

Apartheid In the Holy Land

Racism in the Zionist State of Israel

by **Nafeez Mosaddeq Ahmed**

Islamic Human Rights Commission
August 2001

Contents

- I. Introduction, p. 2
 - II. The Imperialist Underpinnings of the Founding of South African Apartheid and the State of Israel, p. 5
 - III. The Denial of Self-Determination, and the Seeds of “Separation”, p. 8
 - IV. The Legalisation of Racial Discrimination, p. 15
 - V. Discrimination Through the Expansion of Occupation: The Bantustans, p. 18
 - VI. Aspects of Israel’s Racial Subordination of Palestinians
 - I. Settlement, Colonisation and Bypass Roads, p. 24
 - II. Socio-Economic Deprivation, p. 27
 - III. Military Subjugation, p. 30
 - VII. Conclusion, p. 37
- Suggestions for Further Reading, p. 39
- Notes & References, p. 41

First published in Great Britain in 2002
by Islamic Human Rights Commission
PO Box 598, Wembley, HA9 7XH

© 2002 Islamic Human Rights Commission

Printed in England by Islamic Human Rights Commission

All rights reserved. No part of this book may be reprinted or reproduced or utilized in any form or by any means electronic, mechanical, or other means, now known or hereinafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

ISBN 1-903718-07-4

I. Introduction

“We thought about visiting Hebron because we thought about apartheid. No other place in the occupied territories can better illustrate the brutal essence of the Israeli occupation and the local version of apartheid. In Hebron, a tiny minority of about 400 people cruelly controls a huge majority of 140,000 residents, about 30,000 of whom live under direct Israeli military rule; tens of thousands of Palestinians are subjected to curfews and closures due to a holiday or demonstration or any other whim of the Jewish minority; there are roads for Jews only; stores are burned down and market stalls are overturned; acts of violence occur almost daily; the security forces stationed there do not lift a finger when the violence is perpetrated by the ruling minority, but respond severely when the violence comes from the subjugated majority. A guerrilla war is being waged by the occupied against the occupier; between the two peoples - not to say the two races - surges a deep and violent hatred commingled with fear.”

*Gideon Levy, Correspondent for Ha'aretz
(‘Like the old days in South Africa’, Viewpoint, 7 June 2001)*

The International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”¹ According to the Declaration on Race and Racial Prejudice, racism includes: “racist ideologies, prejudiced attitudes, discriminatory behaviour, structural arrangements and institutionalised practices resulting in racial inequality as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable; it is reflected in discriminatory provisions in legislation or regulations and discriminatory practices as well as anti-social beliefs and acts.”²

Thus, when evaluating whether certain conditions or practices constitute “racial discrimination”, it is not imperative that intent is proved. It suffices that conditions or practices have the “effect of nullifying or impairing” equality of rights, regardless of the declared intent of those conditions or practices. Those conditions or practices of racism may consist of ideologies, attitudes, patterns of behaviour, social structures and institutions.³ As for apartheid, this constitutes a system of institutionalised racial segregation and discrimination for the purpose of establishing and maintaining domination by one racial group of persons over another racial group of persons and systematically oppressing them. The defining model of apartheid is the system of policies adopted by South Africa in the 1980s. International law clearly recognises the illegitimacy of apartheid. Indeed, the crime of apartheid is closely associated with the crime of genocide. The International Convention on the Suppression and Punishment of the Crime of Apartheid, which came into force in July 1976 and by September 1984 had been ratified or acceded to by 79 states, states that “in the Convention on the Prevention and Punishment of the Crime of Genocide, certain acts which may also be qualified as acts of apartheid, constitute a crime under international law”.

Apartheid is thus a crime against humanity, constituting inhuman acts of racial segregation and discrimination, as defined in Article II of the Convention on the Suppression and Punishment of the International Crime of Apartheid (UNGA 3068 (XXVIII) of 30 November 1973). This Convention clarifies that such acts are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security. Hence, apartheid is not simply a crime against humanity but a series of acts of genocide, as far as some aspects of its practices are concerned, but also with implications for international peace and security.

A “crime of apartheid” properly defined therefore includes similar policies and practices of racial segregation and discrimination as formerly practiced in South Africa. It includes 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. It specifically includes, any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups. In particular it includes the denial to members of a racial group or groups basic human rights including the right to leave and to return to their country, the right to a nationality, and the right to freedom of movement and residence. It also includes any measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof.⁴

The issue of the degree and nature of racism in Israel is pertinent; partly because it is an issue that is often studiously avoided by Western media and academia - although not within Israel itself - and is therefore in dire need of attention; and partly because it relates to the escalating crisis in the Middle East which every day threatens to expand into a wider war with devastating consequences for the region. The necessity of grappling honestly and openly with this issue has been recognised within Israel itself by many prominent journalists, academics and human rights activists. One important voice we should pay heed to on this issue is that of Ami Ayalon, retired head of the Israeli domestic intelligence service, Shin Bet. At an annual meeting of the Israeli Finance Ministry’s budget division in the year 2000, Ami Ayalon spoke against the Israeli policy of “separation” from the Palestinians. “Is the option of a Jewish democracy with apartheid acceptable? In my view, it is not. That’s a dilemma we’ve always wanted to delay.” He added that the Palestinians should not be expected to be content living “in a Bantustan”, separated from Israel, as well as from Egypt and Jordan “for security reasons”.⁵ He also observed:

The things a Palestinian has to endure, simply coming to work in the morning, is a long and continuous nightmare that includes humiliation bordering on despair... We have to decide soon what kind of democracy we want here. The present model integrates apartheid and is not commensurate with Judaism... We will never attain security without an in-depth discussion about this issue.⁶

Ayalon’s comments were barely reported in the West. One exception to the rule was the *Los Angeles Times* which reported Ayalon’s comments as follows:

[I]n public remarks... a former head of the Israeli domestic security service blamed government policies for triggering the Palestinian revolt. Ami Ayalon, retired head of the Shin Bet security service, said Israel is guilty of ‘apartheid’ policies that go against the spirit of Judaism. He suggested that the Palestinians were following a logic in choosing violence, and spoke of the profound ‘humiliation’ that Israel inflicts on Palestinian workers and others who seek to enter Israel.⁷

When an Israeli figure as prominent as Ayalon speaks out in this manner against what he perceives to be “apartheid” within the Zionist State, it would be incredibly dishonest to attempt to ignore the entire issue and black-out all dialogue on the subject. The United Nations Conference Against Racism provides an ideal international forum to openly and intensively engage with exactly this issue, in the manner Ayalon indicated is essential for peace and security in the Middle East. In this spirit, the purpose of this paper is to provide an introductory analysis of Israeli policies that are clearly racist and which together constitute a system of apartheid. Accordingly, the paper makes extensive use of independent research by a variety of organisations and specialists. The paper does not explicitly focus on whether or not Zionism can be defined as a racist ideology; rather, it focuses on the historico-empirical issue of racism within the Zionist State of Israel. Naturally, this has implications for the nature of

Israel's Zionist ideology, yet while those implications are briefly discussed, they are not explored in detail here. Although it is by no means intended that this paper be exhaustive in its handling of the issues, it is hoped that the facts and documentation contained herein suffice to clarify the primary issues related to racism in the Zionist State of Israel, and thus open the road to further discussion and investigation.

II. The Imperialist Underpinnings of the Founding of South African Apartheid and the State of Israel

“You shall continue to live like dogs, and whoever wishes may leave.”

Israeli General and Statesman Moshe Dayan - Chief of Israel’s General Staff, Minister of Agriculture, Minister of Defence, and finally Foreign Minister in the Israeli Government – advising his government associates what to tell the Palestinians (Middle East Realities, Washington DC, 20 August 2001)

Ayalon’s comments point to a similarity between racial discrimination in South Africa – known as “apartheid” - and racial discrimination in Israel. A comparison of the two regimes seems to confirm that Israel virtually mimics major features of the apartheid regime in South Africa in the 1980s. There are even some similarities in the way the two regimes were created.

For more than three centuries, South Africa was a site of vicious struggle between European colonialists and various indigenous and immigrant population groups. Non-European groups opposed to the expansion of European colonial settlements in the country included indigenous African ethnic groups, various mixed groups collectively identified as “Coloureds”, and immigrant indentured laborers and traders from Asia (mainly India). There were two main European groups seeking power in South Africa: the British, who were the dominant colonial presence in southern Africa; and the Afrikaners (which in English means African), who were primarily the descendants of Dutch traders and livestock farmers (called “boers”) but also included political and religious refugees from western Europe (mainly Flemish speakers, German speakers, and French-speaking Huguenots). The European colonial imperative was motivated fundamentally by commercial and economic interests in lucrative regional resources such as diamonds and gold.

By the beginning of the twentieth century, British imperial rule was established over Afrikaners and Africans alike. However, the British accepted a historic compromise with their fellow Europeans - the Afrikaners or Boers - by opening up the corridors of power to embrace the Afrikaner community at the expense of the indigenous African, Coloured, and Indian communities. The result ultimately was that Boer and Briton together would control a new nation-state, the Union of South Africa, in 1910. From 1910 until 1948, power in South Africa was shared by the white political parties aligned their respective British and Afrikaner traditions.⁸ Throughout this period racial segregation and the supremacy of whites had been traditionally accepted in South Africa.

In 1948, the Afrikaner-dominated National Party won the 1948 general election and immediately began to officially implement the policy known as apartheid, which in Afrikaans means “apartness” or “separation”. The purpose of apartheid was separation of the “races”: not only of whites from nonwhites, but also of nonwhites from each other, and, among the Africans (called Bantu in South Africa), of one group from another. Apartheid, however, not only implied racial segregation. It also specifically involved a policy of political and economic discrimination against non-European groups. All of the population groups in South Africa classified by the government as non-European would now be governed separately and subordinated at every level to white South Africa. Initial emphasis was on restoring the separation of races within the urban areas. A large segment of the Asian and Coloured populations was forcibly displaced – effectively ethnically cleansed - out of so-called white areas. African townships that had been overtaken by (white) urban sprawl were demolished and their occupants removed to new townships well beyond city limits. About 1.5 million Africans were forcibly removed from cities to rural reservations in this way between the passage of the Group Areas Acts of 1950 and 1986. The vast majority of Africans - now two-thirds of the total population - were restricted to these rural reservations (called reserves or

“bantustans”). They were refugees in their own country: refused their right to self-determination; restricted to broken tracts of poor-quality land incapable of supporting their populations; and consequently victims of racial discrimination in all areas of social, economic and political life.⁹

The creation of the State of Israel was rooted in a similar background of Western European imperialism with the intent of subordinating the indigenous population to Western interests. As the New York-based Center for Economic and Social Rights (CESR) observes: “British imperialist interests in the region were linked to the war and coincided closely with the Zionist project of establishing, in Herzl’s words, ‘a portion of the rampart of Europe against Asia, an outpost of civilization as opposed to barbarism’.”¹⁰ According to one Zionist historian:

The British Government’s business was to win the War and to safeguard British interests in the post-war settlement. Fully realizing that these in the end must be the decisive tests, Weizmann was never under the illusion that the Zionists could rely on an appeal *ad misericordiam*. Zionist aspirations must be shown to accord with British strategic and political interests.¹¹

A century ago the Palestinian Arab claim was unchallenged, and included rather than excluded Jews. The area had been long inhabited by a minority Jewish population. Like other minorities, Palestinian Jews did not identify themselves as a separate “nation” in opposition to the Palestinian Muslim majority. In fact, national identification was not linked to religious or even ethnic affiliations - Muslims, Christians and Jews all considered themselves as Palestinian Arabs. Zionism aimed to change this state of affairs. As with South African apartheid, the leading pioneers of the Zionist movement envisaged the establishment of an exclusively Jewish State in which Jews would predominate over a subordinated indigenous non-Jewish population, from whom they would be largely separated, and who would in fact ultimately be completely expelled from the land. Yossef Weitz, the Director of the Jewish National Fund affiliated to the World Zionist Organisation, wrote in 1940:

It should be clear for us that there is not room for two peoples in this country. If the Arabs leave it, there will be enough for us... There is nothing else to do but to remove them all; we mustn’t leave a single village, a single tribe... We must explain to Roosevelt and all the heads of friendly states that the land of Israel isn’t too small if all the Arabs leave and if the borders are pushed back a little to the north, as far as the Litani, and to the east, on the Golan Heights.¹²

Israeli commentator Yoram Bar Porath forcefully pointed out the essence of Zionist project in the Israeli newspaper *Yediot Aahronot*:

It is the duty of Israeli leaders to explain to public opinion, clearly and courageously, a certain number of facts that are forgotten with time. The first of these is that there is no Zionism, colonialization or Jewish State without the eviction of the Arabs and the expropriation of their land.¹³

That is why the finalised 1917 Balfour Declaration that promised a national Jewish homeland without prejudicing native Arab rights in Palestine was bitterly disliked by Zionist leaders. Initial drafts of the Declaration prepared by Zionists with Lord Balfour’s approval, provided that: “*Palestine* should be reconstituted as *the* national home of the Jewish people.”¹⁴ This manifested the British commitment to establish a Jewish State encompassing the entirety of Palestine without any regard for its non-Jewish inhabitants. However, intervention by the highest-ranking Jew in the British Government, Edwin Montagu, in the British War Cabinet successfully weakened the British commitment to Zionism in the final adopted text, promising “the establishment *in Palestine of a national home*” (italics added). Also included as a consequence of Montagu’s intervention were legal ramifications designed to safeguard the rights of non-Jewish inhabitants of Palestine by recognising that “nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine.” The Zionist reaction to the Declaration was at first, very simply, opposition – it was not enough: Zionism wanted the whole of Palestine. Chaim Weizmann expressed his fear

that the Declaration “can be interpreted to mean such limitations on our work as completely to cripple it.” Later though, opposition became reinterpretation, and Weizmann decided that: “[I]t would mean exactly what we make it mean – neither more nor less... and a foundation had to be built for it through years of exacting work.”¹⁵ Thus, we find Zionist pioneers such as Golda Meir later denying the very existence of the Palestinian people prior to Israel: “There is no such thing as a Palestinian people... It is not as if we came and threw them out and took their country. They didn’t exist.”¹⁶ Crucially then, Palestinian Arabs – 90 per cent of the population – were totally denied any form of participation in the formulation of the Declaration, although it dealt with their own rights and status in their own land. The CESR thus rightly comments that: “This points to the imperialist underpinnings not only of the Balfour Declaration, but of most application of international law to the Israeli-Palestinian conflict leading right up to the partition resolution.”¹⁷

III. The Denial of Self-Determination and the Seeds of “Separation”

“Serfs they [the Jews] were in the lands of the Diaspora, and suddenly they find themselves in freedom [in Palestine]; and this change has awakened in them an inclination to despotism. They treat the Arabs with hostility and cruelty, deprive them of their rights, offend them without cause, and even boast of these deeds; and nobody among us opposes this despicable and dangerous inclination.”

Ahad Ha'am, pioneer Zionist writer

(Washington Report on Middle East Affairs, December 1998, p. 123-124)

In November 1947, the UN General Assembly passed the famous resolution 181, known as the Partition Plan, which recommended the partition of Palestine into “Arab” and “Jewish” states. The Jewish minority was to receive the majority of the land, which included most of the fertile areas. The Palestinians rejected the resolution as violating their right to self-determination in a single state for the entirety of Palestine. Sami Hadawi, a Palestinian Christian who lived through the period in which Israel was created, explains the indigenous position well: “Arab rejection was... based on the fact that, while the population of the Jewish state was to be [only half Jewish] with the Jews owning less than 10% of the Jewish state land area...

