Israel is not an apartheid state. This allegation damages the peace process.

Professor Alan Johnson

BICOM
Britain Israel Communications and Research Centre

UPDATED: 2022
As a movement we recognise the legitimacy of Palestinian nationalism just as we recognise the legitimacy of Zionism as a Jewish nationalism. We insist on the right of the state of Israel to exist within secure borders, but with equal vigour support the Palestinian right to national self-determination. We are gratified to see that new possibilities of resolving the issue through negotiation have arisen since the election of a new government in Israel. We would wish to encourage that process, and if we have the opportunity, to assist.¹

Nelson Mandela, 1993

The whole world must see that Israel must exist and has the right to exist, and is one of the great outposts of democracy in the world ... Peace for Israel means security and that security must be a reality.²

Martin Luther King Jr, 1967

The charge that Israel is an apartheid state is a false and malicious one that precludes, rather than promotes, peace and harmony.³


If Israel were an apartheid state, I, for example, would not be allowed to work for a Jewish newspaper or live in a Jewish neighbourhood or own a home. The real apartheid is in Lebanon, where there is a law that bans Palestinians from working in over 50 professions. Can you imagine if the Knesset passed a law banning Arabs from working even in one profession? The law of where there is a law that bans Palestinians from working in over 50 professions. Can you imagine if the Knesset passed a law banning Arabs from working even in one profession? The law of

Khaled Abu Toameh (journalist, Arab citizen of Israel), 2010

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2 Martin Luther King Jr., ‘Israel ... is one of the great outposts of democracy in the world’. Israel SDM YouTube. Https://www.youtube.com/watch?v=kvr2Cxuh2Wk


Nelson Mandela, Archives de la Ville de Montréal/Flickr

Nelson Mandela, Archives de la Ville de Montréal/Flickr
2022 INTRODUCTION | ON AMNESTY’S ANTISEMITIC ‘APARTHEID’ REPORT

SUMMARY OF 2022 INTRODUCTION
This new introduction to the updated 2022 edition of The Apartheid Smear is a critique of the analysis, politics and methods of a 2022 Amnesty International report, which broadcast that smear to a global audience.

Part 1: What’s Wrong with Amnesty’s Analysis
* Amnesty thinks that because Israel is a ‘Jewish state’ it must be an ‘apartheid state’ for non-Jews. I show why this is not the case. The Jewish nation-state is the expression of the Jewish people’s democratic right of national self-determination, with rights for minorities.

* Amnesty systematically decontextualises history to demonise Israel and so infer apartheid, firstly by erasing the 100-year Arab war against the Jews.

* Amnesty further decontextualises history to demonise Israel and infer apartheid by erasing the history of the peace process:

  * Amnesty misrepresents what is a tragic, complex, but still just-about-solvable national question between two homeland peoples who have tried, but so far failed to negotiate a division of the land, by falsely presenting the conflict as an insoluble racial conflict between Bad, White, European, Supremacist, Settler Oppressor Jews and Good, Black, Indigenous Oppressed Palestinians.

Part 2: What’s Wrong with Amnesty’s Politics
* Amnesty proposes one-sided ‘solutions’ to the conflict that would lead to more bloodshed by ending all chances of mutual recognition and a peace agreement between the two peoples.

  * The report will boost antisemitic anti-Zionism in the West, further poisoning our campuses, civil society and politics, dividing communities and endangering Jews.

Part 3: What’s Wrong with Amnesty as a Messenger and with Amnesty’s Methods
* The messenger is not credible. Amnesty’s report is one of a number of coordinated ‘Apartheid Reports’ produced by anti-Israel NGOs and stacked anti-Israel UN Bodies.

  * The methods are dubious. Amnesty’s report is shot through with errors and omissions, use of the double standard and ‘the perfection standard’, and misrepresentations. The report also contains bowdlerised quotes, the insertion of new language into quotes, wild exaggerations, the questionable use of numbers, and, from start to finish, the systematic erasure of contrary evidence and the systematic decontextualising of history to demonise Israel.

Conclusion
According to the internationally-recognised IHRA Definition of Antisemitism, contemporary antisemitism can take the form of ‘Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavour’ and by ‘applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation’. The Amnesty report is, so this introduction argues, guilty of both examples of contemporary antisemitism.

ON AMNESTY’S ANTISEMITIC ‘APARTHEID’ REPORT

[The] system of apartheid originated with the creation of Israel in May 1948.

Israel should not exist as a state of the Jewish people.
– Liam O’Brien, Director of Amnesty International USA, 2022.

Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavour.

Applying double standards by requiring of [Israel] a behaviour not expected or demanded on any other democratic nation.
– Two of the examples of contemporary antisemitism listed in the IHRA Definition of Antisemitism.

The bending of history and facts in this [Amnesty] report is a prime example of how contemporary antisemitism manifests itself, with the sole goal of dismantling the only Jewish State.
– The Institute for the Study of Global Antisemitism and Policy.

The linguistic transition from ‘The Arab-Israeli Conflict’ to ‘Israel-Palestinian Conflict’ to ‘Occupation’ to ‘Apartheid’ is designed to gradually erase any historical memory of the declared Arab goals of war [no Jewish state] and deny any legitimacy to Jewish self-determination.
– Einat Wilf, former Israeli Labor Party MK.

As Shany Mor succinctly put it in Fathom, the apartheid accusation declare that Israel ‘is guilty of not just committing a grievous crime but of being a grievous crime’. One cannot easily reform an existential state of being. Best retire the criminal to the dustbin of history. That eliminatorist, antisemitic agenda has always been fundamental to the apartheid accusation, and the Amnesty report reinforces it.
– Cary Nelson, President of the American Association of

Why is it so important for opinion formers and policy makers who seek peace via the two-state solution to reject the Amnesty Apartheid Report?

Because it has long been understood by democrats on all sides that a solution to the Israeli-Palestinian conflict is impossible without the hard work of mutual recognition and peacemaking, negotiations and compromises, and, eventually, a lasting settlement based on a division of the land and an institutionalisation of the democratic right to national self-determination of both peoples.

Some way-stations on the journey to peace have been Madrid, Oslo, Camp David, Taba, Annapolis, and the Kerry-Obama talks. Yes, the last inch of the journey, as the saying goes, is a mile deep, but there is no real-world alternative to trying again to traverse it. Today, that effort will proceed in the more hopeful context of the Abraham Accords, a historic series of agreements between Israel and several surrounding Arab states. For an extensive collection of some of the most creative and expert thinking from Israelis, Palestinians and others about how to recommence that journey to peace see Rescuing Israeli-Palestinian Peace: The Fathom Essays 2016-2020.

However, while a negotiated two-state solution remains the only viable way to resolve the Israeli-Palestinian conflict by recognising the right of both peoples to national self-determination, right now the gaps between the sides remain significant, and there is insufficient trust, or political will, to build the kind of relationships between the leaderships that might allow those gaps to be bridged.
PART 1: WHAT IS WRONG WITH AMNESTY’S ANALYSIS?

Amnesty’s analysis is based on four major errors, which combine to radically misrepresent Israel and the conflict.

1.1 Amnesty’s First Analytical Error: Thinking a ‘Jewish State’ must be a Racist State

Amnesty thinks that because Israel is a Jewish state it must be an “Apartheid State” for non-Jews. This is a fundamental misunderstanding. Nation-states are normal. The Jewish nation-state is the expression of the Jewish people’s democratic right of national self-determination and Israel is a Jewish nation-state with extensive rights for the national minorities.

Amnesty is very clear: a ‘system of apartheid’ must be a Racist State.

In Amnesty’s book, “The Apartheid Smear”, they write that a “Jewish state” means Israel is a “Jewish homeland” for the Jewish people. This is a fallacy.

Example: Life Expectancy | Inequality, yes; apartheid no

Inequality is significant, but apartheid is not.

- Life expectancy for blacks (twice the rate for Israel’s Arab citizens) versus 4.6 for whites.
- Muslim infant mortality is about 6 versus about 3.7 for whites. In Australia 6.3 for whites.
- Arab infant mortality is 5.4 (per 1,000 births) but only 2.4 for Jews.
- Example: Marriage and Citizenship

Amnesty infers the policy of not automatically granting citizenship to marriage partners is part of Israel’s “apartheid system.” But many states do the same. The UK, for example, does not automatically grant citizenship to marriage partners.

Example: Religious Freedom

Amnesty infers that the freedom of worship of Jews is denied and Israel is a “Jewish Supremacy” state. But, as Aizenberg observes, “The story should be how the Arab minority in Israel has a lower infant mortality rate than minorities in the UK, Australia and the US, as well as surrounding nations Lebanon (6), Turkey (8), Jordan (9) and Egypt (13).”

Example: Life Expectancy | inequality, yes; apartheid no

Life expectancy is 81.1 years for Jews versus 71.5 for Arabs. An inequality. Yes. Can we refer apartheid from that inequality? Hardly.

How are African nations that have a higher life expectancy than those Arabs who live in the 21 non-Apartheid Arab countries including the Gulf States. In fact, their life expectancy is roughly equal to the US average.

Amnesty claims the Arab Citizens of Israel suffer ‘apartheid’.

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Arabs today to minorities in other states

Amnesty’s second trick: Never compare the position of Israeli Arabs to minorities in other states

Arabs today to minorities in other states

Amnesty’s second trick: Never compare Israeli Arab outcomes with those in any other states, whether regional or international. Again, any inequalities can then be presented as ‘aparthied’ or ‘Jewish Supremacism’.

