *How to Cure a Fanatic*, he notes that the conflict between the Israelis and the Palestinians is not a case of right versus wrong, but *right versus right*. It is a complicated, long-running and hitherto intractable conflict between two peoples, about their *equally legitimate national claims over a piece of land*. The two parties – Israelis and Palestinians – have worked with the international community to negotiate a resolution to the conflict. They have come close to a deal in recent times at Camp David in 2000, Taba in 2001 and Annapolis in 2007-8. In 2014 they are trying again, with US, European and Arab League backing. The Apartheid Smear just *gets in the way* of both a proper understanding of the conflict and of peace-making efforts.

The peace process needs trust, engagement, mutual recognition and compromise. The Apartheid Smear produces only polarisation, separation, mutual loathing and maximalism.

Enough is enough.

7 Robbie Sabel, The Campaign to Delegitimize Israel with the False Charge of Apartheid. Jerusalem Centre for Public Affairs, 2009. **http://www.jcpa.org/text/apartheid.pdf**

8 David Horovitz, 'Canadians "taken aback" at Arab MK's heckling of Harper'. Times of Israel, 21 January 2014. **http://www.timesofisrael.com/canadians-taken-aback-at-heckling-for-harper-by-arab-mks/#ixzz2r6jhepuV**

PART 1: WHY ISRAEL IS NOT AN APARTHEID STATE

ISRAEL IS NOT AN APARTHEID STATE FOR THE ARAB CITIZENS OF ISRAEL

Israel is not an apartheid state for the 20 per cent of its citizens who are Arabs.

Israel's Arab population is made up of communities who were living in Israel prior to the formation of the state, previously living under Ottoman and then British Mandatory rule. Israeli Arabs currently constitute 20 per cent of the population, numbering 1.7 million people, the religious majority of which are Muslim (84 per cent), with large Druze (8.1 per cent) and Christian (7.8 per cent) populations.

Most Arab citizens live in the north of the country, in majority Arab towns. Around 60 per cent of the Christian Arab population is concentrated in Nazareth and Haifa, while the Druze live largely in the Galilee and Carmel regions. The Druze have traditionally rejected Palestinian Arab nationalism, favouring strong affinities with their country of residence, making them the most well-integrated of the Arab minority in Israeli society, strongly identifying as Israelis and well-represented in the political, military and public sectors.

> Israel is not an apartheid state … Arab citizens can vote … no laws discriminate … Israel has adopted pro-Arab affirmative action measures in some sectors.[9]
> **Rhoda Kadalie** and **Julie Bertelmann**, black South African anti-apartheid activists.

Within the Muslim Arab group there are around 200,000 Bedouins, descended from formerly semi-nomadic tribes, who have a range of cultural traditions that distinguish them from other Muslim Arab groups. Most Bedouin live in the Negev region of southern Israel, with a sizeable population in the Galilee in northern Israel.

Although they are very critical of a range of discriminations and inequalities, 77 per cent of the Arab citizens of Israel say that they prefer living in Israel to any other country in the world.[10] According to a 2012 Israeli Democracy Index survey,[11] 44.5 per cent of the Arab citizens of Israel are proud of being Israeli, and 62.3 per cent and 78 per cent of the Arab citizens of Israel have confidence in the police and Supreme Court respectively; a slightly *higher* level of confidence than Israeli Jews.

The 2012 Index of Jewish-Arab relations, released by the University of Haifa, found that 58 per cent of Israel's Arab citizens accept Israel's definition as a nation with a Jewish majority, with 60 per cent regarding Israel as their homeland and 71 per cent describing it as a good place to live. Other polls have found that a majority were willing to recognise Israel as a Jewish state as long as they were given full rights and protected against discrimination, and strongly supported greater economic, political and social integration.

Whilst many Arab citizens of Israel are sympathetic to Palestinian self-determination and statehood and are often critical of Israeli policy in Gaza and the West Bank, the majority have integrated into Israeli society, do not support violence against the state, and have no interest in conflict.[12]

An Ethiopian Jewish boy attends a welcoming ceremony at Ben Gurion airport near Tel Aviv, 29 October 2012. Ariel Schalit/AP/Press Association Images

According to a 2011 report conducted by Sikkuy, an Arab-Jewish NGO, 74 per cent of Jews acknowledge that Arab citizens suffer some degree of discrimination and many of them expressed empathy for their situation. 60 per cent of Jews believe that promoting the equality of Arab citizens is in the interest of the county, and 90 per cent of Arab citizens of Israel see their future in the State of Israel.[13]

These are not figures one would expect in an 'apartheid state'.[14]

9 Alan Dershowitz., The Case Against Israel's Enemies. New Jersey: John Wiley & Sons, Inc., 2008: p. 29.
10 Reuven Weiss, 'Poll: 77% of Arabs say won't replace Israel'. Ynet, 23 June 2008. **http://www.ynetnews.com/articles/0,7340,L-3559045,00.html**
11 Alexander Yakobson, 'What does Israel's Arab minority really think?' Fathom: For a deeper understanding of Israel and the region Issue 3, 2013. **http://www.fathomjournal.org/policy-politics/what-does-israels-arab-minority-really-think/**
12 Israel's Arab citizens: Key facts and current realities. UK Task Force, June 2012.
13 Sikkuy, Who's in Favor of Equality? Equality between Arabs and Jews in Israel Summary of an Opinion Survey. September 2011. **http://www.sikkuy.org.il/english/hasamim/shivion2011_english_abstract.pdf**
14 Some Arab leaders do make the 'apartheid' claim but in 2012 Tel Aviv University Professor Avi Degani found that 61.4 per cent of Israel's Arabs have a less than favourable opinion of the way the Arab Knesset members represent the interests of Arab citizens. See Gil Ronen, 'Arabs: Arab MKs Don't Represent Us Well.' Israel National News, 23 July 2012. **http://www.israelnationalnews.com/News/News.aspx/158161#.UE9QMZFovGl**

2008 Statement by 53 Distinguished Stanford University Faculty

THE APARTHEID ANALOGY IS FALSE AND BREEDS CONFLICT.

In pursuing peace, security and prosperity for Palestinians and Israelis we must focus on initiatives that bring the sides closer together. We are saddened and concerned by the malicious propaganda campaign being waged on various campuses, including Stanford, against Israel. In falsely seeking to smear Israel with the stain of apartheid, this campaign is sowing divisiveness, bigotry, and discord.

Demonising Israel is contrary to our values of mutual respect and academic integrity. It contributes to the perpetuation of the conflict, not its resolution. Apartheid was the vicious policy of the old South Africa that kept races separate and caused untold suffering to the Black majority and other people of colour. The anti-Israel movement is cynically exploiting the memory of African suffering in order to score points in the fraught field of Middle East politics. To describe Israel, the only liberal democracy in the Middle East, as apartheid, trivialises the South African past while doing a grave injustice to the most pluralistic and open society in the Middle East today. Under Apartheid, people were legally classified into racial groups and forcibly separated from each other. Apartheid South Africa was ruled by a White-only government. A wide range of laws ensured racially based discrimination, including the prohibition of Blacks from voting, using Whites-only schools and hospitals, and even mixing with Whites in public places.

Meir Eindor, Director of the Almagor Terror Victims Association (L), and MK Taleb Abu Arar debate at Internal Affairs and Environment Committee, the Knesset, 28 October 2013. Flash 90

The State of Israel has nothing in common with apartheid. Israeli society, as many others, is not free of racial and religious discrimination. Yet, in Israel, all minorities – including the 20 per cent of Israeli citizens who are Arab Christians and Muslims – have equal civil, political, economic and personal rights. The Arab citizens of Israel form political parties, compete in free and fair elections, and are represented in all levels of the legislature, executive and judiciary. Arabs are members of, for example, the Israeli Parliament, cabinet, and High Court. Israelis of all religions and ethnicities can legally live in any public residential community, attend the same universities and use the same hospitals. Arabic is an official language, an Israeli Arab is the Minister of Culture, and Arab Israelis richly contribute to Israel's science, culture and sports. To equate Israel with apartheid displays a profound ignorance of the horror that was South Africa as well as contempt for democracy in Israel. The difficult path to peace in the Middle East can do without this sort of empty vilification. Rather, we need to work together toward the vital quest for true co-existence, peace and justice for all in the Middle East – Christians, Jews and Muslims.[15]

Signed by 53 Stanford Professors and Senior Fellows.

Yes, there are inequalities in Israeli society and Israel's Arab citizens suffer from a number of disadvantages. Whilst 20 per cent of the Israeli population is defined as living in poverty, the Arab figure is 50 per cent (though 60 per cent of the Haredim or ultra-Orthodox Jews in Israel live in poverty).[16] They are underrepresented in key areas of employment; for instance, only 460 of Israel's 150,000 high-tech workers were Arab in 2013. Arab death rates from preventable diseases are 1.5 per cent higher than that of Israel's general population.[17] Disadvantage also exists in education; only 10.6 per cent of Israeli university students were Arab. Knesset Committees and the Israeli High Court have identified uneven allocation of resources to Arab schools and higher dropout rates amongst Arab pupils. The 2007 US State Department Country Report on Human Rights criticised Israel for the unequal spending on education for

15 Amichai Magen, 'The Apartheid Analogy is False and Breeds Conflict'. SPME, 12 February 2008.
http://spme.org/news-from-the-middle-east/53-distinguished-stanford-faculty-state-publicly-israel-is-not-an-apartheid-state/4536/
16 Ruth Margalit, 'Israel's Surprising Poverty'. The New Yorker, 5 June 2013. **http://www.newyorker.com/online/blogs/newsdesk/2013/06/israels-surprising-poverty.html**
17 Israel's Arab citizens: Key facts and current realities. UK Task Force: on issues relating to Arab citizens of Israel, March 2013.
http://www.uktaskforce.org/docs/130304-israel-s-arab-citizens---key-facts-and-current-realities.pdf

Jewish children and Arab children, citing a 2005 study at the Hebrew University.[18]

However, to use the term 'apartheid' to describe these socio-economic gaps between a national majority and a national minority is wrong for two reasons.

The first reason is that the position of the Arab minority in Israel is totally different to the position of the black majority in apartheid South Africa.

Israel is a multi-racial, multi-ethnic democracy. The legal scholar and human rights expert John Strawson points out that 'Israel lacks the features of an apartheid state. The Palestinian, Druze and other minorities in Israel are guaranteed equal rights under the Basic Laws. All citizens of Israel vote in elections on an equal basis. There are no legal restrictions on movement, employment or sexual or marital relations. The universities are integrated. Opponents of Zionism have free speech and assembly and may form political organisations.'

Israeli elections. Muhammed Muheisen/AP/Press Association Images

Israel's Arab minority participates fully in the political process and in civil society. Turnout for Israel's municipal elections on 22 October 2013 exceeded 70 per cent in most Arab areas, compared to under 50 per cent in Jewish ones.[19] The case of general election turnout is more complex. Arab participation in elections has dropped significantly in recent years, from 77.6 per cent in 1996 to 56 per cent in 2013. The voter turnout in Israel as a whole was 67.8 per cent in 2013.[20]

Arab-Israeli judge in the Israeli Supreme Court, Salim Joubran, May 2013. Isaac Harari/FLASH90

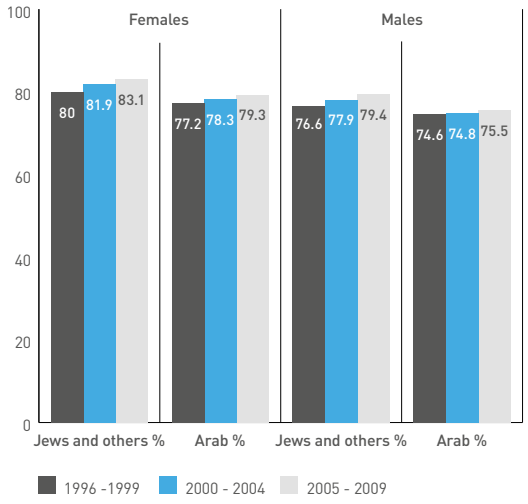
There are 12 Arab MKs (MPs) in the current Knesset and they are among the government's harshest critics.[21] Arabs have served in the Cabinet (e.g. Raleb Majadele), in the civil service (7.8 per cent of civil servants in Israel are Arab[22]), and on the Supreme Court (Justice Salim Joubran). It was an Israeli Arab judge, George Karra, who sentenced former President of Israel, Moshe Katsav, to jail for seven years on a rape conviction.[23]

Ali Yahya, the first Israeli Muslim ambassador was appointed in 1995,[24] and Walid Mansour, the first Druze Ambassador in 1999.[25] Arabs have freedom of movement, assembly and speech. They serve as the heads of hospital departments,[26] university professors,[27] as senior police[28] and army officers[29]. Eleanor Joseph became the first female Arab paratrooper in 2010.[30] Some of the major Israeli towns and cities are considered mixed Arab-Jewish cities (e.g. Acre, Haifa, Jaffa, Lod and Ramle) with large Arab and Jewish populations.[31] Israeli hospitals show no discrimination to the patients they treat nor do they discriminate in employment. Dr. Aziz Darawshe, for example, was recently appointed Director of Emergency medicine at Hadassah hospital in Jerusalem.[32]

18 U.S. State Department, Country Reports on Human Rights Practices. 11 March 2008.
19 Arab turnout for municipal elections higher than in Jewish areas. UK Task Force: on issues relating to Arab citizens of Israel, 23 October 2013. **http://www.uktaskforce.org/latest-news/arab-turnout-for-municipal-elections-higher-than-in-jewish-areas.php**
20 Ariel Solomon, Israeli Arabs defy expectations with higher turnout, Jerusalem Post, 24 January 2013. **http://www.jpost.com/Middle-East/Israeli-Arabs-defy-expectations-with-higher-turnout**
21 'Current Knesset Members of the Nineteenth Knesset'. **http://www.knesset.gov.il/mk/eng/mkindex_current_eng.asp?view=0**
22 Ali Haider, 'Arabs, the Israeli civil service needs you.' Haaretz, 16 August 2012. **http://www.haaretz.com/opinion/arabs-the-israeli-civil-service-needs-you-1.458640**
23 Ofra Edelman, 'Katsav sentenced to 7 years'. Haaretz, March 23 2011. **http://www.haaretz.com/print-edition/news/katsav-sentenced-to-7-years-1.351210**
24 Solving The Security Puzzle In The Mediterranean And The Broader Middle East. The Hellenic Foundation for European and Foreign Policy: List of Biographical Notes, p. 21-22.
25 'Druze Professor to become Israel's ambassador to New Zealand'. Times of Israel, 24 April 2012. **http://www.timesofisrael.com/druze-professor-to-become-israels-top-diplomat-in-new-zealand/**

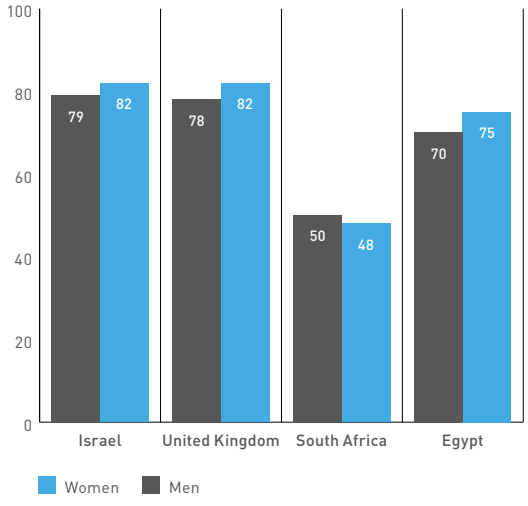
Life Expectancy by Population Group and Sex

Source: The Central Bureau of Statistics[33]



Life Expectancy Comparison

Source: Central Intelligence Agency

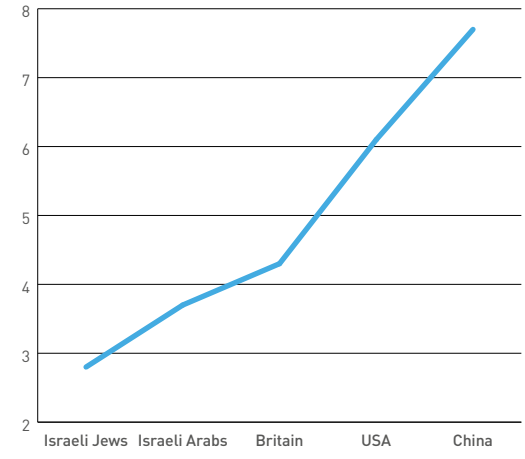


The infant mortality rate in Israel in 2011 was 3.5 deaths to 1000 live births – 2.8 for Jews and 3.7 for Arabs (lower than the figure for native British citizens). For comparison, the South African infant mortality rate is 34.6 deaths per 1000 live births. The infant mortality rate for the Arab minority in Israel ranks equal or better than the rate for the *majority* in Europe and the United States.

Comparing the infant mortality rates of Israel's Arab minority with the *minorities* living in European countries also shows the unfairness of the apartheid allegation. Amnon Rubinstein, the former MK for the left wing Meretz party, published revealing statistics showing that 'In rich and developed France, the infant mortality rates among Arabs (most of whom speak the language of the country, and some of whom are already second, third and fourth generation natives of France) are not only much higher than in Israel [but in addition] the *gap* between the minority and the majority [in France] is considerably larger than in "racist Israel."'[34]

Infant Mortality

Source: The Central Bureau of Statistics 2011



26 Eg. **Dr. Rifat Safedi**, an Israeli Arab doctor, who heads the Liver Unit at Hadassah University Hospital.

27 The University of Haifa has appointed sociology Professor Majid al-Haj Dean of Research, making him the first Arab dean at an Israeli university. **http://www.haaretz.com/print-edition/news/sociology-professor-becomes-first-arab-dean-of-israeli-university-1.171557**; Professor Ashraf Brik – member of Ben-Gurion University and winner of the 2011 young chemist award.

28 Jamal Hakrush was has been assistant commander of the National Police since December 2006; **http://news.xinhuanet.com/english2010/world/2011-06/15/c_13931962.htm**

29 Bedouin officer, Lieutenant Colonel Abd el-Majid Hidr (also known as **Amos Yarkoni**) received the Order of Distinction (Eyal Lewin, Patriotism: Insights from Israel).

30 Israel Politik, 23 July 2010. **http://www.israelpolitik.org/2010/07/23/faces-of-the-idf-israels-first-female-arab-israeli-fighter/**

31 On 'mixed cities' see The New Israel Fund-Shatil Mixed Cities Project. **http://www.iataskforce.org/sites/default/files/mixedcities6.pdf** and The UK Task Force, 'Briefing: Arab populations in 'mixed cities', 2012. **http://www.uktaskforce.org/docs/uktf-briefing---arab-populations-in-mixed-cities--2-january-2012.pdf**

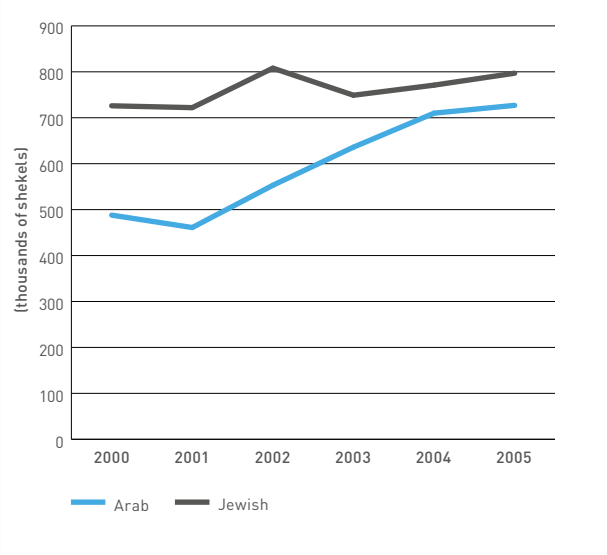
32 Judy Seigel-Itzkovich, 'Hadassah: New emergency medicine director'. Jerusalem Post, 17 February 2013.

33 The Central Bureau of Statistics, 2010. http://www1.cbs.gov.il/reader/shnaton/templ_shnaton_e.html?num_tab=st03_24&CYear=2010

34 Amnon Rubinstein, 'More Equality than in Europe'. 2012. **http://amnonrubinstein.com/More-equality-than-in-Europe.html**

Value of owner-occupied apartments in Jewish and Arab communities 2000 – 2005

Source: The Central Bureau of Statistics, Statistical Abstract of Israel, 2007



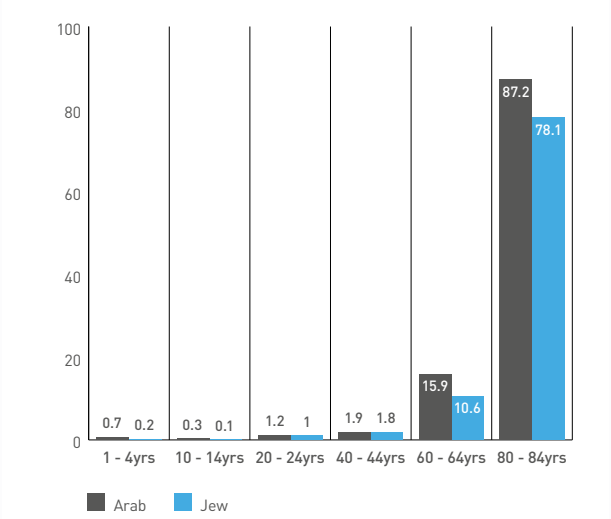
[In Israel] Jewish and Arab babies are born in the same delivery room, with the same facilities, attended by the same doctors and nurses, with the mothers recovering in adjoining beds in a ward.
Benjamin Pogrund, South-African born anti-apartheid campaigner and journalist.[35]

None of this has been achieved by accident. Israel's 1948 Declaration of Independence committed the country to 'complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex' and pledged to 'guarantee freedom of religion, conscience, language, education and culture.' The Declaration also committed Israel to 'safeguard the Holy Places of all religions' and to be 'faithful to the principles of the Charter of the United Nations.'