... the Jews were to be established as the ruling body - a settlement which no self-respecting people would accept without protest, to say the least... The action of the United Nations conflicted with the basic principles for which the world organization was established, namely, to uphold the rights of all peoples to self-determination. By denying the Palestine Arabs, who formed the two-thirds majority of the country, the right to decide for themselves, the United Nations had violated its own Charter.¹⁸

The Partition Plan’s denial of the Palestinian right to self-determination thus constitutes another similarity to the South African National Party’s denial of the right of the non-white population to self-determination. The international community at the time was well aware of the tensions between the UN’s own Charter and the Partition Plan for Palestine with respect to the issue of self-determination. Indeed, the resolution only passed under intense United States pressure and manipulation of the UN’s member states. U.S. President Truman was responsible for pressurizing the State Department. Under-Secretary of State S. Welles recorded that: “By direct order of the White House American civil servants had to use direct or indirect pressure... to ensure the necessary majority in the final vote.”¹⁹ Then U.S. Minister for Defence James Forrestal similarly observed: “The methods used to pressure and to constrain the other nations within the U.N. were close to scandalous.”²⁰

As noted by John Quigley, Professor of Law at Ohio State University:

By this time [November 1947] the United States had emerged as the most aggressive proponent of partition... The United States got the General Assembly to delay a vote ‘to gain time to bring certain Latin American republics into line with its own views.’... Some delegates charged US officials with ‘diplomatic intimidation.’ Without ‘terrific pressure’ from the United States on ‘governments which cannot afford to risk American reprisals,’ said an anonymous editorial writer, the resolution ‘would never have passed’.²¹

In this sense the moral legitimacy of the origin of UN resolution 181 is highly questionable with respect to the recognition of the State of Israel. Nevertheless, while Israel seems to have moved further and further away from the acknowledgement of the resolution’s validity, Palestinians have come to acknowledge it as the UN’s legal declaration of the right to independent Palestinian statehood. Yet although resolution 181 allowed the creation of the State of Israel within Palestine, Zionist leaders privately rejected its validity due to its recognition of certain rights due to the indigenous population. The resolution, like the Balfour Declaration, was not enough. Israeli historian Professor Benny Morris of Ben-Gurion University explains:

While the Yishuv's leadership formally accepted the 1947 Partition Resolution, large sections of Israeli society – including... Ben Gurion - were opposed to or extremely unhappy with the partition and from early on viewed the [ensuing 1948] war as an ideal opportunity to expand the new state's borders beyond the UN-earmarked partition boundaries and at the expense of the Palestinians.²²

The Zionist leadership had planned from the very beginning to absorb the entirety of Palestine in accordance with consolidating the State of Israel. In internal discussion in 1938, the first Israeli Prime Minister David Ben-Gurion declared that:

[A]fter we become a strong force, as a result of the creation of a state, we shall abolish partition and expand to the whole of Palestine... The state will only be a stage in the realisation of Zionism and its task is to prepare the ground for our expansion into the whole of Palestine.²³

He also stated that: "The State of Israel considers the UN resolution of 29 November 1947 to be null and void."²⁴ A later Israeli Prime Minister Menachim Begin similarly announced:

The partition of the Homeland is illegal. It will never be recognized. The signature of institutions and individuals of the partition agreement is invalid. It will not bind the Jewish people. Jerusalem was and will forever be our capital. Eretz Israel (the Land of Israel) will be restored to the people of Israel. All of it. And forever.²⁵

Such sentiments were rooted in the very heart of Zionist ideology. Zionist theoretician Theodore Herzl, founder of the World Zionist Organization, outlined at the inception of the Zionist movement his vision for the indigenous Palestinians: "We shall try to spirit the penniless population across the border by procuring employment for it in the transit countries, while denying it any employment in our own country." He added that "expropriation and the removal of the poor must be carried out discreetly and circumspectly", to avoid international outcry.²⁶ The implications were clear. Israeli military analysts predicted that as a result of the Partition Plan and Zionist attempts to establish a State in Palestine while also superceding the limits of international law as designated in resolution 181, either the Palestinians would be utterly expelled from their own land, or they "would be crushed". It was assumed that "some of them would die and most of them would turn into human dust and the waste of society, and join the most impoverished classes in the Arab countries."²⁷ Yet this was not considered a problem. Indeed, the mass expulsion of Palestinians from their homes – comparable to the forced deportations of non-whites in South Africa from their urban homes to rural Bantustans - was an integral dimension of Zionist plans. As Jewish scholar Professor Norman Finkelstein writes:

One can imagine an argument for the right of a persecuted minority to find refuge in another country able to accommodate it; one is hard-pressed, however, to imagine an argument for the right of a persecuted minority to politically and perhaps physically displace the indigenous population of another country. Yet... The latter was the actual intention of the Zionist movement.²⁸

This intention was clearly rooted in racist contempt for the Palestinian Arabs. Israeli correspondent Gideon Levy comments that:

For most Israelis, the Palestinians are almost non-existent. They're like thin air... For the overwhelming majority of Israelis - again, both the right and left wing - the desired solution is separation: They want the Palestinians to play their parts in the form of thin air and not get in our way. There's only one small problem with this solution, aside from the whiff of racism that emanates from it: It's not possible.²⁹

According to the late Yitzhak Rabin, the first Israeli Prime Minister made clear early on in the establishment of the State of Israel his wish to expel the Palestinian population to make way for the Jewish State. Rabin relates that: "We walked outside, Ben-Gurion accompanying us. Allon repeated his question, 'What is to be done with the Palestinian population?' Ben-Gurion waved his hand in a gesture which said 'Drive them out!'"³⁰ Israel's first Minister of Education Professor Ben-Zion Dinur echoed Ben-Gurion's sentiments when he declared in 1954: "In our country there is room only for the Jews. We shall say to the Arabs: Get out! If

they don't agree, if they resist, we shall drive them out by force."³¹ Today this philosophy of total separation between Israelis and the Palestinians, which included the task of driving the latter out by force if necessary, has been adopted by many Israelis in tandem with their government. "The idea of a separation between the State of Israel and the Palestinians has many supporters in Israel", reports Danny Rubenstein.

... One of Yitzhak Rabin's election slogans in 1992, 'Get Gaza out of Tel Aviv,' was a big hit. People don't like seeing hordes of Arabs from the West Bank and Gaza roaming our streets. Prime Minister Ehud Barak's variation on this theme is: 'We are here and they are there'.³²

Israeli historians have recorded that there was indeed a clear Zionist objective to expel the indigenous non-Jewish Palestinian population in order to achieve this form of "separation" – or "apartheid" – between Jews and Arabs. Professor Benny Morris for example points out that: "Ben-Gurion clearly wanted as few Arabs as possible to remain in the Jewish state. He hoped to see them flee. He said as much to his colleagues and aides in meetings in August, September and October [1948]." However, this was never enunciated in any official written format outlining a general expulsion policy. Although "Ben-Gurion always refrained from issuing clear or written expulsion orders", it is nevertheless true that:

... he preferred that his generals 'understand' what he wanted done. He wished to avoid going down in history as the 'great expeller' and he did not want the Israeli government to be implicated in a morally questionable policy... But while there was no [written] 'expulsion policy', the July and October [1948] offensives were characterized by far more expulsions and, indeed, brutality towards Arab civilians than the first half of the war.³³

According to Israeli historian Simha Flapan:

That Ben Gurion's ultimate aim was to evacuate as much of the Arab population as possible from the Jewish state can hardly be doubted, if only from the variety of means he employed to achieve this purpose... most decisively, the destruction of whole villages and the eviction of their inhabitants ...even [if] they had not participated in the war and had stayed in Israel hoping to live in peace and equality, as promised in the Declaration of Independence.³⁴

Another Israeli historian Ilan Pappé, Associate Professor in Middle East History at the University of Haifa, concurs that: "There was an unwritten Zionist plan to expel the Arabs of Palestine in 1948." From 1 April 1948 to the end of the war, "Jewish operations were guided by the desire to occupy the greatest possible portion of Palestine." In an interview with Belgian journalist Baudouin Loos, Professor Pappé emphasised that the Zionists "were cautious enough not to write it although there was this 'plan D' (Dalet), that reveals enough of the systematic expulsion." Plan Dalet (D) was first prepared by Zionist military forces in March 1948. The plan "defined a very important principle: any Arab village or neighborhood that would not surrender to the Jewish forces, that would not raise the white flag, would be uprooted, destroyed and the people expelled." The Zionists "knew well that there was very little chances for more than five or six villages to surrender. Why should they surrender, especially after (the massacre of) Deir Yassin in April and the big fright in the Arab community?"

In fact, only four villages rose the white flag. All the rest were potentially an object of expulsion. I must add that a few other neighborhoods rose the white flag but it didn't help them... All this is very clear. We have to remember that the UN partition plan of November 1947 would have left an equal number of Jews and Arabs in the Jewish state. This contradicted the idea of a Jewish state. So they had to make sure that as few Arabs as possible were still there. And that's what happened.³⁵

Thus, Tzvi Shiloah, a senior veteran of the Mapai Party and a former deputy mayor of the town of Hertzeliyah recalled that "in 1948, we deliberately, and not just in the heat of the war, expelled Arabs. Also in 67 after the Six-Day War, we expelled many Arabs."³⁶ Not only were Palestinians deliberately expelled, their villages were destroyed in the hope that this would mean that they could never return. During May 1948, Zionists began contemplating ways of

consolidating and making permanent the Palestinian exile. Professor Benny Morris notes that “the destruction of villages was immediately perceived as a primary means of achieving this aim.” Indeed, Zionist forces carried out massacres of the indigenous population even earlier than May:

On 10 April, Haganah units took Abu Shusha... The village was destroyed that night...Khulda was leveled by Jewish bulldozers on April 20...Abu Zureiq was completely demolished...By mid- 1949, the majority of the [350 depopulated Arab villages] were either completely or partly in ruins and uninhabitable.³⁷

There can therefore be no doubt that exodus of over three quarters of a million Palestinians from their homes was deliberately engineered by the Zionist army by the illegal use of force. The Palestinians were simply never considered to be on an equal level to that of the Zionist Jews who were taking control of the land for their own purposes. They were merely obstacles to be brutally eliminated. This conclusion has been well documented by the Israeli military historian Aryeh Yitzakhi – Senior Lecturer in the Faculty of Eretz Yisrael Studies at Bar Ilan University (Tel Aviv) and Senior Lecturer in Military History in Israeli Defence Force (IDF) courses for army officers. Yitzakhi is particularly qualified in this area due to his in-depth acquaintance with IDF archives, on which his conclusions are based. In the 1960s, Yitzakhi served as director of the IDF archives within the framework of his IDF service in his capacity as historian. “The time has come,” he observes, “to face the ocean of lies in which we were brought up. In almost every conquered village in the War of Independence, acts were committed, which are defined as war crimes, such as indiscriminate killings, massacres and rapes.

For many Israelis it was easier to find consolation in the lie, that the Arabs left the country under orders from their leaders. This is an absolute fabrication. The fundamental cause of their flight was their fear from Israeli retribution and this fear was not at all imaginary. From almost each report in the IDF archives concerning the conquest of Arab villages between May and July 1948 - when clashes with Arab villagers were the fiercest - a smell of massacre emanates. Sometimes the report tells about blatant massacres which were committed after the battle, sometimes the massacres are committed in the heat of battle and while the villages are ‘cleansed’. Some of my colleagues, such as Me’ir Pa’il, don’t consider such acts as massacres. In my opinion there is no other term for such acts than massacres. This was at the time the rule of the game... In the first phase a village was usually subjected to heavy artillery from distance. Then soldiers would assault the village. After giving up resistance, the Arab fighters would withdraw while attempting to snipe at the advancing forces. Some would not flee and would remain in the village, mainly women and old people. In the course of cleansing we used to hit them. One was ‘tailing the fugitives’, as it used to be called (‘mezanvim baborchim’)... In a typical battle report about the conquest of a village we find: ‘We cleansed a village, shot in any direction where resistance was noticed. After the resistance ended, we also had to shoot people so that they would leave or who looked dangerous’.³⁸

This grim record of acts of genocide and ethnic cleansing of the indigenous Palestinian population in order to establish an exclusivist Jewish State, is corroborated by authoritative Israeli military historian Professor Uri Milstein. Milstein, however, goes even further than Yitzakhi in his conclusions about Zionist killings of Palestinians:

If Yitzakhi claims that almost in every village there were murders, then I maintain that even before the establishment of the State, each battle ended with a massacre. In all Israel’s wars massacres were committed but I have no doubt that the War of Independence was the dirtiest of them all.³⁹

The most commonly cited example of such terror is the massacre at the village of Deir Yassin on 9 April 1948, in which 254 Palestinian inhabitants, including men, women, children, and old men, were massacred by Irgun troops whose leader was the future Israeli Prime Minister Menachim Begin. Begin himself described the massacre as a “victory” without which the State of Israel could not have been established. He admitted that: “The Haganah carried out victorious attacks on other fronts... In a state of terror, the Arabs fled, crying, ‘Deir Yassin’.”⁴⁰ Numerous other massacres were committed by Zionist forces in the same vein. One of the biggest but least publicised massacres is that of al Dawayima village in Hebron District (population 4,300). On the afternoon of Friday, 29 October 1948, 3 units of the 89th

Battalion (8th Brigade) entered the village from 3 directions, leaving the east open, and occupied it “without a fight” according to an Israeli soldier’s testimony. The soldier continued:

The first wave of conquerors killed about 80 to 100 Arabs, women and children. The children they killed by breaking their heads with sticks. There was not a house without dead. One woman, with a newborn baby in her arms was employed to clean the courtyard.... [They] shot her and the baby.... This was not in the heat of battle.... but a system of expulsion and destruction.⁴¹

Israeli historian Teddy Katz has also uncovered credible evidence that Israeli troops had massacred 200 Palestinians in a single village on the day Israel came into existence in 1948. Basing his conclusions on testimonies and information from witnesses including soldiers, Katz observed that “at least 200 people from the village of Tantura were killed by Israeli troops” in what was “definitely one of the biggest massacres”. “Palestinians were killed inside their homes and in other parts of the village”, while Israeli soldiers “shot at anything that moved.”⁴²

As a result of this deliberate policy of terror, by 1949 the Zionists had successfully driven out approximately 770,000 Palestinians who thus became refugees in their own country, and took control of 80 per cent of their land. Only 100,000 remained of a population approaching one million. Just as whites took over the former homes of the expelled non-white populations in South African apartheid, “Whole Arab cities - such as Jaffa, Acre, Lydda, Ramle, Baysan, and Maida - 338 towns and villages, and large parts of others, containing nearly a quarter of all buildings standing in Israel during 1948, were taken over by new Jewish immigrants.

... Ten thousand former Arab shops, businesses and stores were left in Jewish hands as well as some 30,000 acres of groves that supplied at least a quarter of the new state’s scarce foreign currency earnings from citrus. Acquisition of this former Palestinian Arab property helped greatly to make the Jewish state economically viable and to speed up the early influx of refugees and immigrants from Europe.⁴³

Meanwhile, Palestinian refugees were forced to live in squalid conditions; prevented from returning to their homes; permanently debarred – separated - from the territory on which they had once lived and which had now become the exclusive property of the Zionist State and its Jewish citizens; and confined to restricted areas under an expanding Israeli occupation. “The winter of 1949, the first winter of exile for more than seven hundred fifty thousand Palestinians, was cold and hard”, reports the People’s Press Palestine Book Project.

Families huddled in caves, abandoned huts, or makeshift tents...many of the starving were only miles away from their own vegetable gardens and orchards in occupied Palestine - the new state of Israel...At the end of 1949 the United Nations finally acted. It set up the United Nations Relief Works Administration (UNRWA) to take over sixty refugee camps from voluntary agencies. It managed to keep people alive, but only barely.⁴⁴

However, international law recognised the Palestinian refugees’ inviolable right of return to their ancestral homeland in United Nations General Assembly Resolution 194. The basis of the resolution lay in the findings of the UN Mediator for Palestine Count Folke Bernadotte. In his first report submitted to the UN he wrote that: “The right of the Arab refugees to return to their homes in Jewish-controlled territory at the earliest possible date should be affirmed by the United Nations... It would offend basic principles to prevent these innocent victims of the conflict from returning to their homes, while Jewish immigrants flood into Palestine and, what’s more, threatening to permanently replace the dispossessed Arab refugees who have been here for centuries.” He described an ongoing process of “Zionist pillage on a grand scale and the destruction of villages without apparent military need.”⁴⁵

Consequently, on 11 December 1948 the UN adopted Resolution 194 which included the establishment of the Conciliation Commission on Palestine to implement the resolution. According to the Commission’s authoritative interpretation of the resolution:

The General Assembly had laid down the principle of the right of refugees to exercise a free choice between returning to their homes and being compensated for the loss of or damage to their property on the one hand, or, on the other, or not returning to their homes and being adequately compensated for the value of the property abandoned by them.⁴⁶

Israel, however, has ignored the Palestinian right of return in violation of international law on the pretext of maintaining the exclusively “Jewish” character of the State. Israel’s blocking of the Palestinian right of return virtually mimics the South African policy of “separation”, with whites segregated from non-whites – in this case, Jews partitioned off from the exiled non-Jewish Palestinians. While permitting the unimpeded influx of Jewish immigrants into Israel after what many Jews consider to be a 2,000 year absence, the Zionist “Law of Return” follows an entirely different policy in relation to non-Jews, with the result that Palestinians are officially to remain exiled forever. After 1948 Palestinian refugees attempted to return to their homes in the land that had by then become the State of Israel. Dubbed “infiltrators” by Israel, the returning refugees clashed with Israeli settlers, army and police. Only very few succeeded. An estimated 2,700-5,000 Palestinians were killed by Israeli forces while attempting to cross the borders. To stave off the return of the indigenous population, the Israeli army began launching attacks on Palestinian refugee camps in the West Bank and Gaza Strip. Benny Morris has documented extensively the numerous killings committed by Israeli forces during this period.⁴⁷

There are at least 3,469,109 Palestinian refugees (UNRWA, January 1998), including 1,308,438 in the territories (548,874 in the West Bank and 759,564 in Gaza), now living in squalid conditions of an Israeli-imposed system of discrimination. Palestinians forced to leave their homes in 1948 are still unable to return after 53 years. This is perhaps the most well known instance of Israeli discrimination against the non-Jewish indigenous Palestinian population. Professor Anita Shapira of the Department of History at Tel Aviv University observes: “The [Israeli] Law of Return gave preference to any Jew born in Britain or Morocco over an Arab born in Jaffa and driven into exile as a result of the 1948 war... Arab settlements have been short-changed and discriminated against for decades.”⁴⁸ The policy is rooted in the guidance of the foremost pioneers of the Zionist movement. For instance, Ben-Gurion recorded in his diary on the 18 July 1948 that “We must do everything to ensure they [the Palestinian refugees] never do return.”⁴⁹ A confidential report written for the Israeli government of Yitzhak Rabin leaked to the press in September 1976, known as the Koenig Memorandum, elaborated on the strategies included in “everything”. Northern District Commissioner Israel Koenig advised that: “We must use terror, assassination, intimidation, land confiscation, and the cutting of all social services to rid the Galilee of its Arab population.”⁵⁰

The similarities between all these Zionist policies and the apartheid policies of South Africa’s white rulers were noted at an early stage in the newspaper of the Afrikaners, *Die Transvaler*: “What is the difference between the way in which the Jewish people struggles to remain what it is in the midst of a non-Jewish population, and the way the Afrikaners try to stay what they are?”⁵¹ Such a similarity must clearly be rooted in deep-seated racism. Israeli Prime Minister Menachem Begin threw light on this when he observed in a speech to the Knesset that the Palestinians “are beasts walking on two legs.”⁵² The extent of the similarity between racial discrimination in Israel against the Palestinians and South African apartheid was thus inadvertently admitted in the heated remarks of General Raphael Eitan, Chief of Staff of the Israeli army during the 1982 invasion of Lebanon, at a guest lecture at the School of Law, Tel Aviv University:

I don’t understand this comparison between us and South Africa. What is similar here and there is that both they and we must prevent others from taking us over. Anyone who says that the blacks are oppressed in South Africa is a liar. The blacks there want to gain control of the white minority just like the Arabs here want to gain control over us. And we, too, like the White minority in South Africa, must act to prevent them

from taking us over. I was in a gold mine there and I saw what excellent conditions the black workers have. So there is separate elevators for Whites and Blacks, so what? That's the way they like it.⁵³

IV. The Legalisation of Racial Discrimination

“We have uttered a lot of nonsense, but have failed to implement anything. We have declared, on several occasions, that we would extend equal rights to Jews and Arabs in the city - but those were empty words. Levi Eshkol and Menachem Begin made commitments to grant equality to the Arabs, but neither of them kept his promises and never provided them even with a semblance of equality under the law; they were and remain second and third class citizens...I did something for Jewish Jerusalem during the past 25 years, but in East Jerusalem nothing! What did I do? Schools? Nothing. Pavements? Nothing. Cultural centers? None. Yes, we did build a sewage system for them and we improved water supply. Do you know why? When several cholera cases were declared on the Arab side [early 1970s], the Jews panicked at the prospect of the disease reaching them, so we set up the sewage and water networks to contain the cholera.”