Example: Arab incomes

Amnesty thinks it is apartheid that ‘average monthly net income per household in the Arab sector is NIS 12,700 (USD 4,097), compared to NIS 18,720 (USD 6,051) in the Jewish sector in Israel’ or 32 per cent lower (p. 167). However, fully half of British Muslims are in poverty (i.e. their household incomes are less than 60 per cent of the national medium average). As Azienberg notes, ‘Household income for Aboriginal people in Australia is 50 per cent below non-indigenous persons. The real story [in Israel] is the reverse of apartheid.’

Amnesty’s third trick: Hide from the reader all Israeli government efforts to close the gaps between majority and minority

The December 2015 Government Resolution 922 allocated NIS 12.3 billion (nearly $4 billion) to the development of the Arab sector to efforts to close the gaps between majority and minority

Amnesty is guilty of a double demonising erasure – of the 100-year Arab war against the Jews and of the peace process – when combined with Amnesty’s foundational error of thinking a Jewish state can only be a racist state, leaves the reader with no context to explain Israeli actions other than ‘Israel’ and intentional ‘Jewish supremacism’.

Amnesty erases its own words

Amnesty tells us that Israel made ‘territorial gains…’ in 1948 and was ‘apartheid’. But Amnesty erases the predatory war on the Jews, launched (and lost) by five Arab armies determined to drive the Jews into the sea three years after the Holocaust, a war launched after the Palestinian national movement and the Arab League had rejected the UN partition plan, which the Jews had accepted.

These are not small facts. They are the ones you need to make any proper sense of the history. Amnesty erases all of it, including Abdullah el Tell, commander of the Arab Legion saying jubilantly – after expelling all Jewish residents from the Old City and allowing Arab Muslim refugees to settle in the vacated Jewish Quarter – ‘For the first time in 1,000 years not a single Arab Legion saying jubilantly – after expelling all Jewish residents from the vacated Jewish Quarter – ‘For the first time in 1,000 years not a single Jewish person has been in Jerusalem’s Old City’.

Amnesty erases the fact that every single battlefield victory the Arabs achieved in 1948 was followed by the ethnic cleansing (or massacring) of the Jews. Every one. Amnesty turns 1948 on its head a predatory-
Amnesty whitewashes the antisemitic terrorists of Hamas. For example, Amnesty denounces the Israeli evacuation of the Gaza Strip and the military offensives in Gaza, claiming that they represent a racial war between Israelis and Palestinians. This is inaccurate, as the offensives were in response to Hamas's terrorism, which has resulted in numerous civilian deaths and injuries.

Amnesty's bias is evident in its reports on the conflict, where it consistently portrays Israel as the aggressor and Hamas as the victim. This is especially true in its report on the 2021 Gaza war, where it attributes all responsibility for the conflict to Israel, ignoring Hamas's continued rocket attacks on Israeli cities.

Despite the documented evidence of Hamas's terrorist activities, Amnesty continues to promote its narrative of an Israeli occupation and apartheid, which is based on selective use of facts and ignores key historical context.

In conclusion, Amnesty's coverage of the conflict is biased and incomplete, providing a one-sided view that does not do justice to the complexity of the situation. It is essential for media outlets to provide accurate and balanced coverage of the conflict to ensure that the truth is known and understood.
Palestinians as an inferior non-Jewish racial group]. The report is stuffed full of “race-baiting” language. The phrase ‘Jewish domination’ crops up 143 times, alongside “racialised policing of protests,” “racially motivated dispossession,” “a regime of systematic racial oppression and domination,” and “the racialized and discriminatory dispossession of … lands and property”. Amnesty asserts that “the racial discrimination against and segregation of Palestinians is the result of deliberate government policy” and calls for “restitution of and compensation for all properties acquired on a racial basis.” As the Jewish Forward put it, the Amnesty approach does more “to demonize Jews than uplift Palestinians.”

Amnesty, ‘Apartheid’ and the ‘Settler-Colonial State’ Myth

It is important to grasp that the ‘apartheid’ smear now functions in the world as the activist political expression of a theory now popular in left academia – settler colonialism theory – that has been stretched to fit the Israeli case. The theory claims Israel is an alien, European, ‘settler-colonial society,’ an alien implant stuck into the Middle East by ‘Imperialism’. According to this theory the Jewish presence in Israel is just like the ‘settler invasions’ of America, Canada, Australia and New Zealand. The Jews are just another group of ‘white’, ‘European’, ‘racist’, ‘settler-colonists’ who ‘invaded’ a territory and imposed a racist system on the ‘black indigenous’.

The theory is designed to allow the global anti-Israel campaign to associate their cause with the apartheid, with Black Lives Matters and Critical Race Theory. Amnesty’s charge of “Jewish supremacist” is an accusation of racism, just like the charge in the US of ‘white supremacist’. Note that Amnesty does not make the accusation of ‘Arab supremacist’ or ‘Islamic supremacist’ against other countries in the region in which ethnic or religious minorities suffer much worse, compared to the majority populations, than the Arab minority in Israel. This use of the double standard makes Amnesty’s charge of ‘Jewish supremacist’ antisemitic within the terms of the IHRA Definition.

The apartheid smear and ‘Settler Colonialism’ theory work together, pushing aside the two states for two peoples paradigm, and the political approach to resolving the conflict by negotiations, which is suitable for an unresolved national question between two peoples. In places it is the revisionist (and frankly genocidal) alternative of ending the existence of Israel, the one Jewish state in the world, and changing ‘from the river to the sea, Palestine will be free’, which is suitable for a South Africa-like racial conflict between an minority oppressor race and a majority oppressed race.

The trouble is this: Israel is no more a ‘settler-colonial’ state than it is an ‘apartheid’ state. There are four fundamental differences between the Israeli experience and that of the ‘settler colonial states’ like America or Australia.

First Difference: The intimate Jewish relationship to the land

The ‘apartheid’ / ‘Settler Colonialism’ paradigm misses everything that is historically and religiously distinctive about the Jewish relationship to the land of Israel/Palestine. That relationship is utterly unlike anything you can find in the societies usually identified as ‘settler colonial’. The Jews were a homeland people returning to a land that had been theirs, in which their religion was born, their temple built, and their Matriarchs and Patriarchs walked. A land that was at the absolute centre of Judaism and Jewish peopleship. The land from which they had been forcibly expelled, through on which they had maintained an unbroken presence, and had been the majority in Jerusalem since the 19th century.

Second Difference: The exceptional history of Jewish persecution

The ‘apartheid’ / ‘Settler Colonialism’ paradigm erases Europe’s antisemitic history as a driver in the rise of Zionism and the creation of the Jewish state the collapse of the post-1879 liberal and emancipatory society, the murderous backlash against the limited inclusion of Jews in European societies in the late 19th century; the radicalisation of European antisemitism in the 20th century culminating in the Holocaust, a rupture in world history and Jewish history that made the creation of a Jewish state in the land of Israel nothing like the creation of the ‘settler colonial’ societies such as the US or South Africa.

Third Difference: The fact of Jewish indigeneity

The ‘apartheid’ / Settler Colonialism paradigm erases the local character of the majority of Israeli Jews. The Jews are a homeland people, exiled and returning. Jews were a majority again in Jerusalem in the 13th century. Around 800,000 Jews immigrated to Israel from Arab lands from the late 1940s-early1950s, moving within a region they had lived in for millennia. Most were driven out of their homelands by Arab and Muslim antisemitism, many carrying the handful of belongings they had been given 24 hours to pack after millennia of residence.

Fourth Difference: The international community superintended the creation of Israel

Unlike actual settler colonial states like the USA or Australia, Israel was brought into being by a series of international community mandates – including the 1917 Balfour Declaration, the 1922 San Remo Conference and the 1947 UN Partition Plan.

PART 2: AMNESTY’S POLICIES AND RECOMMENDATIONS

The policy recommendations of the Amnesty report, were they endorsed, would lead to two disastrous political consequences. First, western governments and civil society actors would find it impossible to make any useful contribution to the easing and resolution of the conflict. Quite the reverse in fact. Second, the antisemitic anti-Zionism which is already poisoning campuses, politics, civil society and communal relations in the West would worsen.

2.1 Amnesty proposes one-sided, non-starter, ‘solutions’ to the conflict that would end all chances of mutual recognition and a peace agreement, as well as threatening Israel’s short-term security and long-term existence.

Amnesty’s practical proposals threaten Israel’s short-term security

In the short-term, Amnesty’s proposals would make Israel an international pariah: diplomatically isolated, boycotted, cast out from the economic and cultural life of humanity, unable to rearm, and vulnerable to the depredations of regional enemies of all kinds.

Amnesty proposals include: the international community to send Israeli to the International Criminal Court; the international community to impose a “comprehensive arms embargo” on Israel (at a time, note, when Israel is threatened by terrorist organisations like Hamas, Palestinian Islamic Jihad and Hezbollah, and by a state, Iran, which has made clear its genocidal intent many times); the UN to sanction Israel (and only Israel), a global civil society campaign to support BDS; an international tribunal to try Israeli officials for ‘apartheid’; corporations to avoid their business relationships with Israel (the ending of Palestinian Authority security cooperation with Israel), and the ending of the newly warming relationships between Arab states and Israel.

Amnesty ‘recommends’ that Israel opens all borders to Gaza and allows the free entry of all goods into Gaza. (It does not ‘recommend’ that Hamas stop building rockets or tunnels.) Amnesty also recommends that Israel remove the security barrier in the West Bank. (It does not recommend that Palestinians halt all activities that promote terrorism, such as the so-called ‘martyrs’ payments’, naming schools after terrorists and providing summer camps for children who glorify terrorism and teach antisemitism).