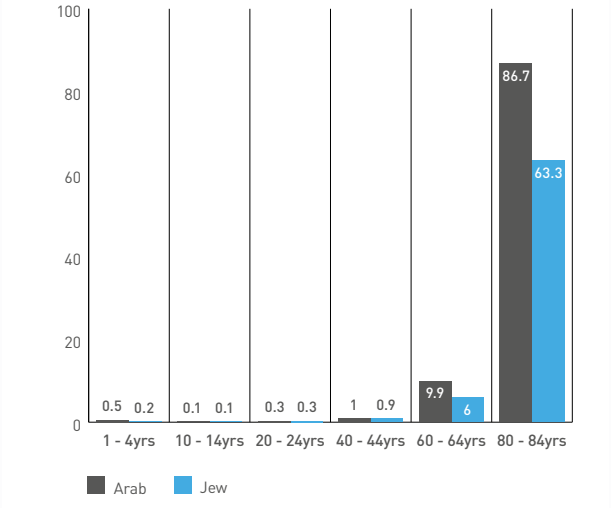
Mortality rate per 1000 people according to selected age groups and population groups

Source: The Central Bureau of Statistics, Statistical Abstract of Israel, 2007

Males



Females



35 Benjamin Pogrund, 'Apartheid? Israel is a democracy in which Arabs vote'. Focus, December 2005.

An Arab member of the Knesset who goes all the way to the US and Canada to tell university students and professors that Israel is an apartheid state is not only a hypocrite and a liar, but is also causing huge damage to the interests of his own Arab voters and constituents. If Israel were an apartheid state, what is this Arab doing in the Knesset? Doesn't apartheid mean that someone like this Knesset member would not, in the first place, even be permitted to run in an election? Fortunately, Arab citizens can go to the same beaches, restaurants and shopping malls as Jews in this 'apartheid' state. Moreover, they can run in any election and even have a minister in the government [Raleb Majadlah] for the first time. In this 'apartheid' state, the Arab community has a free media that many Palestinians in the West Bank and Gaza Strip envy. Ironically, an Arab newspaper in Nazareth or Haifa that is licensed by Israel enjoys more freedom than the media controlled by Hamas and Fatah, as well as most corrupt Arab dictatorships.

Khaled Abu Toameh, Israeli Arab journalist.[36]

In 1978, Israel's Supreme Court reaffirmed that 'the rule prohibiting discrimination between persons on grounds of race, sex, national group, community, country of origin, religion, beliefs or social standing is a fundamental constitutional principle, which is integrated and woven into our fundamental legal concepts and constitutes an integral part thereof.'[37]

The effectiveness of the Israeli Courts in countering incidents of unfair discrimination when they do arise was demonstrated in August 2005 when the Israeli Arab human rights group Adalah filed a petition with the Tel Aviv District Court against the Municipality of Lod and the Ministry of Education (MoE), following its refusal to register an eight-year-old Arab child in a Jewish elementary school in Lod. The municipality and MoE argued it was better for the child to attend an Arab school. In response to a 4 September 2005 court order, the municipality registered the boy in the Jewish school.[38] Nothing like this, of course, could have occurred in apartheid South Africa, where the law of the land did not merely permit racial discrimination but expressively mandated it.

Israeli society is far from perfect, but let us deal honestly. By any yardstick you choose – educational opportunity, economic development, women and gay rights, freedom of speech and assembly, legislative representation – Israel's minorities fare far better than any other country in the Middle East.

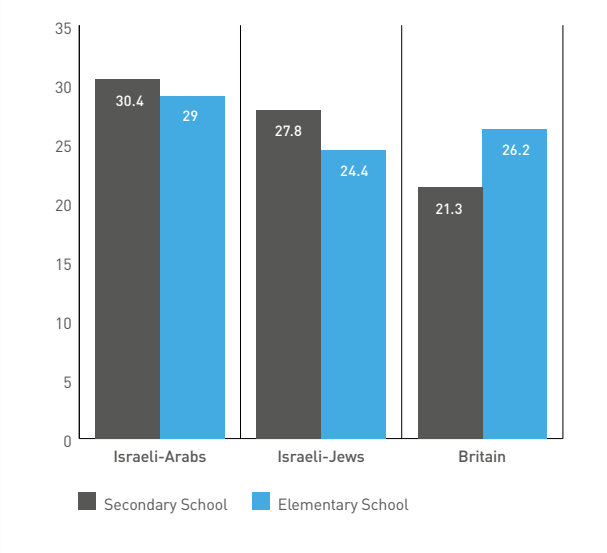
Ismail Khaldi, an Arab citizen of Israel and the nation's first high-ranking Muslim in the Israeli Foreign Service.[39]

Israel's Arab citizens do not simply enjoy individual rights under the law. They also hold some collective rights as a national minority. Arabic is Israel's second official language, though there is much to do before all government agencies are fully bi-lingual.[40] The Abraham Fund is working with the government to ensure information leaflets about accessing welfare services are available in Arabic. There is a thriving Arabic mass media (a multilingual partially Arabic language news channel has just been established)[41] as well as a vibrant Arabic literature[42] and theatre scene.[43]

36 Khaled Abu Toameh 'For Israel's Arabs It Is Not Apartheid'. Gatestone Institute, 2010. **http://www.gatestoneinstitute.org/1102/for-israels-arabs-it-is-not-apartheid**
37 HCJ 114/78 – Muhammad Said Burkan vs The Minister of Finance et al. Judgment. 26 February 1978. **http://www.hamoked.org/files/2010/112340_eng.pdf**
38 US State Department: Country Reports on Human Rights Practices: Israel and the occupied territories, 2005. **http://www.state.gov/g/drl/rls/hrrpt/2005/61690.htm**
39 Ismail Khaldi, 'An Israeli diplomat responds to "Israel Apartheid Week" at UC Berkley'. San Francisco Chronicle, 4 March 2009. **http://engageonline.wordpress.com/2009/03/05/apartheid-week/**
40 Ariel Ben Solomon, 'Study shines spotlight on status of Arabic in Israel'. Jerusalem Post, 25 April 2013. **http://www.jpost.com/National-News/Study-shines-spotlight-on-status-of-Arabic-in-Israel-311011**
41 'Multilingual Israel news TV to launch'. Ynet, 23 July 2013. **http://www.ynetnews.com/articles/0,7340,L-4395568,00.html**
42 Emile Habibi won the 1992 Israel Prize for literature; he has a square dedicated to him in Haifa.
43 Eg. The Jaffa Theatre Company has collaboration between Arab and Jewish practitioners.

Average number of students per classroom in elementary and secondary schools in the Jewish, Arab and British education systems

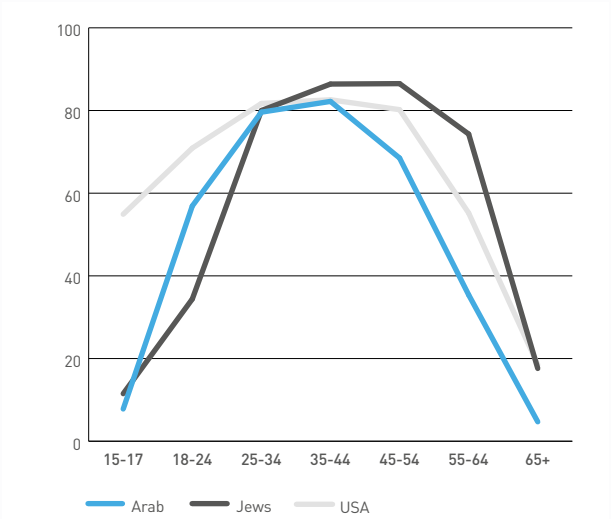
Sources: The Central Bureau of Statistics, Statistical Abstract of Israel, 2007 and the Department of Education Class Size and Education in England Evidence report



Personal status issues, including marriage, are dealt with by independent Jewish, Muslim, Druze, and Christian denominational courts. Arab students and Arab professors study, research, teach and – above all – argue and debate on all of Israel's university campuses. At Haifa University – selected for a boycott by Britain's Lecturers Union – some 20 per cent of the student body is Arab.

Rate of participation by men in the work force in Israel and the USA (in 2012)

Sources: The Central Bureau of Statistics, Statistical Annual of Israel, 2007 and the United States Department of Labor



ISRAEL IS PURSUING EQUALITY FOR ITS ARAB CITIZENS

The second reason it is a smear to compare the position of the Arab minority in Israel to the position of the black majority in apartheid South Africa is because the *Israeli government* is working hard to reduce the gaps between the minority and majority.

The Israeli government has recognised the problem of social inequality and is pursuing a set of policies designed to produce greater equality and inclusion for its Arab citizens.

On the whole, the situation of the Arab minority inside Israel proper is much like that of many national minorities in Europe and elsewhere. They enjoy equality under the law, vote for parliament, are represented by very lively parties of their own, but in practice suffer discrimination in many areas. To call this apartheid would be grossly misleading.

Uri Avnery, Israeli peace activist famous for crossing the lines during the Siege of Beirut to meet Yasser Arafat on 3 July 1982, the first time the Palestinian leader ever met with an Israeli.

The Or Commission: a turning point

In 2000 the Israeli Cabinet set up a Commission headed by Justice Theodore Or to investigate the riots of 2000 when 12 Arab citizens of Israel, one Jewish citizen of Israel and one resident of the Gaza Strip were killed.

The Or Commission report recognised the alienation and discrimination experienced by Israel's Arab minority. After 92 hearings, 377 witnesses and 4,289 exhibits, the report concluded that ending the structural inequality experienced by Israel's Arab citizens was the 'most sensitive and important domestic issue facing Israel today' and recommended that the state must 'initiate, develop, and operate programs emphasising budgets that will close gaps in education, housing, industrial development, employment, and services.'

> While the Or Commission's findings served as a reminder for many Israelis about the difficulties faced by their fellow Arab citizens, it is difficult to imagine the government of Saudi Arabia publishing a report critical of its treatment of women, Shiites or non-Muslims.[44]
> **Robert Philpot**, Director of Progress, the British left-of-centre think tank.

The truth is the Or Commission was a real turning point. Writing in 2012 at the radical +972 website Ron Gerlitz, the co-executive director of Sikkuy (an Arab-Jewish organisation working to advance equality), and Batya Kallus argued that as a result of a government drive from above and pressure from below by Arab civil society, 'over the last ten years, the government has begun to initiate significant and innovative processes to close the gaps of inequality, advance economic development, and promote employment for the Arab population.'[45] There has been progress in closing economic gaps, opening up the civil service, equalising welfare, introducing Arabic into Jewish schools, and improving access to higher education.

Closing the economic gaps

In 2007, the Israeli government voted to establish the Authority for the Economic Development of the Arab, Druze and Circassian Sectors, led by Aiman Saif, to maximise the economic potential of these populations.

The Authority is now in charge of over NIS two billion (£345.2 million) investment to increase housing to the Arab citizens, empower Arab municipalities, advance the business sector, enhance employment, and advance human resource development. To give a few examples; Government Decision No. 1539 in March 2010 allocated NIS 778 million (£134.3 million) for a five year plan on Economic Development of 13 Arab towns; Decision No. 2861 in February 2011 allocated NIS 681 million (£117.5 million) for the development of the Druze sector; and Decision No. 3211 in May 2011 allocated NIS 350 million (£60.1 million) for the development of Bedouin communities in the north of the country.

Following the social justice protests of 2011, the government allocated a further NIS 750 million (£129.5 million) to enhance employment, with most of this budget going to 'the removal of barriers preventing the Arab population from integrating into the workforce', especially Arab women. The rest aims to enhance accessibility to employment centres by subsidising transportation and working with potential employers.

Aiman Saif, General Director of the Authority for the Economic Development of the Arab, Druze and Circassian Sectors. Presidential Conference/YouTube screen shot

Aiman Saif, general director of the Economic Development Authority for the Arab Sector describes the Or Commission report as 'a roadmap, both for dealing with Arab issues and for improving relations between Arabs and Jews.' From the

44 Robert Philpot, 'Israel's minorities: a progressive example'. in Making the Progressive Case for Israel. 2013. **http://www.lfi.org.uk/wp-content/uploads/2013/01/making-the-progressive-case-for-israel-an-lfi-book.pdf**
45 Ron Gerlitz and Batya Kallus, 'A Dangerous Position'. +972, 19 October 2012. **http://972mag.com/a-dangerous-position/**

heart of the Prime Minister's Office, Saif has guided the effort to implement the report's recommendations using government money, not least by building 13 industrial parks in Arab communities. Saif says that the money allocated is not enough, but this is not a picture of an apartheid state.[46]

Ron Gerlitz applauds the government for running a number of programs to encourage Arab employment, including a process leading to the establishment of 22 employment guidance centres in Arab communities.

The government will spend close to NIS 8 billion (£1.38bn) over the next five years on the economic, social and educational development of the 200,000 strong Bedouin community of the Negev, with the aim of raising the community out of poverty.[47]

The Tel Aviv Stock Exchange (TASE) has introduced a programme to boost listings of Arab companies. Ester Levanon, Chief Executive of the TASE believes the exchange has a national responsibility to foster wealth creation within the country's Arab communities. She said: 'Listing Israeli-Arab companies is not only good for the TASE and the companies in question, it's good for Israel too. If the economy is strong, and these companies can grow, then that contributes positively for everyone.'

Nazareth has emerged as 'the Israeli-Arab Silicon Valley' with high-tech jobs in the city rising from 30 in 2008 to over 400 in 2013. Nearly one-third are filled by women. One company, Amdocs, which provides billing and other services to telecommunication companies around the world has opened a centre in Nazareth that employs some 150 people and staff, one-third Jewish, one-third Muslim, and one-third Druze, Circassians and Arab Christians.[48]

The government of Israel is closing the gaps between its Jewish and Arab citizens in many fields. The refusal to recognise those changes is dangerous and counter-productive.[49]

A changing civil service

The government have set quotas to increase the representation of Arabs in the Civil Service. In 2007 the government set a target for 10 per cent of employees to be from the non-Jewish communities by 2012.[50] In 2008 the Ministry of Justice announced that 30 per cent of all civil service vacancies in future would be set aside for Arabs, and it also introduced incentive packages so Arabs could relocate to Jerusalem.

In 2011 the National Civic Service Scheme was reformed to make it easier for Arabs to take part in community service as an alternative to IDF enlistment. There has been a 76 per cent rise in the number of the Arab citizens of Israel undertaking civilian national service, with the 2012 number standing at 3,000.[51]

In 2003, the representation of Arabs in government service was five per cent. Since then, there has been a steady increase, and by 2011 it had reached 7.8 per cent. The number of Arabs employed in government civil service rose in the same time period from 2,800 workers in 2003 to 5,000 in 2011 – an impressive increase of 78 per cent, especially in comparison to a 12 per cent increase in the number of Jewish workers during the same period. This represents a dramatic increase that is the result of focused policies to advance fair representation of Arabs in government service. (Contrary to the popular claim that the increase in Arab government employees is only the result of an increase in Druze employees.)

Ron Gerlitz, the co-executive director of Sikkuy, an Arab-Jewish organisation working to advance equality and **Batya Kallus**, writing for the radical website +972.

46 Israel's Arab Citizens: Progressive Responses'. UK Task Force, '2012. **http://www.uktaskforce.org/docs/121210-progressive-responses.pdf**
47 Meirav Arlosoroff, 'Settling the Bedouin question'. Haaretz, 27 December 2012. **http://www.haaretz.com/news/features/settling-the-bedouin-question.premium-1.490285**
48 Inbal Orpaz, 'Arabs taking their place in Start-up Nation: Nazareth is emerging as a new Silicon Wadi'. Haaretz, 24 January 2014. **http://www.haaretz.com/business/.premium-1.570280** Inbal Orpaz, 'Nazareth, Israel's largest Arab city, now has a budding start-up scene., Haaretz, 23 January 2014. **http://www.haaretz.com/business/.premium-1.570272#.UuZ3bNRgE2Q.email**
49 Ron Gerlitz and Batya Kallus, 'A Dangerous Position', +972, 19 October 2012. **http://972mag.com/a-dangerous-position/**
50 Adam Hug, Full and Equal Citizens? How to deliver equality for Israel's Arab community. London, 2010: p. 31.
51 Ariel Ben Solomon, 'National service in Arab sector up 76% over past year'. The Jerusalem Post, 20 June 2013. **http://www.jpost.com/National-News/National-service-in-Arab-sector-up-76-percent-over-past-year-317143**

Equalising welfare

Gerlitz and Kallus say the Ministry of Welfare is 'systematically closing the gaps in the allocations of welfare budgets between Jewish and Arab communities, and is operating a variety of programs giving clear budgetary priority to funding of Arab municipalities.'[52] In 2013 the Ministry of Welfare also appointed a consultant to tackle welfare disparity between Jewish and Arab municipalities.[53] Gerlitz and Kallus also point out that 'the Ministry of Housing and Construction is successfully marketing the development of new housing on state-owned land in Arab communities including Nazareth and Umm al-Fahm'[54] while 'the Ministry of Transportation initiated a process to introduce public buses to Arab communities and has succeeded so far in Rahat, Kafr Qasim and other communities.'[55]

Manuel Trachtenberg with Prime Minister Benjamin Netanyahu, 2011.
Marc Israel Sellem/POOL/FLASH90

Improving policing

In response to the Or Commission report, in 2004 the Israeli police formally recognised the Abraham Fund as its official provider of educational activities on issues of democracy, civil rights and egalitarian service in a multicultural society – and instituted the organisation's Community Police Initiative. This led to the creation of community police units, comprising of both Jewish and Arab personnel in over 100 Arab towns, in contrast to only three towns a decade earlier. Each of these units is comprised of both Jewish and Arab personnel, increasing the Arab representation in the Israeli police from one to 4.5 per cent.

A 2012 survey found that 62.3 per cent of Arab respondents have confidence in the police (25.1 per cent 'a lot of confidence' and 37.2 per cent 'some confidence') – a significant increase from the previous survey and slightly *more*, remarkably, than the percentage of Jews who expressed confidence.[56]

More Arabic in Jewish schools

In 2010 the government introduced 'Ya Salam', an Arabic language requirement for fifth graders in 170 Jewish schools in northern Israel. Today, the 'Ya Salam' program is used in 100 schools throughout Israel in fifth and sixth grade. Most teachers in the program are Arab – trained in language instruction by The Abraham Fund Initiatives in cooperation with the Ministry of Education – and are integrated into Jewish school staff. Each year throughout the country, training workshops are held for Arabic teachers – for both elementary and high school – in order to create pedagogical continuity between the elementary and high school curricula. These workshops are organised by a partnership of The Abraham Fund Initiatives, The Ministry of Education, and local authorities.[57] The scheme will be rolled out, an opportunity for Jewish primary school children to learn the Arabic language and culture from Arab teachers.[58]

Arabs and Jews buying school materials in central Jerusalem, 2013.
Miriam Alster/FLASH90

52 Ron Gerlitz and Batya Kallus, 'A dangerous position'. +972, 19 October 2012. **http://972mag.com/a-dangerous-position/58002/**
53 Danielle Ziri, 'Welfare Ministry appoints consultant for Arab sector'. Jerusalem Post, 4 August 2013.
54 'Authority for the Economic Development of the Arab, Druze and Circassian Sectors'. Inter-Agency Task Force Educational Fact Sheet. **http://www.iataskforce.org/sites/default/files/Authority%20for%20the%20Economic%20Developement%20-%20July%202013.pdf**
55 Nancy K Kauffman, 'Community Organising in the Negev, National Coalition of Jewish Women'. 13 October 2013.
56 Alexander Yakobson, 'What does Israel's Arab Minority really think', Fathom: for a deeper understanding of Israel and the Region, Issue 3.
57 Abraham Fund Initiatives, 'Ya Salam Arabic Teaching Curriculum'. **http://www.abrahamfund.org/1410**
58 Samara Greenberg, 'Ya Salam: Breaking the Language Barrier'. The Jewish Policy Center, 24 August 2010. **http://www.jewishpolicycenter.org/blog/2010/08/ya-salam-breaking-the-language-barrier**

Greater access to higher education

In 2010, the Israeli Council of Higher Education signed a multi-year agreement with the Ministry of Finance, allocating NIS 305 million (£52.6 million) towards the development and implementation of a strategic, long-term approach to enhancing accessibility of higher education for the Arab community. This approach was formalised into a 'Six-Year Plan to Enhance Accessibility of Higher Education for the Minority Population in Israel.'[59] After being piloted the plan was rolled out nationally in 2013.[60] The plan provides an overarching strategy to remove barriers and address weaknesses along the path to higher education for Arab citizens – from high school through advanced degrees and into employment. The Israeli government has announced a matched funding scheme for charitable donations from the private sector.[61]

The Israeli government also launched its first-ever Scholarship Fund for first degree Arab students to run alongside the plan and address the economic needs of students. It includes a 1:1 matching scheme between the Council for Higher Education's Planning and Budgeting Committee (PBC) and other governmental bodies on the one hand, foundations and philanthropists on the other. The UK-based Pears Foundation became the first partner with the Israeli government, pledging £100,000 over three years in May 2013.[62] The chair of the Israeli Council of Higher Education, Manuel Trajtenberg, said 'Acquiring an education is crucial to enabling social mobility. This is an important mission for Israel in general, and this is the best way to generate that change.'[63]

Arab school children, Um-al-Fahm, 2011. EU Neighbourhood Information Centre/Flickr

For the past several years, we have been intensively analysing government policies toward Arab citizens and their struggle for equality. On the basis of empirical research and our in-depth acquaintance with the bureaucracy and government policies, we write – taking full responsibility for this statement – that this is not just a matter of forward movement in individual cases or only declarative statements. Rather, it indicates intent to advance policies that aim to close the gaps in the allocation of resources between Arabs citizens and Jews, and this intention has been agreed upon and implemented by significant components of the government's bureaucracy at the most senior levels.

Ron Gerlitz is the co-executive director of Sikkuy, an Arab-Jewish organisation working to advance equality. **Batya Kallus** is the senior grants officer for the Moriah Fund in Israel, and a philanthropic advisor for foundations funding activities that promote equality and shared society in Israel, 2012.

Of course, Israel has a very long way to go before it can say its minorities are completely free of institutionalised discrimination as a national minority. Arab areas often face significant challenges in relation to infrastructure, housing, education, employment, access to municipal services and crime.[64] Arabs are hugely underrepresented as heads of hospital departments, university professors and senior police. Only two per cent of the 174 senior staff members of state-funded institutions are Arab.[65]

But of what European society is it not true to say that minorities suffer from disadvantage and discrimination? What matters is that Israel is addressing the problem and making positive steps forward.[66]

59 'Briefing Paper: Higher Education for Arab Citizens of Israel: Realities, Challenges and New Opportunities'. Inter Agency Task Force on Israeli Arab Issues, 31 March 2013. **http://www.iataskforce.org/events/briefing-paper-higher-education-arab-citizens-israel-realities-challenges-and-new-opportunities**

60 'Professor Manuel Trajtenberg on Enhancing Access to Higher Education for Arab Citizens of Israel'. Inter-agency Task Force, 5 February 2013. **http://www.iataskforce.org/events/professor-manuel-trajtenberg-access-higher-education-arab-citizens-israel**

61 'The Galilee, Israel'. Higher Education in Regional and City Development, 2011. **http://www.oecd.org/edu/imhe/49001753.pdf**

62 Simon Rocker, 'Arab students aided by Pears Foundation £100,000 grant'. The Jewish Chronicle, 24 May 2013. **http://www.thejc.com/news/uk-news/107861/arab-students-aided-pears-foundation-%C2%A3100000-grant**

63 Gil Shefler, 'Israeli economist peddling new plan to equalize Arab university presence'. The Jewish Telegraph Agency, 4 March 2013. **http://www.jta.org/2013/03/04/news-opinion/israel-middle-east/israeli-economist-peddling-new-plan-to-equalize-arab-university-presence#ixzz2rJq8vWYu**

64 'Arab populations in mixed cities'. UKTF Briefing, 2 January 2012.