*Former Israeli Mayor of Jerusalem Teddy Kollek
(Interview with Ma'ariv, 10 October 1990)*

Apartheid in South Africa consisted of a system of discriminatory laws and policies implemented by the government designed to subordinate all population groups classified as non-European or nonwhite at every level to white South Africa. There are a similarly vast variety of laws within Israel which officially discriminate against non-Jews in favour of Jews within a system designed to systematically favour Jews at their expense, with the ultimate effect of marginalising and subordinating the non-Jewish population. Longtime U.S. Middle East expert and head of the Middle East Project of the Washington-based Institute for Policy Studies (IPS), Phyllis Bennis, observes that: “Jews from anywhere in the world, like me, can travel to Israel, declare citizenship, and be granted all the privileges of being Jewish that are denied to Palestinians who have lived in the area for hundreds of years.”⁵⁴ The laws that grant such privileges – denied to non-Jewish Palestinians – bear close resemblance to the apartheid laws of South Africa. Israeli Professor Uzi Ornan, for example, noted in 1991 that “it is amazing how closely the discriminatory laws of South Africa - which began to be legislated in 1913 and which are now about to be abolished - resemble the discriminatory laws which began to be legislated in the state of Israel in 1948.”⁵⁵

There are several basic (irrevocable) laws with discriminatory implications for non-Jews in Israel. The 1948 Law of Citizenship, for example, establishes eligibility for citizenship status, yet citizenship without “Jewish nationality” grants few fundamental rights that are granted to Jews. The 1950 Law of Return mentioned previously refers to the exclusive “nationality right” for Jews from anywhere in the world to enter and live within Israel, and to claim a superior legal status with full rights (such as those to land and housing) which are denied to the indigenous Palestinians. The 1952 Status Law recognises certain “national” institutions operating within Israel, and extraterritorially, as part of the government of Israel to serve “the Jewish people” exclusively (e.g. the World Zionist Organization/Jewish Agency, which is affiliated to the Jewish National Fund).⁵⁶ Such organizations possess statutory power within Israel to purchase and develop land, build new settlements, and provide social services. On the basis of legal compacts with the Israeli state, they are allowed to operate as pseudo-statutory bodies despite a declared mandate to operate only on behalf of Jews, and despite being unaccountable to the residents of the state in which they operate.

There are three other particular areas in which Israel officially discriminates against Palestinians in favour of Jews, these being residency, employment, and legal equality. With regards to the first issue, of all the land of Israel, 92 percent is considered to be the “inalienable property of the Jewish people” as per Israel’s Development Authority Law. In principle, Israel defines itself as a “Jewish State”. In 1985, a Constitutional Law was passed by the Knesset prohibiting the existence of a political party that openly opposes the principle of Israel as “the state of the Jewish people” or even proposes to change this principle

democratically. By this official definition, Israel in fact “belongs to persons who are defined by the Israeli authorities as ‘Jewish’, irrespective of where they live, and to them alone. On the other hand, Israel doesn’t officially ‘belong’ to its non-Jewish citizens, whose status is considered even officially as inferior.”⁵⁷ This means that 92 per cent of Israel’s land is owned by the state and administered by the Israel Land Authority in accordance with Jewish National Fund (JNF) regulations, which deny the right of residency, to open a business and often to employment, to all non-Jews solely because they are not Jewish. Yet Jews possess full freedom to reside or open businesses throughout Israel without restriction. In practice this means that Arabs are forced to live only in very limited areas. Indeed, although Israeli Arabs are theoretically entitled to equal treatment, in reality the regime ensures that their houses are demolished to make way to build new homes for Israeli Jews, as and when is considered necessary.⁵⁸

JNF regulations also officially deny non-Jews their right to work on land administered by the Israel Land Authority. Although these regulations are not necessarily strictly and continuously enforced, their existence indicates the institutionally racist nature of the State of Israel. The Israeli authorities do, however, periodically embark on “enforcement campaigns”, such as when the Agricultural Ministry has attempted to stamp out “the pestilence of letting fruit orchards belonging to Jews and situated on National Land be harvested by Arab labourers”, whether or not they are citizens of Israel. Jews are also forbidden from sub-renting their land, or a part of it, to Arabs, for any period of time – and accordingly punished with heavy fines if found to be doing so.⁵⁹

The right to equality before the law is also denied non-Jewish citizens of Israel by numerous laws that refer to Jews and non-Jews respectively as “anyone who can immigrate in accordance with the Law of Return” and “anyone who is not entitled to immigrate in accordance with the Law of Return.” The late Jewish scholar, Professor Israel Shahak of Hebrew University - Chairman of the Israeli League for Human and Civil Rights, a Holocaust survivor of the Bergen Belsen Nazi concentration camp and a tireless campaigner for civil and human rights for over 30 years - observes that: “Depending on the law in question, benefits are granted to the first category [Jews] and systematically denied to the second [non-Jews]... There are so many laws and regulations in Israel which discriminate in favour of the persons defined as those ‘who can immigrate in accordance with the Law of Return’.”⁶⁰

Professor Uzi Ornan, writing in the Israeli daily *Ha’aretz*, elaborates on the nature of this vast complex of Zionist laws of the State that are racially discriminatory in character:

Blatant discrimination against non-Jews can also be found in other laws dealing with the acquisition of property, government support for young couples, educational curricula, and government expenditure for schools, to cite just a few examples. The routine means for enforcing discrimination is the ID card, which everyone is obliged to carry at all times. ID cards list ‘nationality’, which can be Jewish, Arab, Druze, Circassian, Samaritan, Kara’ite, or foreign. When a person presents his ID card to a policeman, a security official, or to a clerk at a government office whose services he requires, they can know which ‘sector’ he belongs to and treat him accordingly, or, refer him to those who are responsible for dealing with his ‘sector’. Apartheid is so powerful a mindset in this society, that its existence and preservation is championed by all the members of the ‘Zionist parties’, including those who believe themselves to be in the vanguard of the struggle for socialism, peace and equal rights.⁶¹

Within the internationally-recognised borders of the State of Israel, this has resulted in a documented inequality between Jews and Arabs. The United Nations Committee on Economic, Social and Cultural Rights, for instance, has found that “although [Palestinian Arab citizens] comprise over 19 percent of the total population... This discriminatory attitude is apparent in the lower standard of living of Israeli Arabs as a result, inter alia, of lack of access to housing, water, electricity and health care and their lower level of education.”⁶² The United Nations Human Rights Committee concurs that there exist in the State of Israel:

... deeply imbedded discriminatory social attitudes, practices and laws against Arab Israelis that have resulted in a lower standard of living compared with Jewish Israelis, as is evident in their significantly lower levels of education, access to health care, access to housing, land and employment. It notes with concern that most Arab Israelis, because they do not join the army, do not enjoy the financial benefits available to Israelis who have served in the army, including scholarships and housing loans. The Committee also expresses concern that the Arab language, though official, has not been accorded equal status in practice, and that discrimination against members of the Arab minority appears to be extensive in the private sector.⁶³

The most dire state of affairs, however, exists principally within those Palestinian territories under Israel's illegal military occupation. The plight of Palestinians within the Occupied Territories has been compared by many scholars to the plight of nonwhites under the apartheid regime of South Africa. Indeed, a comparison between the conditions faced by nonwhites in South Africa and Palestinians under Israeli occupation shows clearly that, like South Africa in the 1980s, the Israeli regime has integrated a system of institutionalised racism, or in other words, apartheid. The British press, for example, acknowledges that:

If Palestinians were black, Israel would now be a pariah state subject to economic sanctions led by the United State. Its development and settlement of the West Bank would be seen as a system of apartheid, in which the indigenous population was allowed to live in a tiny fraction of its own country, in self-administered 'bantustans', with 'whites' monopolising the supply of water and electricity. And just as the black population was allowed into South Africa's white areas in disgracefully under-resourced townships, so Israel's treatment of Israeli Arabs - flagrantly discriminating against them in housing and education spending - would be recognised as scandalous too.⁶⁴

V. Discrimination Through the Expansion of Occupation: The Palestinian Bantustans

“I am a black South African, and if I were to change the names, a description of what is happening in the Gaza Strip and the West Bank could describe events in South Africa.”

Archbishop Desmond Tuto during Christmas visit to Jerusalem, 25 December 1989

(Originally from Ha’aretz, cited in Palestine Perspectives, January/February 1990)

The apartheid regime in South Africa (under the National Party from 1948-1993) developed a policy known as “separate development.” Each of the nine African (Bantu) groups was to become a nation with its own “homeland”. The regime first categorised (according to arbitrary standards) and then transferred the indigenous nonwhite populations into these specified territories (known as “Bantustans”) under the Bantu Authorities Act of 1951. Subsequently, in 1956, the Promotion of Bantu Self-Government Act classified each specific ethnic group as national units, who would develop their respective homelands apart from the rest of South Africa. Once these “homelands” received their independence, Transkei in October 1976, Bophuthatswana in December 1977, Venda in September 1979, and Ciskei in December 1981, their residents lost their South African citizenship. The totality of Bantustans together consisted only of about 14 per cent of the country’s land, the rest of which – including the cities and major mineral areas - was set aside for whites. Thus, white South Africans, while only representing 16 percent of the total population maintained control over 87 percent of the richest, most arable land. From 1960 to 1984, the apartheid regime forcibly relocated a total of some 3.5 million blacks from “white” areas to the barren wastelands of the territorially confined Bantustans, known euphemistically as areas of “self-rule”.⁶⁵

Nonwhites were not allowed to vote or own land, movement to and between other parts of the country was strictly regulated, and the location of residence or employment (in the event that work permits were granted) was restricted. African urban workers were thus seen to belong only to confined rural reservations from which they or their ancestors had migrated. Only those holding the required work permits – which were granted in tandem with the demands of the labour market - were allowed to live within urban areas. Often, such permits did not include the spouse or family of a permit holder, which could easily result in the breakdown of African families. In fact, none of these reserves were viable nations. The Bantustans constituted broken tracts of poor-quality land, suffering from erosion and consequently incapable of supporting their large populations. The lack of industry meant that opportunities for employment were slim. Although urban wage earners tried to support their families in the Bantustans, wages for nonwhites were so miniscule that this was barely feasible. Most African urban dwellers had to live in townships on a city’s perimeter. Those Africans who were not confined to life in the Bantustans were subject to strict curfew regulations and passbook requirements, particularly in the cities; the failure to produce these when required led to instant arrest. Accordingly, the police had sweeping powers of preventive detention - in 1962, the maximum detention span was 30 days; but later this was extended to indefinite periods.⁶⁶

There can thus be little doubt over the stark similarities between the plight of the three million Palestinians in the Occupied Territories and the darkest days of South African apartheid. Due to Israel’s expansionist ideals, the State has continued to embark upon policies designed to consolidate its already brutal military occupation of Palestinian territories, which have been subject to a comprehensive programme of social, political and economic underdevelopment. These ideals are rooted in the original Zionist intentions expressed by Ben Gurion himself on the third day of the 1956 Suez War in the Knesset, that the real reason for the war was the “restoration of the kingdom of David and Solomon” to its Biblical borders.⁶⁷ The most far-reaching interpretation of these borders include the following areas: “in the south, all of Sinai and a part of northern Egypt up to the environs of Cairo; in the east, all of Jordan and a large

chunk of Saudi Arabia, all of Kuwait and a part of Iraq south of the Euphrates; in the north, all of Lebanon and all of Syria together with a huge part of Turkey (up to lake Van); and in the west, Cyprus.”⁶⁸ Although this is an extreme example of the Biblical borders of the Land of Israel, even the minimalist interpretations include the whole of Palestine and thus reach far beyond Israel’s internationally-recognised borders. The current Israeli Prime Minister, Ariel Sharon, had previously proposed in May 1993 in the Likud Convention that “Israel should adopt the ‘Biblical borders’ concept as its official policy. There were rather few objections to this proposal, either in the Likud or outside it, and all were based on pragmatic grounds.”⁶⁹ There can be no surprise then over the publication of previously secret protocols of Israeli government meetings revealing “that David Ben Gurion, prime minister and one of Israel’s founders, actually used the word ‘cleanse’ when referring to getting rid of Arabs.”⁷⁰ Thus, Zionist ideology entailed that Israel would have to expand its borders, which naturally included the expansion and consolidation of military occupation of Palestinian territories – if not beyond these – as well as the subordination and/or expulsion of non-Jewish Arab residents of these territories.

Cato Institute analyst Sheldon L. Richman reports that: “This policy [of expulsion] continued well into the 1950s. Most of the 2,000 Arabs living in the zone had been forced out by 1956. Many moved to the sloping land below the Golan Heights.”⁷¹ This policy accordingly grew into a consistent pattern of expansion by military intervention. Israel’s official military policy is thus one of provocation for the purpose of manufacturing pretexts for war, to thereby engineer justification for military expansion and thus the escalation of regional occupation. In this respect, the observation of Israeli Defence Minister Moshe Dayan clarifies Israel’s specific expansionist objectives to be fulfilled through military confrontation:

[Israel] must see the sword as the main, if not the only, instrument with which to keep its morale high and to retain its moral tension. Toward this end it may, no it must, invent dangers, and to do this it must adopt the method of provocation – and revenge...and above all, let us hope for a new war with the Arab countries, so that we may finally get rid of our troubles and acquire our space.⁷²

Israeli Chief of Staff Rafael Eitan similarly described Israel’s longstanding strategy of military aggression and racist subordination:

We declare openly that the Arabs have no right to settle on even one centimeter of Eretz Israel... Force is all they do or ever will understand. We shall use the ultimate force until the Palestinians come crawling to us on all fours... When we have settled the land, all the Arabs will be able to do will be to scurry around like drugged roaches in a bottle.⁷³

This aggressive strategy prescribing the tactical use of ruthless force to expand Israeli’s borders and expel Arabs was described by Israeli PM David Ben-Gurion as early as May 1948:

We should prepare to go over to the offensive. Our aim is to smash Lebanon, Trans-Jordan, and Syria. The weak point is Lebanon, for the Moslem regime is artificial and easy for us to undermine. We shall establish a Christian state there, and then we will smash the Arab Legion, eliminate Trans-Jordan; Syria will fall to us. We then bomb and move on and take Port Said, Alexandria and Sinai.⁷⁴

The consequence of this expansionist strategy has been disastrous for regional peace since Israel’s inception. Award-winning British Middle East correspondent Robert Fisk notes that:

In 1948, Israel took more than its share of Palestine. In 1967,... the Israelis took the West Bank and Gaza and Golan and Sinai. In 1973, in a war with fewer excuses, the Israelis lost and re-took part of the Sinai, did the same to Golan, held the West Bank and, within five years, moved into 10 per cent of Lebanon as well. In the West and with the help of Israel’s friends Arabs were meanwhile vilified as uncivilised, undemocratic and anti-Western, cartooned as hook-nosed, greedy and debauched much as the Nazi had portrayed the innocent Jews of Europe in the 1930s... [I]f the cancer of the Arab world is corruption, the sickness of Israel remains expansion, the desire to enlarge the Israeli state at the expense of its neighbors.

David Ben-Gurion himself maintained in 1948 that his new state had only been founded in 'a portion of the state of Israel'.⁷⁵

Israel thus conquered the rest of Palestine in the 1967 War, creating another 300,000 refugees, many of them refugees for the second time. As Jewish scholar Alfred Lilienthal reports, after UN figures indicate that after the 1967 war, from 11 June 1967 to 15 November 1969 Israeli forces "destroyed some 7,554 Palestinian Arab homes in the territories seized during that war". This UN figure, however, "excluded thirty-five villages in the occupied Golan Heights that were razed to the ground." Notably, from September 1969 to 1971 the figure reached an estimated "16,312 homes."⁷⁶

Having created hundreds and thousands of refugees through and in the wake of the war, Israel had gone on to destroy two cities, 133 villages and 61 farms. "After this devastation", reports the American group New Yorkers for a Just Middle East Peace (NYJMEP), "only 6,396 inhabitants remained in the six villages left standing."⁷⁷ Israel has continued to implement this brand of policy to this day, consolidating its illegal occupation by continuing the forcible "cleansing" of Palestinians through demolishing their homes; establishing illegal Jewish settlements within the Occupied Territories; diminishing and restricting the rights and movement of those Palestinians left. Israel General and Statesman Moshe Dayan recalled that:

Jewish villages were built in the place of Arab villages. You do not even know the names of these Arab villages, and I do not blame you because geography books no longer exist, not only do the books not exist, the Arab villages are not there either. Nahlal arose in the place of Mahlul; Kibbutz Gvat in the place of Jibta; Kibbutz Sarid in the place of Huneifis; and Kefar Yehushu'a in the place of Tal al-Shuman. There is not one single place built in this country that did not have a former Arab population.⁷⁸

These policies bear stark resemblance to the South African apartheid regime's methodology of forcibly relocating millions of blacks into poor and squalid Bantustans, to make way for whites to live in their former homes. For instance, NYJMEP reported in 1998:

... On December 14, 1981, the Israeli Knesset unilaterally annexed the Golan Heights in clear contravention of international law. The UN Security Council subsequently declared the annexation illegal and, to date, not a single state has recognized it. Israel has so far built more than 40 settlements, housing over 15,000 settlers in the Golan Heights.⁷⁹

Since 1967, Israel has confiscated over 52 percent of the land in the West Bank and 30 percent of the Gaza Strip for military use or for settlement by Jewish civilians, in violation of international law. From 1967 to 1982, Israel demolished 1,338 Palestinian homes on the West Bank. Furthermore, in a manner similar to the arbitrary detention powers of South African police - used with impunity against nonwhites, particularly those who failed to conform to the regime's apartheid laws - in the same period, more than 300,000 Palestinians were detained without trial for various periods by Israeli security forces.⁸⁰ A matrix of interlocking mechanisms in the Occupied Territories has culminated in a system of ongoing land confiscations, stifling restrictions on movement, and almost constant curfews, almost identical in nature to the harsh conditions imposed on the black population of South Africa by the white-dominated apartheid regime. Permits must be obtained by Palestinians in the West Bank and Gaza for almost every activity, including such basic freedoms as obtaining employment, traveling to another town or even planting a single fruit tree. Yet the issuance of such permits is largely arbitrary, and thus frequently refused by the Israeli authorities. Consequently, it is virtually impossible for the vast majority of Palestinians to live decently.