Amnesty’s proposals threaten Israel’s long-term existence

Amnesty proposes that Israel accept the unqualified right of ‘return’ of the refugees of 1948 and of several millions of their descendants, anything less being inferred as apartheid. Amnesty calls for this ‘right’ to be exercised not in the new Palestinian state that Israel has tried to negotiate, but in Israel itself. The report is very clear: ‘Palestinians who were displaced in the 1947-49 and 1967 conflicts, and their descendants, have an internationally-protected right to return to their former places of residence or property’ says Amnesty, who add that Israel ‘must also recognize the right of Palestinian refugees and their descendants to return to homes where they or their families once lived in Israel or the OPT.’

Amnesty’s maximalist ‘return’ politics (a throw back to the 1970s era PLO, by the way) would mean that, in time, instead of having a Jewish state and a Palestinian state – a solution that would allow mutual recognition and the national self-determination of both peoples – there would instead be two majority-Arab states. So, the only Jewish state in the world would disappear, but the 23rd Arab state would be brought into being.

How out of state Amnesty (and much of the Global Left) is. While the Arab world moves forward to an historic rapprochement with Israel – opening up new opportunities for restarting the peace process between Israelis and Palestinians – Amnesty would move us back to the dead-end politics of the Cold War: ‘return’, state boycotts and Soviet-inspired ‘anti-Zionism’ propaganda about ‘apartheid’.

2.2 Amnesty’s report will boost antisemitic anti-Zionism in the West, further poisoning campuses, civil society and politics, dividing communities and endangering Jews

Branding Israel an apartheid state is more than historically inaccurate. I believe it’s part of a larger effort to delegitimise the Jewish state. Such language, I see it spilling over onto campuses where it poisons the atmosphere, particularly for Jewish students.

Professor Deborah Lipstadt, US Special Envoy to Monitor and Combat Antisemitism, in evidence to the US Senate Foreign Relations Committee.

Amnesty’s USA Director Paul O’Brien is very clear that “Israel should not exist as a Jewish state”. He also says he does not believe polls showing the vast majority of American Jews support Israel. (One wonders who he thinks has the uncanny power to manipulate all those polls). Little wonder the UK Government’s adviser on antisemitism, Lord John Mann, believes it’s time for Amnesty to receive some training in what antisemitism is.”

A Modern Blood Libel?

Some commentators have compared Amnesty’s systematic decontextualisation of Israeli responses to terror attacks to the medieval blood libel. Richard Eisenberg offers the example of Amnesty devoting much space (p. 183) to the case of Ms. Nisreen Qudeh, a Gazan woman whose house and plant nursery (in Khuza’a) were destroyed in Israeli strikes in 2014. But Eisenberg notes that Amnesty fails to tell the reader that there was a Hamas terror tunnel that opened inside Gaza at Khuza’a from where Israel was infiltrated and
Somehow, sixty years on, an institution of peace, the World Jewish Congress, the President of the World Jewish Congress, Ronald S. Lauder, has pointed out, while the Amnesty report ‘does absolutely nothing to offer a constructive way forward,’ it will ‘fuel the fires of anti-Semitism.’

Anti-Semitism changes over time and place according to the needs of the anti-Semitic. Medieval Priests, Enligtenment philosophers, Nazi SS officers and Stalinist Central Committee members each told a different story about the alien, powerful, and malevolent Jew: the Jews are God-Killers; the Jews are a biological pollutant to an Age of Reason; the Jews are a biological pollutant of the Aryan Race; the Jews are Upper-Capitalists, Rothschild Capitalists, Rootless Cosmopolitans and Zionists, and so on.

The creation for the first time in two thousand years of a Jewish state has transformed the language and style of anti-Semitism once again. As the historian David Nirenberg, author of the seminal Anti-Judaism: The Western Tradition, puts it, ‘We live in an age in which millions of people are exposed daily to some variant of the argument that the challenges of the world they live in are best explained in terms of “Israel.” The Amnesty Report is of this age. By depicting the Jewish state as a racist endeavour with no right to exist, by depicting its policies as motivated by an intentional and cruel racism, and by leaving the reader thinking that Israel’s acts of self-defence against terror and apartheid are part of a “perpetual, passive victim” of the “Zionist” and “Jewish supremacists” it has helped put into global circulation a demonising and dehumanising discourse about Jews. How could this not have anti-Semitic effects? The ADL believes the apartheid smear is a powerful tool against the Arab people support the Arab people and their leaders. It is anti-Semitic because it is racist because Israel is racist because Israel is not Jewish because it is Zionism, so Israel’s allies must be cancelled.

The time for being polite about this kind of anti-Semitic demonisation has long passed. Its real world consequences are visible all around us: a rising tide of anti-Semitism that is moving from discourse to violence. That the demonisation comes dressed up in a ‘UN’ logo, because a majority of Islamic states and thug states have colonised this or that UN committee, is of course a shame because it is the UN. It is unconscious to blaming Israel for the atrocities committed by the UN.

And enough is enough.

CONCLUSION: ENOUGH IS ENOUGH

Luke Ahearn has made the fundamental point: Amnesty has a legitimate role in holding all governments and powers to account for human rights violations but it does not have a legitimate role in ‘deciding that the Jewish people are not entitled to national self-determination and a state where they are the majority, when the existence of such a state is the Jewish people’s only guaranteed shield against pogroms and genocides.’

Democrats face a choice when it comes to the Israel-Palestine conflict: be instrumental-constructive or be expressive-destructive. Either or.

Either one accepts the frustrating reality that the conflict is a complex, protracted, ill-termed unresolved question between two peoples to reach peace by mutual recognition, negotiations, compromise and agreement.

Or, as Amos Oz put it in his classic pamphlet How to Cure a Fanatic, one treats the conflict as a racial war of good vs. bad, cheering one side and booing the other, chanting ‘From the River to the Sea’, cancelling ‘the Zionists’, using the conflict as a screen on to which to project a radical left-wing identity.

In the mid-1980s in Britain we had to fight far-left anti-Zionist activists in the UK National Union of Students who were trying to ban student Jewish Societies. Jews were ‘racists’ they said, because Jews were ‘Zionists’ and ‘Zionism is racism.’ In 2021-22 a crop of reports from NGOs and UN bodies that is the evidence that Jews are racist because Israel is racist because Israel is not Jewish because it is Zionism, so Israel’s allies must be cancelled.

The time for being polite about this kind of anti-Semitic demonisation has long passed. Its real world consequences are visible all around us: a rising tide of anti-Semitism that is moving from discourse to violence. That the demonisation comes dressed up in a ‘UN’ logo, because a majority of Islamic states and thug states have colonised this or that UN committee, is of course a shame because it is the UN. It is unconscious to blaming Israel for the atrocities committed by the UN.

And enough is enough.

APPENDIX: AMNESTY IS A BIASED MESSAGER USING DUBIOUS METHODS

I now raise some questions about the credibility of Amnesty as a messenger and the reliability of the methods used in its 2022 ‘apartheid’ report. I draw liberally on Salo Aizenberg’s brilliant and forensic critical reading of the Amnesty report, in which he identified 287 errors, omissions, double standards, misrepresentations and dead citations, all of which, he demonstrates, err in the same direction: the demonisation of Israel.

AMNESTY IS A BIASED MESSAGER

Whatever can be said for its reports on other countries, when it comes to Israel, Amnesty has not been a credible messenger for some time.

As long ago as 1970, the group’s U.S. chairman Mark Benenson publicly slammed the organisation, charging that its reporting on Israel ‘reveals the zeal of the prosecutor, convinced of the defendant’s guilt,’ and ‘limits material which would help the defence.’

Two years later, after Amnesty appeared to shrug at the massacre of Israeli Jews by Palestinian terrorists at the Munich Olympics, Gidon Gottlieb, Amnesty’s representative to the United Nations, resigned citing his colleagues’ “morally obtuse” and the organisation’s “climate of tolerance [of] inhuman acts by the “underdog.””

Amnesty has a history of making false charges against Israel (e.g. Israel, Gaza, Kiev, and lamch) and the UN’s media. Its leader Agnès Callamard had to apologise after her ‘Israel anti-Israel twitwits’ were published.

Israel’s Ministry of Foreign Affairs has complained that ‘Amnesty’s secretary general previously accused Israel of killing Arafat without any basis or facts’ pointing out that ‘It took Amnesty eight years to take back these false accusations.’

Salman Rouhieh charged Amnesty Internationa1 with ‘moral bankruptcy’ in 2010.

The Director of Amnesty, Milly Makler has been blunt about the organisation’s failures. I have a problem with Amnesty International’s approach on anti-Semitism. Amnesty is supposed to fight anti-Semitism. It does, but not enough, and sometimes I feel that it needs to be pressured into action (on the issue). On the one hand, Makler has also rejected Amnesty’s claim that Arab-Israelis who identify as Palestinian are “perpetual, passive victims of apartheid, denied any rights and agency” which she pointed out is “neither true nor helpful.”

In 2019, a 200-page report commissioned by Jewish Human Rights Watch, ‘Amnesty International: From Bias to Obsession’, was published online. It provided links to dozens of social media accounts and the output of over 40 Amnesty staff and volunteers. Many of the case studies concerned people who are or were instrumental in directing Amnesty’s focus. The research took several months and hundreds of thousands of social media posts were logged.