65 Yarden Skop, 'Israel's highest academic society: 108 professors, but not a single Arab'. Haaretz, 12 September 2013. **http://www.haaretz.com/news/national/.premium-1.546618**

66 Amnon Rubinstein, 'Israel in Arabs and Jews: Dispelling the Myths, Narrowing the Gaps'. **http://duncankennedy.net/documents/Is-Pal/First-Syllabus/Amnon-Rubinstein_Israeli-Arabs-Jews-Dispelling-Myths.pdf**

The journalist Amira Hass argues that Israel is an apartheid state not because there is apartheid in Israel – indeed she admits there is not: 'if one visits our hospitals one can find Arabs and Jews among doctors and patients' – but because Israel shares apartheid South Africa's racist philosophy of 'separate development'.[67] The data surveyed in this section has shown that this claim is not true. Israel's response to a poor and marginalised Arab sector is not to repress it so it is not able to threaten the regime, but to bring it out of poverty so it can play a full and equal part of society as a minority sector in a democratic state.

Yes, it could do better. No, it is not a case of apartheid.

In fact, the Apartheid Smear *damages* all these efforts to close the gaps between minority and majority in Israel. Why? Because it demoralises Arab youth and is an obstacle to them 'aiming higher'. This is one of the most pernicious consequences of the smear. As Gerlitz and Kallus point out 'Arab youth, who absorb the message that the totality of the government of Israel in relation to Arab society is aimed at harming Arab citizens, will not make an effort to apply for positions in government service or in high tech companies.' It is a 'dangerous claim which weakens Arab society and … harms the struggle for equality.'[68]

Jewish-Arab Hadash party demonstration. 'Jews and Arabs refuse to be enemies.' Yossi Gurvitz/Flickr

WHAT ABOUT THE ANTI-ARAB RACISM IN ISRAELI SOCIETY?

Every country in the EU, including Britain, struggles to tackle racism, including 'institutionalised racism,' against its minorities; a fact graphically described by the reports submitted with the European Commission against Racism and Intolerance (ECRI).[69] But no one argues that this make those countries 'apartheid states'. So why claim it makes Israel an apartheid state? Why the double standards?

> Is there discrimination in Israel? Yes – there is discrimination against women, elderly, Arabs, Russian Jews, Christians … But the same goes for Canada. Is it good – No? But it means we have to deal with the problem from within … The existence of discrimination in a state does not mean it is an apartheid state … There is a big difference between apartheid and discrimination.[70]
> **Dr. Mohammed Wattad**, Israeli Arab Legal Scholar.

Yes, there have indeed been examples of discriminatory legislation being proposed by certain MKs. However, Adam Hug of the UK Foreign Policy Centre points out that 'when analysing the worrying legislative environment facing Israeli Arab community, it is worth exercising a note of caution.' Few bills, he points out, even in watered down form, become law. 'The majority of these pieces of legislation are private members bills without Government backing. In the UK House of Commons, MPs enter a ballot system out of which seven out of 650 get a brief amount of parliamentary time. While this may be too few to give backbench members any real power and should be reformed, it provides a useful counterpoint to the legislative hyperactivity that afflicts the Knesset, with each member able to submit multiple bills per session. Perhaps, as with Israel's proportional representation system, some problems the country faces stem not from its democratic deficiencies but from its excesses.'[71]

67 Amira Hass, 'What does Apartheid mean anyway?' Haaretz, 9 December 2013, **http://www.haaretz.com/news/features/.premium-1.562477** 68 Ibid.
69 ECRI Report on the United Kingdom, 2 March 2010. **http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/United_Kingdom/GBR-CbC-IV-2010-004-ENG.pdf**
70 Dr. Mohammed Wattad, 'Israeli Arab Legal Scholar: Israel Is Not An Apartheid State An Interview with Dr. Mohammed Wattad, Member of the SPME Legal Task Force'. 2010. **http://spme.org/spme-in-the-news/israeli-arab-legal-scholar-israel-is-not-an-apartheid-state/8366/**
71 Adam Hug, Full and Equal Citizens? How to Deliver Equality for Israel's Arab Community? Foreign Policy Centre, 15 December 2010: p. 42.

Yes, small numbers of extremists have made headlines by burning and desecrating mosques and other places of worship, and engaging in street violence towards Arabs. But at the base of Israeli society, the picture is very different. An opinion survey conducted by Nohad Ali and Shai Inbar for Sikkuy found that 74 per cent of Israeli Jews acknowledge that Arab Citizens suffer discrimination; 60 per cent of Jews believe that promoting equality is in the interest of the country, and 53 per cent of Jews are disturbed by levels of inequality.[72] The mass Israeli social protest movement of 2011 co-ordinated with Arab community leaders to raise the demand for state recognition of unrecognised villages throughout the country, especially the Bedouin communities in the Negev.[73]

Racism is not widespread in Israeli society and nor is it institutionalised. Israel has been a signatory of the International Convention on the Elimination of All Forms of Racial Discrimination treaty since 1966. In 1988, the Central Election Commission banned the anti-Arab 'Kach' party.[74] In 2013, an Arab party produced an election advert that mocked the Israeli national anthem – the Hatikvah – and the Central Election Commission banned it. The Supreme Court reversed this decision, and upheld the right to attack the Hatikvah.[75]

More needs to be done. The Israeli police force and attorney general have come under criticism in the past few years for not successfully prosecuting perpetrators of price tag attacks within Israel.[76] Many Israelis protested when there were no prosecutions following the investigation into some Rabbis who encouraged Jews not to rent property to non-Jews. The Israeli Prime Minister – how different this is from apartheid-era politicians in South Africa! – quoted the Bible

The people of 'Marak Levinski' arrive with plates filled with food for African asylum seekers. Tomer Neuberg/Flash90

on love for the stranger and one law for all. 'How would we respond if it were said not to sell an apartment to Jews? We would be infuriated' he said, adding, 'These things should not be said in a Jewish and democratic state that respects the morality and the tradition of Israel and the Bible. The State of Israel, therefore, categorically rejects these statements [by the Rabbis].'[77]

Israel's anti-discrimination law, officially titled 'The Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law' (passed in 2000), was assessed by the UN International Convention on the Elimination of all Forms of Racial Discrimination in 2005. The report stated that – particularly in the media – human rights awareness is high and that, 'The language of rights has permeated the daily life of Israel.'[78]

The majority of Jews believe equality is in the interest of the country.

72 Nohad Ali and Shai Inbar, 'Who's in Favor of Equality? Equality between Arabs and Jews in Israel Summary of an Opinion Survey'. Sikkuy, 2011. **http://www.sikkuy.org.il/english/hasamim/shivion2011_english_abstract.pdf**

73 Greene, Johnson and Leshem, op cit.

74 Joel Brinkley, 'Bans Kahane Party From Election'. The New York Times, 6 October 1988. **http://www.nytimes.com/1988/10/06/world/israel-bans-kahane-party-from-election.html?pagewanted=1**

75 'Supreme Court Unanimously Overturns Ban of Balad/Tajammoa's Hatikva Election Ad'. Adalah, 16 January 2013. **http://adalah.org/eng/Articles/1904/Supreme-Court-Unanimously-Overturns-Ban-of-Ad**

76 '"Price Tag Attack" in Baqa Al-Gharbiyye'. UK Task Force, 9 December 2013. **http://www.uktaskforce.org/latest-news/price-tag-attack----in-baqa-al-gharbiyye.php**

77 Jack Khoury and Yair Ettinger, '39 municipal rabbis issue ruling against renting homes to non-Jews; PM, ministers up in arms'. Haaretz, 8 December 2010. **http://www.haaretz.com/print-edition/news/39-municipal-rabbis-issue-ruling-against-renting-homes-to-non-jews-pm-ministers-up-in-arms-1.329411**

78 The UN International Convention on the Elimination of all Forms of Racial Discrimination. Israel Ministry of Justice: YouTube, 2005. **https://www.youtube.com/watch?v=GjbKHjEBG6A**

Israeli Government Anti-Discrimination Campaign 2014

In January 2014 Israel's Ministry of Justice launched a high-profile media campaign emphasising the illegality of discrimination. The television campaign shows the viewer everyday situations tainted with discrimination. One advert shows a group of young boys playing basketball, but the Russian boys are not allowed to play. In another, an Arab mother and her daughter take the bus, but other passengers do not move up for them. In the latter clip the narrator says: 'Yesterday someone didn't make room for me. Today they won't allow me to rent a house. Discrimination is against the law – let's fight it together.'

The Ministry of Justice web page dedicated to this campaign is titled 'More Tolerance – Less Racism', and encourages those who feel they have suffered discrimination to take action, emphasising that discrimination is a punishable offence. It points out that in Israel the courts can order compensation of up to NIS 66,500 (£11,500) even without proof of damage, and a fine of NIS 150,000 (£26,000) is the maximum punishment for a discrimination conviction, and the courts can order the discriminating business to close.[79]

Ministry of Justice 2014 Anti-Discrimination campaign advertisement.

On 2 June 2012, in response to so-called 'price-tag' attacks, Benjamin Netanyahu, Israeli Prime Minister, said 'I strongly condemn recent phenomena of racism against the Arab citizens of Israel and hooliganism against Palestinians, which were without any provocation or justification whatsoever. We strongly reject these phenomena and will act with all legal means at our disposal to stop them.'[80] And when Khaled Shakra, a teacher at the Ajial school in Jaffa, was unable to book an end of year visit to the Superland amusement park on certain days due to the park reserving certain days solely for Jewish students, Israel's Education Minister, Rabbi Shay Piron MK released a statement saying 'I am shocked by phenomena like this that have no place in Israeli society. I see Jews and Arabs living together as one of the basic values on which the Declaration of Independence is based. The values of equality, partnership and tolerance are at the heart of Education Ministry policy.'[81]

> I have no other home than the State of Israel. I am a proud Israeli citizen but that doesn't mean I can't criticise it … At the same time I am a proud Arab national. Whenever something wrong happens to the Arab world, I feel it. These are not contradictory things.
> **Dr. Mohammed Wattad** Israeli Arab Legal Scholar, 2010.[82]

79 'More Tolerance – Less Racism', Israel Ministry of Justice. **http://index.justice.gov.il/AntiRacism/Pages/InformationInEnglish/AboutTheCampaign.aspx**
80 'PM Netanyahu condemns racism against Arab citizens of Israel'. UK Task Force, 3 June 2013.
http://www.uktaskforce.org/latest-news/pm-netanyahu-condemns-racism-against-arab-citizens-of-israel.php
81 UK Task Force, 'PM Netanyahu condemns racism against Arab citizens of Israel'. 3 June 2013.
http://www.uktaskforce.org/latest-news/pm-netanyahu-condemns-racism-against-arab-citizens-of-israel.php#sthash.aRMZJYJY.EYGgPKOv.dpuf
82 Dr. Mohammed Wattad, 'Israeli Arab Legal Scholar: Israel Is Not An Apartheid State An Interview with Dr. Mohammed Wattad, Member of the SPME Legal Task Force'. 3 July 2010.
http://spme.org/spme-in-the-news/israeli-arab-legal-scholar-israel-is-not-an-apartheid-state/8366/

PART 2: WHY ZIONISM IS NOT RACISM

The Apartheid Smear says that Zionism is a form of racism. It isn't.

WHAT IS ZIONISM?

Zionism is the national liberation movement of the Jewish people, calling for the restoration of sovereign Jewish life in the land of Israel after 2000 years of exile and persecution. Zionism emerged as part of the growth of national movements in the last quarter of the 19th century. Jews aspired to establish an independent and sovereign homeland in the land of their ancestors. The land of Israel has always been integral to Jewish religious, cultural and national life. Zionist leaders, most notably the Hungarian-born Theodor Herzl, hoped that a Jewish state would end centuries of anti-Jewish persecution in Europe and allow for the renewal of Jewish culture, language and traditions.

The persecution of Jews was a constant of European life in the medieval period. Many Jews hoped the onset of modernity, which led to emancipation for Jews in many countries, would bring about an end to anti-Jewish prejudice and discrimination in Europe. However, in the modern period, antisemitism did not disappear. It only took on new forms, such as the belief that Jews were racially inferior, or involved in a global conspiracy. Jews in Europe were subject to waves of pogroms and persecution in the late 19th and early 20th centuries, culminating in the Holocaust when six million Jews were murdered by the Nazis.

> The differences between the two cases [Apartheid and Zionism] are obvious. First, the South African regime was based, as with their Nazi mentors, on the theory of racial superiority. Racism was its official creed. The Zionist ideology of Israel is not racist, in this sense, but rather based on a mixture of nationalism and religion, though the early Zionists were mostly atheists. The founders of Zionism always rejected accusations of racism as absurd. It's the anti-Semites who are racist. Zionists were liberal, socialist, progressive.[83]
>
> **Uri Avnery**, Israeli peace activist, famous for meeting Yassir Arafat in Beirut on 3 July 1982, the first time the Palestinian leader ever met with an Israeli.

The establishment of the State of Israel in 1948 marked the realisation of Zionism's central political goal of attaining an internationally recognised, legally secured home for the Jewish people, where Jews would be free from persecution and able to develop their national identity. Most Jews around the world consider themselves supporters of Zionism, in that they support the existence and development of Israel as the state and homeland for the Jewish people.

To describe Zionism as 'racist' is to discriminate against the Jewish people by denying *their* right – and only their right, note – to national self-determination. Nationhood is a matter of self-definition, not external accreditation: the Jews see themselves as a people, with national rights. Whether others see them as only a religion is irrelevant. (Equally, those Israelis who say the Palestinians are not a people are wrong. Period.)

> For the Jewish people, the journey to the promise of the state of Israel wound through countless generations. It involves centuries of suffering and exile, prejudice and pogroms and even genocide. Through it all, the Jewish people sustained their unique identity and traditions, as well as a longing to return home. And while Jews achieved extraordinary success in many parts of the world, the dream of true freedom finally found its full expression in the Zionist idea, to be a free people in your homeland … Palestinians must recognise that Israel will be a Jewish state and that Israelis have the right to insist upon their security.'
>
> **President Barack Obama**, March, 2013

Many of the Jews who moved to Palestine prior to the establishment of the State of Israel came as refugees fleeing persecution in various parts of Europe. They did not seek to subjugate the local population, but hoped that the lives of all the residents of the area would be improved by the influx of Jewish immigrants. Jews did not enter Palestine by force, but purchased land and built many new communities.

83 Uri Avnery, 'Taking Apartheid Apart'. Gush Shalom, 23 October 2013. **http://zope.gush-shalom.org/home/en/channels/avnery/1382707541/**

Close allies in World War Two. Palestinian leader Haj Amin al Husseini and Adolf Hitler, November 1941. Heinrich Hoffman/Wikimedia Commons

Mainstream Zionists always believed that a non-Jewish minority would live alongside the Jewish people as citizens with full and equal rights. This principle was enshrined in Israel's Declaration of Independence in 1948, which promised Arab inhabitants of the State of Israel 'full and equal citizenship and due representation in all its provisional and permanent institutions.'

[The Apartheid Smear] rests firmly on a multilayered edifice of hostile premises: denial in principle of Jewish nationalist need and entitlement, proscription of the entire Zionist enterprise as loathsome colonialism, and false equation of the Jewish national purposes and symbols of the State of Israel with racism … [it] is manifestly a malicious calumny used as a weapon aimed at the de-legitimisation of Israel and its dissolution as a state that is Jewish in any meaningful sense. It is particularly insidious because it twists the worthy universal human rights agenda against itself.[84]

Gideon Shimoni former head of the Hebrew University's Institute of Contemporary Jewry, and author of *Community and Conscience: The Jews in Apartheid South Africa*, (Brandeis University & University Press of New England, 2003).

The right of the Jewish people to create a national home in Palestine was recognised by the British in the 1917 Balfour Declaration, and then approved by the League of Nations (the forerunner of the United Nations) in 1922, with a ringing endorsement of 'the historical connection of the Jewish people with Palestine' and of the grounds for 'reconstituting their national home in that country'.

In 1947, the General Assembly of the United Nations passed Resolution 181 which approved the partition of Mandate Palestine into 'Independent Arab and Jewish States.' The Jewish leadership in Palestine accepted the UN plan, even though the borders for the Jewish state were drawn with no consideration for its security, were virtually indefensible, and included a lot of desert. The UN partition resolution used the expression 'Jewish state' no fewer than 27 times.
The Partition Plan also gave the Arab community of Palestine a state and the opportunity for self-determination. Tragically, Palestinian leaders and the wider Arab world decided to reject the UN proposal and instead wage (and lose) a war against the infant Jewish state created by the UN. In 1949 a two-thirds majority at the United Nations accepted Israel as a full member.

Nearly all Israeli families are descended from refugees from antisemitism in Europe, Russia and the Middle East. They did not go to Israel in order to fight with Arabs or to get rich by oppressing Arabs. (…) 'Zionism' was a response to European antisemitism, a utopian movement, a social-democratic experiment.

Dr David Hirsh, Goldsmiths College, University of London

84 Gideon Shimoni, 'Deconstructing Apartheid Accusations Against Israel'. Jerusalem Centre for Public Affairs, 2 September 2007. http://jcpa.org/article/deconstructing-apartheid-accusations-against-israel/

WHAT HAPPENED IN 1948?

First, after the British left in 1948, and the Jewish community declared the establishment of Israel in line with the UN partition resolution, five Arab armies immediately invaded, intending to crush the Jewish state at birth and 'drive the Jews into the sea.' The Jews of Palestine were forced to fight back and wage a defensive war for their survival, a mere three years after the Holocaust.

The Palestinian leader Haj Amin al-Husseni had spent the war years in close alliance with Hitler's Nazis.[85] In 1948 the Arab armies stated war aims were either extermination or ethnic cleansing; they openly proclaimed this and carried it out when they won battlefield victories.

David Ben-Gurion during the declaration of Israel's independence in 1948. Ilan Bruner/Israel Government Press Office

Second, during that war, there was no deliberate, coordinated Israeli policy to expel the Arabs of Palestine. The historian Benny Morris, in his detailed and highly praised book 1948, concludes that 'The Palestinian refugee problem was born of war, not by design, Jewish or Arab'. He goes on: 'It was largely a by-product of Arab and Jewish fears and of the protracted, bitter fighting that characterised the first Israeli-Arab war; in smaller part, it was the result of actions by Arab military commanders and politicians.'[86]

Morris points out that the 'Mainstream (Haganah-Jewish Agency) Zionist policy, until the end of March 1948 – meaning during the first four months of the war – was to protect the Arab minority in the Jewish areas and to try to maintain peaceful coexistence.' However, Haganah intentions had to change in April, 'when the Yishuv was with its back to the wall, losing the battle for the roads and facing potentially politicidal and genocidal pan-Arab invasion.' Jews had fled every area that came under Arab control including Gush Etzion and the Old City of Jerusalem.

Morris has noted how it was touch and go whether this Arab attack would be repelled. 'After reviewing in detail the balance of forces between the Arab states and the Yishuv, [chief of operations of the Jews forces, Yigael] Yadin concluded cautiously that "at the minute, I would say that the chances are very even [hashansim shkulim]. But to be more candid, I would say that they have a big advantage, if all this force is deployed against us." [Israel's Prime Minister David] Ben-Gurion was more optimistic "We can withstand [an invasion] and defeat it, [but] not without serious losses and shocks."'[87] There were atrocities on both sides of the war. The atrocity committed by Jewish forces at Deir Yassin was followed a few days later by the massacre of 78 Jewish academics, doctors and nurses travelling to Mt. Scopus carried out by Arabs. A few weeks after that, a day before Israel declared independence, 127 Jewish men and women were massacred in Kfar Etzion after surrendering and laying down their arms.[88]

Third, the Palestinian refugee crisis was created as a result of the Arab war to exterminate Israel. As that war of annihilation raged, the factors that caused Arabs to leave were many and complex – including the mass exodus of Arab elites in late 1947 before the Zionist forces had any real battlefield victories. Whilst in some cases individual Jewish commanders told Arabs to leave, in the chaos of the moment, many left out of fear spread by rumour and exaggerated reports of Israeli atrocities, fuelled by a massacre of 107 villagers in April 1948 at Deir Yassin.

The lack of a wholesale plan of expulsion is evidenced by examples whereby local Jews encouraged their Arab neighbours to stay, for example in Haifa. In the midst of the conflict, Israel's Declaration of Independence offered full citizenship and equal rights to all Arabs living within Israel.

Fourth, in 1949 the United Nations registered 726,000 Palestinians who became refugees as a result of the 1948 war. After the war, the 150,000 Arabs that remained within the borders of Israel were awarded full citizenship. Arab

85 See Matthias Kuntzel, Jihad and Jew-Hatred: Islamism, Nazism and the Roots of 9/11. New York, Telos Press. 2009; Barry Rubin and Wolfgang G Schwanitz, Nazis, Islamists, and the Making of the Modern Middle East. New Haven: Yale University Press, 2014.
86 Benny Morris, The Birth of the Palestinian Refugee Problem, 1947-1949. Cambridge, 1989: p. 286.
87 Benny Morris, 1948: A History of the First Arab-Israeli War. Yale University Press, 2009: p. 176.
88 Yair Sheleg, 'The death and rebirth of Kfar Etzion'. Haaretz, 3 May 2007. **http://www.haaretz.com/weekend/week-s-end/the-death-and-rebirth-of-kfar-etzion-1.219660**

members were elected to the first Israeli Knesset in 1949. Tensions remained high throughout the 1950s. Terrorists or 'fedayeen' from neighbouring Arab countries regularly crossed into Israel to murder civilians at weddings, synagogues, on buses, trains, and in homes. A massacre of 48 people took place in the village of Kafr Qasim on 29 October 1956 by Israeli Border Police.[89]

Fifth, because there was no peace agreement between Israel and the Arab world, Palestinian refugees remained in UN-administered refugee camps, principally in the Jordanian-controlled West Bank, Egyptian-controlled Gaza, Lebanon, Syria and Jordan. The bulk of the territory that was meant to become the Palestinian state according to the 1947 UN partition plan was captured by Jordan and Egypt, but these states made no attempt to create an independent Palestinian Arab state.