The clear but undeclared parameters of this policy categorise the Palestinian population into three subgroups: Arab Israeli citizens; Palestinians who are "permanent residents" of Jerusalem; Palestinians living in the "self-ruling" Bantustans described above. Discrimination against these three groups is based ultimately on land: more specifically, ownership rights to, access to and use of land resources. Israeli correspondent Amira Hass reports that in the Occupied Territories, Israel's policy of evicting Palestinians en masse while confiscating their

private land in favour of Jews, forbidding their use of public lands and implementing discriminatory practices in infrastructure development “has created a uniform landscape of overcrowding and suffocation and has accelerated the conversion of agricultural land into construction sites.” Combined with restrictive economic legislation, the result has been the creation of “a vast reservoir of cheap labor discriminated against in job opportunities, pay and working conditions.” Meanwhile, Israeli Jews can live and work wherever they want throughout Israel and Israeli settlements. Other laws and regulations allow the easy cancellation and denial of Palestinian residency rights, citizenship, and the citizenship and residence rights of their spouses. Several military regulations have caused tens of thousands of Palestinians to forfeit their residency status on the West Bank and in Gaza prior to the establishment of the PA. Even now Israel continues to prevent them and their families from returning to their homes. This should be contrasted with the fact that Jews have the right to immigrate to Israel from anywhere in the world, be granted citizenship immediately and live anywhere they wish within Israel and the territories under its illegal occupation. Israel has also enforced an increasingly rigorous policy denying the over 2.5 million Palestinians toiling under Israeli occupation of the West Bank and Gaza their basic right to freedom of movement. Limits are imposed “on their private lives, family relations, and economic, cultural and religious activities as well as on the effective functioning of the PA’s institutions and of non-governmental Palestinian agencies.” Indeed, both Palestinian individuals and institutions “are completely dependent on movement permits issued by the Israeli military authorities. Only 100,000 Palestinians possess these permits.” In contrast, Israeli Jews have unrestricted freedom of movement on either side of the Green Line, except for administrative entry limitations on PA-controlled areas in Gaza.⁸¹

The Israeli human rights organisation, B’Tselem (The Israeli Information Centre for Human Rights in the Occupied Territories), has thus come to describe Israeli policies in occupied Palestine as a form of apartheid. Executive Director of B’Tselem Eitan Felner wrote in an article titled ‘Apartheid By Any Other Name: Creeping Annexation in the West Bank’ for the French journal *Le Monde diplomatique* based on an extensive B’Tselem report, that Israeli settlement policies have been systematically “reinforcing the system of discrimination in the West Bank”. Describing what he labels “Apartheid in the Holy Land”, Felner records that:

The massive network of roads and highways in the West Bank that connect the major settlements to Israel represents the most overt aspect of Israel’s relentless efforts to incorporate the settlements and settlers into Israel. It makes it possible for settlers to commute to Israel each day... Another aspect of the integration of the settlements into Israel - less conspicuous but no less important - is the application of virtually the whole Israeli legal system to the settlements. Throughout the years Israel’s civil and military authorities have enacted a myriad of laws, regulations, and orders relating to settlers in the Occupied Territories to ensure that in almost every respect the lives of settlers are like those of Israelis living in Israel itself...

The result, he writes, is the establishment of a system of institutional racism against the indigenous Palestinians under the alien regime of Israeli military occupation:

Israel has established a system of segregation and discrimination, in which two populations living in the same area are subject to different systems of law. While Palestinians are subject to military law and usually tried in military courts, Israelis who commit the same offence in the same place are subject to Israeli law and tried in civil courts inside Israel. Jewish settlers enjoy all the rights of Jews in Israel, including complete freedom of movement, speech and organisation, participation in local and national (Israeli) elections, social security and health benefits, etc. For Palestinians, on the other hand, even those living a few hundred metres from Jewish settlements, freedom of movement is limited. They cannot, obviously, vote to curtail the powers of the IDF and they do not enjoy Israel’s social security or health benefits. In Africaans they call it apartheid... [T]his institutionalised discrimination is spelled out in the government’s basic guidelines.⁸²

Israeli peace activist Jeff Halper, Professor of Anthropology at Ben-Gurion University and Coordinator of the Israeli Committee Against House Demolitions, has described in detail the web of mechanisms resulting in the systematic discrimination against indigenous Palestinians under Israeli occupation:

Only a decade after the fall of apartheid in South Africa, after we all thought we had seen the end of that hateful system, we are witnessing the emergence of another apartheid-style regime, that of Israel over the incipient Palestinian state in the West Bank, Gaza and parts of Jerusalem... Whether a Palestinian state actually emerges from the Oslo process or Israel's occupation becomes permanent, the essential elements of apartheid - exclusivity, inequality, separation, control, dependency, violations of human rights and suffering - are likely to define the relationship between Israel and the Occupied Territories/Palestine.⁸³

Professor Halper describes “the matrix of control” imposed by Israel as “an interlocking series of mechanisms, only a few of which require physical occupation of territory, that allow Israel to control every aspect of Palestinian life in the Occupied Territories.” This matrix, “similar in appearance to a Go board, has virtually paralyzed the Palestinian population without ‘defeating’ it or even conquering much territory.” In the Japanese game of Go, one wins by immobilising one’s opponent, through a process of gaining control of key points of a matrix so that every time the opponent moves, an obstacle of some kind is encountered. Extending the analogy to Palestine, the matrix is built of subtle “largely bureaucratic and legal” interventions “backed by overwhelming military force, which Israel reserves for itself the right to employ.” Forcible measures of control taken against Palestinian communities and individuals include “the extensive use of collaborators and undercover ‘*mustarabi*’ army units, administrative detention, arrest, trial and torture.” Indeed in this respect, by the end of the year 2000, over 2,000 arbitrary ‘orders’ from “the Military Commanders of the West Bank and Gaza have been issued since 1967, supplemented by policies formulated by the Civil Administration, under the direction of the Ministry of Defense...

Today, 195 exclusively Jewish settlements housing some 400,000 Israelis are sprinkled across the Occupied Territories: about 200,000 settlers live in the West Bank, 200,000 in East Jerusalem and 6,000 in Gaza (the latter occupying a fourth of the land, including most of the coastline). The most significant development in recent years has been the consolidation of small settlements vulnerable to Palestinian demands of dismantling into settlement ‘blocs’ of 50,000 people or more. The blocs control strategic corridors of the West Bank and interrupt the territorial contiguity of the Palestinians’ areas. Areas A, B, C and D in the West Bank, areas H-1 and H-2 in Hebron, Yellow, Green, Blue and White Areas in Gaza, and ‘open green spaces’ of restricted housing covering more than half of Palestinian East Jerusalem - there is no freedom of movement between these four disconnected bantustans.

Like the euphemistic application of the term “self-rule” to the administration of the South African Bantustans by its white rulers, “self-rule” in the Occupied Territories under the tutelage of the Palestinian Authority in fact only serves to submerge Palestinians more deeply into Israel’s apartheid system of management, control and subordination.

A system of highways and bypass roads links the settlements, creating additional barriers between Palestinian areas and incorporating the West Bank into Israel proper. Ironically, the bypass road project enjoys the tacit and misguided support of the Palestinian Authority. ‘Security borders’ - the thick web of closed military areas and internal checkpoints in the Territories - enforce Israel’s declared policy of ‘separation’ from the Palestinians and further hinder Palestinian movement.

Army bases occupy large tracts of land and keep weaponry ready for reasserting control through brute force... Yet a third set of control mechanisms, the most subtle of all, are those of a bureaucratic or ‘legal’ nature. They entangle Palestinians in restrictions, which trigger sanctions whenever Palestinians try to expand their life space. The West Bank and Gaza are permanently ‘closed’, violating freedom of movement of people and goods and impoverishing the Palestinian population. A system of permits causes, among other things, prolonged separation of family members and limits work, travel and study abroad. Building permits, enforced by house demolitions, arrests, fines and daily harassment, serve to confine Palestinians to small enclaves. Expansive ‘master plans’ around settlements (in contrast to the tight planning rings around Palestinian communities) allow Israel to contend that settlement building has been ‘frozen’ within the larger rings. Planting of crops is restricted, and Israel controls the licensing and inspection of Palestinian businesses.

To all of this must be added, of course, the psychological costs of life under occupation: loss of life, imprisonment, torture, harassment, humiliation, anger and frustration, as well as traumas suffered by tens of thousands of Palestinians (especially children) who witnessed their homes being demolished, saw their loved ones beaten and humiliated, suffered from inadequate housing and lost opportunities to realize their potential in life.⁸⁴

It is this matrix of control that has established apartheid conditions within the Occupied Territories. Professor Uzi Ornan rightly observed in 1991 that “it is amazing how closely the discriminatory laws of South Africa - which began to be legislated in 1913 and which are now about to be abolished - resemble the discriminatory laws which began to be legislated in the state of Israel in 1948.”⁸⁵ Israeli correspondent Amira Hass has noted the dire consequences:

This control is what has enabled Israel to double the number of settlers in 10 years, to enlarge the settlements, to continue its discriminatory policy of cutting back water quotas for three million Palestinians, to prevent Palestinian development in most of the area of the West Bank, and to seal an entire nation into restricted areas, imprisoned in a network of bypass roads meant for Jews only. During these days of strict internal restriction of movement in the West Bank, one can see how carefully each road was planned: So that 200,000 Jews have freedom of movement, about three million Palestinians are locked into their Bantustans until they submit to Israeli demands.⁸⁶

This has been accompanied by the consolidation, as opposed to reduction, of Israel’s illegal military occupation of Palestine through the expansion of Jewish settlements in receipt of privileges systematically and officially denied to the non-Jewish Palestinian population. The ultimate goal of these policies is the expulsion of the Palestinian people from their homeland which is to become the sole property of the State of Israel and its Jewish citizens. As recorded by Danny Rubenstein, “readers of the Palestinian papers get the impression (and rightly so) that activity in the settlements never stops.

... Israel is constantly building, expanding and reinforcing the Jewish settlements in the West Bank and Gaza. Israel is always grabbing homes and lands in areas beyond the 1967 lines - and of course, this is all at the expense of the Palestinians, in order to limit them, push them into a corner and then out. In other words, the goal is to eventually dispossess them of their homeland and their capital, Jerusalem.⁸⁷

Palestinians are thus separated from Israel politically and geographically, albeit with the Occupied Territories under the administrative domination of Israel. The primary linkage between the State and the territories under its occupation is economical, in the form of cheap labour and captive markets. The population is confined in territorially non-contiguous Bantustans, encircled by and controlled through a network of Israeli settlements, roads and military checkpoints. Repression by PA security forces serves to submerge Palestinians only more deeply within the Israeli-dominated apartheid system. Israel has thus established a system of racial discrimination against Palestinians and non-Jews, in both law and practice. This system consists of an increasingly brutal and tightening military occupation that utilises ethnic cleansing amidst a policy of geographical division and socio-economic deprivation to further marginalise the indigenous population. All this is pursued in violation of an endless number of UN resolutions ordering Israel to halt the oppression of Palestinians and cease its occupation of Palestine.

VI. Aspects of Israel's Racial Subordination of Palestinians

“Everybody has to move, run and grab as many hilltops as they can to enlarge the settlements because everything we take now will stay ours... Everything we don't grab will go to them.”

*Current Israeli PM Ariel Sharon, then Israeli Foreign Minister, addressing a meeting of militants from the extreme right-wing Tsomet Party
(Agence France Presse, 15 November 1998)*

VI.I Settlement, Colonisation and Ghettoisation

Annexations, expulsions and the creation of settlements are specifically prohibited by international law. The Fourth Geneva Convention, in Article 47, prohibits the annexation of occupied territory, and the United Nations has repeatedly condemned Israel's annexation of East Jerusalem and a wide belt of surrounding suburbs, villages and towns. Article 49 of the same convention prohibits the forcible transfer or deportation of residents from an occupied area, regardless of motive. And yet thousands of Palestinians have been expelled, their homes demolished to rubble to make way for settlers to build their own houses.⁸⁸ Article 49 also forbids the transfer by an occupying Power of any of its civilian population into occupied areas. And yet during the 1980s alone, over 90,000 Israeli Jews have been officially “settled” within the illegally-annexed Jerusalem district, and more than 30,000 others had been “settled” in some 100 nahals (military forts), villages and even towns that the Israeli Government has authorised, planned, financed and built in unannexed zones beyond the 1949 ceasefire line. Fifteen settlements have been erected within the boundaries of East Jerusalem since 1967. These settlements occupy a total area of 24 Km² from the Arab-populated eastern part of the city (around 34 per cent of East Jerusalem). The settler population in East Jerusalem alone is 180,000 – very close to the number of Palestinians living in the eastern part of the city (210,000).⁸⁹

There has been a consistency in the increase and expansion of Israeli settlements from 1967 to the present day. By the end of 1967, there were only 3 settlements in total (concentrated in the West Bank), whereas now, this figure has risen to 195. 18 settlements have been established in Gaza Strip, and 177 in the West Bank (including Jerusalem). Israeli government spending on the construction of settlements has been very significant over the years. Israeli figures confirm that in 1995 an amount of USD 95 million was allocated for the construction of settlements in the West Bank alone (including Jerusalem). This is a clear indication that there has never been an Israeli intention of freezing settlement activity. The settler “population” is equally striking in terms of size and distribution. The current number of settlers residing in Gaza Strip and the West Bank (including Jerusalem) has reached a total of 349,327; of which 163,161 are located in the West Bank, 180,000 in Jerusalem, and 6,166 in Gaza Strip (from which the Israelis were supposed to withdraw). Since 1967, Israel has confiscated almost 750,000 acres of land from the 1.5 million acres comprising the West Bank and Gaza Strip.⁹⁰

Israel claims that its settlement policy is based on sincere concerns for the security of the State from Palestinian terrorism. This is a disingenuous argument. As noted in a special report on the settlements by the U.S. Foundation for Middle East Peace

Settlements have long represented an Israeli intention to remain permanently on the land and to control its destiny, necessarily at the expense of Palestinians. Without settlements, as Israelis have long acknowledged, they would be merely an ‘occupying’ army. The implantation of civilian Israeli colonies is, therefore, the primary obstacle to Palestinian self-determination.⁹¹

Indeed, former Israeli Prime Minister Yitzhak Shamir once commented that if he had remained in power, he would have stretched peace negotiations for over ten years; his aim being to settle as many Jews in negotiable Palestinian territories until there would be nothing

to negotiate for.⁹² Other prominent Israeli leaders have expressed similar views. Israeli correspondent Ze'ev Schiff reports, for instance, that "Sharon's plan called for the creation of settlements, even very small ones, throughout the West Bank." Ariel Sharon's political goal "was to sabotage any possibility of territorial contiguity for the Palestinians and, thus, to prevent the establishment of a Palestinian state."⁹³

The frequent refusal of Israeli authorities to grant construction permits to Palestinians who wish to build on privately owned land has left the latter with no choice but to take extreme risks in building regardless of the required Israeli approval. Such risks are, more often than not, followed by sweeping Israeli bulldozers. Hundreds of Palestinian houses are demolished every year. Since 1987, Israeli military forces have demolished at least 2,650 Palestinian homes in the Occupied Territories. In the West Bank (excluding East Jerusalem) the number of people rendered homeless since 1987 is about 14,500 (of which at least 6,000 are children). Since 1995 (Oslo II) as many as 5,000 Palestinians have been made homeless, including 2,000 children. An extensive report by Amnesty International, *Demolition and Dispossession: the Destruction of Palestinian Homes*, confirms that:

Since 1987 at least 16,700 Palestinians in the West Bank, including East Jerusalem, have been made homeless and tens of thousands of Palestinians currently live under constant fear of their homes being demolished by Israeli authorities. The demolitions occur because the Israeli government refuses to grant building permits to Palestinians - even to develop land that has belonged to their families for generations - and uses the lack of the permits to justify razing homes.⁹⁴

The Jerusalem-based human rights organisation, LAW (The Palestinian Society for the Protection of Human Rights and the Environment)⁹⁵ records that in 1999 alone "460 Palestinians received notifications that their houses or barracks or other facilities would be demolished. Most of these properties are located in Jerusalem and Hebron." At least 39 Palestinian homes were demolished in this year, of which over 20 were in Jerusalem, leaving well over 140 Palestinians, including 70 children, homeless.

On Amnesty International's analysis, Israel's policy of demolishing Palestinian homes "is based on discrimination: Palestinians are targeted simply because they are Palestinians...