The research concluded that ‘there are clear political and discriminatory influences at work at Amnesty’ and ‘targets are not chosen for their actions but rather for their identity.’ Moreover, ‘Every part of Amnesty’s arsenal spends a disproportionate amount of time attacking Israel. When fused together in a coordinated manner, the focus appears obsessive and persecutory. Campaigns against Israel are visibly better funded, more frequent and promoted with far more energy – than anything else Amnesty International undertakes.’ The report continued: ‘More worrying still is the alignment between Amnesty’s anti-Israel campaigns and the aims of the BDS movement, which leave little room for doubt that it is coordinated rather than coincidental.

These are some of the key findings of ‘Amnesty International: From Bias to Obsession’.

• ‘Amnesty’s problem has been a long time in the making. Almost two decades ago they dropped rules that protected them from “conflict of interest” issues and began to employ “one cause” activists – in other words – people who use human rights activism as a convenient disguise.

• ‘Israel is not treated by Amnesty International as a legitimate state. When Amnesty talks about Israel their language changes and there is deep hostility. Amnesty officials can direct praise to the most brutal of regimes – but never a word good about Israel.

• ‘Time after time, important Amnesty officials were found sharing more material attackiing Israel than anything else – even if officially their attention was meant to be elsewhere.’

• ‘One Amnesty consultant was found posting an image of two fallen Islamic Jihad terrorists, with a love heart next to the word “heroes.”’ One account, listed by Amnesty as a “Middle East and North Africa Media Manager” appears to have sent advice to factions in Gaza not to claim fallen “martyrs” when they are killed, but rather leave the west to think they were innocent civilians. This from a person at Amnesty use the point of contact for western media.

• ‘A Deputy Director for MENA at Amnesty is just a Palestinian
anti-Israel activist from Ramallah who used to have a terrorist as his Facebook profile picture. He is officially meant to focus on abuse throughout the region — all he does is post anti-Israel rhetoric. Another of Amnesty’s people just says “**4**% Israeli”, one boasted of helping pass the BDS motion at her university, one tweeted “From the river to the sea” another called for Israel to be dismantled. The list goes on and on.

- “When directed towards Israel, the cumulative obsession can...be lethal and self-fulfilling.”

**AMNESTY USES DUBIOUS METHODS**

Searching questions about the methods employed in the 2022 Amnesty report have been put by Michael Ehrlich, a member of the Israel section of Amnesty International throughout the 1990s and early 2000s, and the chair of Amnesty’s board of directors in 1998-1999.

Amnesty International prides itself on the organisation’s high level of research and its neutrality. This (2022 apartheid) report is an extreme example of how baseless that claim is. If one writes a report biased almost entirely on one-sided sources, does not bother to engage with civil society organisations that hold a different perspective, and does not turn to mainstream academics and legal experts, then he is conducting biased and negligent research with the main purpose of smear- ing Israel and harming its international status.

Amnesty does not possess ‘the manpower and financial resources’ for such investigations, he suggested, ‘rendering its reports far less harming its international status.

Amnesty does not possess ‘the manpower and financial resources’ for such investigations, he suggested, ‘rendering its reports far less harming its international status.

I now cite some examples of Amnesty’s dubious methods, quoting liberally from Ehrlich’s critique.

1. **Amnesty’s self-referential or circular sourcing**

As a genre, the apartheid reports produced by the anti-Israel NGOs and UN bodies tend to be exceptionally self-referential: they all cite each other. Ehrlich again:

> “When directed towards Israel, the cumulative obsession can...be lethal and self-fulfilling.”

**Example: Trigger Happy**

Amnesty writes that ‘Israelis force appear to have deliberately targeted medics, journalists and human rights defenders during protests.’ (p. 251) Aizenberg responds: ‘Footnote 1465 cites Amnesty’s own report from 2014 titled “Trigger Happy” where on page 8 it simply writes virtually the exact same line — but offers no source. On page 59 it discusses the case of a medic who was injured by a foam-tipped bullet that hit his right knee which he claims a soldier fired on him on purpose. Then the report says: “99% Israeli documented eight cases where Israeli forces injured medics...” but with no further evidence. The second source cited for this claim is yet another Amnesty report titled “Six Months On: Gaza’s Great March of Return” where it discusses medics who were injured but does not discuss if or how they were deliberately targeted. Thus, once again Amnesty fabricates a charge of war crimes with no evidence, simply citing two of its own earlier reports that simply offer no evidence.”

2. **Amnesty’s Perfection Standard for Israel**

Aizenberg argues that Amnesty holds Israel to a ‘perfection standard’, citing several examples. Any disparity between Arabs and Jews, he points out, is ‘seen by Amnesty as a result of and evidence of apartheid.’ And to make this claim easier to make, ‘Amnesty deliberately presents all data in a vacuum since any comparison to other nations would contradict their apartheid narrative.’

**Example of Amnesty’s Perfection Standard: Poverty Rates**

Poverty rate differences between Arabs and Jews in Israel are presented by Amnesty as evidence of apartheid even though the rates in Israel show Arabs fare better than minorities in many Western nations that Amnesty would not dream of calling ‘apartheid.’

Another example of the perfection standard is when Amnesty considers harsher security checks at Israeli airports for Arabs versus Jews (to be?) evidence of discrimination and an important item ‘evidencing apartheid’. The practice is not evidence of apartheid, of course. ‘Did President Obama implement an apartheid-like policy when approving special scrutiny, such as full-body parts, to persons from 14 Muslim nations?’ asks Aizenberg.

**Example of Amnesty’s Perfection Standard: Airport Security**

Another example of the perfection standard is when Amnesty considers harsher security checks at Israeli airports for Arabs versus Jews (to be?) evidence of discrimination and an important item ‘evidencing apartheid’. The practice is not evidence of apartheid, of course. ‘Did President Obama implement an apartheid-like policy when approving special scrutiny, such as full-body parts, to persons from 14 Muslim nations?’ asks Aizenberg.

3. **Amnesty’s dubious uses of Data**

Amnesty cites high poverty rates among Arabs and Bedouins as evidence of apartheid, by referring to a UN report. Aizenberg points out that the report, when checked, is about poverty among ‘older persons, Bedouin families, Arab Israeli families and ultra-Orthodox [i.e. Jewish] families’. More: Amnesty omits recent statistics from the OECD website that show income inequality in Israel is now better than the UK, US and Chile none of whom, on last check, Amnesty were calling apartheid states.

**Example: Measuring GDP**

Amnesty writes: ‘Since 1999, global GDP has grown consistently in the West Bank and Gaza at $5.5 billion in 2020 versus $4.1 billion in 1999, for about a 6 per cent compound annual growth rate.’

Amnesty gives as an example of apartheid the 2019 GDP growth rate in the West Bank of 1.15 per cent, noting this is down from 2.3 per cent in 2016, itself the lowest rate since 2012.” (p. 168) As Aizenberg points out, for Amnesty, ‘consecutive years of growth is “apartheid.”’

**Example: Reversing the historical timeline to demeanise Israel**

Amnesty writes: ‘In 2005 Israel withdrew its settlers and ground troops [from Gaza] and subjected the territory to a land, sea and air blockade.’ Not so. Ultra-Orthodox ‘left in 2005, but only began controlling entry points in June 2007’ after Hamas violently took over Gaza and threatened Israel.”

4. **Amnesty’s Unsourced Claims**

**Example: Policising and the May 2021 Riots**

Aizenberg noted that Amnesty also claims without evidence that the police operation was aimed at “settling scores” suggesting it was not merely to stop violence but to proactively and deliberately harm innocent Arabs. Footnote 464 cites Amnesty’s own June 2021 report on the topic which claims that Israeli media ‘said the operation aimed to “settle scores” but does not cite which media and when. Thus, a serious charge about the intentions of Israeli actions are nothing more than “we say so.”

5. **Amnesty Distorts History**

**Example: Palestinian Citizenship Orders**

Amnesty claims that Israel stripped Palestinian refugees of their ‘Palestinian citizenship granted under the Palestinian Citizenship Orders of 1925-1942’. (p. 82-83). Actually, Palestinian Citizenship Orders of 1925-1942 were a form of citizenship granted by the British government authorities under the British Palestine Mandate. After British withdrew in May 1948, all persons who held this citizenship, lost it, except as well as Arabs.

**Example: Family Reunification Laws**

Amnesty presents Israel’s Family Reunification Laws as being strictly applied and another example of apartheid. But Aizenberg shows that ‘From 1993 to 2002 there were a total of 16,007 applications for family reunification or 810 per year, and data shows that more than half were approved. After new tighter legislation was passed in 2003 until 2013 there were 12,284 family unification requests, of which 5,629 were approved, 4,349 rejected and the remainder postponed or delayed.’ In other words, ‘a few hundred per year were rejected, often for security reasons and sometimes because “center of life” requirements could not be verified.’

6. **Amnesty misunderstands what the numbers are actually saying**

**Examples: Classrooms**

Classrooms. Amnesty thinks it is evidence of apartheid that ‘in 2016, only 526 classrooms were built in Arab localities, compared to 2,171 classrooms built in the Hebrew education system’. (p. 213) The numbers prove something else true, as the 20 per cent of classrooms built for Arabs in the same proportion as their population.