The War of Independence ended in 1949 with an armistice agreement but neither a peace treaty with, nor recognition from the surrounding Arab states. Fearing an armed uprising, the Arabs who remained in Israel were granted citizenship but were subject to military rule in the early years of the state. The policy was ended in 1966.

Sixth, Israel, by contrast, absorbed hundreds of thousands of Jewish refugees from Arab countries. In 1947 and 1948, the Jews of Algeria, Egypt, Iraq, Libya, Morocco, Syria, and Yemen (Aden) were persecuted, their property and belongings were confiscated, and they were subjected to severe anti-Jewish riots instigated by Arab governments. Zionism was made a capital crime in Iraq and anti-Jewish pogroms erupted in Aleppo in Syria. Bombs were set off in the Jewish quarter of Egypt, killing dozens. Algeria saw anti-Jewish decrees and Yemen witnessed terrible pogroms and the death of nearly 100 Jews. 856,000 Jews fled Arab countries in four years after Israel was created in 1948. The value of assets lost by the Jewish refugees is estimated at $700 million – roughly $6.7 billion (£4bn) today. While over 100 UN resolutions have been passed about the Palestinian refugees, *not one* has specifically addressed the Jewish refugees.

Seventh, Israel absorbed every refugee who sought entry, so almost half of Israel's population today descends from the Jewish refugees of the Arab world. But in most cases, the Arab leaders made no effort to absorb Palestinian refugees or grant them civil rights. As a result, many of the Palestinian refugees and their descendants still live in poverty, dependent on international aid.

Eighth, a peace deal will have to define a solution. The Palestinians claim the right of the descendents of refugees from the 1948 war to return to the homes of their parents, grandparents or even great grandparents. Israel does not believe it is responsible for resettling the refugees and their descendants, believing their plight to be the responsibility of the Arab states that rejected the 1947 Partition Plan, started a war, and then refused to resettle the refugees created by that war in their own territory.

In previous negotiations with the Palestinians, Israel has been willing to contribute to an international compensation fund for Palestinian refugees, and absorb a number into Israel, but believes the final agreement must preserve the principle of 'two states for two peoples'.

> Something that is often not recognised is that the right of the majority to have its identity reflected in the public square, in the public culture of the state, is as much an expression of democratic principles as the need to preserve minority rights.
> **Dr. Tal Becker**, an international fellow at the Washington Institute for Near East Policy, and a lead Israeli negotiator during the Annapolis talks in 2008.

DIDN'T THE ZIONIST LEADERS HAVE A PLAN – 'PLAN D' – TO EXPEL THE PALESTINIANS?

'Plan D', or Tochnit Dalet in Hebrew, was not a plan to expel the Arabs. Dalet is simply the fourth letter of the Hebrew alphabet and Plan D was nothing more than the fourth version of the Haganah's evolving plan to defender the infant Jewish state. The historian Benny Morris concluded from his intensive study of the archives that 'Tochnit Dalet [Plan D] was not a political blueprint for the expulsion of Palestine's Arabs.' He went on: 'There was no Zionist "plan" or blanket policy of evicting the Arab population, or of "ethnic cleansing."'[90]

The Arab population of Israel was 150,000 in 1948. In 2013, according to the Central Bureau of Statistics, 'the Arab population numbers approximately 1.6 million residents'.[91]

89 Shirley Racah and Abed Kannaneh, '48 human beings were massacred – and we have forgotten them'.+972, 3 November 2013. **http://972mag.com/48-human-beings-were-massacred-and-we-have-forgotten-them/81313/**
90 Benny Morris, 'Letter to the Irish Times'. 21 February 2008: p. 17.
91 '65th Independence Day – More than 8 Million Residents in the State of Israel'. Central Bureau of Statistics. 13 April 2013. **http://www.cbs.gov.il/www/hodaot2013n/11_13_097e.pdf**

Israeli President Zalman Shazar speaks with Sheikh Amin Tarif at Beit Hanassi in Jerusalem during a reception for meetings of the Druze community on the occasion of the Feast Eid al-Adha, 4 April 1968. Cohen Fritz, GPO

PART 3: WHY BEING A 'JEWISH STATE' DOES NOT MAKE ISRAEL AN APARTHEID STATE

ISRAEL CALLS ITSELF A 'JEWISH STATE.' DOESN'T THAT MEAN IT DISCRIMINATES AGAINST NON-JEWS?

The term 'Jewish state' does not mean that Israel is a theocracy (rule by clerics) or a state exclusively for Jews. Israel is a democracy (rule by the people), governed by the rule of law as drafted by an elected parliament, the Knesset. All faiths vote and enjoy freedom of worship.

'Jewish state' just means that Israel is the national homeland for the Jewish people with citizenship, civic equality and minority rights for its non-Jews. Tal Becker, the Israeli lawyer and peace-negotiator under the Annapolis process in 2007-8, puts it most clearly: 'When we say Israel is a Jewish state, we mean that it is the national home of the Jewish people, where the Jewish people realise their right to self-determination. The Jewish people realising their right to self-determination is not a principle that is contrary to democracy. It is a universal legal principle.'

The Declaration of Independence explicitly provides for the protection of minorities: '[Israel] will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture.'

An Israeli-Arab woman casts her vote during the general election. Muhammed Muheisen/AP/Press Association Images

Israel's so-called 'Basic Laws' – its quasi-constitution – are interpreted by the independent judiciary, which has shown itself willing to challenge discrimination against Israel's minorities on many occasions. Racial and other forms of discrimination are prohibited by Israeli law.

Yes, Israel is a state with a national character; it is the national home of the Jewish people. But as Tal Becker points out, 'Many states around the world are both national homelands for a majority ethnic or racial group and democracies.'

Ethiopian representatives lobbying for Ethiopian Jews in the Knesset, 2013. Flash90

He goes further: '*most* democracies are nation states in this way. These states realise and express the rights of the ethnic majority to self-determination, but they are still democracies because of their systems of government and because the rights of the minority are protected in terms of equality before the law, and so on.'[92] To take just one European example, Slovenia, a member of the European Union, states in its constitution that 'Slovenia is a state of all its citizens and is founded on the permanent and inalienable right of the Slovenian nation to self-determination.'

Being a 'Jewish state' means being a state in which Jewish traditions, language and customs are given full expression. Thus, Jewish holidays are observed by the organs of the state, Hebrew is the national language, traditional Jewish

92 Tal Becker, 'The idea of a Jewish state is itself democratic: an interview with Tal Becker', BICOM, 6 November 2013 **http://www.bicom.org.uk/analysis-article/6082/**

law is integrated into jurisprudence, and so on. There is nothing discriminatory in this, as long as minority rights to express their traditions, language and customs are protected too. And they are. For example, Israel's civil service allows non-Jewish civil servants to celebrate their own religious holidays without having those days docked off their annual leave. (The same cannot be said to apply to Jews in Britain.)

If Israel's definition of itself as a Jewish state is 'racist', then Bahrain, Egypt, Iran, Kuwait, Libya, Mauritania and Saudi Arabia are likewise 'racist', since they define themselves as 'Islamic' states. Several Islamic countries go even further, invoking racial/ethnic criteria as well. Bahrain, for example, defines itself as 'an Arab Islamic State, independent and fully sovereign, and its people are part of the Arab nation.' Turkey defines itself as a 'Turkish state' even though a significant proportion of the population are not Turks but Kurds.

20 per cent of Israeli citizens are non-Jews. However, the Palestinians envision a state that is exclusively for a particular national and ethnic group – 'In a final resolution, we would not see the presence of a single Israeli – civilian or soldier – on our lands,' the Palestinian President Abbas has said.[93]

Jews on a ship to Israel in 1947. JAFA Israel/Flickr

The Palestinian Islamist party Hamas, in its founding Charter, describes Palestine as 'an Islamic Waqf (Endowment) consecrated for future Muslim generations until Judgment Day.' The Hamas Charter opens with this statement: 'Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it.'

Denying Israel's right to define itself as a 'Jewish state' *with* rights for minorities, while allowing other countries to define themselves in religious and/or ethnic terms, *without* rights for minorities, is a double-standard.

'There are plenty of states whose national identity has an ethnic dimension. It seems to me that *most* states emerging from colonial domination or imperial rule have based themselves on the right of their particular nation to self-determination. In all such cases there are urgent questions concerning the treatment of people inside the territories of these newly emerging states, who are not deemed to belong to the ruling nation in question.'
Professor Robert Fine, University of Warwick

ISRAELI JEWS WISH TO PRESERVE A 'JEWISH MAJORITY' IN ISRAEL. ISN'T THAT A FORM OF RACISM TOWARDS NON-JEWS?

It is not unusual that one community is the majority within a nation and seek to maintain that status. *In fact, this is true in nearly every country in the world.*

Moreover, societies usually reflect the cultural identity of the majority. India and Pakistan were established at the same time as Israel, but no one believes these nations are illegitimate because one is predominantly Hindu and the other Muslim, or because the laws and customs of each country – from the role of Islam in Pakistan to the treatment of cows as sacred in India – reflect those majorities.

Something that is often not recognised is that the right of the majority to have its identity reflected in the public square, in the public culture of the state, is as much an expression of democratic principles as the need to preserve minority rights. This is true in Israel no less than any other state that has ethnic minorities, be it Britain, Germany, Italy, France or any other country.
Dr Tal Becker

93 Stuart Winer, 'Abbas pledges: There will be no Israelis in Palestine'. Times of Israel, 30 July 2013. **http://www.timesofisrael.com/abbas-says-there-will-be-no-israelis-in-palestine/**

THE 'LAW OF RETURN' GRANTS A JEW FROM ANYWHERE IN THE WORLD AN AUTOMATIC RIGHT TO BECOME AN ISRAELI CITIZEN. THIS RIGHT IS NOT ENJOYED BY NON-JEWS. ISN'T THAT APARTHEID?

Many states define their immigration policies based on their own specific context, history and ethnic or national character. In every generation throughout its history, the Jewish people have suffered persecution and expulsion. This situation culminated in the Holocaust, a genocide from which the Jews of Europe found no place of refuge. One of the primary goals of the Zionist movement was to create one state in the world, which would be a national home for the Jewish people, and a refuge which would, by definition, be open to Jewish immigration.

When the State of Israel was founded in 1948, one of its most urgent challenges was to absorb hundreds of thousands of stateless Jewish refugees who had been forced from their homes and lost everything in the Holocaust. At the same time it had to absorb over 850,000 Jews who fled rising persecution or were expelled from Arab and Muslim lands after the 1948 War of Independence.

Israel duly passed a law – The Law of Return – which granted the right of citizenship to any Jew who wished to live in Israel. Whilst the traditional religious definition of a Jew is someone who has a Jewish mother, the law of return takes a broader definition. In Nazi Germany, individuals were murdered as Jews if they had even one Jewish grandparent, and that is why the State of Israel defines a Jew for the purposes of the right of return as anyone with one Jewish grandparent. The principle is that anyone who could be persecuted for being Jewish ought to have the right of refuge. This policy has facilitated the immigration of diverse ethnic groups, not just white Europeans. Mass immigration from Asian and African countries, including Yemen, Iraq, Libya, India and Ethiopia, testifies to the non-racial character of the Law of Return. Israeli law does not distinguish between Israeli citizens on the basis of the *origin* of their citizenship; 'returning' Jewish citizens enjoy no preferences over existing non-Jewish citizens.

The facilitation of Jewish immigration was, of course, the principal purpose of setting up a Jewish state as prescribed by UN Resolution 181 in 1947. The Law of Return is therefore not only fully compliant with international law but fulfils the expressed wish of the international community.

> The German constitution offers automatic citizenship to refugees and displaced persons of German ethnic origin from the former Soviet Union and Eastern Europe – individuals who for many generations had no geographic or civic relationship with the state. Greece's citizenship law confers special advantages on ethnic Greeks, including dispensing with the residency requirement for naturalisation purposes. Finland repatriates ethnic Finns from the former Soviet Union. In Poland, anyone whose Polish origin is confirmed in accordance with its constitution may settle permanently in that country. The Irish nationality law empowers the Ministry of Justice to grant an exemption from naturalisation prerequisites when the applicant is of 'Irish descent or Irish associations.'
>
> **Professor Gil Troy** and **Martin J. Raffel**, authors of *Israel: Jewish and Democratic.*

International law recognises the legitimacy of *taking history into account* when designing law in this area. The International Convention on the Elimination of All Forms of Racial Discrimination (1965) legally mandates the establishment of 'special measures' for the 'advancement of certain racial or ethnic groups' for protecting the 'equal enjoyment or exercise of human rights and fundamental freedoms.' As noted by the UN Committee for the ICERD, this provision is intended to remedy 'inequalities resulting from the circumstances of history that continue to deny to vulnerable groups and individuals the advantages essential for the full development of the human personality' and to 'prevent further imbalances from arising.'[94]

The sad truth – which a cursory look at the daily papers will confirm – is that antisemitism has not gone away, and that is why there is still a need for the Law of Return.

94 Submission of NGO Monitor to the Human Rights Committee and its relevant Special Rapporteur on the occasion of the Country Report Task Force consideration of the Periodic Report of Israel, NGO Monitor, June 2010, p. 2.

IS THE ABSENTEE PROPERTY LAW A CASE OF ISRAELI APARTHEID?

After Arab nations and local Palestinians leaders rejected the United Nations Partition Plan of 1947, the resulting war of independence of 1948-9 saw Israel lose 6000 people, fully one per cent of its population. Under these conditions of bitter fighting in a war of survival, many Arabs fled, or were forced to leave their homes, creating much uninhabited land and property. Israel passed The Absentee Property Law (1950) to transfer ownership of this land and property for administration and use by the state.

The objective of the law was that a 'Custodian of Absentee Property' administer the land of those Arabs who had fled, most of them to Arab States, and were thus residents of enemy states. Such administration by the Custodian was, among other things, intended to prevent unlawful occupation of the abandoned houses and property.

Other states have enacted similar laws. For example, Jordan had a Custodian of Absentee Property to manage and sell the property of Jews evicted from Gush Etzion, Jerusalem, Neve Yaakov and other places captured by Jordan during the Arab-Israel war of 1948.[95] Indeed, laws have been enacted after wars all over the world; for example in India, where Pakistani land gained in the 1965 war was transferred to the state.[96]

In Israel's case, the 1950 law was passed to deal with large areas of uninhabited land in a small, newly established country struggling to integrate a massive influx of immigrants. The law includes provisions for compensation for those who fled – by 1993, over £1.5m had been paid by Israel to over 14,000 Arabs (Israel Lands Administration Report for 1993). It is envisaged by the Israeli Government that those Arabs who fled in 1948, and their heirs, who have not yet received compensation for property they abandoned, will receive compensation in the framework of a peaceful settlement of the Middle East dispute.

Historical Context

It is important to remember the context in which this law was enacted. After Israel's establishment, its Arab neighbours refused to recognise Israel or to make peace. In this state of cold hostility between the infant Jewish state and its neighbours, with legitimate fears of encirclement prevalent, Israel felt it could not allow those who had fled during the war of independence to return.

There were three refugee crises, not one. As well as Palestinian Arabs who were displaced by the war, Israel had to provide homes for hundreds of thousands of refugees who had survived the Holocaust in Europe, as well as absorbing hundreds of thousands of Jews who were persecuted or forced out of Arab countries including Yemen, Iraq, Egypt Morocco and Libya, where they were generally stripped of their property and citizenship with no hope of restitution. In the decade or so following the 1948 war more than 800,000 Jews from Arab lands were absorbed by Israel. Despite its meagre resources and small size, Israel absorbed all these refugees as citizens of the new Jewish state. It had to use every available resource to manage this, including abandoned Arab property.

By contrast, aside from Jordan, the Arab states that had initiated the 1948 war did not attempt to absorb Palestinian-Arab refugees, and left them in refugee camps without rights.

Contemporary debates

The Absentee Property Law is the subject of legal controversy within Israel today. In 2005, then Attorney-General Menachem Mazuz held that the Israeli authorities could not take ownership of unoccupied Arab land in East Jerusalem,[97] and that the use of the law to seize land was illegal.[98] Recent attempts to apply the law in East Jerusalem have prompted legal debate and scrutiny, which is ongoing.[99]

95 Michael R. Fischbach, Jewish Property Claims Against Arab Countries. Columbia University Press, 2008.
96 **http://mha.nic.in/pdfs/CEP-Mumbai-0212.pdf**
97 Greg Myre, 'Israel Revokes Decision on East Jerusalem Land'. New York Times, 2 February 2005. **http://www.nytimes.com/2005/02/02/international/middleeast/02mideast.html?pagewanted=print&position=&_r=0**
98 'Jerusalem land seizures "illegal"'. BBC, 1 February 2005. **http://news.bbc.co.uk/1/hi/world/middle_east/4226497.stm**
99 'Absentee Property Law in East Jerusalem: Israeli court may suspend law used to take over Palestinian land in Jerusalem'. Haaretz, 9 November 2013. **http://www.haaretz.com/news/diplomacy-defense/.premium-1.546307**

IS IT TRUE THAT SOME ISRAELI TOWNS HAVE 'ADMISSIONS COMMITTEES' TO STOP NON-JEWS MOVING IN?

Israeli law explicitly prohibits discrimination based on race, religious or nationality. This applies also to the sale of public land.

There are some small rural communities in Israel, built on public land, which may number a few dozen or a few hundred families, who have admissions committees to vet individuals who want to join those communities. For example, a small community made of families that observe the Jewish Sabbath might decide that a non-religious family that wanted to play loud music on the Sabbath would not be suitable to join. These small communities represent a tiny proportion of the Israeli population, most of whom live in cities.

Nazareth, the largest Arab city in Israel. Flickr

A test case heard by the Israeli Supreme Court in 2007 determined that admissions committees cannot have a membership selection process that discriminates against Arabs. In the Ka'adan v Israeli Land Authority case, the Supreme Court ruled that the Arab Ka'adan family had the right to move into Katzir, a Jewish Agency cooperative settlement, given the democratic character of the Israeli state. 'The principle of equality,' the Supreme Court ruled, 'establishes that the state may not discriminate among individuals when deciding on the allocation of state lands to them … We have held that the State may not discriminate directly on the basis of religion or nationality in allocating state land.'[100]

In 2011, the Knesset passed a law legalising the use of admission committees in rural villages built on public land in the Negev and Galilee, of less than 400 families in size. The law's explanatory notes state that its purpose is to protect the unique character of rural villages and to maintain social cohesion. This law has been criticised by some Israeli civil rights groups for potentially creating legal cover for the use of admissions committees to discriminate against Arabs. Israeli civil rights groups have submitted to the Israeli High Court to dismiss the law as unconstitutional. After hearing arguments in December 2012, Supreme Court President Asher Grunis noted that the law forbade discrimination, and proposed that they wait to see if there is an actual case of the 2011 law being used to discriminate against Arabs before intervening.

THE 2003 CITIZENSHIP AND ENTRY LAW BLOCKS THE MARRIAGE PARTNERS OF ISRAELIS FROM LIVING IN ISRAEL IF THEY ARE RESIDENTS OF THE WEST BANK OR GAZA STRIP. ISN'T THAT APARTHEID?

The Citizenship and Entry Law was passed on 31 July 2003 and renewed in 2008 and 2012. It temporarily places limits on granting Israeli citizenship to residents of the Palestinian Authority. The law also applies to citizens of nations who refuse diplomatic relations with Israel including Iran, Iraq, Syria and Lebanon. (Automatic citizenship was granted to spouses until 2003. Few other countries do that. For example, one can't become a UK citizen by marrying a Brit.)

The Citizenship and Entry Law was not enacted for discriminatory purposes. It was passed after huge debate because of terrorism; specifically, persons 'who were granted legal status in Israel based on their marriage to an Israeli citizen, and took advantage of their Israeli ID to pass checkpoints and carry into Israel either suicide bombers or explosives.'[101] It was adopted as an emergency security measure adopted following a wave of attacks in 2002 that killed 75 Israeli civilians (and injured many more) in a single month.

Yuval Diskin, former Head of the Shin Bet (Israel's internal security service) speaking in 2005, said that Palestinians with reunification residency were involved in 16 suicide bomb attacks.[102] For example, on 31 March 2002, Shadi Tubasi, who was recruited by Hamas in Jenin, blew herself

100 Reports submitted by states parties under Article 9 of the convention. Thirteenth periodic reports of States parties due in 2004. Addendum. Israel.
101 Ben Lynfield, 'Marriage Law Divides Israeli Arab Families'. Christian Science Monitor, 8 August 2003. See also **http://www.jewishvirtuallibrary.org/jsource/Antisemitism /hrpa.html**
102 'ISA: Reunifications a real terror threat'. Jerusalem Post, 14 February 2006. **http://www.jpost.com/Israel/ISA-Reunifications-a-real-terror-threat**

up at the Matza restaurant in Haifa killing 15 Israelis. Tubasi was granted Israeli citizenship as her mother is from the Nazareth region.[103]

Again, these are the consequences of the absence of a peace agreement. When a state of war exists between two countries, it goes without saying that the citizens of one will rarely be permitted as a matter of course to immigrate to the other. It would have been absurd, for example, to demand of Britain that it allow German or Japanese citizens to immigrate there during World War Two, and to accuse it of racism for not agreeing to do so.

There have been exceptions made to the Citizenship and Entry law for humanitarian reasons, and it does not apply to those under the age of 14, or to women over the age of 25 or men over the age of 35.[104] Temporary residence permits may also be granted, while decisions based on the law can be appealed to the Israeli Supreme Court.

There was a fierce debate in Israel about the Citizenship and Entry Law and it was opposed by several Israeli NGOs.[105] It has also been argued over by Israel's most senior jurists, and minority opinions have been published.[106]

The Citizenship and Entry Law is a case of a democracy wrestling with the excruciating dilemma of striking the correct balance between terror and rights. Whether or not you think Israel has struck the right balance in this case, it is plainly not comparable to the racist discrimination that defines apartheid.

IS ISRAEL'S LAND ONLY SOLD TO JEWS?

No. Some 93 per cent of Israel's land cannot be sold to *anyone* – Arab or Jew.[107] 80 per cent of this land is state-owned and leased long-term to Israeli citizens by the state through an organisation called the Israeli Land Authority (ILA). The ILA leases land to both Arabs and Jews with no discrimination. A further 13 per cent of this land is owned by an organisation called the Jewish National Fund (JNF). This is a not-for-profit organisation that has existed since 1901 (47 years before Israel was established) in order to facilitate and help Jews from around the world (often fleeing persecution) move to the land of Israel. It bought land legally, and then developed it and began leasing it to Jews.

Only seven per cent of Israel's land is privately traded as a commodity (as in other countries), and sold to whoever offers the best deal.

When the state was established in 1948, JNF owned land came under the administration of the Israeli Land Authority, along with state lands. As an explicitly Zionist organisation that purchased land for the purpose of Jewish settlement, the JNF wanted its land to be leased to Jews.