In carrying out this policy, Israeli officials have ignored the Fourth Geneva Convention, which requires the occupying power to protect the welfare of the people in the areas it has occupied, and international human rights law, which recognizes the right of everyone to an adequate standard of living, including housing. They have... discriminated in application of the law, strictly enforcing planning prohibitions where Palestinian houses are built and freely allowing amendments to the plans to promote development where Israelis are establishing settlements... The policy of house demolitions, based on a misuse of planning mechanisms and closely linked to the confiscation of land and the growth of Israeli settlements, is a grave human rights violation against the Palestinian residents of the West Bank, including East Jerusalem.⁹⁶

AI also admits that Israel's objective since 1967 "has been to transform the ethnic character of the annexed area [of East Jerusalem] from Arab to Jewish", and is thus racist. "Israeli demolition policy in East Jerusalem is based on similar premises as in the rest of the West Bank: construction of settlements restricted to Jews, confiscation of land for exclusively Jewish use, and restriction and demolition of Palestinian development." Israeli policy has meant that over one-third of the Palestinian population of East Jerusalem "lives under threat of having its houses demolished. The number of houses now threatened is three and a half times greater than the number that has been given permits since 1967." Together with other Israeli policies such as massive land confiscations, the building of Jewish-only settlements and by-pass roads in the Occupied Territories, and the expulsion of Palestinian residents of Jerusalem, home demolitions are designed to strengthen Israel's grip on Palestinian land.⁹⁷

Indeed, the European Union (EU) funded project, Monitoring Israeli Colonizing activities in the Palestinian West Bank and Gaza,⁹⁸ accurately describes Israeli settlement policies as an illegal form of colonization:

It has been common practice to refer to Israeli built up areas in the West Bank and Gaza as ‘settlements’, yet this label is misleading. When people move to live in a particular part of *their* country, they are ‘settling’ and that’s *legal*. However when they move to live in the land of *other* people, they are ‘colonizing’ and that’s obviously *illegal*. According to international law, the West Bank and Gaza Strip are ‘occupied territories’ since Israel took them through military force in the aftermath of the 1967 War. Thus it is very important to stress that Israeli activities in the West Bank and Gaza are ‘colonizing’ activities, what they are building are ‘colonies’, and the people living in them are ‘colonists’. Furthermore, the Israeli Supreme Court describes them as ‘Jewish’ settlements since only Jews live in them. Hence the correct name for those illegal settlements is ‘Jewish Colonies’.⁹⁹

The Monitoring Israeli Colonizing Activities Project reports that the establishment of “Jewish colonies” is compounded by the establishment of a network of “bypass roads”, purportedly built for the use of Israeli settlers link different settlements in the Occupied Territories together and with the State of Israel. Simultaneously, the roads “bypass” Palestinian areas, thus establishing a physical separation between the two peoples. The two goals of Israeli occupation of the West Bank and Gaza Strip – separation and territorial expansion – are secured by the construction of these roads. Also called “lateral roads”, they are of course under Israeli control and entail a 50-75 metre buffer zone on each side of the road. Palestinian houses are frequently bulldozed in order to clear the land for the buffer zone, and Palestinians are additionally forbidden to use the land for cultivation or any kind of construction activity. Such zones thus result in the confiscation of vast amounts of Palestinian land. The bypass roads thus effectively carve up the Palestinian areas into isolated ghettos and often deprive Palestinians of vital agricultural land. To date, the construction of bypass roads has included the confiscation and destruction of approximately 52.1 km² of Palestinian land, most of which is agricultural.

The construction of bypass roads commonly occurs along the perimeter of Palestinian built-up areas. The roads create boundaries around Palestinian areas, fragmenting both land and people into isolated enclaves. The resulting ghettos of Palestinians swiftly grow overcrowded due to their inability to expand and absorb the natural population growth, leading to the halting of development and the eventual depletion of natural resources. Within this system, and as already discussed above, Palestinians and Jewish settlers are:

... subject to two different sets of laws that discriminate against the Palestinians and entrap them in a legal system designed to legitimise the occupation and disenfranchise them from their land. Even though the Jewish colonists and Palestinians inhabit the same land, the colonists enjoy a quality life and access to natural resources that vastly exceeds that of the Palestinians. The situation thus created resembles an apartheid system.¹⁰⁰

For example, on the southern edge of the West Bank a string of Israeli colonies stretches from Eshkolot in the west to Nof Neshet in the east. There are two bypass roads here built by Israel which link these colonies while simultaneously severing the connection of many Palestinian villages on either side. All the land and villages south of the bypass road are in danger of being annexed to Israel. The overall impact is one of unequivocal separation between the Palestinians - enclosed within their ghettoized enclaves or “Bantustans” - and the Jewish colonists, along with a situation conducive to Israel’s territorial expansion. Despite the lack of official recognition of such an expanded “border”, it functions as such due to the restrictions on Palestinian growth and movement caused by the bypass roads and Israeli and PA military checkpoints. A similar state of affairs hangs over East Jerusalem. In the south of Jerusalem bypass roads have been constructed around the Gush Etzion settlement block, with the effect separating it from the heavily populated Palestinian area of Bethlehem. The annexation of the Gush Etzion colony block would thus involve the absorption of several Palestinian villages. The building of bypass roads goes hand in hand with the construction of the Jewish settlements or colonies they serve, by carving the Occupied Territories into many small, enclosed, disconnected Palestinian areas over which Israel has overall control. As time has passed, Israel has only intensified and accelerated its policy of constructing new bypass roads in the West Bank territories.¹⁰¹

Human Rights Watch reports some recent developments in this regard in its annual report for 2001:

According to government figures, settlement construction in the Israeli-occupied West Bank and Gaza Strip increased by 96 percent in the first half of 2000, with 860 of the 1,067 new starts in the Jerusalem area. At the same time, demolitions of Palestinian homes built without permits in the Israeli-occupied territories and in Israel continued, as did forced expulsions and expropriation of Palestinian land. In October and November 1999, Israeli authorities expelled some seven hundred Palestinian cave dwellers from the Mount Hebron area of the West Bank, and destroyed or confiscated their homes and their personal property, including livestock. The government alleged that the area where the cave dwellers had lived for decades was a 'closed military zone.' An investigation by the Israeli human rights group, B'Tselem, concluded, however, that the area had not been used for military exercises, and the expulsion was more likely intended to placate Jewish settlers whom the government had recently removed from a nearby illegal settlement outpost.¹⁰²

VI.II Socio-Economic Deprivation

Israeli control over the Palestinian Bantustans of the Occupied Territories has involved the implementation of policies that result in the systematic deprivation of the social and economic rights of the Palestinian populace. The Jerusalem-based human rights group LAW found in August 1997 - this time 4 years ago - that Israel's "main aim is to inflict as much damage as possible on the Palestinian economy, to create despair within the Palestinian community and to force them to accept Israeli security conditions on an unjust peace." Israel therefore implements "a policy of total isolation and economic strangulation" which "results in massive economic loss, a degradation in health care [and] serious ramifications for those needing medical care and for schooling." LAW observes that: "This kind of collective punishment has proved inefficient in reducing tension and minimizing violence, as it punishes only the innocent." Such brutal collective punishment is what provokes "violence inside and outside the West Bank and Gaza [which] can be traced to this Israeli policy and the hardship it entails."¹⁰³

Assessing the precise impact of Israel's policies in the Occupied Territories is difficult. The World Bank, in a draft of its September 1993 study, *Developing the Occupied Territories - An Investment in Peace*, concluded that:

Confiscation of Palestinian land has enabled Israel to proceed with the construction of settlements and related structures in various areas of the West Bank that were traditionally considered to be wilderness zones. Most important among these are the eastern slopes and the central part of the West Bank which once housed a variety of wildlife and provided a winter grazing ground for livestock and recreation for the local population. . . . Similarly, building agricultural settlements in the Jordan Valley has gradually deprived the Palestinian inhabitants of these areas of their richest soils and water wells. A similar situation has developed in the Gaza Strip where settlements have encroached upon fertile inland and coastal areas. The Israeli settlement program was not accompanied by adequate and proper environmental considerations. None of the settlements have developed sewage treatment plants. Sewage is often allowed to run into valleys even if a neighboring [Palestinian] village is threatened. The sewage system of the settlements on the eastern hills and slopes north of Jerusalem has contaminated fresh water supplies for drinking and irrigation of Palestinian areas up to Jericho.

Indeed, it is access to water, rather than merely scarcity of land that constitutes the greatest obstacle to Palestinian agricultural development. For Israel, the task of securing unimpeded access to water has been a vital precondition for sustaining the State and its massive Jewish immigration and settlement policies. According to a 1992 report for the American Academy of Arts and Sciences by Miriam Lowi, "almost the entire increase in Israeli water use since 1967 derives from the waters of the West Bank and the Upper Jordan River."

The Israeli Ministry of Agriculture has inadvertently admitted that the State intends to consolidate its occupation of Palestine to control access to water. The Ministry stated in 1990 that relinquishing control of the West Bank would have "an immediate and significantly detrimental effect on the Israeli water supply," and that giving up Palestinian water would

constitute “mortal dangers” for Israel and “would, in a most tangible way, endanger her continued existence...

It is difficult to conceive of any political solution consistent with Israel’s survival that does not involve complete, continued Israeli control of the water and sewerage systems, and of the associated infrastructure, including the power supply and road network, essential to their operation, maintenance and accessibility.¹⁰⁴

While approximately 85 percent of the water in the large aquifer below the West Bank is currently used by Israeli settlers or pumped into Israel, Palestinian water consumption in the Occupied Territories has been sharply curtailed. Average water use per capita among Palestinians is 25 cubic meters per year, whereas the average Israeli rate is 170 cubic meters annually. In some areas, Palestinian water use falls far below the level determined by the United Nations as necessary to maintain minimal health standards. Palestinians are also forbidden from drilling new wells or deepening existing ones.¹⁰⁵ The Associated Press reports that “water politics are [npw] paramount. Palestinians receive a fraction of what goes to Jews, which adds hard immediacy to the slow process of making peace...

The imbalances are striking. In the West Bank, some Palestinians trudge long distances for water, at times within earshot of youths frolicking in the swimming pools of Jewish settlements built in their midst. In the Gaza Strip, a few thousand Jewish settlers have ample water piped from Israel while a million Palestinians pump the last drinkable dregs of underground rivers polluted by encroaching seawater and sewage.¹⁰⁶

According to the respected Israeli human rights monitor, B’Tselem, Israelis receive five times as much water as Palestinians on a per-person average. In Gaza, the water ratio is 7-1. Thus in practice, Israel dominates water projects because operating arrangements with the Palestinians give it veto power over new water projects in Palestinian territories. During shortages, Israel frequently cuts supplies to Palestinians to satisfy the demands of its own citizens and settlers. This dire neglect of Palestinian rights has meant that their water systems are inadequate and badly degraded in places. According to B’Tselem, at least 215,000 West Bank Palestinians with no piped supply have to survive on costly bottled water when nearby springs go dry.¹⁰⁷

The disparity is highlighted in the following example:

In Efrat, an illegal Jewish settlement built on Palestinian land in the West Bank, pizzeria owner Mordechai Goodman was puzzled when asked about water supply. We just turn on the tap, he said, with a shrug. In the neighbouring Palestinian city of Hebron, where homes might get a few hours of running water a month, people rig makeshift tanks in basements. Cherished vegetable plots have withered away.¹⁰⁸

Indeed, according to B’tselem, “two hundred thousand Palestinians living in 218 West Bank villages are not connected to a water network, and therefore have no running water. This population suffers a severe water crisis.” The crisis has meant that Palestinians “are unable to meet their basic water needs, including basic hygiene, house cleaning and using the toilet, and as a result, face significant health risks.” Restrictions on freedom of movement by Israeli forces “aggravate the crisis”, making it difficult for water tankers to transport water to Palestinian communities. There are two principal factors behind the water crisis: “the extremely inequitable division of the water sources shared by Israel and the Palestinians” and “Israel’s failure to invest in water infrastructure throughout the years of occupation.”¹⁰⁹ There is also a growing shortage of basic foodstuffs in the West Bank and Gaza markets. Due to Israel’s policy of blocking Palestinian civilians’ freedom of movement, farmers and fisherman are often unable to access their fields or fishing sites. Thus, “the Palestinian population, and especially the families who rely on their own produce, also face hunger and economic losses.” LAW reported in 1997 that the “supply of dairy products is decreasing by 40% every day [while] the unemployment rate has risen from 40% to 75% in Gaza and from 35% to 65% in the West Bank.”¹¹⁰ In its *World Report 2001* Human Rights Watch (HRW) similarly reports that: “Labor conditions for foreign and Palestinian workers remained poor. Palestinians faced widespread discrimination in employment, while foreign workers were especially vulnerable to exploitation by employers and labor contractors.”¹¹¹

HRW finds that Israel's continuing extensive control over, and restrictions on, the freedom of movement of all West Bank and Gaza Strip Palestinians have resulted not only in the obstruction of Palestinian economic activity, but also access to health care, schools and universities, places of worship, and family members in other parts of the territories or in Israeli prisons. The human rights monitor notes that "the arbitrary nature of the criteria for issuing travel permits and their indiscriminate imposition on an entire population [have] assured that the restrictions remained a form of collective punishment", despite the opening of so-called "safe passages".¹¹² With regards to healthcare, one representative example has been referred to by LAW: "In a serious and racist precedent, the Hadassa Ein Kerem administration expelled Palestinian patients from the hospital after the bombings in West Jerusalem" in 1997. "In similar incidents the majority of patients in Palestinian hospitals awaiting transfer to Israeli, Egyptian or West Bank hospitals were denied passage." Israeli has also "been hampering the movement of ambulances between West Bank towns, resulting in serious difficulties for local medical services", while "medical personal were barred from resuming their duties at hospitals." Thanks to a variety of such policies, hospitals in the West Bank lack both medical and human resources, including "a serious shortage of vaccinations and of medicine required [to treat] such diseases as cancer, diabetes and hypertension", as well as depletions in "supplies of other necessary medical materials and implements".¹¹³ Reporting on the findings of a recent HRW study released in April 2001, *Center of the Storm: A Case Study of Human Rights Abuses in the Hebron District*, the Hebrew daily *Ha'aretz* notes the ongoing degradation of health services for Palestinians: "Medical personnel are unable to do their work; health care is delayed; ambulances are stopped en route, dodging gunfire shot by Israeli security forces."¹¹⁴

Israel's imposition of further blockades on Palestinian territories in the wake of the uprising that began in October 2000 has exacerbated these grave conditions. The closures further restrict movements in and out of Palestinian areas and between towns and villages, comprehensively crippling almost all forms of socio-economic activity. A study conducted by the UN's special co-ordinator of the Occupied Territories (UNSCO) has found that as a consequence of Israel's strangulation of the territories, more than one third of Palestinians were living below the poverty line by the end of 2000, compared with 21 per cent in September. The authoritative report, analysing the effects of Israeli closures of the occupied West Bank and Gaza Strip, forecast that the outlook for the Palestinian economy in 2001 was grim. UNSCO describes the blockades imposed last year and still in force as "the most severe movement restrictions imposed on the Palestinian population and territory since 1967", when Israel occupied the West Bank and Gaza Strip. Many Palestinians thus have depended on finding work within the internationally-recognised borders of the State of Israel proper for which they have required permits issued by the Israeli authorities. Yet while 52,000 Palestinians had Israeli work permits in September 2000, only 4,000 had them by the end of the year. Further, those who still had permits were not able to use them. The combination of closures and increased unemployment has resulted in an 8.2 per cent fall of gross domestic product in 2000.¹¹⁵ The consequence for Palestinians is that: "The level of poverty in the West Bank and Gaza Strip is among the highest in the Middle East and North Africa. Poverty in the Palestinian self-rule areas places them among some of the lowest income countries in the world", similar to "states such as Nicaragua, Ghana and Vietnam."¹¹⁶

Towards the end of last year the situation had degraded to such an extent that half the Palestinian population in the West Bank and Gaza - 1.5 million people - could go hungry because of Israel's tightening military and economic blockade. British journalist Suzanne Goldberg reports that: "Israel's blockade on the West Bank and Gaza has... pummelled the Palestinian economy and brought 3m people - the overall population of the two territories - to the point of ruin..."

... In Gaza, where hundreds of thousands of refugees are penned into miserable concrete warrens, the population is especially vulnerable. A third of the labour force has been turned out of jobs in Israel, and tens of

thousands of others have lost local work in the building industry because of a blockade on concrete. By next month about 892,000 people in Gaza, including 635,000 refugees, will have exhausted their savings and will need food aid, UNRWA and the WFP predict. Some 554,000 of their Palestinian cousins in the West Bank, who include some 450,000 refugees, are in similar trouble. By conservative estimates, that means 1.45m of the 3m people in Gaza and the West Bank will need food aid. To feed them, and to rebuild homes and infrastructure, UNRWA is asking donors for \$39m (£27.5m) for the next three months. The WFP wants \$4m (£2.8m) to cover next month's food aid... 'People cannot pay for electricity, water, tuition for their children, school supplies. Some cannot buy meat,' said one field officer.¹¹⁷

VI.III Military Subjugation

Palestinians in the Occupied Territories, unlike Jewish citizens and settlers, are subject to consistent forms of military abuse systematically perpetrated by the Israeli Defence Force with impunity. In its *World Report 2001* HRW found that: "Palestinians passing through Israeli checkpoints were frequently subjected to harassment, physical abuse, and even torture by Israeli soldiers and police." Examples of such policies are numerous. The two cited in HRW's annual report include "a well-publicized incident on September 6", when:

... [T]hree Palestinian laborers required hospital treatment after being beaten by border police at a checkpoint. During the attack the police photographed themselves with their victims, and the unit commander later told *Ha'aretz*, 'What we did was not special. Everybody does it.' Other incidents resulted in deaths, as on July 9 when soldiers fired on a taxi carrying Atidal Muammer, killing her and injuring her husband, two children, and other passersby. Following an investigation, the IDF said the killing was 'a terrible mistake,' and stated that its soldiers were responding to shots from a different vehicle. However, no such vehicle was recovered and no spent cartridges were found at the scene of the shooting.¹¹⁸

Rabbi Lynn Gottlieb who serves on the board of the Jewish Peace Fellowship and who visited Israel in 1998 as part of an interfaith delegation to the West Bank and Gaza, describes the comprehensive military repression of Palestinians in the Occupied Territories, a state of affairs highly unbecoming of a regime purporting to be democratic:

Israel continues to use torture, collective punishment, annexation and destruction of occupied territory, denial of food and medical supplies, arbitrary arrest, detention and imprisonment, execution without fair legal process, forced exile and the daily humiliation of security checks to manage Palestinians living under Israeli military rule. Between 1,000 and 1,500 Palestinians are arrested every month and as many as 80 percent of those arrested undergo this form of interrogation, which falls under the category of 'torture' by all international definitions. The use of torture is officially permitted by the Israeli Supreme Court and has been documented by the US State Department, Human Rights Watch, Amnesty International, Israeli Physicians for Human Rights, the International Committee of the Red Cross and numerous Israeli and Palestinian human-rights groups.¹¹⁹

Israel's use of torture against Palestinians is systematic. According to the nongovernmental Public Committee against Torture in Israel (PCATI), Israel's General Security Service (GSS) has "continued to employ interrogation techniques including beatings, sleep deprivation, prolonged periods handcuffed to chairs, placing detainees with 'collaborators' who beat, tortured, and threatened them to obtain confessions; and long periods of incommunicado detention." Indeed, the summary of a 1995 state comptroller report proved that high-ranking GSS officers had condoned "serious and systematic violations" by GSS interrogators between 1988 and 1992, and had lied to judges. Despite the revelations, no actions were taken to prosecute individuals who had been responsible for torture. Indeed, the Knesset has continued to "consider draft legislation to legalize torture in cases where a suspect was believed to have information that could stop an imminent attack."¹²⁰

It is thus not surprising that B'tselem has found that "the use of violence by members of the security forces against Palestinians is a phenomenon that has accompanied the occupation for many years...