7. **Amnesty’s fake claims**

**Examples: Amnesty and International Law**

Amnesty states that the Gaza Strip has been placed ‘under an unlawful blockade’ (p. 62) The controls on imports are in fact legal, according
Example: Amnesty and Supreme Court Judgments

Amnesty claims that the state’s ‘Jewishness’ allows the state to limit the right to equality and violate other rights that are protected within the Basic Law’ (p. 64-5). Amnesty presents Supreme Court Judge Barak as arguing exactly this. In fact, Barak argued the opposite, writing ‘It is true, the Jewish people have a special key to enter the home that is called The State of Israel. That is the point of Zionism and that is the point of our Jewish heritage, [but] giving the right of immigration to Jews does not discriminate against non-Jews.’ Later, Barak added, ‘Of course the values of the State of Israel as a democratic state oppose all discrimination and necessitate equality.’

Aizenberg concludes ‘There is absolutely nothing in the article [by Judge Barak] that supports Amnesty’s fabricated statement; in fact it proves the reverse.’

8. Amnesty sometimes presents what (might have) temporarily happened to one Palestinian as always happening to all Palestinians

Amnesty claims that ‘Palestinians in Gaza still experience difficulties opening a bank account. So even though the bank account was eventually opened, simply the difficulty experienced is evidence of apartheid.’

Amnesty discusses the case of one woman who had some difficulty opening a bank account, ‘discusses the case of one woman who had some difficulty opening a bank account as another example of apartheid. What Amnesty does not mention is that ‘94 per cent of account assets were abandoned’ and the remainder was almost entirely due to lack of claimants. So ‘the whole notion of Israeli stealing Palestinian bank accounts is a complete fabrication.’

Example: Amnesty’s story about the theft of Palestinian bank accounts

Amnesty claims that after the 1948 war Israel ‘took over…6,246 [abandoned] bank accounts’ as another example of apartheid. What Amnesty does not mention is that ‘94 per cent of account assets were returned, and the remainder was almost entirely due to lack of claimants’. So ‘the whole notion of Israeli stealing Palestinian bank accounts is a complete fabrication.’

Example: Amnesty erases Palestinian opinion when it contradicts their narrative

Amnesty notes that in May 2018 the Israeli government announced major investments in East Jerusalem but criticised the government because a portion of the education budget was conditioned on East Jerusalem schools adopting the Israeli curriculum. (p. 215) Amnesty does not mention that ‘Arabs in East Jerusalem requested the Israeli curriculum. The Palestinian curriculum was seen as outdated, while the Israeli curriculum offers technology studies, help for students with disabilities, and necessary Hebrew language education.’

Example: Amnesty erases Palestinians who serve in the IDF

Amnesty writes: ‘It is inconceivable for almost any Palestinian citizen to serve in the IDF.’

Example: How many shops?!

Amnesty claims that Israel expropriated over 10,000 shops from Palestinian refugees in the 1948-9 war (p. 23 and 120). Aizenberg shows that the source Amnesty cites is a self-published blog post by an individual with no credentials in the field. The 10,000 number is preposterous since ‘it would mean that the retail landscape in the majority agrarian and Bedouin Arab population of British Mandate Palestine was three-times denser than 2020 America, the world capital of retail.’

Example: Deliberate impoverishment

Amnesty says Israel pursues ‘the deliberate impoverishment of the Palestinian population both within and in the OPT’ (p. 15).

Example: ‘Intensive Destruction’

An example of quote-mangling is found on page one, line one of the Amnesty Report, which reads: ‘Israel is not a state of all its citizens… But rather the nation-state of the Jewish people and only them.’ Message posted online in March 2019 by Israel’s then prime minister, Benjamin Netanyahu.

Example: The UK and Gaza

Amnesty again cites the UN document ‘Concluding Observations: Israel 12 Nov 2019’ urging Israel to ‘[i]mmediately lift the blockade and closures on the Gaza Strip’ and other related recommendations. (p. 209) But Amnesty omits this comment from the same UN document prefacing its urgings: ‘While noting the serious security situation affecting [Israel].’

Example: The apartheid narrative

There are many examples of wild exaggeration in the Amnesty Report. There are a few.

Example: Bulldozer destruction

Amnesty claims ‘According to OCHA, between 1 January and 19 October 2020, many of the 42 Israeli military incursions into the Gaza Strip included bulldozing agricultural land and destroying crops.’ (emphasis added) In fact, according to Aizenberg, the source cited ‘mentions only one instance and there is no information on any other’ and the source (but not Amnesty’s report) also notes that ‘the operations were aimed at destroying tunnels dug by Palestinian armed groups for military purposes’. So, one not many, and for reasons of security not apartheid.

Example: ‘Intensive Destruction’

Amnesty says Israel’s siege of the Church of the Nativity in Bethlehem in 2002, is an example of ‘intensive destruction’ of Palestinian archaeological sites, and so apartheid. Aizenberg explains why Amnesty are wrong. First, this above ground church is not an ‘archaeological site’. Second, Amnesty omits that dozens of armed Palestinian militants entered the church as a haven to avoid capture by Israel, effectively using the site as a shield, knowing that Israel would not attack the church—it is thus Palestinians themselves who cynically desecrated a holy site by using it as a shelter. After 39 days, a peaceful resolution was reached, and the militants surrendered. Due to some minor gun battles each side accused the other of starting, some slight damage occurred to the church. The notion of ‘intensive destruction’ is pure fabrication and lies.’
**THE APEARTHEID SMEAR: EXECUTIVE SUMMARY**

**INTRODUCTION**

- ‘Apartheid’ is the term used to describe the racial segregation and discrimination that was violently enforced on black people by white minority governments in South Africa from 1948 to 1994.
- The Apartheid Smear is the claim that Israel is an ‘apartheid state’ like South Africa was in those years. It is the intellectual foundation stone of ‘BDS’ – the effort by anti-Israel pressure groups to boycott, divest from and sanction Israel.

**WHY ISRAEL IS NOT AN APEARTHEID STATE**

- Israel is not an apartheid state for the 22 per cent of its citizens who are Arabs, as is sometimes claimed. Although they are critical of a range of discriminations and inequalities. In 2001 the annual Israel Democracy Institute poll found that 85 per cent of Israel’s Arab citizens would prefer to stay in Israel even if prominent nationality in another Western country.
- A 2021 survey undertaken by the Palestinian Shif publican showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 per cent showed.

**ZIONISM IS NOT RACISM**

- The Apartheid Smear says that Zionism is a form of racism. It isn’t. Zionism is the national liberation movement of the Jewish people, calling for the restoration of sovereign Jewish life in the land of Israel after 2000 years of exile and persecution. The persecution of Jews was a constant of European life culminating in the Holocaust.
- Mainstream Zionists always believed that a non-Jewish minority would live alongside the Jewish people. Israel’s Declaration of Independence in 1948 promised the Arab inhabitants of the State of Israel ‘full and equal citizenship and due representation in all its provisional and permanent institutions.’
- The right of the Jewish people to create a national home in Palestine was recognised by the British in the 1917 Balfour Declaration, and then approved by the League of Nations (the forerunner of the United Nations) in 1932. In 1947, the General Assembly of the United Nations approved the partition of Mandatory Palestine into ‘Independent Arab and Jewish States.’
- In 1948 the Jewish community declared the establishment of Israel in line with this UN resolution. Five Arab armies immediately invaded. The Palestinian refugee problem was born of war, not by design. Reaching a just and agreed resolution of the refugee question is rightly central to the peace process.

**BEING A ‘JEWISH STATE’ DOES NOT MAKE ISRAEL AN APEARTHEID STATE**

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

**ISRAEL AND THE TERRITORIES**

- Since 1967 Israel has occupied the West Bank after winning the Six Day War against Arab armies that were once again massed on its borders, intent on ‘driving the Jews into the sea.’
- The occupation persists 55 years later not because Israel wants to rule over the Territories but because peace talks – in which Israel seeks recognition and security guarantees in return for the creation of Palestinian state in the Gaza Strip and West Bank – have failed thus far.
- Israel’s actions in the Territories that are mis-labelled ‘apartheid’ – such as the so-called ‘apartheid Wall’ – are actually security measures. Tamil terrorism against Israeli civilians reached unprecedented heights during the Second Intifada (2000-2004).
- Israel does not give Israeli citizenship to West Bank Palestinians because they do not wish to become subject to Israeli law. They want their own state, and Israel is prepared to make an agreement on that basis.
- Israel does not simply walk out of the West Bank without any peace-deal security guarantees because in recent experience, Israeli withdrawal from territory (south Lebanon in 2000 and the Gaza Strip in 2005) has led to Iranian-backed extremists taking over and using the territory as a base to attack Israel. So Israel seeks a negotiated solution.
- Israel is serious about dividing the land through negotiations. In 1937, 1947, 1967, 2000, 2001, and 2008 Israel made or accepted proposals to divide the land. It has peace treaties with Egypt and Jordan and agreed the Abraham Accords with UAE, Bahrain, Sudan and Morocco in 2020. Despite Israeli Jewish voters blaming the left’s vision of territorial compromise for the violence of the Second Intifada in the early 2000s, and the rise of Hamas in Gaza, no solution to the conflict is more popular than the two state solution. The majority of the Israeli public (58 per cent) still supports a two-state solution.
- The pamphlet challenges some powerful myths about the Territories. For example, settlements have not killed the two state solution: a final peace settlement is expected to see the restitution of almost all of the West Bank to the Palestinians. The exceptions – the land along the ‘Green Line’ that contains about 80 per cent of the settlers – will be compensated by ‘land swaps’, a principle which has already been agreed with the Palestinian negotiators, and is endorsed by President Obama and the EU and, since April 2013, the Arab League.