However, the Israeli Attorney General in 2005 declared that, because JNF land is administered by the ILA, not leasing it to Arab citizens violated Israel's non-discrimination laws and so JNF land should also be leased to Arabs.[108] A solution was created whereby JNF land should be leased to Arabs on a non-discriminatory basis, and the ILA compensates the JNF with equivalent 'land swaps', whereby the same area of state-owned land is transferred to JNF ownership.[109]

103 ibid.
104 Adalah v. Minister of Interior (HCJ 7052/03) **http://elyon1.court.gov.il/files_eng/03/520/070/a47/03070520.a47.pdf**
105 Badil **http://www.badil.org/en/press-releases/144-2013/3738-press-eng-14; Adalah http://adalah.org/eng/?mod=articles&ID=1185;** Association for Civil Rights in Israel **http://www.acri.org.il/en/2005/12/28/citizenship-and-entry-into-israel-law-enacted-with-no-factual-basis/**
106 **http://elyon1.court.gov.il/files_eng/03/520/070/a47/03070520.a47.pdf** (ibid Adalah vs Min of Interior)
107 Israel Land Authority **http://www.mmi.gov.il/envelope/indexeng.asp?page=/static/eng/f_general.html**
108 Amiram Barkat and Yuval Yoaz, 'AG Mazuz rules JNF land can now be sold to Arabs'. Haaretz, 27 January 2005. **http://www.haaretz.com/print-edition/news/ag-mazuz-rules-jnf-land-can-now-be-sold-to-arabs-1.148348**
109 Shahar Ilan, 'Deal would have state, JNF swap 60,000 dunams'. Haaretz,30 October 2007. **http://www.haaretz.com/print-edition/news/deal-would-have-state-jnf-swap-60-000-dunams-1.232133**

IS THE ISRAELI GOVERNMENT FORCING BEDOUIN ARABS OUT OF THEIR HOMES?

The Israeli Bedouin were nomadic tribes-people, but now almost all live in settled communities. They are three per cent of Israel's population, residing mainly in the Negev area in the south of Israel. Among the poorest communities in Israel, with the highest birth rate, many live in 'unrecognised' villages without utilities like electricity and running water. With a fast growing population the Bedouin build around 2000 illegal structures each year outside any planning framework. Israel has been criticised for demolishing these Bedouin structures which it deems to be 'illegal' – i.e. constructed without planning permission and not adhering to Israel's regulatory standards.

It has become a priority for the Israeli government to resolve the issue and improve the lives of the Bedouins. The government continues to consult the Bedouin about a new planning regime, which involves the recognition of the majority of 'unrecognised' Bedouin villages, and a series of development projects.[110] The Israeli Ministry of Finance has approved NIS 7 billion (£1.2bn) for a five-year plan for the economic, social and educational development of the 205,000 strong Bedouin community of the Negev, with the aim of raising the community out of poverty.

Amal Elsana Alh'jooj, Director of AJEEC briefs participants on positive social change projects in the Negev, 2012. UK Task Force/Flickr

However, up to 30,000 Bedouins may have to relocate. The reason has nothing to do with apartheid or 'clearing the land for Jews'. 17,000 live in areas considered to be polluted and unsuitable for habitation. The other 13,000 live in communities that are either too spread out, or too small for the Israeli government to provide basic infrastructure such as sewage, water and electricity at a reasonable cost. Each Bedouin community is being consulted in order to determine the best option for them.

Israel is also proposing to recognise Bedouin claims to ownership of land, which currently have no legal status, and exchange them for land they will own legally or financial compensation. Under the proposals, Bedouin will exchange land claims that have never been recognised in law, for a combination of legally owned land and financial compensation.

This proposal is controversial within Israel. It has been attacked by some Bedouin groups but also by the Israeli right, who claim the package offered to the Bedouin is too generous.[111] The proposals are not motivated by a desire to 'rid the land of Bedouins' but by a desire to improve the lot of a chronically underprivileged group in Israeli society, and create an ordered planning regime that serves the region as a whole. Whether one agrees with the specific policy or not, it is clearly not apartheid.[112]

110 'Interview with Benny Begin, Minister for the Bedouin'. BICOM, 15 July 2012.
111 Ben Sales, 'Bedouin relocation faces opposition left and right'. The Times of Israel, 12 December 2013. http://www.timesofisrael.com/bedouin-relocation-faces-opposition-left-and-right/
112 'Unrecognised Bedouin villages'. BICOM, 6 October 2011. **http://www.bicom.org.uk/analysis-article/bicom-briefing-unrecognised-bedouin-villages/**
'Israeli government policy on the Negev Bedouin'. BICOM, 20 January 2012.
http://www.bicom.org.uk/analysis-article/11573/' Law to settle Bedouin land claims passes first Knesset reading'. BICOM, 26 June 2013. **http://www.bicom.org.uk/news-article/15108/**

DOES ISRAEL DISCRIMINATE AGAINST CHRISTIANS?

There are nine state recognised churches, which allows for the self-regulation of status issues, such as marriage and divorce. Christians enjoy full freedom of religion and equality of rights. The Christian population of Israel has grown from 34,000 in 1948 to 158,000 today.[113] Just since 1995 Israel's Arab Christian population has grown by 14.1 per cent. Across the entire Middle East, only in Israel is the Christian population growing. Elsewhere, including in Iraq, Syria, Egypt and indeed the Palestinian territories, anti-Christian persecution and discrimination has seen the Christian populations of those countries drop dramatically in recent years.

A new pro-Israel Christian Arab political party has been formed. 'The New Alliance' supports Arabs participating in national service and recognises Israel as the home of the Jewish people. 'We are completely Israeli and then comes religion,' says one of its leaders, Bishara Shlayan of Nazareth.[114]

Indeed 'Christians are in some ways better off economically than Israel's majority-Jewish population. They do better in the national matriculation exams, with some 62 per cent passing in 2010 compared with 58 per cent of the Jewish population and 46 per cent of Muslims. The unemployment rate for Christians, at 4.9 per cent, is lower than for the general population.'[115]

Christians participate fully in political life. For example, the current Mayor of Nazareth is Christian, as are two members of the Knesset, Hana Sweid and Basel Ghattas. Israel proudly advertises its Christian heritage sites and makes accommodation for Christian festivals. The Ministry of Religious Affairs deliberately refrains from interfering in their religious life, but maintains a Department for Christian Communities to address problems and requests that may arise.

The American Center hosts Jewish, Christian and Druze women for interfaith day. US Embassy, Tel Aviv

Not only Christians are fully protected under Israeli law. The Israeli legal system attributes equal status to Jewish, Muslim, Christian and Druze religious law for all personal issues such as marriage, divorce, burial and adoption. Religious courts of all faiths constitute an officially recognised component of Israel's legal system. Religious freedom in Israel includes the freedom to proselytise. Judaism is the majority religion, but missionising by other faiths amongst Jews is completely legal. Jews who convert to other religions are not penalised for their decision. Elsewhere in the Middle East, promoting religions other than Islam is illegal and sometimes punishable by death.

Another persecuted religious minority in the Middle East are the Bahá'í. In Iran, for example, they have been deprived of jobs, pensions, businesses, and educational opportunities. National Bahá'í administrative structures have been banned and Bahá'í holy places, shrines, and cemeteries have been confiscated, vandalised, or destroyed. By contrast, in Israel, Bahá'í practice their faith without fear of persecution. Indeed, the spiritual and administrative heart of the Bahá'í community, the Bahá'í World Centre, is located in the cities of Acre and Haifa in northern Israel.

113 Israel Central Bureau of Statistics report 2012.
114 Dror Eydar, 'New Christian Arab party seeks to change face of Israeli society'. Israel Hayom, 9 July 2013. **http://www.israelhayom.com/site/newsletter_article.php?id=10569**
115 David Rosenberg, 'Christians are both thriving, beleaguered in Israel'. The Jerusalem Post, 26 December 2011.
http://www.jpost.com/Middle-East/Christians-are-both-thriving-beleaguered-in-Israel

PART 4: ISRAEL AND THE TERRITORIES

Since 1967 Israel has occupied the West Bank after winning the Six Day War, a pre-emptive war of self-defence against the Arab armies that were once again massed on its borders, intent on 'driving the Jews into the sea.' The occupation persists 47 years later not because Israel wants to rule over the territories but because peace talks – in which Israel seeks recognition and security guarantees in return for the creation of Palestinian state in the Gaza Strip and West Bank – have failed thus far. *That* is why the occupation continues, not because Israel is running a permanent 'apartheid' regime.

Although Jews have a deep historic attachment to the territory of West Bank, known to Jews by the biblical names of Judea and Samaria, most would be prepared to give up control of almost all much of that territory in return for genuine peace.

United Nations Security Council Resolution 242, passed in the wake of the Six Day War, and accepted by Israel, calls for peace to be based on two principles: Israeli withdrawal from territories it captured *and* an end to belligerency, the recognition of all states (including Israel) within secure and recognised boundaries. In other words, Israel is expected to relinquish territory whilst the Arab states are expected to recognise Israel's right to exist peacefully in the region. It did not call for immediate and total Israeli withdrawal from all of the Territories but established the basis for peace based on these *twin* principles.

Israel has a moral responsibility to do all it can to end the occupation, but it also has a responsibility to do so in a way that does not endanger the lives and future of its own citizens, or bring about the circumstances for a future conflict. *That is Israel's dilemma.*

Many of Israel's actions in the Territories that are labelled 'apartheid' – the so-called 'apartheid Wall' for example – are actually security measures. Palestinian terrorism against Israeli civilians reached unprecedented heights during the Second Intifada. In the period between 29 September 2000 and 31 December 2009, 1,178 persons were killed and 8,022 more were injured as a result of Palestinian terror attacks – of those killed, 790 were Israeli civilians (67 per cent), 328 were members of Israel's security forces (29 per cent) and 60 were foreigners (5 per cent).[116]

Since 1967, the Israeli presence in Gaza and the West Bank has been the subject of entirely legitimate criticism (much of it coming from within Israel itself, including from Israeli Prime Ministers, Ministers, security chiefs, and intellectuals).[117]

But it is not a case of apartheid. As Judge Richard Goldstone a former Justice of the South African Constitutional Court, who led the United Nations fact-finding mission on the Gaza conflict of 2008-9, has written: '[In the West Bank] there is no intent to maintain "an institutionalised regime of systematic oppression and domination by one racial group" [the definition of apartheid under the 1998 Rome Statute].'[118] South Africa's enforced racial separation was intended to permanently benefit the white minority, to the detriment of

Hamas supporters hold models of M75 long-range rockets, 25th anniversary celebration, 2012. Nasser Ishtayeh/AP/Press Association Images

'Israel seeks recognition and security guarantees in return for the creation of the Palestinian state in the Gaza Strip and West Bank.'. Greg Gibson/AP/Press Association Images

116 Ido Rosenzweig and Prof. Yuval Shany, 'A Decade of Palestinian Terrorism – Report by the Israeli Security Agency'. The Israeli Democracy Institute. **http://en.idi.org.il/analysis/terrorism-and-democracy/issue-no-14/a-decade-of-palestinian-terrorism-%E2%80%93-report-by-the-israeli-security-agency**

117 Ehud Olmert, 'Olmert: Two-state solution is crucial to Israel as a Jewish and democratic state'. Haaretz, 28 April 2013. **http://www.haaretz.com/news/diplomacy-defense/olmert-two-state-solution-is-crucial-to-israel-as-a-jewish-and-democratic-state.premium-1.518060;** Tzipi Livni, 'Livni to Post: I have unfinished business in making peace with Palestinians'. Jerusalem Post, 21 October 2013. **http://www.jpost.com/Diplomacy-and-Politics/Livni-to-Post-I-have-unfinished-business-in-making-peace-with-Palestinians-329282;** Yuval Diskin, 'Diskin: Israel nears point of no return on two-state solution'. Jerusalem Post, 13 July 2013, **http://www.jpost.com/Diplomacy-and-Politics/Diskin-Israel-nears-point-of-no-return-319701;** Amos Oz, 'Amos Oz slams West Bank "occupation"'. **http://www.youtube.com/watch?v=M7IUUZue9Ho**

118 Richard J. Goldstone, 'Israel and the Apartheid Slander'. New York Times, 21 October 2011. **http://www.nytimes.com/2011/11/01/opinion/israel-and-the-apartheid-slander.html?_r=2&**

other races. By contrast, Israel has agreed to the existence of a Palestinian state in Gaza and almost all of the West Bank, and is calling for the Palestinians to negotiate the parameters.'[119]

The Palestinian population in the Territories has continued to expand rapidly. According to the UN, the total Palestinian population in all the disputed territories (it means Gaza, the West Bank, and East Jerusalem) was 1,094,000 in 1970, 2,152,000 in 1990, and now stands at 4.4 million.[120]

WHY DOESN'T ISRAEL GRANT ISRAELI CITIZENSHIP TO THE WEST BANK PALESTINIANS?

Israel does not grant Israeli citizenship to West Bank Palestinians – i.e. give every West Bank Palestinian a vote in Israeli elections, subject to Israeli law, in short, make them Israelis – because that would amount to the *annexation* of the Territories, making them part of Israel, ending all prospects for a *Palestinian* state. 'Israel does not want to do that', its Prime Minister Benjamin Netanyahu has said. 'We do not want to rule over them, we do not want to govern their lives, we do not want to impose either our flag or our culture on them.'[121] Most Palestinians don't want to be annexed to Israel either – they want to be citizens of a sovereign and independent *Palestinian* state, not citizens of Israel.

WHY DOESN'T ISRAEL JUST GET OUT OF THE WEST BANK? WHAT'S TO NEGOTIATE?

Israel seeks to end the occupation of the Territories by agreeing a peace deal that gives the Palestinians a state while giving recognition and security to Israel: two secure states for two peoples. Successive Israeli governments have repeatedly tried to divide the land through a 'final status' agreement – a peace deal. This effort is backed by the US, the EU and the Arab League.

Israel's reluctance to simply 'get out' of the West Bank without any peace deal or security guarantees is understandable once you think about the recent history. Simply put, when Israel 'just gets out', Iran 'just gets in'.

- Israel 'just got out' of a security zone it controlled in Southern Lebanon in 2000 and there are now 60,000 rockets aimed at Israel in the hands of the Iranian proxy, the antisemitic and terrorist organisation Hezbollah.
- Israel 'just got out' of the Gaza Strip in 2005 and 8,000 rockets have since been fired from the Strip onto Israeli civilians.[122] And those rockets are getting more powerful; in November 2012 Iranian-supplied Farj-5 rockets[123] reached Tel Aviv[124] and Jerusalem.[125]
- To 'just get out' of the West Bank without any security guarantees would be extraordinarily risky because of the topography of the land. The West Bank is the strategically critical high ground overlooking Israel's narrow coastal plain where most of its population and industry, and its only major international airport, are situated. Unilateral withdrawal from the high ground of the West Bank could be followed by an Iranian-backed Hamas takeover of the PLO and the West Bank, and the conversion of a Palestinian state into an Iranian-supplied rocket base from which missiles could rain down on the Israeli cities strung along the narrow coastal plain.

Hezbollah fighters attend a rally to commemorate slain commander Imad Mughiyeh, 2013. Hussein Malla/AP/Press Association Images

Israel's PM Ehud Barack and Yasser Arafat shake hands during peace negotiations. Wikimedia Commons

119 Ibid.
120 Central Intelligence Agency 2013 CIA World Factbook, Skyhorse Publishing, 2013.
121 Benjamin Netanyahu, 'A Demilitarized Palestinian State With Limited Sovereignty'. Speech at Bar Ilan University, 2009. **http://middleeast.about.com/od/documents/a/netanyahu-peace-proposal.htm**
122 'Rocket Attacks on Israel from Gaza', the IDF Blog. **http://www.idfblog.com/facts-figures/rocket-attacks-toward-israel/**
123 Saeed Kamali Dehghan, 'Iran supplied Hamas with Fajr-5 missile technology'. The Guardian, 21 November 2012. **http://www.guardian.co.uk/world/2012/nov/21/iran-supplied-hamas-missile-technology**
124 'Rockets aim at Tel Aviv as conflict escalates'. Al Jazeera, 16 November 2012. **http://www.aljazeera.com/news/middleeast/2012/11/201211151355409657 73.html**
125 Harriet Sherwood, 'Gaza rocket lands close to Jerusalem'. The Guardian, 16 November 2012. **http://www.guardian.co.uk/world/2012/nov/16/gaza-rocket-lands-close-jerusalem**

Israeli withdrawal without negotiated political and security commitments from the Palestinians would perpetuate the conflict, not resolve it.

Once we understand that Israel cannot *either* simply grant citizenship to West Bank Palestinians *or* simply walk out of the Territories, then our attention inevitably, and rightly, shifts how we can play a constructive role in support of the negotiations aimed at securing a final status agreement between the Israelis and Palestinians.

The pain felt by the Palestinians due to these security measures makes more urgent a comprehensive peace agreement. However, while these discomforts understandably give rise to grievances, there is a fundamental difference between security measures and segregation based on religion, sex or race.

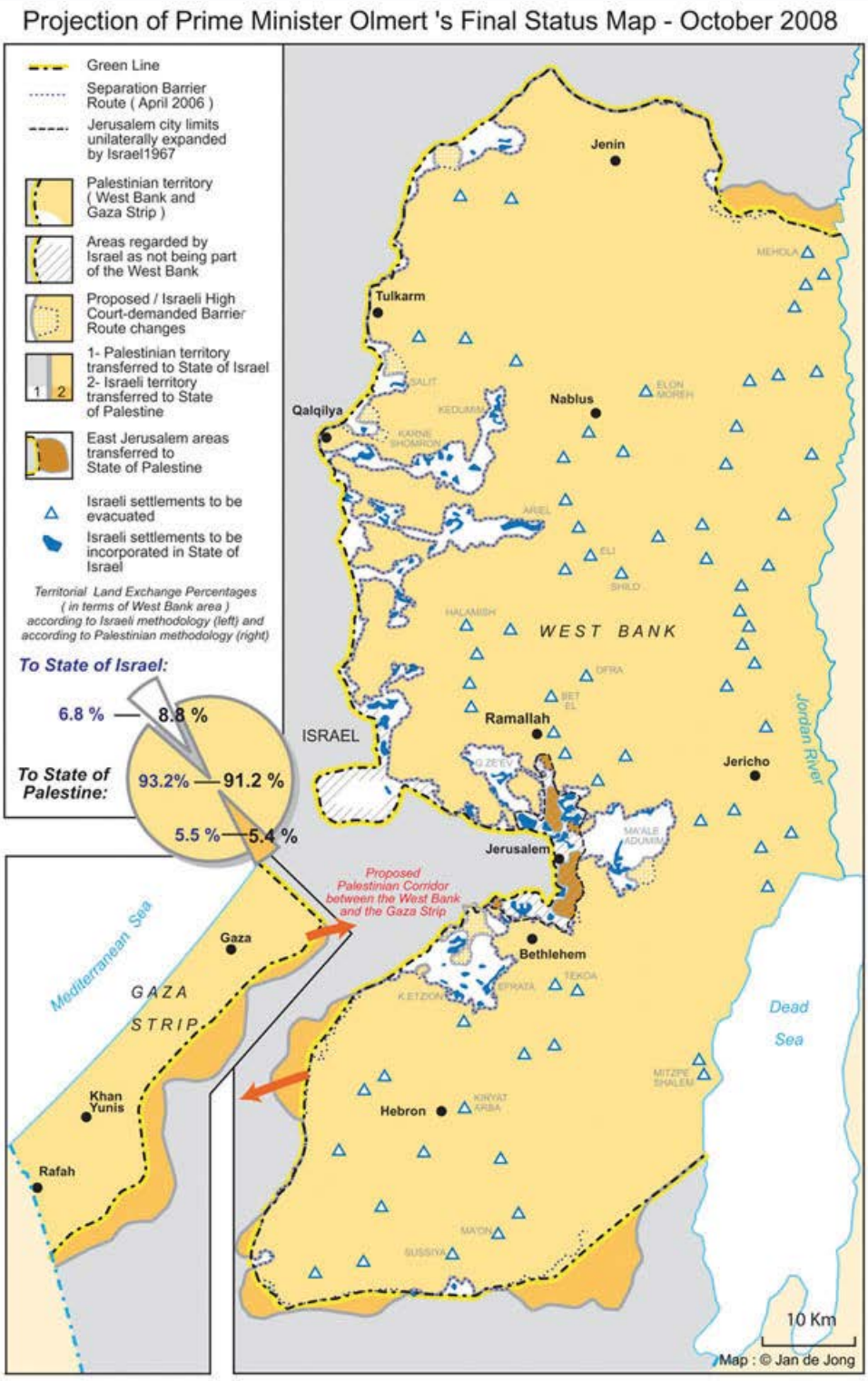
Palestinian policemen celebrating on their entrance to the city of Jericho after the Oslo Accords, 1994. Yossi Zamir/Flash90

BUT IS ISRAEL SERIOUS ABOUT NEGOTIATING THE DIVISION OF THE LAND INTO TWO STATES?

Yes. Israel has repeatedly tried to make peace with its neighbours based on the principle of 'land for peace.'

- In 1937, the Zionist movement accepted two states for two peoples when it was proposed by the British Peel Commission, but the Arabs rejected it.
- In 1947 the Zionist movement accepted the United Nations Partition Plan, but the Arabs rejected it.
- In 1967, in the immediate aftermath of the defensive Six Day War, Israel hoped that the Arab states would seek peace in return for Israeli withdrawal from territory it had captured. But in September 1967, at a conference in Khartoum, the Arab League made its famous 'three no's' declaration: no peace, no recognition and no negotiation with Israel.[126]
- In 1979, Israel signed a peace treaty with Egypt. Israel agreed to return the Sinai Peninsula and to evacuate settlements and oil fields developed in the Sinai to implement the agreement.
- In 1993 Israel withdrew from Palestinian population centres in Gaza and the West Bank as part of the Oslo Accords signed with the PLO.
- In 1994 Israel signed a peace treaty with Jordan. Israel made territorial concessions to Jordan as part of the deal.
- In December 2000, after a period of negotiations, US President Bill Clinton presented both sides with a proposal. It gave the Palestinians a state in 94 per cent of the West Bank plus an additional swap of land, and a sovereign capital in East Jerusalem. Israel broadly accepted this proposal but it was rejected by Palestinian leader Yasser Arafat.
- In 2000, Israel complied with Security Council resolutions relating to Lebanon by withdrawing all its forces from south Lebanon.
- In 2005, Israel withdrew unilaterally from all of the Gaza Strip and parts of the northern West Bank.
- In 2008, after the Annapolis Conference, Ehud Olmert, the Israeli Prime Minister at the time, made the most generous proposal of any Israeli leader to date. He proposed a Palestinian state in 93.7 per cent of the West Bank and the whole of Gaza (with a road across Israel connecting one to the other), and offered to give Israeli land – equivalent to 5.8 per cent of the West Bank – to a new Palestinian state. The Palestinian capital would be in East Jerusalem, and there would be international consortium of countries, including Jordan and Saudi Arabia, that would work with the sides to address future arrangement for the Old City and its holy sites. This

126 Elie Podeh, 'From Three No's to Three Yes's'. Shaqiyya, 2010. **http://dayan.org/sites/default/files/4_EliePodeh.pdf**



A projection of the final status map suggested by Israel PM Ehud Olmert. Foundation for Middle East Peace

amounted to a serious, comprehensive offer from the Israeli side to make peace. Mahmoud Abbas, President of the Palestinian Authority, did not respond.[127]

- In 2009 Israeli Prime Minister Benjamin Netanyahu made a speech at Bar Ilan University in Israel, in which he endorsed the two state solution. He said 'In my vision of peace, there are two free peoples living side by side in this small land, with good neighbourly relations and mutual respect, each with its flag, anthem and government, with neither one threatening its neighbour's security and existence.'[128]

Every Israeli government since 2000 has endorsed the two state solution. The Israeli people back the two state solution by a two-thirds majority. While some – including in Israel – may feel that Israel could do even more to promote peace, laying the responsibility for the failure to reach a peace agreement solely at Israel's feet shows a disregard for the history of the conflict.