... beatings and abuse by members of the security forces have become part of the daily routine of Palestinian residents of the Occupied Territories. Although most cases of abuse are 'low intensity' ones, such as slaps, kicks, insults, unnecessary delays at blocks or humiliating treatment, periodically, cases of

severe violence are uncovered... To this day, the military establishment has made no real effort to unequivocally articulate to its forces in the Occupied Territories that abuse is strictly forbidden, and that those who conduct such acts will be severely punished... Testimonies of such abuse constantly reach B'Tselem and other human rights organizations. The fact that the soldiers did not bother to deny their actions when speaking to a B'Tselem researcher, and in fact justified them, is the best proof that the military's education and information activities against such violence are mere lip service, rather than a frank attempt to eliminate the phenomenon once and for all.¹²¹

Israel's use of military force during the current Intifadah – and the contrived pretexts invented to justify it - also bears similarity to South Africa's policies during the apartheid era. The report of Giorgio Giacomelli, an independent rapporteur mandated by the UN Commission on Human Rights to monitor the Occupied Territories. The UN investigator found that “the scale of [Israel's] violation is unprecedented. It is worthy of note that the number of deaths caused by Israeli forces so far approximate the number killed in the first four months of the intifada, in 1987-88.” Israeli forces “appear to have indiscriminately used excessive force in cases where there was no imminent threat to their lives,” according to Giacomelli, who met Palestinian Authority representatives, Palestinian and Israeli non-governmental organizations, international organizations, human rights monitors, medical professionals, and some wounded. “Whether in cases of Israel Defense Forces or Israeli police actions, deadly force is used without warning, and without employing deterrence or gradual measures consistent with the minimum standards and methods of crowd control or management of civil unrest.” The report also found that about 40 percent of Palestinians wounded by Israeli occupation forces were under age 18, and that at least half of the injuries resulted from the use of live ammunition.¹²²

An extensive investigation by *The Village Voice* based on “more than 100 interviews for this article, patients, doctors, and medical personnel in 14 hospitals and clinics in Jordan and the West Bank” found that: “With no shooting from the Palestinian side, and often little or no use of tear gas to disperse the protests, Israeli soldiers have repeatedly fired live ammunition into unarmed crowds.” Consequently, “Thousands of Palestinian young men and boys may become permanently crippled from bullet wounds suffered during the last five months of stone-throwing protests against Israeli rule.” Many of the thousands of injuries “came when unarmed people were shot.” Amnesty International concluded in its October 2000 report that: “The Israeli security services were almost invariably well-defended, located at a distance from demonstrators in good cover, in blockhouses, behind wire or well-protected by riot shields.” The pretext for the use of lethal force, AI found, was simply a fabrication. “Certainly, stones—or even petrol bombs—cannot be said to have endangered the lives of Israeli security services in any of the instances examined by Amnesty International.” One Israeli sniper privately revealed that soldiers are permitted to shoot at Palestinians who pose a potential threat, as long as they appear to be over the age of 12. “Twelve and up is allowed,” he confessed. A senior IDF officer also admitted: “Nobody can convince me we didn't needlessly kill dozens of children.”¹²³ This conclusion has been corroborated again and again by international observers. In the most recent report by Human Rights Watch, focusing on Hebron District as a case study, the American rights monitor found that:

... a leading source of human rights abuse in Hebron is the excessive use of lethal force by Israeli security forces in clashes with Palestinian demonstrators, many of whom are unarmed and pose no dire threat to the Israeli security personnel, or anybody else... Many of the Palestinians who have been killed or hurt by IDF fire in the vicinity of demonstrations were pedestrians - this fact conveys a hint that some IDF soldiers have fired indiscriminately in populated areas.¹²⁴

Several medical sources report that an alarming number of Palestinians are injured in the head or legs (knees), with carefully aimed shots, and, increasingly, live ammunition. Many will not recover, or will be disabled for life.¹²⁵ To understand the extent of Israel's daily crimes, it is essential not only to take note of the rapidly growing number of dead, but also the number and nature of injuries. The breakdown of casualties on merely two days near the beginning of the

Intifadah by Israeli commentator Professor Tanya Reinhart of Tel Aviv University, clearly illustrates the scale of Israel's violence against the Palestinians:

By afternoon that day [Friday 3 November 2000] there were 276 people injured (LAW report, Nov 3), and by the final count 'Up to 452 Palestinians were hurt on Friday across the territories, according to the Red Crescent' (Ha'aretz, Nov 5). On Saturday, October 4th, as the media covers in great length of Barak's 'plea to Palestinian leader Yasser Arafat to return to the negotiating table and stop the Palestinian-Israeli bloodshed for the sake of peace' (AP), 'another 153 were treated for injuries sustained in clashes with Israeli troops' (Ha'aretz'), including '5 school children from Sa'ir (near Hebron) who are in extremely critical condition' (ADDAMEER – Prisoners' Support and Human Rights Association, Nov 4).¹²⁶

This pattern of injuries is not accidental. Dan Ephron, a *Boston Globe* correspondent in Jerusalem reported the highly significant findings of the Physicians for Human Rights (PHR) delegation to the Occupied Territories: "American doctors who examined Israel's use of force in the West Bank and Gaza Strip have concluded that Israeli soldiers appeared to be deliberately targeting the heads and legs of Palestinian protestors, even in non-life-threatening situations." The doctors in the delegation have pointed out that law enforcement officials worldwide are trained to aim at the chest in dangerous situations (since it is the largest target). The delegation, however, found that Palestinians were consistently hit in the head and legs. The findings showing two things: firstly, that there was no life-threatening situation - soldiers had ample time to perfect their aim and target Palestinians for fatality or injury; secondly, they were deliberately trying to harm unarmed people.¹²⁷

With a stable average of five casualties a day, Israel believes it continue its policies of military repression "undamaged" for many more months. Israeli journalist Arie O' Sullivan quoted from Jerusalem (October 27) a 20 year old Israeli soldier, Sgt Raz, a sharpshooter from the Nahshon battalion:

I shot two people... in their knees. It's supposed to break their bones and neutralize them but not kill them... How did I feel? ... Well actually, I felt pretty satisfied with myself. I felt I could do what I was trained to do, and it gave me a lot of self-confidence to think that if we get into a real war situation I'd be able to defend my comrades and myself.¹²⁸

The Israeli strategy has been indicated quite unambiguously here, and is further confirmed by a report in the *Jerusalem Post* explaining Israel's objectives:

... [T]he overall IDF strategy is to deprive the Palestinians of the massive number of casualties the army maintains Palestinians want in order to win world support and consolidate their fight for independence. 'We are very much trying not to kill them...' says Lt.-Col. Yoram Loredo, commander and founder of the Nahshon battalion' ... The prime minister [Ehud Barak] said that, were there not 140 Palestinian casualties at this point, but rather 400 or 1,000, this... would perhaps damage Israel a great deal.¹²⁹

There is therefore a surprising likeness between Israel's violent response to the Palestinian struggle against the Zionist regime's illegal occupation. Protests by South African blacks in 1984 against disproportionately high rents grew into a national uprising against the apartheid regime. The white South African government hit back against the nonwhite uprising with brutal force, eventually declaring a state of emergency. The protests, however, were not quelled, but rather they continued for months and eventually years. In the process, thousands of blacks were killed, injured and imprisoned, and ultimately, millions of blacks were forcibly deported – ethnically cleansed – off their own land and into the Bantustans. The South African government claimed throughout its policies of repression that it was engaged in a process of "reform" designed to lend nonwhites a degree of autonomy, albeit under overall white control.

In response to the Palestinian uprising in resistance to Israel's occupation – the right to which is guaranteed under international law¹³⁰ – Israeli forces have killed and maimed thousands of Palestinian civilians, most of whom have not posed a threat, and a third of whom have been children. To date, nearly 500 Palestinians have been killed and up to 15,000 injured.¹³¹ These

policies of the use of overwhelming and unjustified force against an uprising of primarily unarmed civilians whose only weapons are stones were also perpetrated by South Africa's white rulers against its uprising black population. Justifying the targeting of children, senior South African police officers:

... have complained recently that their efforts to deal with unrest are hampered by the rioters' tactics, including the use of women and children as 'human shields', the absence of suspected leaders from the front lines of most protests and the increased attacks on police, particularly the township homes of black policemen.¹³²

In words that almost mimicked these claims, Israeli Defence Force (IDF) spokesman Captain Natan Golan stated:

It's tragic to have a child fall in this violence, but there's no reason for the IDF to fire one shot if there's no violence... All we're trying to say is stop this incessant incitement to violence. We are dealing with a situation in which kids are cynically being used by being put on the front lines where they may be killed, maimed or injured... If a young boy falls, it gives the Palestinians a lot of propaganda points.¹³³

There can be no doubt over the fact that these policies of ruthless military repression are perpetrated on the basis of a complete disregard for Palestinian life and rights, rooted in longstanding contempt for the Palestinians as a people. B'tselem reports that:

Security forces' violence against the Palestinian population is not new or unique to the current intifada. With the outbreak of the intifada, there has definitely been a significant increase in the number of beatings and abuse, a result, in part, of the increased friction between residents of the Occupied Territories and the security forces. However, the phenomenon itself has existed for many years.

In most of the cases, the abuse is given in 'a small dose', such as a slap, a kick, an insult, a senseless delay at checkpoints, or humiliating treatment. Over the years, these acts have become an integral part of the daily life of Palestinians in the Occupied Territories. At times, though, the violence is severe...

B'tselem also acknowledges that discrimination in the Israeli legal system means that Palestinians are simply not protected from military abuse, which, in fact, is tacitly condoned by the State:

Many cases of abuse are not made public because they have long been accepted as the norm, and if Palestinians filed a complaint in each instance, they would have to dedicate most of their time to this process. Furthermore, many Palestinians, primarily those who enter Israel illegally, refrain from complaining even in incidents of severe violence, fearing that filing a complaint will harm them. Many do not file complaints because their past experience has resulted in a lack of trust in the judicial system, which tends not to believe them and to protect, rather than prosecute, those who attacked them. A Palestinian who wants to file a complaint faces numerous obstacles inherent in the great difficulty in moving about the Occupied Territories, a consequence of Israel's numerous restrictions on movement of Palestinians.¹³⁴

A report by the Israeli League for Human and Civil Rights produced in February 1981 based on information from Israeli army reservists uncovers the context of Israeli military repression: anti-Arab racism. One reservist testified that on the arrival of his unit in Hebron District, they were given an orientation session on "the Arabs". The unit was explicitly instructed that Arabs "are not like human beings" and should be treated like "animals". The military lecturers highlighted that Arabs learn from the "exercise of authority", and that they "want to be beaten." Clear instructions for terrorizing Palestinian families through beating, torture, smashing or confiscation of property, ruining of food supplies and so on were articulated. For instance, the same reservist said his unit was told: "If there is any resistance, then we should break all the bones of the father and the older sons, but if there is no resistance and especially if the father begs us for mercy in front of his children, then he should be slapped on the face once or twice, but some minimal beating there must be." He stated that most of the men in his unit "enjoyed the whole thing", except a few who decided to emigrate from Israel after the experience of serving on the West Bank. A second reservist said that a member of the extremist Israeli group, Gush Emunim, had lectured his unit, explaining to them that "the

Arabs must be driven out of the land, which was given to the Jews by God on the condition that they live in it alone, without gentiles". He recalled that whenever there was a curfew, Israeli soldiers would go from house to house "to beat, to frighten, and to humiliate." Before the end of his service, the reservist narrated, there was another lecture by a member of Gush Emunim, who advised them: "Don't fear that what you have done you have done to human beings... You didn't beat or humiliate Jews, and that's what counts." A third reservist described how soldiers would become increasingly attracted to the prospect of violence. After a few days, Israeli soldiers became addicted to sadism "more and more," he said "unable to get free of it." A fourth reservist described a barbed wire encampment in a field where some 300 Palestinian men and boys were being questioned, beaten, and tortured; while they screamed, Israelis stood around laughing. An Israeli guard at the gate told the reservist and his comrades, "It is a free cinema here. If you want, you may watch." When the reservist asked why the Palestinians were being beaten, another Israeli soldier made clear that "security" had nothing to do with it, replying: "Wouldn't you enjoy beating an Arab? Where else do you get such an opportunity?"¹³⁵

Institutional discrimination ensures that such horrific policies are perpetrated with impunity. B'tselem observes that:

In recent years, law enforcement vis-a-vis settlers has been harshly criticized by many, including the Attorney General and the High Court of Justice. The Shamgar Commission, established in 1994 following the massacre at the cave of the Patriarchs, censured law enforcement policy in cases of violence against Palestinians. It determined that no real measures were taken to improve the situation, despite repeated warnings. A report published by B'tselem, prior to the establishment of the Commission stated that all of Israel's law enforcement authorities - the military, the police, the State Prosecutor and the judicial system - have adopted an undeclared policy of absolution, compromise and mitigation for Israeli citizens who harm Palestinians in the Occupied Territories.¹³⁶

Endless examples exist of this sort of military-backed discrimination in the legal system. The Palestinian Human Rights Monitoring Group (PHRMG) has provided a breakdown of some of the key disparities in the legal treatment of Palestinians and Israelis:

1. Arrest

Palestinian suspects may be arrested by any soldier or policeman without taking into account the seriousness of the offence or the probability that the person arrested committed it. However, such considerations must be taken into account when an **Israeli** is arrested without a warrant.

2. Detention Without Seeing A Judge

A **Palestinian** suspect may be held in custody for eight days before being brought before a judge to extend the detention period. An adult can be held for 18 days if suspected of certain crimes, such as: intentionally causing death, sheltering a person suspected of causing death, aggravated espionage or assaulting a person serving in the Israeli army or one of its branches. An **Israeli** however, must be brought before a judge within 48 hours (24 hours if a minor above the age of 14, and 12 hours if below the age of 14).

3. Access To Lawyer

A **Palestinian** may be prevented from meeting his/her lawyer for 15 days after arrest for reasons of regional security or the good of the investigation. This period may be extended for another 15 days. A jurist-judge (a military court judge with legal training) can additionally extend this period by 30 days. Detainees are routinely prevented from meeting their counsel for 15 days. An **Israeli** may be denied access to his lawyer on the same grounds for only 7 days following the arrest. This period may then be extended by another 8 days, though this rarely occurs with Israeli civilians.

4. Arrest By Judge Before Indictment Is Filed

A **Palestinian** can be held without indictment by an order from a jurist-judge for an initial period of 30 days, which can be extended. The maximum period for which the detention can be extended, by the regional legal advisor via the military appeals court is six months. For an **Israeli** adult the initial period is 15 days, 10 days for a minor. For an adult the period can be extended another 15 days, for a minor 10 days. To extend the period further requires a request from the Attorney General. If after 90 days no indictment has been brought, the suspect is released, unless there is intervention from the Supreme Court.

5. Custody Until End Of Proceedings

Following an indictment, a **Palestinian** may be held in custody until the end of proceedings for an indefinite period, on the order of a jurist-judge. Such an order may be appealed only after three months in detention. After a year in custody, the defendant may request a review of his detention once every six months. An **Israeli** defendant may be held in custody until the end of the trial only in certain defined circumstances, i.e. if:

His release may lead to obstruction of justice, or may endanger life or public security

The crime he is accused of is serious: drugs, violence involving use of a weapon and similar crimes

The bond set by the judge was not paid or the terms of bail were otherwise violated.

6. Sentencing

Maximum punishment allowed differs in the two penal codes applying to Israeli citizens and to Palestinians. This is one of the reasons why Israeli settlers and Palestinians are frequently seen to be given vastly different punishments for similar crimes. For example:

A **Palestinian** convicted of manslaughter is subject to a maximum sentence of life imprisonment. An **Israeli** convicted of manslaughter faces only a maximum of 20 years.

A **Palestinian** convicted of maliciously damaging property is subject to a sentence of up to five years in prison. The maximum sentence for an **Israeli** convicted of the same crime is three years.

This bias in the law is reinforced by regulations in the two penal systems regarding the early release of prisoners. According to the **Israeli** penal code prisoners may be released after serving two-thirds of their sentence. The military orders under which **Palestinians** are judged does not allow for any early release for good behaviour.¹³⁷

The PHRMG also highlights a group of cases where this discriminatory legal system has been applied in a way which exonerates Israelis for crimes against Palestinians, but harshly punishes Palestinians for similar crimes against Israelis:

Between December 1987 and March 2001, 119 Palestinians (including 23 children under the age of 17) were killed by Israeli civilians in the Occupied Territories. Of 89 cases that were monitored by B'Tselem during this time, only 3 (around 3%) led to sentences of life imprisonment, commuted by the President of Israel to 13 years in one case and 15 in another. Two suspects were convicted of murder, but received sentences of less than life imprisonment. Seven cases led to convictions for manslaughter and prison terms of between 6 months and 7 ½ years. In another 7 cases the defendants were convicted of 'causing death by negligence', receiving sentences of between 3 months community service and 18 months imprisonment. Two suspects were sentenced to psychiatric hospitalization instead of prison. An inordinate number of files were closed without legal action (39, or 44%) and an unacceptable number of cases were not investigated or 'lost' (10, or 11%). In 5 cases, the court acquitted the defendants.