**THE APEARTHEID SMEAR DAMAGES THE PEACE PROCESS**

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

**THE HISTORY OF THE APEARTHEID SMEAR**

- The Apartheid Smear originated in the ‘anti-Zionist’ campaigns waged by the Communist states during the Cold War. These campaigns frequently descended into antisemitism, the word ‘Zionism’ understood by all as a fig-leaf for ‘Jew’.
- The second key moment came in 1975 when the Soviet Bloc, the authoritarian Arab states, and the so-called ‘Non-Aligned Movement’ used their built-in majority at the UN General Assembly to pass Resolution 3379, which equated Zionism with racism.
- The third key moment came in 2002 after the failure of the Camp David peace talks. A group of NGOs and anti-Israel activists hijacked the UN’s World Conference against Racism, Racial Intolerance and Xenophobia in Durban, South Africa to launch a global campaign to smear Israel as an ‘apartheid state.’
- The pattern is clear: whatever the good intentions of some supporters of the Apartheid Smear, in the minds of its hard-core promoters there is a darker purpose: the demeasure of Israel as a pariah state in order to prepare the ground for its eventual destruction.
INTRODUCTION: THE APARTHEID SMEAR (FIRST PUBLISHED 2014, UPDATED 2022)

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

WHAT WAS ‘APARTHEID’ IN SOUTH AFRICA?

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

HOW HAS THE INTERNATIONAL COMMUNITY DEFINED APARTHEID?

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

In 1976, the Communist bloc, Islamic bloc and the Non-Aligned Movement combined to draft the ‘International Convention on the Suppression and Punishment of the Crime of Apartheid.’ As international law expert Anne Herzberg notes, ‘This instrument was not to accept Jewish national rights and the State of Israel. Without this acceptance, Israel will not be prepared to consider the territorial compromises it must make for the creation of a Palestinian state alongside Israel. The Apartheid Smear also creates a poisonous climate for negotiations, by demonising Israel. It marginalises moderate voices on both sides and undermines the possibility of reconciliation.

Amos Oz, the Israeli novelist and a founder of Peace Now puts it best. In his wonderful little book How to Cure a Fanatic, he notes that the conflict between the Israelis and the Palestinians is not a case of right versus wrong, but right versus right. It is a complicated, long-running conflict between two peoples, about their equally legitimate national claims over a piece of land. The two parties – Israelis and Palestinians – have worked with the international community to negotiate a resolution to the conflict.

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

It’s tempting. As former Israeli Ambassador Robbie Sabel has written, to reject it would show ‘separation, mutual loathing and maximalism.

THE Apartheid Smear – So Why Not Ignore It?

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

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

The promotion of the Apartheid Smear encourages the Palestinians not to accept Jewish national rights and the State of Israel. Without
PART 1: WHY ISRAEL IS NOT AN APARTHEID STATE

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

Israel is not an apartheid state for the 21 per cent of its citizens who are Arabs.

Israel's Arab population is made up of communities who were living in Israel prior to the formation of the state, previously living under Ottoman and then British Mandatory rule. Israeli Arabs currently constitute 21 per cent of the population, numbering almost 2 million people, the religious majority of which are Muslim (84 per cent), with large Druze (8.1 per cent) and Christian (7.8 per cent) populations.

Most Arab citizens live in the north of the country, in majority Arab towns. According to CBS, Arab Christian women had some of the highest education rates in the country.55 53.1 per cent of Arab Christians and 35.4 per cent of non-Arab Christians went on to get a bachelor's degree after finishing high school, compared to 34 per cent of the total number of high school graduates in the Arab school system and 47.2 per cent of all high school graduates in Hebrew education. The Druze have traditionally rejected Palestinian Arab nationalism, favouring strong affinities with their country of residence, making them the most well-integrated minority in Israeli society, strongly identifying as Israelis and well-represented in the political, military and public sectors.

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

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

Although they are very critical of a range of discriminations and inequalities, in 2022 the annual opinion poll conducted by the Israel Democracy Institute (IDI) found a significant increase in Arab-Israelis’ faith in the government, Supreme Court, IDF, political parties and the Knesset, as the coalition for the first time in decades now includes an Arab party. 66 A 2016 NII survey found that 42.4 percent of Arab families face food insecurity, compared with 13.5 percent of Jewish families. Among Arab children, the situation is even dire – 50.6 percent live in a state of food insecurity.

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In December 2021 Mansour Abbas, the leader of the Arab and Islamist Raam party which sits in the governing Israeli coalition, said “Israel was born a Jewish state, that was the decision of the people, and the question is not what is the identity of the state — it was born this way and it will remain this way.” He added, “The question is what is the status of the Arab citizen in the Jewish State of Israel. That is the question.” The contrast between his balanced approach and the Amnesty International report bizarre claim that a Jewish state must be an ‘apartheid’ state is striking.

While matriculation rates are still below those of Jewish students, between 2005 and 2016, general and university-eligible matriculation rates steadily improved among Arab 17-year olds from different backgrounds. Arab education levels have improved dramatically since 2000, with Arab women making the most rapid educational progress. In 2016, 29 per cent of Arab women ages 25–34 had 16+ years of education, compared with only 10 per cent in 2000. In fact, the rates for Arab women have now surpassed those for Arab men — 29 per cent compared with 20 per cent.

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Yes, there are inequalities in Israeli society and Israel’s Arab citizens suffer from a number of disadvantages. Whilst 23 per cent of the Jewish population is defined as living in poverty, the Arab figure is 35.8 per cent (though 49 per cent of the Haredim or ultra-Orthodox Jews in Israel also live in poverty). A 2016 NII survey found that 42.4 percent of Arab families face food insecurity, compared with 13.5 percent of Jewish families. Among Arab children, the situation is even dire – 50.6 percent live in a state of food insecurity.

Arab society also suffers from employment disparities. Data from the Employment Service showed that at the beginning of 2021, the rate was just 41.4 percent, compared with 52.9 per cent for ultra-Orthodox Jews and 66.5 percent for the rest of the Jewish community. Arab death rates from preventable diseases are 1.5 per cent higher than that of Israel’s general population. 15 per cent of Arab Israelis hold an academic degree (compared to 33 per cent of the Jewish population).

According to a 2021 Israel Democracy Index survey, 81 per cent of Arab citizens of Israel would prefer to remain in Israel if they were able to move abroad. 22 per cent and 49 per cent of the Arab citizens of Israel have confidence in the police and Supreme Court respectively.

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

Israel’s Arab minority participates fully in the political process and in civil society. There were 14 Arab MKs (MPs) from six different parties in the 21st Knesset (2021 – 2022). Some of these MKs were part of primarily Arab parties who heavily criticize the government, while others are part of Jewish-Zionist parties such as Meretz and Labour (left wing), Yesh Atid and Blue and White (centrist), and Yisrael Beiteenu (centre-right). In a historic move, the United Arab List party (UAL/Raam) led by Mansour Abbas decided to join the government of Naftali Bennett and Yair Lapid in June 2021.

In December 2021 Judge Khaled Kalub became the first Arab Muslim appointed to the Supreme Court. He followed Arab Christian Supreme Court Justices George Karra (who famously sentenced former President of Israel, Moshe Katsav, to jail for seven years on a rape conviction), Salim Joubran and Abdel Rahman Zuabi. Arab representation in the civil service is increasing, from 4.8 per cent in the 21st Knesset (2021 – 2022). Some of these MKs were part of primarily Arab parties who heavily criticize the government, while others are part of Jewish-Zionist parties such as Meretz and Labour (left wing), Yesh Atid and Blue and White (centrist), and Yisrael Beiteenu (centre-right). In a historic move, the United Arab List party (UAL/Raam) led by Mansour Abbas decided to join the government of Naftali Bennett and Yair Lapid in June 2021.