HOWEVER THE OCCUPATION CAME ABOUT, AND HOWEVER HARD IT IS FOR ISRAEL TO 'JUST GET OUT', ISN'T ISRAEL'S DAILY PRACTICE IN THE TERRITORIES A CASE OF APARTHEID?

No. The Apartheid Smear ignores the context: the absence of a peace deal and the presence of Palestinian terrorism. The emergency security measures taken reluctantly by Israel to cope with both are just that, not apartheid.

Israeli Prime Minister Yitzak Rabin and PLO Chairman Yasser Arafat at the signing of the 1993 peace accord. Ron Edmonds/AP/Press Association Images

Dear Mr Roger Waters,

The troubling situation concerning Israeli treatment of Palestinians in the West Bank is not comparable to apartheid and must be viewed within the context of the ongoing conflict. I grew up reading newspapers with photos of the latest suicide bombing in Tel Aviv or Jerusalem which indiscriminately murdered Israeli men, women, and children of Jewish, Muslim, Christian and other backgrounds on their way to work and school. Close friends of mine have been injured in terrorist attacks and others have bravely volunteered as members of medical teams assisting injured terror victims immediately after the attacks.

When Israel was forced to protect its civilians to prevent such dreadful bloodshed, a system of check points, security roads, identification cards and security barriers were established to separate Palestinian residents of the West Bank and Gaza from Israel's citizens, providing physical security from the threat of attacks. Many people view these security systems as a source of racism, segregation, and humiliation.

I have great sympathy for Palestinians who are forced to cope with these systems on a daily basis, but I also see that these security systems are protecting my friends and my family members who live there. A balance, which you fail to provide, is required to ensure security for Israelis while working to ease the great pressure on Palestinians and move toward a final peace agreement. This issue is constantly debated in Israel, and the High Court has heard many Palestinian submissions. Rather than misusing the term 'apartheid', I highly encourage you to look for means to work with people of goodwill on both sides to advance towards a negotiated two-state solution.

Noam Gilboord, 2013.[129]

127 Aluf Benn, 'PA rejects Olmert's offer to withdraw from 93% of West Bank'. Haaretz, 12 August 2008. **http://www.haaretz.com/news/pa-rejects-olmert-s-offer-to-withdraw-from-93-of-west-bank-1.251578**
128 'Full text of Netanyahu's foreign policy speech at Bar Ilan'. Haaretz, 14 June 2009. **http://www.haaretz.com/news/full-text-of-netanyahu-s-foreign-policy-speech-at-bar-ilan-1.277922**
129 Noam Gilboord, 'An open letter to Roger Waters: Why Israel is not an apartheid state'. Haaretz, 9 August 2013. **http://www.haaretz.com/opinion/.premium-1.540513**

FREQUENTLY ASKED QUESTIONS ABOUT ISRAEL AND THE TERRITORIES

Question 1: Is the Palestinian Authority created by the Oslo Accords in 1993 like a South African 'Bantustan'

Bantustans (separated districts) were puppet regimes for blacks, created and controlled by the white supremacist regime in South Africa. They had no power and were not recognised by a single state other than white minority South Africa government. The journalist Amira Hass argues that the PA controlled areas in the West Bank are 'similar to the Bantustans in South Africa.'[130]

In fact, the PA is nothing like a Bantustan. It was created in 1994 by the internationally supported Oslo Accords, which were voluntary, based on negotiations between Israel and the PLO, the internationally recognised 'sole representative' of the Palestinian people. The creation of the PA was secured without prejudice to the Arab citizens of Israel.

The peace process that created the PA gained its signatories, Israeli Prime Minister Yitzhak Rabin, Foreign Minister Shimon Peres, and Palestinian President Yasser Arafat, Nobel Peace Prizes. The agreement was also signed, as an act of support, by the United States and the Russian Federation. The Interim 1995 Israeli-Palestinian Agreement was signed as an act of support by representatives of the United States, the Russian Federation, Egypt, Jordan, the European Union, and Norway.

The Bantustan analogy is false because Israel is not creating 'independent homelands' within its own territory for purposes of denying the putative 'citizens' of such homelands their citizenship rights. The West Bank and Gaza were captured in a defensive war in 1967 against Arab armies determined to crush the Jewish homeland that were massed on Israel's borders. They are not 'homelands' since they do not constitute part of Israel, and its inhabitants therefore are not and never were Israeli citizens. Israel has no obligation under international law to annex these Territories and accord their inhabitants Israeli citizenship – indeed, international law demands Israel withdraw from them *once a peace agreement has been negotiated*.

Question 2: Palestinians are subject to military law while Israelis are subject to Israeli law. Is that apartheid?

Israeli law applies to Israeli settlers in the West Bank while the local Palestinian population is subject to Israeli military administration.[131] Amira Hass argues this as an example of 'Israeli apartheid'.[132] But she misses two things.

First, to make the Palestinians of the West Bank subject to Israeli law would in effect be to annex the West Bank and make it part of Israel – something most Palestinians do not want; nor do the Israeli government, the PA, or the international community.

Second, since 1993, as part of the peace process, the PA has civilian jurisdiction over the overwhelming majority of Palestinians in the West Bank. Hamas, which splintered off from the PA, has jurisdiction over the whole population of the Gaza Strip, while vast majority of Palestinians in the West Bank live under Palestinian administration and their laws, courts, police, prisons, taxes, etc., are Palestinian and Israel has no jurisdiction over their civilian and administrative affairs. This Palestinian autonomy in civil affairs is intended to be a stage towards a final status agreement in which they are expected to assume full sovereignty over nearly all of the West Bank.

Until the peace deal is agreed and two states created, Israel allows Palestinians in the West Bank access to the Israel Supreme Court to petition against the Israeli army and government. The Israeli Supreme Court has upheld Palestinian petitions in some significant cases, for example over the route of the security barrier. In South Africa, blacks could only address grievances to the Bantustan 'Supreme Court'.

As a result of the 1993 Oslo Accords and the establishment of the PA, Israel went a long way towards securing the Palestinian people's ability to rule their own lives – a key and legitimate demand – but there is no doubt that as a result of the failure thus far to reach a final status deal, individual Palestinian political rights are far from fully realised. However, as opposed to the situation under apartheid in South Africa, this is not because a dominant

130 Amira Hass, 'What does "Israeli Apartheid" mean, anyway?' Haaretz, 9 December 2013. **http://www.haaretz.com/news/features/.premium-1.562477**
131 Robbie Sabel, The Campaign to Delegitimise Israel with the False Charge of Apartheid. Jerusalem Centre for Public Affairs, 2009. **http://jcpa.org/text/apartheid.pdf**
132 Amira Hass, 'What does "Israeli Apartheid" mean, anyway?' Haaretz, 9 December 2013. **http://www.haaretz.com/news/features/.premium-1.562477**

race is denying rights to a dominated race, but because the realisation of those rights has been deemed by the key international actors – including the Palestinian leadership itself – to be a function of the effort to *negotiate* Palestinian *national rights*.

A Palestinian hurls a stone during clashes with Israeli forces in the West Bank, 2012. AP Photo/Nasser Ishtayeh

Question 3: Has Israel built 'apartheid roads' in the West Bank?

No. There are some roads that have been closed to some Palestinian traffic due to repeated shootings, bombings, and other attacks on Jewish and Arab road users.[133] Before such attacks there were no restrictions. The Apartheid Smear ignores three facts: Israeli traffic is also banned from Palestinian areas because of security concerns;[134] 'Israeli traffic' includes the vehicles of over one million Arab citizens of Israel who have also faced terrorist attacks;[135] and all road closures are temporary and subject to constant review by the Israeli courts.

The Israeli-only roads are not an example of apartheid. The motives of the Israeli government officials are not to create a permanent situation of discrimination based on race but a reasonable, temporary and emergency response to deadly security threats.

'Not every distinction between people, in all circumstances, is necessarily an improper discrimination, and not every improper discrimination is apartheid. (…) We must be careful and cautious about using definitions which characterise security measures taken for the purposes of protecting travellers on the roads as being based on illegitimate racial and ethno-national foundations. The comparison which the applicants made between the use of separate roads for security purposes and the policy and practices of apartheid South Africa is inappropriate … The great distance between the security measures which the state of Israel is taking as protection from terror attacks, and the illegitimate practices of apartheid, require that all comparison or usage of the grave term be avoided … the comparison between the prevention of Palestinians traffic on route 443 to the crime of apartheid is extreme and exaggerated to the point where it should never have been raised.'

February 2010 judgement of Israeli Supreme Court Justice **Dorit Beinisch** on the prevention of Palestinian traffic on route 443. Beinisch collected evidence for the 1983 Kahan commission which investigated the Sabra and Shatila massacre and received threats to her life when she prosecuted the Jewish terrorists of the Gush Emunim Underground.

Question 4: Has Israel built an 'apartheid Wall'?

The Separation Barrier, built after 2002 is a defensive security response to terrorism. It does not separate races, but protects Israeli population centres, both Jewish and Arab, from Palestinian population centres from where the suicide bombers set out.

Calling Israel an 'apartheid state' is absolute nonsense. You might have structures that look like apartheid, but they're not. The barrier fence has nothing to do with apartheid and everything to do with Israel's self-defence. **Malcolm Hedding**, a South African minister who worked against South African apartheid.[136]

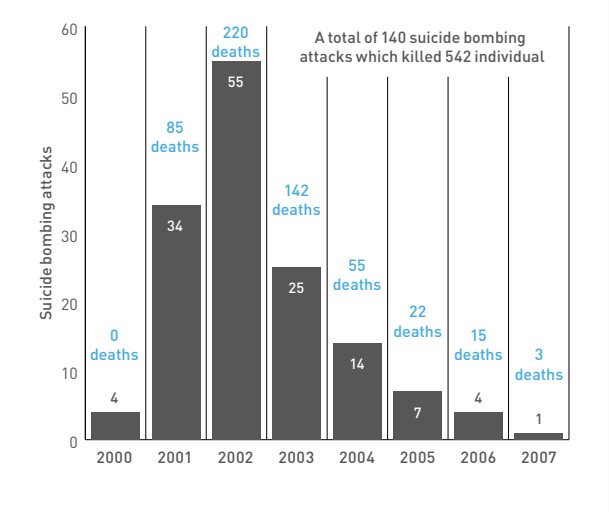
133 Noam Dvir, 'Family attacked with stones on Route 443'. Ynet, 15 March 2013. **http://www.ynetnews.com/articles/0,7340,L-4356955,00.html**
134 As seen on this road sign: **http://www.idfblog.com/wp-content/uploads/2013/05/tsahal-a-zone-panneau.jpg**
135 For example, the Telegraph journalist taken on these roads by an Israeli Arab taxi driver: 28 May 2010. **http://blogs.telegraph.co.uk/news/juliankossoff/100041337/the-opening-of-route-443-proves-israels-liberal-and-democratic-spirit/**
136 Abe Givon, 'Apartheid label doesn't fit Israel'. Courier Press, 3 April 2010. **http://www.courierpress.com/news/2010/apr/03/apartheid-label-doesnt-fit-israel/?print=1**

After the failure of the Camp David negotiations in 2000, the Palestinian leader Yasser Arafat launched the Second Intifada. A wave of suicide bombings and other terrorist attacks hit Israel. Whilst the country has experienced terrorism throughout its history, the attacks had never been so intense. In 2002, a fatal suicide bombing was carried out in Israel nearly every two weeks on average. The attackers predominantly came from the West Bank.

In response, Israel built a security barrier in order to stop terrorists from entering Israel from the West Bank which in turn reduced the need for Israeli forces to enter Palestinian areas to root out terror cells. The barrier contributed to a dramatic reduction in successful terrorist attacks inside Israel and helped bring an end to the Second Intifada. While there are other factors that also help to explain the steep decline in terror attacks that took place after 2002, the Separation Barrier played a major role.

Impact of the Separation Barrier built in 2002

Source: IDF



Around 90 per cent of the barrier is an electronically monitored fence. The rest is a wall in built up areas where there is not enough room for a monitored fence, or where there is a need to protect against sniper fire.

The route of the security barrier is determined by the need to save Israeli lives by preventing Palestinian terrorists from reaching Israeli towns and cities. The final border between Israel and the Palestinians will be resolved by negotiations. Israel has shown in the past that it can and will remove security (and other) installations in the framework of a peace accord.

The results of a terror attack at the Erez Crossing where humanitarian aid is transferred, 2008. IDF/Flickr

Palestinians living in the West Bank are able to appeal to the Israeli Supreme Court against the route of the fence where it causes disruption to their lives, and have done so successfully in some cases. The Israeli Supreme Court has reviewed the route of the barrier as well as its impact on Palestinians in more than 100 cases,[137] and has ordered changes where its impact was viewed as disproportional to the security benefit gained, such as in Bil'in.[138] Attempts are made by Israel to minimise disruption caused by the fence, for example by building agricultural gates which allow Palestinian farmers to access their land.

> In an apartheid regime, there is no possibility of judicial review, because the judges are appointed by the regime and all serve one ideology. This is not the case in Israel … There is a very strong, independent Supreme Court in Israel. In an apartheid regime [unlike in Israel] there is no place to go to argue against the government.[139]
>
> **Dr Mohammed Wattad**, an Arab-Israeli lawyer

137 In a 2004 case the Israeli Supreme Court ordered 30km to be re-routed. **http://elyon1.court.gov.il/files_eng/04/560/020/a28/04020560.a28.pdf**
In 2005 it ruled that Arab village 'enclaves' included within Israel should not be cut-off from the West Bank. **http://elyon1.court.gov.il/files_eng/04/570/079/a14/04079570.a14.pdf**
138 News Agencies and Yuval Yoaz, 'Court orders state to alter West Bank separation fence route at Bil'in'. Haaretz, 4 September 2007.
http://www.haaretz.com/news/court-orders-state-to-alter-west-bank-separation-fence-route-at-bil-in-1.228761
139 Rhonda Spivak, 'Israeli Arab Legal Scholar: Israel Is Not An Apartheid State'. Scholars for Peace in the Middle East, 3 July 2010. **http://spme.net/cgi-bin/articles.cgi?ID=6929**

The International Court of Justice, a judicial body of the United Nations issued an advisory opinion that was critical of the separation barrier. But it did not make any reference to 'apartheid' or an 'apartheid wall.' Instead, the Court criticised *the route* of the 'wall' for going beyond the 1949 'Green' Armistice Line. It did not deny Israel's right to build such a security barrier.[140] Under the laws of armed conflict and human rights law, Israel – like any sovereign country – is legally allowed to construct a barrier for 'control and security' and for 'national security,' 'public order,' or to protect the 'rights and freedoms of others' including the 'right to life.'

One legal scholar, John Strawson, has shown that the apartheid analogy has 'no resonance in international law' and 'the international community in reflective mood has never constructed the conflict in that framework.'[141]

A strong objection to the ICJ ruling was made by the British Judge, **Rosalyn Higgins QC**.
She objected to the fact that the court had been asked to make a ruling without considering the complexity of the situation, including the security threats to Israel, and she declared that the court's ruling was unbalanced. She wrote: *'I fail to understand the Court's view that an occupying power loses the right to defend its own civilian citizens at home if the attacks emanate from the occupied territory – a territory which it has found not to have been annexed and is certainly 'other than' Israel. Further, Palestine cannot be sufficiently an international entity to be invited to these proceedings, and to benefit from humanitarian law, but not sufficiently an international entity for the prohibition of armed attack on others to be applicable. This is formalism of an uneven handed sort. The question is surely where responsibility lies for the sending of groups and persons who act against Israeli civilians and the cumulative severity of such action.'*

'I think the Court should also have taken the opportunity to say, in the clearest terms, what regrettably today apparently needs constant reaffirmation even among international lawyers, namely, that the protection of civilians remains an intransgressible obligation of humanitarian law, not only for the occupier but equally for those seeking to liberate themselves from occupation.'

IDF soldier and Palestinian shepherd at a check point, 2012. Flash90

Question 5: Are checkpoints in the West Bank like South African apartheid-era Pass Laws?

No. Prior to the threat of suicide bombings and other Palestinian terrorist attacks inside Israel, Israelis and Palestinians travelled relatively freely between the West Bank and Israel. Israeli restrictions on Palestinian movement came in response to terrorist attacks that occurred initially after the signing of the Oslo Accords, but more significantly after the outbreak of the Second Intifada in 2000. The restrictions also prevent Israelis from entering Palestinian towns and cities.

Checkpoints which prevent the movement of people and goods within the West Bank and between the West Bank and Israel are the source of great frustration for ordinary Palestinians. They are a barrier to Palestinian economic development. Israel recognises this problem, and the need to provide economic opportunities which draw people away from violence. It has therefore worked with the Quartet (UN, USA, EU, and Russia) envoy, Tony Blair, to reduce the number of checkpoints and limit their effect on the daily lives of the Palestinian people.

140 International Court of Justice, Legal Consequences of the Construction of the Wall in the Occupied Palestinian Territory, 9 July 2004. **http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6**
141 John Strawson, 'Zionism and Apartheid: The Analogy in the Politics of International Law'. Engage Journal, 2, 2006. **http://www.engageonline.org.uk/journal/index.php?journal_id=10..&article_id=34**

As a result of the improved performance of Palestinian security forces in recent years, and a reduction in Palestinian violence emanating from the West Bank, Israeli restrictions on movement and access have been considerably reduced. A report by the UN Office for the Coordination of Humanitarian Affairs published in June 2010 noted that as a result of changes in 2008 and 2009, movement between Palestinian population centres was much improved. It stated that 'large segments of the Palestinian population enjoy better access to services, places of work and markets.'[142] In the period 2003-2006 there were between 376 and 735 checkpoints. By February 2013, there were 98 fixed checkpoints, according to the Israeli anti-occupation NGO B'tselem.[143]

The relatively stable security situation in recent years has allowed for a much more relaxed policy on entry into Israel. During the Ramadan period in August 2013 around one million West Bank Palestinians entered Israel for family visits, prayers, and pilgrimage to holy Muslim sites.[144]

Nevertheless, Palestinian terrorist groups in the West Bank continue to plan and execute attacks against Israelis.[145] This creates a dilemma: how to balance between the need to promote Palestinian development, and the need to maintain security for Israel.

There is understandably much concern about Palestinians in need of medical treatment being held up at checkpoints. Following a petition that Physicians for Human Rights filed in 1996, Israel's State Attorney's Office announced two procedures to regulate the crossing of Palestinians in case of medical emergency, when a permit would not be needed, and in non-emergency cases.[146]

But once again, those outside Israel are often completely ignorant of the all-important local context: Palestinians have used medical cover to launch terrorist attacks.

- December 2004: A Hamas agent with forged documents claiming that he was a cancer patient in need of medical treatment from an Israeli hospital was arrested by security forces. Hamed A-Karim Hamed Abu Lihiya was to meet up with another terrorist, obtain weapons from allies inside Israel, and carry out an attack.
- December 2004: A man recruited by the al-Aqsa Martyrs Brigade to plant a bomb on the railway tracks near Netanya tried to use false papers indicating he needed hospital treatment to enter Israel.
- March 2005: A Hamas terrorist planning a suicide bombing was arrested after pretending to be a kidney donor.
- June 2005: 21-year-old Wafa Samir Ibrahim Bas was arrested attempting to smuggle an explosives belt through the Erez crossing. When she realised soldiers had discovered the explosive belt, she attempted unsuccessfully to detonate it. Bas had been admitted on humanitarian grounds to Soroka Medical Centre in Beersheba several months earlier for treatment of massive burns she received as a result of a cooking accident. After her arrest, she admitted that the Fatah al-Aqsa Martyrs Brigade had instructed her to use her personal medical authorisation documents to enter Israel to carry out a suicide attack. In an interview shown on Israeli television, Bas said her 'dream was to be a martyr' and that her intent was to kill 40 or 50 people – as many young people as possible.[147] Dr. Izzeldin Abuelaish, a Palestinian obstetrician and gynaecologist from the Jabalya refugee camp in the Gaza Strip, who has worked at the Soroka Hospital, wrote that he was 'outraged at the cynical and potentially deadly suicide bombing attempt.'[148]

Israel is seeking to balance the rights of Palestinians to free movement with the rights of its citizens to protection from terrorism.

142 BICOM, Frequently Asked Questions, 2010. **http://www.bicom.org.uk/resources/faqs/**
143 'Restriction of Movement', B'Tselem, 13 March 2013. h**ttp://www.btselem.org/freedom_of_movement/checkpoints_and_forbidden_roads**
144 Elhanan Millar, 'On Ramadan, seeing Israel for the first time'. Times of Israel, 2 August 2013. **http://www.timesofisrael.com/on-ramadan-seeing-israel-for-the-first-time/**
145 Amos Harel, 'Bulldozer attack on Israeli base joins sequence of terror that can no longer be ignored'. Haaretz, 18 October 2013. **http://www.haaretz.com/news/diplomacy-defense/.premium-1.553135**
146 'Restriction of Movement', B'Tselem, 13 March 2013. **http://www.btselem.org/freedom_of_movement/checkpoints_and_forbidden_roads**
147 'Palestinian "targeted hospital"'. BBC, 21 June 2005. **http://news.bbc.co.uk/1/hi/world/middle_east/4113538.stm**
148 Dr. Izzeldin Abuelaish, 'The attempt to bomb Israel's Soroka hospital: "Open letter" by a Palestinian doctor'. Beyond Images, 1 July 2005. **http://www.beyondimages.info/b146.html**

Question 6: Why are Palestinians and Israelis separated in the city of Hebron?