By contrast, 114 Israeli civilians were killed by Palestinian civilians in the Occupied Territories in the same period. Of 81 cases, 30 (34%) resulted in murder convictions and life imprisonment without reduction of sentences by the President of Israel, or parole on grounds of good behavior (compared to 5 out of 89 Israelis convicted for murder). In addition, in many of the cases, the convicted's house, or his family's house was demolished or sealed as punishment. In 15 cases (around 17%) the suspects were 'eliminated' by Israeli security forces. No Palestinian convicted of murder received a sentence less than life imprisonment. No Palestinian was prosecuted for 'manslaughter' or 'death by negligence' instead of murder. No Palestinian was acquitted because they had acted in self-defense. No Palestinian suspect was committed to psychiatric hospital instead of prison. In every single case an investigation was opened. In no case did the authorities have difficulty locating the case files. In only 11 cases (including the killing of Baruch Goldstein in the Ibrahim mosque) was the file closed with no measures taken.¹³⁸

These are not the only policies pursued by Israel to protect Israelis who commit atrocities against Palestinians. The IDF plays a direct role of support to violence by Israeli colonists. Human Rights Watch reports that: "It is clear that the majority of physical attacks are initiated by Israeli settlers, and that the IDF has consistently failed in its obligation to protect Palestinian civilians from attacks by Israeli settlers. In effect, settlers are using the protection provided by the IDF to attack Palestinian civilians." Rather than protecting the largely innocent Palestinian civilians from attacks by Israeli settlers "the IDF has only intervened to

protect the Israeli settlers from counterattack.”¹³⁹ A *Ha'aretz* Editorial thus rightly concludes that:

The old cry of the late Prof. Yeshayahu Leibowitz that ‘the occupation corrupts’ is today correct in the full sense of the word. Israel can no longer live with the illusion that it is maintaining a democratic way of life while at the same time a separate normative system exists for the settlers that tramples human rights in the territories to the point where those who kill are treated forgivingly.¹⁴⁰

VII. Conclusion

“Zionism has always seemed to me a mischievous political creed...[I]t seems to be inconceivable... that Mr. Balfour should be authorised to say that Palestine was to be reconstituted as the’ national home for the Jewish people’.. I do not know what this involves, but I assume that it means that Mohammedans and Christians are to make way for the Jews, and that the Jews should be put in all positions of preference...[and] that Turks and other Mahomedans in Palestine will be regarded as foreigners.”

Sir Lord Edwin Samuel Montagu, British Minister of Munitions and Secretary of State for India - the highest-ranking Jewish member of the British Cabinet - writing in a secret memorandum, August 1917

(Great Britain, Public Record Office, Cab. 24/24, 23 August 1917)

The above documentation establishes beyond doubt that the Zionist State of Israel is an apartheid regime that is responsible for systematically discriminating against the indigenous Palestinian population solely because they are Palestinian. It also seems clear that the roots of Israeli apartheid lie in the regime’s Zionist ideology which views the indigenous population as a collection of insignificant obstacles to the task of consolidating and expanding the State of Israel which aims to be, ideally, an exclusively Jewish State. Professor Stanley Cohen, a distinguished sociologist who has a perspective gained from having lived in South Africa, England and Israel, notes Israel’s denial of responsibility in this regard:

Denial of the injustices and injuries inflicted upon the Palestinians is built into the social fabric... There are, of course, good historical reasons why Israeli Jews should have a defensive self-image and a character armour of insecurity and permanent victimhood. The result is a xenophobia that would be called ‘racism’ anywhere else, an exclusion of Palestinians from a shared moral universe and an obsessional self-absorption: what we do to them is less important than what this does to us.¹⁴¹

And as the British daily *The Guardian* points out: “A visitor to Israel today who takes the trouble to visit both the cosmopolitan and historic centres of Tel Aviv and Jerusalem as well as the captive degradation of the Gaza Strip cannot but think of the rottenest days of South Africa.”¹⁴² Over 2.5 million Palestinians are now caged into a small strip of land with population densities and conditions that match anything in the apartheid townships of South Africa. For the last 10 years, the borders have been subject to closure meaning that few Palestinians can leave, even to work. The current unemployment rate is as high as 45 per cent, while no goods can leave or enter except via Israeli customs. Despite the image of “self-rule” under PA control, in fact internal movement within the Occupied Territories is effectively controlled by Israel, which regularly restricts water to Palestinians, bulldozes houses their homes, destroys arable land and confiscates more land for Jewish settlements. Through a combination of military policies and social, economic and legal mechanisms, Israel has successfully installed a system which discriminates against Palestinians, separates them off from Israelis as far as possible, and aims to expel them entirely from a territorially expanding State through programmes of deliberate underdevelopment and extreme force.

It is fast becoming increasingly difficult for honest observers to ignore the consolidation of Israel as an apartheid regime. Even the normally indifferent BBC recently reported on Israel’s institutional discrimination against Palestinians in its authoritative Newsnight programme.¹⁴³ Within Israel, there is a growing number of activists and academics documenting and publicly condemning Israel’s apartheid policies. Most recently officials from the International Committee of the Red Cross have spoken out bluntly against Israeli apartheid. Danish head of the Red Cross Freddy Karup Pedersen informed the Danish Parliamentary Foreign Affairs Committee following a visit to the region that:

Children are prevented from going to school, the sick from going to hospital and farmers have great difficulty tending their fields. Homes and agricultural areas are destroyed and water resources unequally

distributed... We think the conditions of life of the settlers resemble those of the apartheid period in South Africa... [These conditions amount to] a complete lack of respect for international humanitarian rules.¹⁴⁴

It is thus fitting to conclude this paper with the observations of Raymond Louw, who for 11 years was Editor-in-Chief of the Johannesburg-based *Rand Daily Mail*, the South African newspaper that was at the forefront of the struggle against apartheid. Louw, himself a Jew, has visited Israel several times, and most recently visited Hebron District in the Occupied Territories in June 2001 with Israeli journalist Gideon Levy. His remarks, considering his long experience of apartheid in South Africa and his outstanding record of anti-apartheid activism, must be taken very seriously indeed. Apartheid began in South Africa in 1948. It lasted for 42 years, with five million whites controlling 35 million blacks, “until we came to the conclusion that we couldn’t go on this way...

... Luckily, we managed to reach a solution before we destroyed ourselves. We were on the verge of a civil war. It simply wasn’t right. There’s no way you can keep on preventing most of the residents from living their lives... With us, the situation was that the whites wanted to keep South Africa for themselves despite the black majority there. That’s why they kept them second-class citizens. It’s exactly like what you’re doing here: The Israelis are determined to hold on to the territories despite the people who live there... The blacks were only allowed to maintain very limited businesses in their areas - only one store and no more. Almost all the resources were at the whites’ disposal and hardly anything was available to the blacks. Perhaps it is similar here: With us, the whites saw the blacks as a political and economic threat. You appear to view the Palestinians the same way...

It’s depressing. This is a city under military occupation without any rights for the occupied. There was never a situation like this with apartheid. The control in the black areas was not so forceful. I don’t think you can compare the two situations. Under apartheid, there was a recognition that the blacks would continue to live in their areas. Here the impression is that the objective is to push the Palestinians out.

With us, there were several pockets of blacks living in the heart of white neighborhoods from which they were then expelled, but these were only in isolated places. There was an area in Johannesburg - Sophiatown - where blacks were living in the heart of an area inhabited by whites. They expelled all the blacks to a distance of 15 or 20 kilometers away. And even then, it was done by the police.

Here it is being done by the settlers. I don’t know if that makes a big difference. It may not be exactly the same thing, but the motivation is the same. What’s happening here is an attempt to pressure them by means of attrition. The Israelis prevent some of the Palestinians from making a living, stores are closed or burned... The Israeli soldiers appear to me to be more brutal than ever. There’s an atmosphere of power and domination and contempt. I don’t believe it was so in the past. They used to seem like they were serving their country. It is my impression that the soldiers’ brutality and arrogance is penetrating all the authorities in their contact with the Palestinians. The police in South Africa also treated blacks as if they weren’t human. This is what is happening here. Non-people, non-humans, people without any rights or human dignity - so it’s okay to do any- thing to them. And it permeates everything. This is the ugly side of all political oppression...¹⁴⁵

Suggestions for Further Reading

Aruri, Naseer. *The Obstruction of Peace. The United States, Israel, and the Palestinians*. Monroe, ME: Common Courage Press, 1995.

Chomsky, Noam. *The Fateful Triangle: the United States, Israel, and the Palestinians*, Cambridge, MA: South End Press, Updated Ed., 1999.

Finkelstein, Norman. *Image and Reality of the Israel-Palestine Conflict*. Verso, 1995.

Flapan, Simha. *The Birth of Israel: Myths and Realities*. Pantheon, 1987.

Flapan, Simha. *Zionism and the Palestinians, 1917-1947*. New York: Barnes & Noble Books, 1979.

Gerner, Deborah J. *One Land, Two Peoples: the Conflict over Palestine*. Boulder, CO: Westview, 1994, 2nd ed.

Golani, Motti. *Israel in Search of a War: The Sinai Campaign, 1955-1956*. Brighton: Sussex Academy Press, 1998.

Hadawi, Sami. *Bitter Harvest: a Modern History of Palestine*. New York: Olive Branch, 1989.

Hirst, David. *The Gun and the Olive Branch*. London: Faber & Faber, 1984.

Khalidi, Walid, ed. *From Haven to Conquest: Readings in Zionism and the Palestine Problem until 1948*. Washington, Dc: Institute for Palestine Studies, 1987 (1971).

Lustick, Ian. *Arabs in the Jewish State: Israel's Control of a National Minority*. Austin: University of Texas, 1980.

Lustick, Ian. *For the Land and the Lord: Jewish Fundamentalism in Israel*. New York: Council on Foreign Relations, 1988.

Masalha, Nur. *Imperial Israel and the Palestinians*. Pluto Press, 2000.

Morris, Benny. *1948 and After*. New York: Oxford University Press, 1990.

Morris, Benny. *Israel's Border Wars, 1949-1956*. New York: Oxford University Press, 1993.

Morris, Benny. *Righteous Victims: a History of the Zionist-Arab Conflict, 1881-1999*. New York: Knopf, 1999.

Morris, Benny. *The Birth of the Palestinian Refugee Problem, 1947-1949*. New York: Cambridge University Press, 1987.

Palumbo, Michael. *The Palestinian Catastrophe*. London: 1987.

Pappé, Ilan. *The Making of the Arab-Israeli Conflict, 1947-51*. New York: I.B. Tauris (St. Martin's Press), 1992.

Porath, Yehoshua. *The Emergence of the Palestinian-Arab National Movement*, 2 Vols. London, Cass, 1974, 1977.

Said, Edward W., and Christopher Hitchens, eds. *Blaming the Victims: Spurious Scholarship and the Palestinian Question*. Verso, 1988.

Segev, Tom. *One Palestine, Complete: Jews and Arabs under the Mandate*. New York: Metropolitan Books, 2000.

Shlaim, Avi. *Collusion Across the Jordan: King Abdullah, the Zionist Movement, and the Partition of Palestine*. New York: Columbia University Press, 1988.

Shlaim, Avi. *The Iron Wall: Israel and the Arab World*. New York: W.W. Norton, 2000.

Smith, Charles D. *Palestine and the Arab-Israeli Conflict: A History with Documents*. Boston: Bedford/St. Martin's, 2001, 4th ed.

Notes & References

- ¹ UN General Assembly Resolution 2106, adopted in 1965, Part 1, Article 1.
- ² Adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) at its 20th session November 27, 1978, Article 2.
- ³ Davidsson, Elias, *Memorandum on Institutionalized Racial Discrimination by and in the State of Israel*, Centre for Policy Research on Global Justice (CPR), July 1993, <http://juscogens.org>.
- ⁴ This definition and discussion of international law and apartheid has been adapted from El Fassed, Arjan, *Israel's Apartheid: A Crime Against Humanity*, Media Monitors Network, Pleasanton, CA, 9 March 2000, <http://www.mediamonitors.org>.
- ⁵ *Ha'aretz*, 5 December 2000.
- ⁶ *Ma'ariv*, 5 December 2000.
- ⁷ Wilkinson, Tracy, 'Israel Hawk Considers Run at a Wounded Dove', *Los Angeles Times*, 5 December 2000.
- ⁸ The main Afrikaner political party was the National Party, formed in 1914. The main British-oriented political party was the South African Party, which became the United Party in 1934.
- ⁹ See entries on apartheid and South Africa in the *Columbia Electronic Encyclopedia*, Columbia University Press, 1994, 2000. Also see the South Africa exhibit jointly produced by the Annenberg Foundation and the Corporation for Public Broadcasting at <http://www.learner.org/exhibits/southafrica>.
- ¹⁰ CESR Report, *Peace Without Justice: Abandoning Rights in the Oslo Process (Draft Copy)*, Center for Economic and Social Rights, New York, 14 April 2000, p. 12, <http://www.cesr.org>.
- ¹¹ Stein, Leonard, *The Balfour Declaration*, Vellentine-Mitchell, London, 1961, p. 126. The ongoing interests of the West in relation to Israel's regional role in the Middle East were outlined by the U.S. Senate's ranking oil expert, Senator Henry Jackson, in May 1973. Jackson stressed the necessity of "the strength and Western orientation of Israel on the Mediterranean and Iran [under the Shah] on the Persian Gulf". Israel and Iran were "reliable friends of the United States" who, along with Saudi Arabia "have served to inhibit and contain those irresponsible and radical elements in certain Arab states... who, were they free to do so, would pose a grave threat indeed to our principle sources of petroleum in the Persian Gulf", which are needed primarily as a reserve and a lever for control of the global economy (Cited in Chomsky, Noam, *Deterring Democracy*, Vintage, London, 1995, p. 55).
- ¹² Weitz, Yossef, *Journal*, Tel Aviv, 1965.
- ¹³ Porath, Yoram Bar, *Yediot Aahronot*, 14 July 1972.
- ¹⁴ Stein, *The Balfour Declaration*, op. cit., p. 664, italics added.
- ¹⁵ Weizmann, Chaim, *Trial and Error: The Autobiography of Chaim Weizmann*, East and West Library, London, 1950, p. 302, and Weizmann, Address at Czernowitz, Romania, 12 December 1927.
- ¹⁶ *Sunday Times*, 15 June 1969.
- ¹⁷ CESR Report, *Peace Without Justice: Abandoning Rights in the Oslo Process (Draft Copy)*, op. cit., p. 13.
- ¹⁸ Hadawi, Sami, *Bitter Harvest*, Caravan Books, 1979
- ¹⁹ Cited in Welles, S., *We Need Not Fail*, Boston, 1948, p. 63.
- ²⁰ Forrestal, James, *Forrestal's Memoirs*, Viking Press, New York, 1951, p. 363.
- ²¹ Quigley, John, *Palestine and Israel: A Challenge to Justice*, Duke University Press, Durham, 1990
- ²² Morris, Benny, *Tikkun*, March/April 1998
- ²³ Cited in Chomsky, Noam, *The Fateful Triangle: The United States, Israel and the Palestinians*, Pluto Press, London, 1999.
- ²⁴ *New York Times*, 6 December 1953.
- ²⁵ Begin, Menachim, *The Revolt: Story of the Irgun*, p. 335.
- ²⁶ Patei, Rafael (ed.), *The Complete Diaries of Theodor Herzl*, Vol. 1.
- ²⁷ Cited in Chomsky, Noam, *Towards a New Cold War*, op. cit., Chapter 7; Chomsky, *The Fateful Triangle*, op. cit., Chapter 2.
- ²⁸ Finkelstein, Norman, *Image and Reality of the Israeli-Palestinian Conflict*, Verso, New York, 1996
- ²⁹ Levy, Gideon, 'An existential exercise', *Ha'aretz*, 16 October 2000.
- ³⁰ Leaked censored version of Rabin memoirs published in *New York Times*, 23 October 1999.
- ³¹ Cited in *History of the Haganah*.
- ³² Rubenstein, Danny, 'Separation means economic punishment', *Ha'aretz*, 23 October 2000.
- ³³ Morris, Benny, *The Birth of the Palestine Refugee Problem 1947-1949*, Cambridge University Press, Cambridge, 1987
- ³⁴ Flapan, Simha, *The Birth of Israel: Myths and Realities*, Pantheon Books, New York, 1987
- ³⁵ Pappé, Ilan, *The Making of the Arab-Israeli Conflict 1947-1951*, I. B. Tauris, London, 1992; Loos, Baudouin, 'Interview of Ilan Pappé', *Le Soir* (Brussels) 29 November 1999
- ³⁶ *Modelet*, no.12, October 1989
- ³⁷ Morris, Benny, *The Birth of the Palestine Refugee Problem 1947-1949*, op. cit. Indeed, the whole basis for the intervention of neighbouring Arab armies in Palestine was the dire condition of Palestinians under Zionist tutelage. Benny Morris points out that "it was precisely the unignorable plight and suffering of the Palestinian Arabs during April-May of that year [1948] that forced the hand of the reluctant Arab political and military leaders to take the plunge and invade Palestine on 15-16 May." (*Tikkun*, March-April 1998)
- ³⁸ Cited in Erlich, Guy, 'Not Only Deir Yassin', *Ha'ir*, 6 May 1992.