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Arab board members in government companies has risen dramatically. The chairman of the board of directors at Bank Leumi is an Israeli Arab, appointed the first Arab deputy commissioner in the police force in the language spokesperson’s unit. Maj. Gen. Jamal Hakroosh was Major Waweya is deputy commander of the military’s Arabic-language spokespersons’ unit. Prof. Mouna Maroun became the first Arab woman in Israel to become the first Arab Muslim appointed to the Supreme Court. In police and army officers. In February 2022 Judge Khaled Kabub was provided significant sums to counter crime within Arab society totalling NIS 30 billion which aimed to address healthcare, social welfare and education. Included in this were plans towards education including the construction of over 1,000 classrooms and nursery schools in Arab communities; the reduction of health disparities between the Arab community and the rest of the population, and investment to integrate Arabs into Israel’s hi-tech sector. In a separate part of the budget, the Public Security Ministry was allocated NIS 2.5 billion (nearly $4 billion) to the development of the Arab sector to close gaps between Jewish and Arab communities while an October decision to join the Bennett-Lapid coalition, the government’s commitment to ‘safeguard the Holy Places of all religions’ and to ‘guarantee freedom of religion, conscience, language, education and culture.’ The Declaration also committed Israel to ‘complete equality of political rights to all its inhabitants irrespective of religion, race or sex’ and pledged to ‘guarantee freedom of religion, conscience, language, education and culture.’ The Declaration also committed Israel to ‘safeguard the Holy Places of all religions’ and to be ‘faithful to the principles of the Charter of the United Nations.’ The effectiveness of the Israeli Courts in countering incidents of unfair discrimination when they do arise was demonstrated in August 2005 when the Israeli Arab human rights group Adalah filed a petition with the Tel Aviv District Court against the Municipality of Lod and the Ministry of Education (MoE), following its refusal to register an eight-year-old Arab child in a Jewish elementary school in Lod. The municipal court and MoE argued it was better for the child to attend an Arab school. In response to a 4 September 2005 court order, the municipality registered the boy in the Jewish school. Nothing like this, of course, could have occurred in apartheid South Africa, where the law of the land did not merely permit racial discrimination but expressly mandated it. In 2000, infant mortality rate for Israel was 2.48 deaths per thousand live births. For comparison, the South African infant mortality rate is 34.6 deaths per 1,000 live births. The infant mortality rate for the Arab minority in Israel ranks equal or better than the rate for the majority in UK (3.6) Europe and the United States (5.4). Comparing the infant mortality rates of Israel’s Arab minority with the minorities living in European countries also shows the unfairness of the apartheid allegation. Amonn Rubinstein, the former MK for the left-wing Meretz party, published revealing statistics showing that ‘In rich and developed France, the infant mortality rates among Arabs (most of whom speak the language of the country, and some of whom are already second, third and fourth generation-natives of France) are not only much higher than in Israel but in addition the gap between the minority and the majority in France is considerably larger in “racist Israel.”’ None of this has been achieved by accident. Israel’s 1948 Declaration of Independence committed the country to ‘complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex’ and pledged to ‘guarantee freedom of religion, conscience, language, education and culture.’ The Declaration also committed Israel to ‘safeguard the Holy Places of all religions’ and to be ‘faithful to the principles of the Charter of the United Nations.’ In 1978, Israel’s Supreme Court reaffirmed that: ‘the rule prohibiting discrimination between persons on grounds of race, sex, national group, community, country of origin, religion, beliefs or social standing is a fundamental constitutional principle, which is integrated and woven into our fundamental legal concepts and constitutes an integral part thereof.’ The Or Commission report recognised the alienation and discrimination experienced by Israel’s Arab minority in Israel to the position of the black majority in apartheid South Africa is because the Israeli government is working hard to reduce the gaps between the minority and majority. The Israeli government has recognised the problem of social inequality and is pursuing a set of policies designed to produce greater equality and inclusion for its Arab citizens. The second reason it is a smear to compare the position of the Arab minority in Israel to the position of the black majority in apartheid South Africa is because the Israeli government is working hard to reduce the gaps between the minority and majority. The second reason it is a smear to compare the position of the Arab minority in Israel to the position of the black majority in apartheid South Africa is because the Israeli government is working hard to reduce the gaps between the minority and majority. The Or Commission report recognised the alienation and discrimination experienced by Israel’s Arab minority. After 52 hearings, 377 witnesses and 4,289 exhibits, the report concluded that ending the structural inequality experienced by Israel’s Arab citizens was the ‘most sensitive and important domestic issue facing Israel today’ and recommended that the state must ‘initiate, develop, and operate programs emphasizing budgets that will close gaps in education, housing, industrial development, employment, and services.’ In [Israel] Jewish and Arab babies are born in the same delivery room, with the same facilities, attended by the same doctors and nurses, with the mothers recovering in adjoining beds in a ward.
The five-year-plan passed in 2017 that ended in 2021. 

Shekels (£1.24bn). This is the budgetary portion of the Bedouin community for 2022-2026 at the inclusive cost of 5.2 billion shekels. 

Furthermore, in March 2022 the Israeli government passed another five-year development plan for the social and economic development of the Bedouin communities. 

Ala Ghanoush, an economic adviser to the Committee of Arab Local Authority Heads, who was involved in designing the program over the past several months, called it “unprecedented.” “A very large percentage of our recommendations were reflected in the final plan,” Ghanoush said. 

The five-year programme allocates 1.4 billion shekels in funds to increase employment, especially among Arabs between the age of 18 and 35. 

Another 9.4 billion shekels is to be directed toward education, making it the single biggest budget item in the program. It will focus on reducing the disparity between Jews and Arabs in student success rates, raising the rate of Arab students who qualify for the bagnut (high school matriculation) exam and lowering the drop-out rate. 

Another section of the education budget is earmarked for the construction of more than 1,000 classrooms and nursery schools in Arab communities and closing the infrastructure gap that exists in education. 

The five-year program speaks of “removing construction obstacles” faced by Arab local authorities in land-use planning and public spaces, though it is short on detail about how this is to be accomplished. 

650 million shekels of the budget for the new five-year plan has been allocated to reduce health disparities between the Arab community and the rest of the population by improving health infrastructure and access to health services, improving monitoring and follow-up, allocating staff and bolstering emergency medical services. Also, there will be a renewed drive to make health services culturally appropriate to Arab society. 

Labour Participation Rates

Amnesty does not disclose, despite it being mentioned in a paper it cites several times in this section of its report, that the Arab female labor participation rate rose from 10 per cent in 1970 to 20 per cent in 2010 to 34 per cent today – yet somehow Amnesty finds apartheid. ... 

Arab and Jewish male labor participation rates are equal at 64.5 per cent. 

Furthermore, a Harvard University paper (cited by Amnesty in other contexts) notes that: “The increasing engagement of Palestinian women in the Israeli labor market is particularly note-worthy given the historically low rates of female labor force participation among this community.” The real story is how Israel’s democracy has allowed Arab women to thrive in the labor markets at levels far surpassing those in the entire Arab world. 

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

The Tel Aviv Stock Exchange [TASE] introduced a programme to boost listings of Arab companies but so far only one company has been listed. According to TASE, “The main reason Arab companies are staying private is mainly the cultural gap and the fact that most of the large businesses are family owned and still controlled by the older generation.” 

Nazarin has emerged as ‘the Israeli Arab Silicon Valley’ with high-tech jobs in the city rising from 30 in 2008 to over 400 in 2013. Nearly one-third are filled by women. One company, Amdocs, which provides billing and other services to telecommunication companies around the world has opened a centre in Nazareth that employs some 250 people and staff, one-third Jewish, one-third Muslim, and one-third Druze, Circassians and Arab-Christians. 

A changing civil service

The government has set quotas to increase the representation of Arabs in the Civil Service. In 2007 the government set a target for 10 per cent of employees to be from the non-Jewish communities. According to 2019 statistics, 11.7 per cent of government employees are Arab, exceeding the government goal of 10 per cent. However, this representation is primarily in the Ministries of Health and Interior and representation falls well below 10 per cent in most other ministries. Arab employees also hold lower-level positions: 1 per cent of Arab civil servants are in the highest managerial level, compared with 3.2 per cent of the general population. In 2011 the National Civic Service Scheme was reformulated to make it easier for Arabs to take part in community service as an alternative to IDF enlistment. By 2020, more than 1,000 Israeli Arabs volunteered to serve in the IDF as conscripts or reservists in 2020, compared to 489 in 2019 and 436 in 2018. More than half of those who have drafted went to combat roles. 

Equalising welfare

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

More Arabs in Jewish schools

In 2010 the government introduced ‘Ya Salam,’ an Arabic language requirement for fifth graders in 170 Jewish schools in northern Israel. Today, the ‘Ya Salam’ program is used in 100 schools throughout Israel. Fifth and sixth grade students must be trained in Arabic and be taught in language instruction by the Abraham Fund Initiatives in cooperation with the Ministry of Education – and are integrated into Jewish school staff. Each year throughout the country, training workshops are held for Arabic teachers – for both elementary and high school – in order to create pedagogical continuity between the elementary and high school curricula. These workshops are organised by a partnership of The Abraham Fund Initiatives, The Ministry of Education, and local authorities. The scheme has been expanded. In 2020 spoken Arabic was being taught by Arab teachers in some 200 schools in Israel. The programme has drawn praise in evaluation studies and been recognized in the Knesset, reported The Jerusalem Post. 

Civil society organisations, including The Van Leer Institute and the Abraham Initiatives have called for a comprehensive national roll-out of Ya Salam and for making Arabic a compulsory subject required for a full matriculation certificate.
In 2010, the Israeli Council of Higher Education signed a multi-year agreement with the Ministry of Finance, allocating NIS 305 million (€52.6 million) towards the development and implementation of a strategic, long-term approach to enhancing accessibility of higher education for the Arab community.86

The tables on p. 30 of this report indicate the success of the Six-Year Plan. There have been ‘significant improvements in the educational levels of Arabs’ at every level of education, from reducing high school drop out rates to increasing university-eligible matriculation rates, from participation rates at university to degree completions. For example, by 2016 29 per cent of Arab women ages 25-34 had 16+ years of education compared with only 10 per cent in 2000 (a rise passing the rates for Arab men).87

The plan provides an overarching strategy to remove barriers and address weaknesses along the path to higher education for Arab citizens – from high school through advanced degrees and into employment. The Israeli government has announced a matching funding scheme for charitable donations from the private sector.88

The Israeli government also launched its first-ever Scholarship Fund for first degree Arab students to run alongside the plan and address the economic needs of students. It includes a 1:1 matching scheme between the Council for Higher Education’s Planning and Budgeting Committee (PBC) and other governmental bodies on the one hand, and philanthropic foundations and philanthropists on the other. The UK-based Pears Committee (PBC) and other governmental bodies on the one hand, the economic needs of students. It includes a 1:1 matching scheme funding scheme for charitable donations from the private sector.85

Israel’s anti-discrimination law, officially titled ‘The Prohibition of Racial Discrimination in Products, Services and Entry Into Places of Entertainment and Public Places Law’ (passed in 2000), was assessed by the UN International Convention on the Elimination of All Forms of Racial Discrimination in 2005. The report stated – particularly in the media – human rights awareness is high and that, ‘The language of rights has permeated the daily life of Israel.’91