Hebron is an ancient West Bank city revered by Jews and Muslims as the site of the tomb of the Patriarchs. For Jews this is the burial site of the patriarchs Abraham, Isaac and Jacob and matriarchs Sarah, Rebecca and Leah. Jews claim a presence on and off for the last 4000 years. An ancient Jewish community dating back to the 11th century lived there until dozens of its members were massacred in 1929 by local Arabs, and the rest were forced to flee.[149]

Ideological and religious Jews returned to live in Hebron after the town came under Israeli control in 1967.

In 1997 Israel handed control of 80 per cent of the city of Hebron to the Palestinian Authority, keeping control only of the area housing the Jewish community and the old city and its holy sites.

Today, Hebron has 250,000 Palestinians and between 500 and 800 Jewish residents. 80 per cent of the city, known as zone H1, is wholly controlled by the Palestinian Authority. 20 per cent of the city, known as H2, is controlled by the IDF and includes the holy sites adjacent to the Jewish communities. The old centre of Hebron (in H2 and at the heart of much of the violence) is held as sacred by both Jews and Muslims and there are special arrangements to administer access and prayer for both religions.

In the H2 area, there are around 30,000 Palestinians living alongside the Jewish settlers. In 1994, the Jewish settler Baruch Goldstein killed 29 Muslims worshipping at the Cave of the Patriarchs. Recently there have been attacks by settlers on local Palestinians,[150] and some Palestinian attacks on the settlers.[151]

Yes, the lives of Palestinians and Jews living and working in the old historical centre of the city are difficult and tense. For Palestinians there are curfews, road closures, and businesses that have forced out of operation. Some areas of the city have simply become a 'ghost town', with Palestinians leaving the areas near where the settlers live due to the restrictions on their daily lives. The Israeli authorities (mainly the Israeli police) have also, though, taken some steps to protect the Palestinians from settler activities, such as putting a protective grate above the market to protect Palestinian shoppers from settlers who throw garbage and rocks at them.[152] Jews also live in a very tense situation, living in the midst of a large and hostile Palestinian population.

The situation is clearly extremely difficult, though as a *Daily Telegraph* reporter noted, 'all the anti-settlement organisations I spoke to, including Peace Now, B'Tselem and Rabbis for Human Rights, acknowledged that Hebron is the exception rather than the rule.'[153] If the IDF simply abandoned the area, there would almost certainly be an eruption of violence. What is clear is that, as agreed during the Oslo process, Hebron will be part of a final status agreement. The city is now a place of mutual distrust and religious tension but the Israeli authorities are not enforcing apartheid. They are seeking to separate, and prevent violence between, two warring communities.

The protective grate covering Hebron market. Justin McIntosh/ Wikimedia Commons

149 'Long shadow of 1929 Hebron massacre'. BBC, 26 August 2009. **http://news.bbc.co.uk/1/hi/uk_politics/8219864.stm**
150 Such as when settlers opened fire on Abu Sneineh in 2001. Center of the Storm: A Case Study of Human Rights Abuses in Hebron District, Human Rights Watch: p. 82.
151 Such as the killing of ten month baby girl Shalhevet Pass in 2001. Center of the Storm: A Case Study of Human Rights Abuses in Hebron District, Human Rights Watch: p. 64.
152 Itamar Fleisman, 'Palestinian officer punches soldier amid clashes in Hebron', Ynet, 7 December 2012. **http://www.ynetnews.com/articles/0,7340,L-4316707,00.html**
153 Jake Wallis Simons, Why are European powers (and Oxfam) funding a radical Israeli group?, The Daily Telegraph, 17 December 2013 **http://blogs.telegraph.co.uk/news/jakewallissimons/100248886/why-are-european-powers-and-oxfam-funding-a-radical-israeli-group/**

Question 7: Does Israel take water that belongs to the Palestinians in the West Bank?

Some people argue that Israel is stealing water in the West Bank that rightfully belongs to the Palestinians and diverting it into Israel or to Israeli settlers. Israel is accused of taking more than its fair share of the aquifer in the West Bank, leaving Palestinians thirsty.

Water does not respect man-made boundaries. It is a resource that it is very difficult to 'claim ownership' over: streams often run through borders. In most of the world there are bilateral or multilateral agreements in place governing how this water is shared.[154] In the absence of a final status agreement, this has not materialised in Israel. The mutual need for the same resource will inevitably result in some friction in the absence of a proper agreement. It is also worth noting that Israel did not 'conquer' this water resource in 1967; Jews had been using water from this basin since the 1920s, and there was no change in Israel's water usage after 1967.

During the Oslo peace process, a bilateral Israeli-Palestinian Joint Water Committee was created. The Committee serves both to monitor the use of water by each side, and to approve new water projects. Under this set-up, Israel has provided more water to the Palestinian Authority than the Oslo Accords demanded for a *fully-fledged* Palestinian state. In 1967, only four of 708 Palestinian towns and villages were connected to a running water network; as a result of Israeli investment, this increased to 309 by 1995. By 2010, more than 96 per cent of the Palestinian population in the West Bank had access to running water. While Palestinians do consume less water than Israelis, the extent of this discrepancy is often exaggerated. Research by Professor Haim Gvirtzman has demonstrated that Israel's domestic per capita consumption is $84m^3/c/y$, whereas the Palestinian's is $58m^3/c/y$, which is hardly surprising given different levels of economic and industrial development in the two societies (the difference between Tel Aviv and Jerusalem's consumption levels is greater, for instance).[155] Furthermore, the Palestinian Authority has failed to properly invest in water treatment plants because of a desire not to cooperate with Israeli settlements. As *Ha'aretz* reported in July 2013, 'Attempts at Israeli-Palestinian cooperation on this issue [water] have largely gone nowhere, mainly because the Palestinian Authority refuses to cooperate with the settlements. Thus it refused to connect Palestinian towns in the northern West Bank to an Israeli sewage line because the line also serves several settlements. It also nixed a proposed treatment plant that would serve both Palestinian towns and the settlement of Ariel.'[156]

As with so many issues, water is a tense area of debate between Israelis and Palestinians – and there are legitimate grievances on the Palestinian side – but labelling the Oslo water regime as 'apartheid' is wholly inaccurate.

154 The following link outlines all the bilateral and multilateral agreements in use in Europe, for instance:
http://www.transboundarywaters.orst.edu/publications/atlas/atlas_pdf/4_Treaties_europe.pdf
155 Haim Gvirtzman, Israeli-Palestinian Water Conflict: An Israeli Perspective. The Begin-Sadat Centre for Strategic Studies, January 2012.
http://www.biu.ac.il/SOC/besa/docs/GvirtzmanWP180112.pdf
156 Zafir Rinat, 'Most Palestinian sewage in West Bank untreated, contaminating water along Green Line'. Haaretz, 3 July 2013.
http://www.haaretz.com/news/national/most-palestinian-sewage-in-west-bank-untreated-contaminating-water-along-green-line.premium-1.533450

Question 8: What about the Jewish settlements in the West Bank?

A final peace settlement between Israel and the Palestinians is expected to see the restitution of almost all of the land currently under Israel's control as the occupying power in the West Bank. The exceptions – the land along the Green Line that contains about 80 per cent of the settlers – will be compensated by 'land swaps', a principle which has already been agreed with the Palestinian negotiators, and endorsed by President Obama and the EU and, since April 2013, the Arab League.[157]

Col. (res.) Shaul Arieli, former head of Israel's administration for negotiations with the Palestinians, has challenged the idea that settlements have killed the two state solution.[158] He points out that regardless of where one stands on the wisdom or otherwise of past or future settlement construction in various parts of the West Bank, creating a border between Israel and the West Bank remains entirely possible. The continuing viability of partition from an Israeli perspective is enhanced by the fact that most Israeli settlers are concentrated in blocks, the Israeli settlement presence beyond the blocks is limited, most working settlers are employed inside Israel, Israeli settlements use largely distinct infrastructure from West Bank Palestinians, many settlers are economically motivated therefore likely to move voluntarily in the event of peace, and the number of new homes currently planned for construction within Israel is 20 times the number of households that might need to be relocated.[159]

Maale Adumim, a West Bank settlement. Mahmoud illean/Demotix/Demotix/Press Association Images

Israel PM Yitzak Rabin meets Yasser Arafat in Casablanca. Israel GPO/Saar Yaacov

The issue of settlements in the West Bank is a matter of debate in the international community as well as within Israel society. What is clear, however, is that it will be resolved if Israel and the Palestinians can agree on a boundary. When that boundary is fixed, any Israeli settlement on the Palestinian side of the future boundary can only continue to exist with the agreement of the Palestinians. The issue is one of boundaries between Israel and a future Palestinian state. It is not an apartheid system of a minority controlling a majority, but a border dispute that hopefully will be negotiated peacefully in the near future.

Robbie Sabel is a lecturer in international law at the Hebrew University in Jerusalem. He was the Ministry of Foreign Affairs's Legal Adviser from 1985 to 1993.

157 'Arab states back Israel-Palestine land swaps'. Al Jazeera, 30 April 2013. **http://www.aljazeera.com/news/middleeast/2013/04/20134306544952976.html**
158 Shaul Arieli, 'Settlements have not killed the two state solution'. BICOM Expert View, 2012. **http://www.bicom.org.uk/analysis-article/11038/**
159 Shaul Arieli, 'Settlements have not killed the two state solution'. BICOM Expert View, 2012. **http://www.bicom.org.uk/analysis-article/11038/**

PART 5: HOW THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS

As Nelson Mandela argued, the right approach to the Israeli-Palestinian conflict is to 'recognise the legitimacy of Palestinian nationalism just as we recognise the legitimacy of the Zionism as a Jewish nationalism' and to 'insist on the right of the state of Israel to exist within secure borders but with equal vigour support the Palestinian right to national self-determination.'[160]

The emotional power of the Apartheid Smear works *against* peace. It poisons hopes for a peaceful resolution of this national conflict by encouraging extremists, demoralising moderates, and fostering a destructive 'boycott activism' in the West. The smear creates intellectual confusion, preventing us from understanding the conflict, and causes political polarisation, damaging the chance of compromise, mutual recognition and reconciliation.

THE APARTHEID SMEAR STOPS US UNDERSTANDING THE CONFLICT

The academic and anti-apartheid writer Robert Fine has pointed out that by heaping all the blame on Israel, the apartheid analogy stops us understanding the Israeli-Palestinian conflict for what it is. 'It does not meet our real political need, which is to understand a conflict, to help find a peace between the parties, and support those in each nation who oppose bigotry, racism, violence and despair.'[161]

> Essentialist arguments that construct Zionism as only colonialist and expansionist have a paralysing impact on the effort needed in both scholarship and politics to change the current situation.[162]
>
> **John Strawson**, Reader in Law, University of London, Co-Director, Centre on Human Rights in Conflict.

The Israeli-Palestinian conflict is best understood as an unresolved national dispute between two peoples, both of whom have legitimate claims for national self-determination, but who have thus far failed to divide the land between them. Negotiations to do so are ongoing and supported by the US, EU, the Arab League and both peoples. As the veteran left wing Israeli peace activist Uri Avnery puts it, 'The mistaken assumption that the Israeli-Palestinian conflict resembles the South African experience leads to a mistaken choice of strategy. The Israeli policy is not based on race theories, but on a national conflict.'[163]

Some intellectuals – the South African sociologist Ran Greenstein is one example – ignore the history of negotiations, ignore Israel's efforts to make a peace deal, ignore Palestinian rejection of those deals, so that they can then depict 'Israel' as seeking to permanently rule all the people from the river Jordan to the Mediterranean sea on the basis of 'an ethnic/religious distinction' between Jews and non-Jews. But this is a gross distortion. It brackets both the history of the conflict and the negotiations happening today. Israel has made clear time and again that it supports the creation of a Palestinian state, seeking – and so far failing to receive – security guarantees in return.

> In South Africa there was total agreement between the two sides about the unity of the country. The struggle was about the regime. Both whites and blacks considered themselves South Africans and were determined to keep the country intact. The whites did not want partition, and indeed could not want it, because their economy was based on the labor of the blacks.
>
> In [Israel], Israeli Jews and Palestinian Arabs have nothing in common – not a common national feeling, not a common religion, not a common culture, and not a common language. The vast majority of the Israelis want a Jewish (or Hebrew) state. The vast majority of the Palestinians want a Palestinian (or Islamic) state. Israel is not dependent on Palestinian workers. Because of this, there is now a worldwide consensus that the solution lies in the creation of the Palestinian state next to Israel. In short: the two conflicts are fundamentally different.
>
> **Uri Avnery**, veteran Israeli peace activist, *Against the Israel Boycott*, 2009.

160 Nelson Mandela. Speech to the opening of the 37th Congress of the South African Jewish Board of Deputies, 21 August 1993. **http://www.anc.org.za/show.php?id=4096**
161 Robert Fine, 'Blame game won't lead us to peace'. Engage Journal, 8 October 2010. **http://engageonline.wordpress.com/2010/10/08/robert-fine-responds-to-desmond-tutus-call-for-a-boycott-of-israel-in-the-south-african-mail-guardian/**
162 John Strawson, 'Zionism and Apartheid: The Analogy in the Politics of International Law'. Engage Journal, No, 2, 2006. **http://www.engageonline.org.uk/journal/index.php?journal_id=10..&article_id=34** For an example of the paralysing essentialising of 'Zionism' see Ben White's short book Israeli Apartheid: A Beginners Guide.
163 Uri Avnery, 'Against the Israel Boycott'. AntiWar.com, 2009. **http://original.antiwar.com/avnery/2009/08/30/against-the-israel-boycott/**

THE APARTHEID SMEAR CAUSES POLITICAL POLARISATION

There are many supporters of Israel, indeed leading Israeli politicians, who warn that if the status quo continues indefinitely into the future without the establishment of an independent Palestinian state, then the situation could become comparable to apartheid South Africa.[164] This is one of the reasons most Israelis support their government engaging in negotiations with the Palestinian Authority to reach a two state solution. It is why many other Israelis argue that if peace talks fail Israel should consider unilateral withdrawal.[165]

However, the motivation of many of those accusing Israel of having apartheid policies *today* is generally very different. Those making this analogy are typically opposed to the existence of the State of Israel in any borders and are using the apartheid analogy to distort the current picture and challenge Israel's legitimacy. This campaign runs contrary to the goal of a negotiated two state solution.

By demonising Israel, the Apartheid Smear pushes many Israelis into the arms of those who say 'the West is biased against us, the West does not understand our legitimate concerns, and the West cannot be trusted to protect our interests.' In short, the smear harms the Israeli peace camp.

As academic David Hirsh explains, 'By portraying Israel as evil, like the apartheid regime, and by implying that Palestinian freedom requires the dismantling of Israel – an aspiration that the overwhelming majority of Jews strongly oppose – you push peace further away.'

The Apartheid Smear discourages mutual recognition between the parties, blocks cultural exchanges, and poisons the climate for peace.

Protester with anti-Israel placard, London 2011. Graham Mitchell/ Demotix/Press Association Images

THE APARTHEID SMEAR IS OPPOSED BY THOSE WORKING FOR PEACE AND RECONCILIATION

The New Israel Fund is a major Israeli NGO that works for 'human rights, social justice and religious pluralism'. It believes these things are 'the natural complement of … the two-state solution and the peace process.' So it matters hugely that the NIF describes the entire BDS campaign, of which the Apartheid Smear is a part, as 'inflammatory and counter-productive', arguing that, 'Anyone who is truly interested in a peaceful, multicultural and just Israel should realise that global BDS condemns these Israelis, and millions like them, to isolation and vilification. In a small and interconnected society like Israel, the blunt force of global BDS … pushes moderates towards right-wing nationalism, and spurs rejection of progressive and humanist values.'[166]

164 During a speech in Eilat in 2013 Israel's Justice Minister Tzipi Livni said 'The time has come for the … youth to ask to what kind of state they want to leave the gas reserves? To a Jewish democratic state? Or to a binational Arab state? Or to an apartheid state?' **http://wallwritings.me/2013/07/15/livni-warns-israel-it-faces-a-worldwide-boycott/**

165 Hern Keinon, 'Yadlin: Israel should consider 'coordinated unilateral' action if peace talks fail', Jerusalem Post, 27 January 2014. **http://www.jpost.com/Diplomacy-and-Politics/Yadlin-Israel-should-consider-coordinated-unilateral-action-if-peace-talks-fail-339493**

166 N. Paiss, Don't Divest; Invest. Zeek, 2010.

TEN WAYS THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS

1. The Apartheid Smear sends a message to the Palestinian leadership that their narrative has been adopted exclusively, and that history has been skewed to omit Israeli grievances, offers and rights.

2. The Apartheid Smear signals to the Palestinians that they will not have to make the painful sacrifices all parties must inevitably make to achieve compromise.

3. The Apartheid Smear tells the Palestinians that the international community will force Israel into submission.

4. The Apartheid Smear stigmatises Israel and Israeli citizens, arguing that they should be ostracised, marginalised and avoided in a way that few if any other nations or peoples have ever been. This has the effect of weakening the Israeli left and supporting hawkish elements within Israel.

PA President Mahmoud Abbas with Israeli Prime Minister Benjamin Netanyahu, Jerusalem 2010. AP Photo/Alex Brandon, Pool

5. The Apartheid Smear deepens Israel's sense of fear and suspicion. The smear ignores the Israeli national psyche, particularly the importance placed on survival and security. Israel was born after the Holocaust of European Jews and has faced existential threats since its inception, with its civilian population enduring brutal campaigns of terror.

6. The Apartheid Smear breeds in Israelis a feeling of isolation, mistrust and a siege mentality which militates against the desire of the government and the majority of the Israeli population to take risks for peace. Israelis read the world media. They note that no other country in the world is being singled out for such treatment.

7. The Apartheid Smear makes conflict resolution more difficult. Experts say dehumanisation and prejudice towards the 'Other' is a crucial stumbling block in achieving peace.[167]

8. The Apartheid Smear promotes a *culture of division* that stands in the way of building the bridges needed if a peace agreement is to hold. To achieve peace we need to create a *culture of peace*. The Apartheid Smear does the opposite. As the legal scholar John Strawson puts it, 'Excessive ideological rhetoric … to de-legitimise the other fuels the conflict.'[168]

International law defines 'apartheid' as a crime against humanity. Labelling Israel as an 'apartheid' state is a deliberate attempt to undermine the legitimacy of the Jewish state itself. Criticism of Israel is legitimate. Attempting to describe its very existence as a crime against humanity is not. Israel Apartheid Week is part of a global campaign of proclamations, boycotts and calls for divestment, which originated in the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa, in 2001. Like 'Durban I,' Israel Apartheid Week singles out one state, its citizens and its supporters for condemnation and exclusion, and it targets institutions and individuals because of what and who they are – Israeli and Jewish. Israel Apartheid Week goes beyond reasonable criticism into demonisation. It leaves Jewish and Israeli students wary of expressing their opinions, for fear of intimidation.
Michael Ignatieff, author, and former leader of the Liberal Party of Canada.

167 Maoz, I, Bekerman, Z, Sheftel, M. 'Can Talking to each other really make a difference?' in Beyond Bullets and Bombs. Praeger, 2007: p. 191-196.
168 John Strawson, 'Zionism and Apartheid: The Analogy in the Politics of International Law'. Engage Journal, No, 2, 2006.
http://www.engageonline.org.uk/journal/index.php?journal_id=10..&article_id=34

9. The Apartheid Smear provides a spurious intellectual justification for the 'BDS' and 'anti-normalisation' campaigns. (The latter opposes any contact between Israelis and Palestinians, even for the purpose of reconciliation and peace-making.) David Hirsh again: 'That too only … creates a siege mentality and pushes peace further away … It should be obvious that if Israeli academics or dancers or writers are 'banned' throughout the world, while Zimbabwean or Sudanese or North Korean cultural producers are welcomed onto our campuses and into our theatres, that this will be experienced by Israelis as an antisemitic attack.'[169]

> The South African struggle was between a large majority and a small minority. Among a general population of almost 50 million, the whites amounted to less than 10 per cent. That means that more than 90 per cent of the country's inhabitants supported the boycott, in spite of the argument that it hurt them, too. In Israel, the situation is the very opposite. The Jews amount to more than 80 per cent of Israel's citizens, and constitute a majority of some 60 per cent throughout the country between the Mediterranean Sea and the Jordan River. 99.9 per cent of the Jews oppose a boycott on Israel. They will not feel the 'the whole world is with us,' but rather that 'the whole world is against us.'
>
> **Uri Avnery**, veteran Israeli peace activist, *Against the Israel Boycott*, 2009.[170]

The Shadow Foreign Secretary Douglas Alexander has made clear the British Labour Party's support for the two-state solution and its firm opposition to boycotts. He has called on all friends of peace to 'desist from a language of delegitimisation [and] stop the movement to sever academic and trade union ties' with Israel. He added that 'now is the time to deepen, and not to weaken, our economic and cultural ties across the region.'[171]

> The apartheid analogy does not encourage us to think in terms of reconciliation and peace. Antisemitism has always thought of Jews as being decisive in everything bad that happens in the world. The apartheid analogy now tries to position Israel at the centre of all that is threatening by building a global movement for its destruction. It encourages ways of thinking which see Israel as a keystone of global imperialism, as a block to world peace and even as a malicious force which controls American foreign policy.
>
> **Dr. David Hirsh**, Goldsmiths, University of London, author of *Law Against Genocide: Cosmopolitan Trials*

10. The Apartheid Smear encourages Western activists to treat Palestinian moderates as … 'collaborators'! Noam Chomsky, for example, has attacked the Palestinian Authority, accusing it of 'playing the role of indigenous collaborators under imperial rule such as the Black leadership of South Africa's Bantustans.'[172]

Chomsky then visited the Gaza Strip as a guest of the extreme Islamist and antisemitic terrorist group Hamas. The Hamas Charter is full of Nazi-like antisemitism and threats to murder all Jews. It is the polar opposite to the Freedom Charter of Nelson Mandela's African National Congress.

24

Palestinian head rejects boycott of Israel

PETER FABRICIUS
Foreign Editor

PALESTINIAN President Mahmoud Abbas has firmly rejected the campaign in South Africa to boycott and divest from Israel.

But he has urged South Africans and others to boycott Israeli goods produced in Palestinian territory on the West Bank.

Abbas was speaking to South African journalists on the eve of the memorial service for Nelson Mandela at FNB Stadium, which he attended along with about 100 other current or former heads of state and government.

"No, we do not support the boycott of Israel," Abbas replied to a question.