- ³⁹ Cited in *ibid.*
- ⁴⁰ Begin, Menachim, *The Revolt: Story of the Irgun*, p. 162.
- ⁴¹ Soldier's testimony cited in Morris, Benny, *The Birth of the Palestine Refugee Problem 1947-1949*, op. cit., p. 222
- ⁴² Amr, Wafa, 'Israeli Researcher Uncovers 1948 Bloodbath', Reuters, 19 January 2000
- ⁴³ Peretz, Don, *New Outlook*, September 1969
- ⁴⁴ *Our Roots Are Still Alive*, People's Press Palestine Book Project; cited in *The Origin of the Palestine-Israel Conflict*, Jews for Justice in the Middle East, Berkeley, CA, 1998.
- ⁴⁵ UN Document A/648 (21 Sept.-12 Dec. 1948), p. 14, filed 16 September 1948.
- ⁴⁶ *Historical Survey of the Efforts of the U.N. Conciliation Commission for Palestine to Secure the Implementation of Paragraph 11 of G.A. Resolution 194 (III)*, paragraph 38; UN Document A/AC.25/W.81/Rev.2, p. 20-21.
- ⁴⁷ Morris, Benny, *Israel's Border Wars 1949-1956* (Hebrew version), Tel Aviv, 1996, p. 156, 113-114. In contrast to the up to 5,000 Palestinian casualties, Israeli casualties amounted to approximately 190-220 dead during 1949-1954.
- ⁴⁸ Shapira, Anita, 'Jewish identity, Israeli identity', *JPR Newsletter*, Institute for Jewish Policy Research, Spring 2000
- ⁴⁹ Cited in Zohar, Michael Bar, *Ben-Gurion: The Armed Prophet*, Prentice-Hall, 1967, p. 157.
- ⁵⁰ Cited in Lustick, Ian, *Arabs in the Jewish State*, University of Texas Press, Texas, 1980.
- ⁵¹ Katzew, Henry, 'South Africa: a Country Without Friends', *Die Transvaler*, cited in Stevens, R. *Zionism, South Africa and Apartheid*.
- ⁵² Cited in Kapeliouk, Amnon, 'Begin and the "Beasts"', *New Statesman*, 25 June 1982.
- ⁵³ *Yediot Aahronot*, December 1987.
- ⁵⁴ Elbaun, Max, Interview with Phyllis Bennis, 'For Jews Only: Racism Inside Israel', *ColorLines Magazine*, 15 December 2000.
- ⁵⁵ Letter from Uzi Ornan to Editor of *Ha'aretz*, published 10 February 1991.
- ⁵⁶ For brief discussion of these three laws see Schechla, Joseph, 'Is Zionism a Form of Racial Discrimination?: UN Debate Will Necessitate Re-Examination of Resolution 3379', *Washington Report on Middle East Affairs*, November 1991, p. 35.
- ⁵⁷ Shahak, Israel, *Jewish History, Jewish Religion: The Weight of Three Thousand Years*, Pluto Press, London, 1997, p. 3.
- ⁵⁸ Shahak, Israel, *Jewish History, Jewish Religion: The Weight of Three Thousand Years*, op. cit., p. 5
- ⁵⁹ *Ibid.*, p. 5
- ⁶⁰ *Ibid.*, p. 6.
- ⁶¹ Ornan, Uzi, 'Apartheid Laws in Israel – The Art of Obfuscatory Formulation', *Ha'aretz*, 17 May 1991.
- ⁶² Cited in El Fassed, Arjan, *Israel's Apartheid: A Crime Against Humanity*, Media Monitors Network, Pleasanton, CA, 9 March 2000, <http://www.mediamonitors.org>.
- ⁶³ *Concluding Observations of the United Nations Human Rights Committee: Israel*, CCPR/C/79/Add.93, Sixty-third Session, 28 July 1998.
- ⁶⁴ *The Observer*, 15 October 2000.
- ⁶⁵ *Columbia Electronic Encyclopedia*, Columbia University Press, 1994, 2000; Jones, Sam, 'Holy Land Apartheid', *Cornerstone*, Summer 2000.
- ⁶⁶
- ⁶⁷ Cited in Shahak, *Jewish History, Jewish Religion*, op. cit., p. 8.
- ⁶⁸ *Ibid.*, p. 9.
- ⁶⁹ *Ibid.*, p. 10.
- ⁷⁰ Reese, Charlie, 'Truth or myth about Israel? Read between quotation marks', *Orlando Sentinel*, 13 June 1999.
- ⁷¹ Richman, Sheldon L., 'The Golan Heights: A History of Israeli Aggression', *Washington Report On Middle East Affairs*, November 1991, p. 23.
- ⁷² Originally recorded in Israeli PM Moshe Sharett's personal diaries in May 1995; cited in Rockack, Livia, *Israel's Sacred Terrorism*, Arab-American University Graduate Press, Belmont, Massachusetts, 1986.
- ⁷³ Becker, Gad, *Yediot Aahronot*, 13 April 1983. Also see *New York Times*, 14 April 1983.
- ⁷⁴ Cited in Ben-Zohar, Michael, *Ben-Gurion: A Biography*, Delacorte, New York, 1978.
- ⁷⁵ Fisk, Robert, 'Israel's 50 Years of Shame', *The Independent*, April 1998.
- ⁷⁶ Lilienthal, Alfred, *The Zionist Connection II*, op. cit., p. 160
- ⁷⁷ New Yorkers for a Just Middle East Peace (NYJMEP) from a letter dated 13 August 1998 sent to Perry Odak, Chief Executive Officer of Ben and Jerry's, protesting an alleged agreement between the US ice cream company and Eden Springs water company, based on the Israeli-occupied Golan Heights.
- ⁷⁸ Cited in *Ha'aretz*, 4 April 1969.
- ⁷⁹ NYJMEP letter, op. cit.
- ⁸⁰ Lockman and Beinun (ed.), *Intifadah: The Palestinian Uprising Against Israeli Occupation*
- ⁸¹ Hass, Amira, 'Discrimination and Denial', *Ha'aretz*, 5 May 1999.
- ⁸² Felner, Eitan, 'Apartheid By Any Other Name: Creeping Annexation of the West Bank', *Le Monde diplomatique*, November 1999, <http://www.monde-diplomatique.fr/en/1999/11/?c=08israel>.
- ⁸³ Halper, Jeff, 'The 94 Percent Solution: A Matrix of Control', *Middle East Report*, 216, Middle East Research and Information Project (MERIP), Fall 2000. Article can be found online at http://www.merip.org/mer/mer216/216_halper.html.

- ⁸⁴ Ibid.
- ⁸⁵ Letter from Uzi Ornan to Editor of *Ha'aretz*, published 10 February 1991.
- ⁸⁶ Hass, Amira, 'Israel has failed the test', *Ha'aretz*, 18 October 2000.
- ⁸⁷ *Ha'aretz*, 23 October 2000.
- ⁸⁸ See Ann Mosely Lesch, 'Israeli settlements in the occupied territories, 1967-1977', *Journal of Palestine Studies* 30, Winter 1979, p. 113-130, for a partial list of "officially deported" Palestinians.
- ⁸⁹ MIFTAH Fact Sheet, 'Israeli Settlements in the Gaza Strip and the West Bank (including Jerusalem)', Jerusalem, 21 June 1999, <http://www.miftah.org>.
- ⁹⁰ Ibid.
- ⁹¹ FMEP Report, *Report on Israeli Settlement in the Occupied Territories*, Foundation for Middle East Peace, Washington DC, Vol. 8, No. 4, July-August 1998, <http://www.fmep.org>.
- ⁹² MIFTAH Fact Sheet, 'Israeli Settlements in the Gaza Strip and the West Bank (including Jerusalem)', op. cit.
- ⁹³ Schiff, Ze'ev, 'Promises, promises', *Ha'aretz*, 2 February 2001.
- ⁹⁴ Coon, Anthony, *Israel and the Occupied Territories - Demolition and dispossession: the destruction of Palestinian homes*, Amnesty International, London, December 1999.
- ⁹⁵ LAW is affiliate to the International Commission of Jurists (ICJ), The Federation Internationale des Ligues de Droits de l'Homme (FIDH), the World Organisation Against Torture (OMCT), and is a member of the Euro-Mediterranean Human Rights Network (EMHRN).
- ⁹⁶ Coon, Anthony, *Israel and the Occupied Territories - Demolition and dispossession: the destruction of Palestinian homes*, op. cit.
- ⁹⁷ Ibid. AI also observes how terrorising for the indigenous population these policies are: "The emotional consequences for the individuals and families whose homes have been demolished have been traumatic. There is no warning of the time and date of a demolition; the bulldozers arrive accompanied by scores of soldiers armed with batons and guns. They usually come at a time when the father has gone to work; the family may only have 15 minutes to take what belongings they can before their furniture is thrown into the street and their home is bulldozed. On many occasions members of the family and protesters have been beaten by soldiers using their batons or wounded (and once even killed) by metal-coated rubber bullets."
- ⁹⁸ This is a joint project of two Jerusalem-based organisations - the Applied Research Institute and the Land Research Centre - which is funded by the EU. The project "aims at inspecting and scrutinizing Israeli colonizing activities in their different forms in the Palestinian West Bank and Gaza, and to disseminate the related information to policy makers in the European countries and to the general public." See <http://www.poica.org>.
- ⁹⁹ Glossary, <http://www.poica.org/glossary/index.htm#c1>
- ¹⁰⁰ Monitoring Israeli Colonizing Activities in the West Bank and Gaza, *Bypass Roads - The Israeli Approach Towards a New Apartheid Against Palestinians?*, Applied Research Institute and Land Research Centre, Jerusalem, May 2001. This report was prepared with financial assistance from the Commission of the European Communities.
- ¹⁰¹ Ibid. The Monitoring Israeli Colonizing Activities Project provides a breakdown of recent activities related to the bypass roads in relation to several areas of the Occupied Territories. Here one example is reproduced: "Nablus District: Wide areas of agricultural land cultivated with olive trees have been razed near Deir Ballut and Kafer Ed Dik villages, southwest Nablus District, in order to expand the bypass road that connects Peduel and Alei Zahave colonies. Moreover, the Israeli colonists started to bulldoze another agricultural area that belongs to Al-Luban Al-Gharbi village, located southeast of Nablus city, in order to establish a new bypass road that will serve the expansion of Israeli colonies in the area and link the colonies of Bet Arye and Alei Zahav with each other. To the north and northwest of Nablus City, Israeli bulldozers constructed a new bypass road in order to connect colonies there. The bypass road starts from Deir Sharaf village, passes by Sabastiya, Ramin, and Burqa villages and ends at the colonies of Homesh and Enav. As a result of this bulldozing, 200 olive trees and 100 almond trees in Deir Sharaf village, and 800 olive trees in Burqa village have been uprooted. The planned length of the road is around 10 kilometers. If the work on the road continues, more olive and almond trees will be threatened, destroying the livelihood of dozens farmers. Israeli occupation authorities started bulldozing an area of land estimated at 24 dunums, owned by Yacob Salman from Deir Haris village, southwest Nablus District, in order to open a new bypass road linking Immanuel, Yakir, Barqan B, and Revava colonies. Thus far, 60 olive trees and 20 almond trees have been uprooted due to the construction of this road." In Ramallah District, Tulkarem District, Jerusalem District, and Hebron District, similar policies are being pursued. Yet as the Monitoring Project observes, "The international community has not held Israel accountable to international law that clearly makes such colonial activity in occupied territory illegal. The Palestinians are paying a heavy price for this lack of political will."
- ¹⁰² HRW report, 'Israel, The Occupied West Bank, Gaza Strip, and Palestinian Authority Territories', in *World Report 2001*, Human Rights Watch, New York, 2001.
- ¹⁰³ LAW report, 'The Israeli Siege of the West Bank and Gaza', LAW: The Palestinian Society for the Protection of Human Rights and the Environment, Jerusalem, 7 August 1997, <http://www.lawsociety.org>.
- ¹⁰⁴ Full-page advertisement in international edition of the *Jerusalem Post*, 18 Aug 1990.
- ¹⁰⁵ For discussion see Casa, Kathryn, *Water: The Real Reason Behind Israeli Occupations*, Media Monitors Network, Pleasanton, CA, 7 May 2001, <http://www.mediamonitors.org>.
- ¹⁰⁶ Rosenblum, Mort, 'Drought of biblical scale worsens modern conflict', Associated Press, 19 July 2001.
- ¹⁰⁷ B'Tselem report, Jerusalem, referred to in ibid.
- ¹⁰⁸ Associated Press, 19 July 2001. Notably, Professor of Economics Franklin Fisher of the Massachusetts Institute of Technology, who specialises in Middle East water, has pointed out that there is no excuse for such policies.

Observing that “fresh water cannot be worth more than it costs to produce”, he notes that in the region “the entire water supply should be valued only somewhere in the low millions of dollars... Seawater can be desalinated for less than Israeli households now pay for water... Gaza could be supplied via the National Water Carrier and inefficient... farming could be replaced with imported food.” (Cited in *ibid.*)

¹⁰⁹ B'tselem report, *Not Even A Drop: Water Crisis in Palestinian Villages*, B'tselem, Jerusalem, July 2001.

¹¹⁰ LAW report, ‘The Israeli Siege of the West Bank and Gaza’, *op. cit.*

¹¹¹ HRW report, ‘Israel, The Occupied West Bank, Gaza Strip, and Palestinian Authority Territories’, *op. cit.*

¹¹² HRW report, ‘Israel, The Occupied West Bank, Gaza Strip, and Palestinian Authority Territories’, *op. cit.*

¹¹³ LAW report, ‘The Israeli Siege of the West Bank and Gaza’, *op. cit.*

¹¹⁴ *Ha'aretz*, 12 April 2001.

¹¹⁵ Drummond, James, ‘Number of Palestinians living in poverty rises’, *Financial Times*, 16 August 2001.

¹¹⁶ Hass, Amira, ‘Report: West Bank, Gaza among poorest areas in the world’, *Ha'aretz*, 28 May 2000.

¹¹⁷ Goldberg, Suzanne, *The Guardian*, 24 November 2000.

¹¹⁸ HRW report, ‘Israel, The Occupied West Bank, Gaza Strip, and Palestinian Authority Territories’, *op. cit.*

¹¹⁹ Gottlieb, Lynn, ‘Palestinian human rights violated in Israel’, *The Progressive Media Project*, December 1998

¹²⁰ HRW report, ‘Israel, The Occupied West Bank, Gaza Strip, and Palestinian Authority Territories’, *op. cit.*

¹²¹ B'tselem report, *In Broad Daylight: Abuse of Palestinians by IDF Soldiers on July 23rd 2001*, Case Study No. 12, B'tselem, July 2001.

¹²² Nebehay, Stephen, ‘UN Investigator Says Israeli Killings “Unprecedented”’, Reuters, 17 October 2000.

¹²³ Andoni, Lamis, and Tolan, Sandy, ‘Shoot to Maim: Israel’s Favored Ammo is Crippling a Generation of Younger Palestinians’, *The Village Voice*, 21 February 2001.

¹²⁴ HRW report, ‘Israel, The Occupied West Bank, Gaza Strip, and Palestinian Authority Territories’, *op. cit.*

¹²⁵ Medical report by Dr. Jumana Odeh, Director, Palestinian Happy Child Center, 24 Oct 2000; LAW report, 2 November 2000.

¹²⁶ Reinhart, Tanya, ‘Don’t Say You Didn’t Know’, ZNet, November 2000.

¹²⁷ *Boston Globe*, 4 November 2000.

¹²⁸ Cited in Reinhart, Tanya, ‘Don’t Say You Didn’t Know’, *op. cit.*

¹²⁹ *Jerusalem Post*, 30 Oct 2000.

¹³⁰ UN General Assembly resolution 2649 (30 November 1970), for instance, affirms “the legitimacy of the struggle of peoples under colonial and alien domination recognized as being entitled to the right of self-determination to restore to themselves that right by any means at their disposal.” It further recognises “the right of peoples under colonial and alien domination in the legitimate exercise of their right to self-determination to seek and receive all kinds of moral and material assistance, in accordance with the resolutions of the United Nations and the spirit of the Charter of the United Nations” and calls upon “all Governments that deny the right to self-determination of peoples under colonial and alien domination to recognize and observe that right”. Notably, it also “condemns those Governments that deny the right to self-determination of peoples recognized as being entitled to it, especially of the peoples of southern Africa and Palestine”.

¹³¹ B'tselem statistics, August 2001, <http://www.btselem.org>.

¹³² *Los Angeles Times*, 3 June 1985.

¹³³ *St. Petersburg Times*, 18 October 2000.

¹³⁴ B'tselem report, *Standard Routine: Beatings and Abuse of Palestinians by Israeli Security Forces during the Al Aqsa Intifadah*, Information Sheet, B'tselem, May 2001.

¹³⁵ Information from Report by Israeli League for Human and Civil Rights, February 1981; Cited in Feuerlicht, Roberta Strauss, *The Fate of the Jews: A People Torn Between Israeli Power and Jewish Ethics*, Times Books, New York, 1983.

¹³⁶ B'tselem report, *Tacit Consent: Law Enforcement towards Israeli Settlers in the Occupied Territories*, Information Sheet, March 2001.

¹³⁷ Carmel, Alon, *Criminal Negligence? Settler Violence and State Inaction During the Al Aqsa Intifadah*, A Palestinian Human Rights Monitoring Group Report, Vol. 5, No. 2, March 2001, <http://www.phrmg.org>.

¹³⁸ *Ibid.*, Chapter 3: Law Enforcement.

¹³⁹ HRW report; cited in *Ha'aretz*, 12 April 2001.

¹⁴⁰ Editorial, *Ha'aretz*, 24 September 1998.

¹⁴¹ Cited in ‘Between Heaven and Hell’, *The Guardian*, 21 May 2001.

¹⁴² *Ibid.*

¹⁴³ BBC 2 Newsnight, 20 August 2001.

¹⁴⁴ Agence France Press, ‘Jewish settlers like apartheid rulers, Red Cross official charges’, 8 August 2001.

¹⁴⁵ Cited in Levy, Gideon, ‘Like the old days in South Africa’, *Viewpoint: Exploring The Powerful Issues & Emotions of the Middle East*, 7 June 2001, viewpoint@shagmail.com.