"But we ask everyone to boycott the products of the settlements. Because the settlements are in our territories. It is illegal.

"And the Israelis should first of all stop building in our territories, should stop everything in our territories. But we don't ask anyone to boycott Israel itself. We have relations with Israel, we have mutual recognition of Israel."

Abbas said that even though it was such a sad occasion, he was very happy to come to South Africa to offer his sympathies and condolences to the people.

Abbas said Mandela and the ANC had always been great friends of Palestine and recalled how Mandela had said the independence of South Africa would not be complete until Palestine was also independent.

President Abbas rejects boycott of Israel

169 David Hirsh, 'Reply to The Palestinian campaign for the academic and cultural boycott of Israel'. Engage Journal, 2006. **http://www.engageonline.org.uk/blog/article.php?id=643**
170 Uri Avnery, 'Against the Israel Boycott'. Anti-war.com, 2009. **http://original.antiwar.com/avnery/2009/08/30/against-the-israel-boycott/**
171 'Shadow foreign secretary Douglas Alexander asserts that Israel should be celebrated; calls for progress towards two states and denounces boycotts'. 2013. **http://www.lfi.org.uk/shadow-foreign-secretary-douglas-alexander-asserts-that-israel-should-be-celebrated-calls-for-progress-towards-two-states-and-denounces-boycotts/**
172 Noam Chomsky, 'Blinded by the Truth'. Al-Ahram Weekly Online, No. 506, 2 – 8 November 2000. **http://weekly.ahram.org.eg/2000/506/re9.htm**

The Hamas Charter

'Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it. (…) [Hamas] aspires to the realisation of Allah's promise, no matter how long that should take. The Prophet, Allah bless him and grant him salvation, has said: 'The Day of Judgement will not come about until Muslims fight the Jews (killing the Jews), when the Jew will hide behind stones and trees. The stones and trees will say O Muslims, O Abdulla, there is a Jew behind me, come and kill him. Only the Gharkad tree, would not do that because it is one of the trees of the Jews.'[173]

The African National Congress Freedom Charter

South Africa belongs to all who live in it, black and white … The rights of the people shall be the same, regardless of race, colour or sex.

One Voice hosted a debate between Palestinian Ambassador Manuel Hassassian (third left) and Professor Alan Johnson (left), London 2013.

Take another example – the Western anti-Israel activist Tony Greenstein. He has viciously attacked the Palestinian Trade Union leader Shaher Saeed as someone who is 'always willing to dance to Israel's tune' and abused him as 'no different from Mahmoud Abbas and the quislings running the Palestinian Authority whose security forces are specially trained by the USA with the purpose of repressing and torturing their own people.'[174] Saeed's crime? While Greenstein (who lives in the UK) wants UK trade unions to break their historic links with the Israeli trade union federation (the Histadrut), Saeed (who lives in Ramallah) signed an agreement with the Histadrut. That agreement was facilitated, and celebrated, by the International Trade Union Congress and the British TUC, and was cheered by all the global trade union federations. But not by the 'Apartheid Smear' activists. Greenstein was angry, he said, because 'Saeed has effectively undone the work of pro-Palestinian activists [in the West].'[175]

This is madness. Not least because, Mahmoud Abbas, the Palestinian Authority President has been very clear that he does not support the boycott of Israel. 'We do not want to boycott goods coming from Israel' he has said. 'We do not ask anyone to boycott Israel itself. We have relations with Israel, we have mutual recognition of Israel.'[176] Abbas knows the Western activists do not represent the Palestinian people. According to one survey, 85 per cent of Palestinians want to cooperate more with Israel.[177]

Dialogue meetings conducted by The Parents Circle – Families Forum. The Parents Circle website

173 Journal of Palestine Studies, XXII, no. 4 (Summer 1993), p. 122-134. **http://www.palestine-studies.org/files/pdf/jps/1734.pdf**

174 Tony Greenstein 'UNISON Boycott of Histadrut Sabotaged by PGFTU's Shaher Saeed'. 30 May 2011. **http://azvsas.blogspot.co.uk/2011/05/unison-boycott-of-histadrut-sabotaged.html**

175 See The New Histadrut: Peace, Social Justice and the Israeli Trade Unions (TUFI, 2012). 'The general secretary of the PGFTU said in a letter … to Ofer Eini, chairman of the Histadrut, that 'we must emphasise our mutual need for peace in our two societies, for the benefit both of workers and because peace will reflect stability.' **http://www.bicom.org.uk/analysis-article/7483/**

176 Yoel Goldman, 'Abbas: Don't Boycott Israel'. Times of Israel, 13 December 2013. **http://www.timesofisrael.com/abbas-we-do-not-support-the-boycott-of-israel/** ; 'Abbas calls on Arabs, Muslims to visit Palestinian lands'. The Jordan Times, 11 December 2013. **http://jordantimes.com/article/abbas-calls-on-arabs-muslims-to-visit-palestinian-lands**

177 Lilach Weissman, '85% of Palestinians interested in cooperation with Israel'. Globes, 5 September 2011. **http://www.globes.co.il/serveen/globes/docview.asp?did=1000679786&fid=1725**

THE ALTERNATIVE: BUILDING THE PEACE NOT PROMOTING THE WAR

The Apartheid Smear and the linked BDS campaign consume energies that should be invested in a different kind of activism; pro-Palestinian *and* pro-Israeli: *pro-peace*.

> It is very odd that often the same anti-Zionist forces that go out of their way to celebrate Palestinian nationalism insist on negating Zionism. Mutual respect for each people's collective sense of self is a better approach.[178]
> Professor **Gil Troy** and **Martin J. Raffel**, *Israel: Jewish and Democratic*

Only by supporting *all* efforts towards mutual recognition and peace can we meet Nelson Mandela's challenge to support those on *both* sides of the conflict who seek mutual recognition and peace. Many organisations do just that, including One Voice, Parents Circle – Families Forum (PCFF), MEET, TULIP and The Peres Centre for Peace. Getting involved with these constructive 'pro-Israel, pro-Palestine, pro-Peace' organisations is the real alternative to the dead-end and destructive politics of 'BDS' and the Apartheid Smear.

The One Voice Movement aims to amplify the voices of the mainstream Israelis and Palestinians who desire peace and to empower them to generate change. They do this by having Israelis campaign for concessions from their government and Palestinians doing the same with theirs. They run town hall meetings, have chapters in university classes and provide leadership training for their activists. Indeed, the One Voice Movement has even provided crucial support to the 'Caucus for Ending the Israeli-Arab Conflict in the Israeli Knesset.'

One Voice Israel demonstrate in Tel Aviv. 'The frozen status quo is blinding'. One Voice

The Parents Circle – Families Forum comprises roughly 600 inspirational Israeli and Palestinian families who have tragically lost a family member as a direct result of the conflict. They seek to channel the greatest grief a person can ever experience into propelling their societies into reconciliation through the humanisation of the other, actively opposing violence and revenge. They come together and acknowledge the other side's suffering, breaking down preconceived notions. An example of the Parents' Circle's work is the 'Dialogue Meetings' which reach more than 25,000 Israeli and Palestinian students annually. Proof of their impact can be found in the feedback forms students fill in. One example includes these words: 'This was a fascinating encounter. I never had a dialogue or met a Palestinian in the past. It was an eye opening experience which gave me a different perspective. I discovered things which I never believed happen on the other side and also their willingness to reconcile. This gave me so much hope and caused me to look at things differently.' Transmitting such messages to students is vital for achieving, and indeed later upholding, a peace agreement.[179]

178 Professor Gil Troy and Martin J. Raffel, Israel: Jewish and Democratic. JCPA, 2013.
179 Joseph Moses, 'Boycott, Divestment and Sanctions of Israel: A Response'. The Board of Deputies of British Jews' Response to the Methodist Church in Britain's Inquiry into the Tactic of BDS. November 2013. **http://www.bod.org.uk/content/Board%20ResponseMethodistBDS.pdf**

Middle East Education through Technology (MEET) is an exceptional educational initiative that develops and enhances professional skills amongst Israelis and Palestinians. Through a partnership with the Massachusetts Institute of Technology (MIT), MEET provides its participants with advanced technological and leadership competencies while simultaneously instilling the ability for these young leaders to create social change within their own communities. MEET tackles misconceptions Israelis and Palestinians have towards one another and through cooperation and joint educational classes, ensures mutual respect within the class. The MEET programme promotes development and interaction, and is a project that will contribute towards economic growth and cooperation as well as reconciliation.

Education through technology. MEET Facebook

Jewish and Arab boys relaxing after playing football. The Peres Center for Peace

The Peres Center for Peace is a non-governmental, non-political organisation that brings Israelis and Palestinians together from many spheres. Their projects include the highly successful 'saving children' programme that takes Palestinian children into Israeli hospitals for complex procedures and diagnosis where such services are unavailable in the Palestinian Authority. They also have a project called 'training doctors' that aims to enhance the Palestinian healthcare system by providing advanced training opportunities for Palestinian doctors in Israeli hospitals.

- Invite these organisations to your campus
- Raise money for their peace and reconciliation efforts
- Write to your MP/MEP and encourage him or her to engage with Israeli and Palestinian sides of the debate
- Reject language that stigmatises one side or the other
- Bring people together to share their perspectives in a spirit of open dialogue and listening, as opposed to adversarial debates.

APPENDIX 1: THE HISTORY OF THE APARTHEID SMEAR

There have been three key moments in the spread of the Apartheid Smear. Each was a cynical attempt by extremists to demonise the State of Israel.

THE STALINIST MOMENT: ZIONISM TREATED AS CAPITALISM AND IMPERIALISM

It is not well known that the Apartheid Smear originated in the 'anti-Zionist' campaigns waged by the totalitarian Communist states during the Cold War. These campaigns frequently descended into antisemitism, the word 'Zionist' understood by all as a fig-leaf for 'Jew'. The huge impact of these well-financed campaigns has been underestimated. In the view of Stan Crooke, author of *The Stalinist Roots of 'left' Anti-Zionism*, Communist propaganda ensured that the following ideas spread around the world, especially amongst 'progressives': 'Zionism equals racism; Zionism equals imperialism; Zionism equals South African apartheid; Israel is the USA's "watchdog" in the Middle East; Zionism is complicit with, or even promotes, antisemitism.' These themes are now commonplace on the far left in Europe.

The Slansky trial, Prague 1952. Jewish Communist Party leaders were executed as 'rootless cosmopolitans'. Ma'ariv/Wikimedia Commons

These Communist 'anti-Zionist' campaigns began in earnest in the late 1940s and initially peaked with Stalin's 1953 plan deport the surviving Jews of the Soviet Union and Eastern Europe which was to begin with an antisemitic show-trial of five Jewish doctors on fake charges of poisoning and plotting – 'The Doctor's Plot.' Fortunately, Stalin died first and his successors dropped the plan.

But the World Communist Movement did not drop the wider campaign. By the time the 1967 Six Day War gave the 'anti-Zionist' campaign a boost, the Stalinists were in alliance with the authoritarian Arab states and parts of the Western 'New Left'. Stan Crooke again:

In the late 1960s a new official 'anti-Zionist' campaign was launched in the Soviet Union, in the aftermath of Israel's victory in the Six Day War over Arab states friendly to the Soviet Union. It increased in the 1970s, as Israel inflicted another defeat on Arab states in the Yom Kippur War of 1973 and Jewish organisations internationally stepped up their campaign for Soviet Jews. (…) The core of the Stalinist argument was their old technique of 'the amalgam'. Zionism, so the Stalinists claimed, was tied up with, allied to, linked with, or responsible for, every reactionary force that right-minded people might detest – capitalism, imperialism, even antisemitism and Nazism.[180]

> It is time to dump the politics of the Cold War and along with it the wholly inaccurate analogy of Zionism with apartheid which was mobilised for Soviet foreign policy interests and not in the interests of the Middle East.
> **John Strawson**, Reader in Law, University of London, Co-Director, Centre on Human Rights in Conflict.

180 Stan Crooke, 'The Stalinist Roots of left "anti-Zionism"'. Workers' Liberty, 2004. **http://www.workersliberty.org/node/1748**

THE UNITED NATIONS MOMENT: ZIONISM TREATED AS RACISM

The second key moment in the rise of the Apartheid Smear came in 1975 when a coalition between the Soviet Bloc, the authoritarian Arab states, and the so-called 'Non-Aligned Movement' emerged. This bloc used its built-in majority at the UN General Assembly to pass Resolution 3379, which equated Zionism with racism. (The UN rescinded the resolution in 1991.) Bishop John M. Allin of the U.S. Episcopal Church declared that the UN resolution was 'an inexcusable offense against those legitimate aspirations of the Jewish people for a homeland which the UN itself certified back in 1947.'[181]

In the same year, in *Zionism and Apartheid*, an official publication of the communist Ukrainian state, Valery Skurlatov argued that Israel shared with South Africa a 'racial biological doctrine' based on the idea of a 'chosen people' versus an inferior people. Arab fellow travellers of the communists produced a stream of books in this period that circulated widely in Western universities and often demonised Israel and Zionism. For example, *Zionism, Imperialism and Racism*, edited by A.W.Kayyali in 1979, included a chapter by Fayez Sayegh which claimed 'This century has witnessed three perfect racisms: Aryan or Nazi racism, Zionism racism and Apartheid Racism'. It is hard to overstate how corrosive these ideas were to liberal intellectual culture in the West.

> By bracketing Zionism with apartheid and racism the [UN] resolution [3379] effectively said that Israel was less of a state and more of a toxic growth within the international system. In its preamble the resolution approvingly notes '… resolution 77 (XII) adopted by the Assembly of Heads of State and Government of the Organisation of African Unity [in] 1975, which considered 'that the racist regime in occupied Palestine and the racist regime in Zimbabwe and South Africa have a common imperialist origin.' The Kampala formulation strongly reflected both the imperatives of Soviet policy (its domestic antisemitism and its embrace of the Arab cause abroad) and the anti-colonialist idiom used to express that policy.
>
> **Ben Cohen**, *The Ideological Foundations of the Boycott campaign Against Israel*, 2007.

Libyan dictator Muammar Gaddafi (right) with Syrian President Hafez al-Assad, 1977. Both supported the 1975 'Zionism is Racism' resolution. Museum of Syrian History/Wikimedia Commons

Is it reasonable that more than 70 per cent out of some 40 resolutions adopted by the United Nations Human Rights Council since 2006 target Israel? Or that in 2006-07, 100 per cent of its condemnatory resolutions were passed against Israel? Brutalities in Darfur, the Congo, or Burma, human rights abuses perpetrated against minority religions, women and gays are ignored as human rights issues. The Council is dominated by countries like China, Cuba, Libya, Pakistan and Saudi Arabia, none of which are noted for their human rights records.[182]

THE DURBAN MOMENT: ZIONISM TREATED AS APARTHEID

The third key moment in the growth of the Apartheid Smear came in 2001 with the failure of the Camp David peace talks. This gave the smear an opening which was seized by tightly-organised, politically motivated and well-resourced group of NGOs and anti-Israel activists who hijacked the UN's World Conference against Racism, Racial Intolerance and Xenophobia in Durban, South Africa.

They used their control of the gathering to launch a global campaign to label Israel as a 'racist, apartheid state' and Israel itself as a 'crime against humanity' and called upon the international community to 'impose a policy of complete and total isolation of Israel as an apartheid state' and demanded the 'establishment of a war crimes tribunal' to 'bring to justice those who may be guilty of … the crime of Apartheid.'[183]

181 Quoted in Robbie Sabel, The Campaign to delegitimize Israel with the false charge of apartheid. Jerusalem Center for Public Affairs, 2009: p. 5.
182 Nachman Shai, 'Israel right to say 'Enough!' to grotesquely biased UNHRC inquiry', Haaretz. 1 February 2013
http://www.haaretz.com/opinion/israel-right-to-say-enough-to-grotesquely-biased-unhrc-inquiry.premium-1.500876
183 See these readings on the Durban Strategy to delegitimise Israel. **http://www.ngo-monitor.org/article/ngo_forum_at_durban_conference**
Also See David Hirsh 'Defining antisemitism down', Fathom Issue 1. **http://www.fathomjournal.org/policy-politics/defining-antisemitism-down/**

South Africa's then Deputy Foreign Minister, Aziz Pahad, responded in these terms: 'I wish to make it unequivocally clear that the SA government recognises that … [the Durban Conference] was hijacked and used by some with an anti-Israel agenda to turn into an antisemitic event.'[184]

The 2001 Durban NGO conference was marked by antisemitic hate speech. On the grounds of the U.N. conference itself, the Arab Lawyers Union distributed pamphlets filled with grotesque caricatures of hook-nosed Jews depicted as Nazis, spearing Palestinian children, dripping blood from their fangs, with missiles bulging from their eyes or with pots of money nearby. Attempts to have the group's U.N. accreditation revoked were refused. In a Palestinian-led march with thousands of participants, a placard was held aloft that read 'Hitler Should Have Finished the Job.' Nearby, someone was selling the most notorious of anti-Jewish tracts, 'The Protocols of the Elders of Zion', a forgery which purports to be the minutes of a world Jewish Conspiracy, and which has been called a 'warrant for genocide'.[185] Mary Robinson, the former President of Ireland and the UN High Commissioner for Human Rights has said 'There was horrible antisemitism present – particularly in some of the NGO discussions. A number people said they've never been so hurt or so harassed or been so blatantly faced with an antisemitism.'

The equation of Zionism and Nazism is part of the Durban strategy to demonise Israel.

This flyer was among literature available in Durban. Think Israel

Sadly, 'the Durban strategy' worked, to a degree. It has set off a global campaign against Israel that includes an 'Israel Apartheid Week' on campuses here in the UK.

The pattern is clear: whatever the good intentions of some supporters of the Apartheid Smear, in the minds of its hard-core promoters there is a darker purpose: the demonisation of Israel as a pariah state in order to prepare the ground for its eventual destruction.[186]

184 Quoted in Pogrund, B. 'Israel is a democracy in which Arabs vote'. Engage Online, 2005.
185 See Norman Cohn, Warrant for Genocide: The Myth of the Jewish World Conspiracy and the Protocols of the Elders of Zion. Serif, 2005. **http://archive.adl.org/durban/durban_083101.asp**
186 For an excellent account of the historical development of the Apartheid Smear see Ben Cohen's 'The ideological foundations of the boycott campaign against Israel'. American Jewish Committee, 2007. **http://www.ajc.org/atf/cf/per cent7B42D75369-D582-4380-8395-D25925B85EAFper cent7D/IDEOLOGICAL_FOUNDATIONS.PDF**

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VIDEOS

'Is Israel an Apartheid State?' (Alan Johnson) http://www.youtube.com/watch?v=uz4Jf_QlkxU

'Arab Israeli on Israel Apartheid week' http://www.youtube.com/watch?v=SHPSdBztS98

'Prof. Steinberg discussing Israel Apartheid Week' http://www.youtube.com/watch?v=sXMrGczrN2Q

'Arabs for Israel – Muslims for Israel' (Ismail Khaldi) http://www.youtube.com/watch?v=XqtUbd1ddIs

GENERAL READING

For a useful introduction to the Arab-Israeli conflict see **Neil Lochery's** *Why Blame Israel?* (Icon Books, 2001). Lochery is Catherine Lewis Professor of Middle Eastern and Mediterranean Studies at University College London. http://www.amazon.com/Why-Blame-Israel-Neill-Lochery/dp/1840466243

A balanced history is *A History of the Israeli-Palestinian Conflict*, Mark A. Tessler (Indiana University Press; 2nd Revised edition, 2009).

To understand Zionism as an ideology, see **Arthur Hertzberg's** *The Zionist Idea: A Historical Analysis and Reader* (Atheneum, 1959), an excellent anthology of key Zionist thinkers. For a short introduction see **Colin Shindler**, *What Do Zionists Believe?* (Grant, 2007).

Benny Morris's *The Birth of the Palestinian Refugee Problem Revisited*, (Cambridge University Press, revised ed. 2003) is still the most comprehensive book about the Palestinian refugees of 1948. See also Morris's *1948: A History of the First Arab-Israeli War*, (Yale University Press, 2008).

To understand the claim for recognition of Israel as a Jewish state read **Tal Becker's** interview with BICOM's Toby Greene, 'The idea of the Jewish State is itself democratic', http://www.bicom.org.uk/analysis-article/6082/ or Becker's longer essay 'The Claim for Recognition of Israel as a Jewish State: A Reassessment'. http://www.washingtoninstitute.org/policy-analysis/view/the-claim-for-recognition-of-israel-as-a-jewish-state-a-reassessment

For a discussion of human rights in Israel, see **Alexander Yakobson** and **Amnon Rubinstein**, *Israel and the Family of Nations: Jewish Nation-State and Human Rights*, (Schocken, Tel Aviv 2003).

For a well-researched account of the position of Arabs within Israel, see **Laurence Louer's** *To Be an Arab in Israel*, (C. Hurst & Co Publishers Ltd, 2006).

For an understanding of how the occupation of the West Bank came about it is important to understand the Six Day War of 1967. See the award-winning history *Six Days of War: June 1967 and the Making of the Modern Middle East* by **Michael B. Oren** (Oxford University Press, 2002).

For an account of the way that the Supreme Court strongly defends the rights of all of Israel's citizens, see **Assaf Meydani's** *The Israeli Supreme Court and the Human Rights Revolution: Courts as Agenda Setters* (Cambridge University Press, 2011).

The **BICOM** website provides a constantly updated expert analysis of events in Israel and the region. http://www.bicom.org.uk/

The quarterly free online journal Fathom: *for a deeper understanding of Israel and the region* journal, website and app looks behind the headlines to provide in depth analysis and open debate. http://www.fathomjournal.org/

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As a movement we recognise the legitimacy of Palestinian nationalism just as we recognise the legitimacy of Zionism as a Jewish nationalism. We insist on the right of the state of Israel to exist within secure borders, but with equal vigour support the Palestinian right to national self-determination. We are gratified to see that new possibilities of resolving the issue through negotiation … we would wish to encourage that process, and if we have the opportunity, to assist.
Nelson Mandela

The parallel between Israel and apartheid South Africa is false. Minorities in Israel are guaranteed equal rights under the Basic Laws. All citizens of Israel vote in elections. There are no legal restrictions on movement, employment or sexual or marital relations. The universities are integrated. Opponents of Zionism have free speech and assembly and may form political organisations. By radical contrast, South African apartheid denied non-whites the right to vote, decreed where they could live and work, made sex and marriage across the racial divide illegal, forbade opponents of the regime to express their views, banned the liberation movements and maintained segregated universities.'

Simon Schama and **Anthony Julius**

Published by BICOM
London, 2014

Cover image: A kindergarten class arrives at the Knesset, on the occasion of Israel's 63rd birthday.
Nir Alon/Demotix/Press Association Image