On 2 June 2012, in response to so-called ‘price-tag’ attacks, Benjamin Netanyahu, then Israeli Prime Minister, said: ‘I strongly condemn recent phenomena of racism against the Arab citizens of Israel and hooliganism against Palestinians, which were without any provocation or justification whatsoever. We strongly reject these phenomena and will act with all legal means at our disposal to stop them.’90 And when Khalid Shukri, a teacher at the Ayal school in Jaffa, was unable to book an end of year visit to the Superland amusement park on certain days due to the park preserving certain days solely for Jewish students, Israel’s Education Minister, Rabbi Shay Piron MK released a statement saying ‘I am shocked by phenomena like this that have no place in Israeli society. I saw Jews and Arabs living together as one of the basic values on which the Declaration of Independence is based. The values of equality, partnership and tolerance are at the heart of Education Ministry policy.’91

The Israeli government also started a nationwide anti-racism programme for Israeli schools in 2022. All schools will be required to conduct anti-racism activities and promote tolerance. The committee, which is consulting civil society organizations, representatives of local government, parents and the public, is headed by Education Ministry deputy director-general Avi Ganon and includes representatives of the Education Ministry, schoolteachers and kindergarten teachers. It is working together with the Justice Ministry’s unit for coordinating the fight against racism and the Prime Minister’s Office’s Department for Governance and Social Affairs. Haaretz reported that Education Minister Yifat Shasha-Biton said of the committee that the education system’s role is ‘to end the divisions, discrimination and exclusion … Every morning, all Israeli children, from all communities and all segments of the population, pass through the gates of the education system. We have a duty to deepen the sense of belonging of each one of them to their school, community, society and country.’

And when

WHAT ABOUT THE ANTI-ARAB RACISM IN ISRAELI SOCIETY?

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

Yes, there have indeed been highly-publicised examples of discriminatory legislation being proposed by certain MKs. However, Adam Hug of the UK Foreign Policy Centre points out that ‘when analysing the worrying legislative environment facing Israeli Arab community, it is very worth exercising a note of caution.’ Few bills, he points out, even in watered down form, become law. ‘The majority of these pieces of legislation are private members’ bills without Government backing. In the UK House of Commons, MPs enter a ballot system out of which seven out of 650 get a brief amount of parliamentary time. While this may be too few to give backbench members any real power and should be reformed, it provides a useful counterpoint to the legislative hyperactivity that afflicts the Knesset, with each member able to submit multiple bills per session. Perhaps, as with Israel’s proportional representation system, some problems the country faces stem not from its democratic deficiencies but from its excesses.92

Yes, small numbers of extremists have made headlines by burning and desecrating mosques and other places of worship, and engaging in street violence towards Arabs. But at the base of Israeli society, the picture is very different. An opinion survey conducted by Nohad Ali and Shai Inbar for Sfackov found that 74 per cent of Israeli Jews acknowledge that Arab citizens suffer discrimination; 60 per cent of Jews believe that promoting equality is in the interests of the country, and 53 per cent of Jews are distressed by levels of inequality.93

The mass Israeli social protest movement of 2011 co-ordinated with Arab community leaders to raise the demand for state recognition of unrecognized villages throughout the country, especially the Bedouin communities in the Negev.94

Israel has been a signatory of the International Convention on the Elimination of All Forms of Racial Discrimination since 1966. In 1988, the Central Election Commission banned the anti-Arab ‘Kach’ party.95 In 2013, an Arab party produced an election adverst that mocked the Israeli national anthem – the Hatikvah – and the Central Election Commission banned it. The Supreme Court reversed this decision, and upheld the right to attack the Hatikvah.96

As Dr. Mohammed Wattdad, Israeli Arab Legal Scholar, has put it: “is there discrimination in Israel? Yes – there is discrimination against women, elderly, Arabs, Russian Jews, Christians … But the same goes for Canada. It is good – No! But it means we have to deal with the problem from within. The existence of discrimination in a state does not mean it is an apartheid state there is a big difference between apartheid and discrimination.”97

More needs to be done. The Israeli police force and attorney general have come under criticism in the past few years for not successfully prosecuting perpetrators of price tag attacks within Israel.98 Many Israelis protested when there were no prosecutions following the investigation into some Rabbis who encouraged Jews not to rent property to non-Jews. The then Israeli Prime Minister – how different this is from apartheid-era politicians in South Africa – quoted the Bible on love for the stranger and one law for all. ‘How would we respond if we were told not to sell an apartment to Jews? We would be infuriated’ he said, adding, ‘These things should not be said in a Jewish and democratic state that respects the morality and the tradition of Israel and the Bible. The State of Israel, therefore, categorically rejects these statements [by the Rabbis].’99

WHAT ABOUT THE ANTI-ARAB RACISM IN ISRAELI SOCIETY?
The Apartheid Smear says that Zionism is a form of racism. It isn’t.

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

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

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

The lack of a wholesale plan of expulsion is evidenced by examples whereby local Jews encouraged their Arab neighbours to remain. The establishment of Israel in 1948 marked the realisation of the Zionist dream of a Jewish homeland in the land of Israel. For the Jewish people, the journey to the promise of the land of Israel would produce countless generations. It involves centuries of suffering and exile, prejudice and pogroms and even genocide. Through it all, the Jewish people sustained their unique identity and traditions, as well as a longing to return home. And while Jews achieved extraordinary success in many parts of the world, the dream of true freedom finally found its full expression in the Zionist idea, to be a free people in your homeland …

Palestine accepted the UN plan, even though the borders for the Jewish state were drawn with no consideration for its security and were virtually indefensible. The UN partition resolution used the expression ‘Jewish state’ no fewer than 27 times. The Partition Plan also gave the Arab community of Palestine a state and the opportunity for self-determination. Tragically, Palestinian leaders and the wider Arab world decided to reject the UN proposal and instead wage (and lose) a war against the infant Jewish state created by the UN in 1949. A two-thirds majority at the United Nations accepted Israel as a full member.

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

Dr David Hirsh, Goldsmiths College, University of London

WHAT HAPPENED IN 1948?

• After the British left in 1948, and the Jewish community declared the establishment of Israel in line with the UN partition resolution, five Arab armies immediately invaded, intending to crush the Jewish state at birth and ‘drive the Jews into the sea.’ The Jews of Palestine were forced to fight back and wage a defensive war for their survival, a mere three years after the Holocaust. The Palestinian leader Haj Amin al-Husseini had spent the war years in close alliance with Hitler’s Nazis.101 In 1948 the Arab armies’ stated war aims were either extermination or ethnic cleansing; they openly proclaimed this and carried it out when they won battlefield victories.

• During that war, there was no deliberation, coordinated Israeli policy to expel the Arabs of Palestine. The historian Benny Morris, in his detailed and highly praised book 1948, concludes that ‘The Palestinian refugee problem was born of war, not by policy to expel the Arabs of Palestine.’ He goes on: ‘It was largely a by-product of Arab and Jewish fears and of the protracted, bitter fighting that characterised the first Israeli-Arab war; in smaller part, it was the result of actions by Arab military commanders and politicians.’102

Morris points out that the ‘mainstream (Haganah-Jewish Agency) Zionist policy, until the end of March 1948 – meaning during the first four months of the war – was to protect the Arab minority in the Jewish areas and to try to maintain peaceful coexistence.’ However, Haganah intentions had to change in April, when the Yishuv was faced with the war. Israel’s Prime Minister David Ben-Gurion was more optimistic ‘We can withstand [an invasion] and defeat it, [but] not without serious losses and shocks.’103

There were atrocities on both sides of the war. The atrocity committed by Jewish forces at Deir Yassin was followed a few days later by the massacre of 78 Jewish academics, doctors and nurses travelling to Mt. Scopus carried out by Arabs. A few weeks after that, a day before Israel declared independence, 127 Jewish men and women were massacred in Kfar Etzion after surrendering and laying down their arms.104

The Palestinian refugee crisis was created as a result of the Arab war to exterminate Israel. As that war of annihilation raged, the factors that caused Arabs to leave were many and complex – including the mass exodus of Arab elites in late 1947 before the Zionist forces had any real battlefield victories. Whilst in some cases individual Jewish commanders told Arabs to leave, in the chaos of the moment, many left out of fear spread by rumour and exaggerated reports of Israeli atrocities, fuelled by a massacre of 107 villagers in April 1948 at Deir Yassin. The lack of a wholesale plan of expulsion is evidenced by examples whereby local Jews encouraged their Arab neighbours to stay, for example in Haifa. In the midst of the conflict, Israel’s Declaration of Independence offered full citizenship and equal rights to all Arabs living within Israel.

• In 1949 the United Nations registered 726,000 Palestinians who became refugees as a result of the 1948 War. After the war, the 150,000 Arabs that remained within the borders of Israel were awarded full citizenship. Arab members were elected to the first Israeli Knesset in 1949. Tensions remained high throughout the 1950s. Terrors or ‘fedayeen’ from neighbouring Arab countries regularly crossed into Israel to murder civilians at weddings, synagogues, on buses, trains, and in homes. A massacre of 48 people took place in the village of Kafir Kasim on 29 October 1956 by Israeli Border Police.105
refugee camps, principally in the Jordanian-controlled West Bank, Egyptian-controlled Gaza, Lebanon, Syria and Jordan. The bulk of the territory that was meant to become the Palestinian state according to the 1947 UN partition plan was captured by Jordan and Egypt, but these states made no attempt to create an independent Palestinian Arab state. The War of Independence ended in 1949 with an armistice agreement but neither a peace treaty with, nor recognition from the surrounding Arab states. Fearing an armed uprising, the Arabs who remained in Israel were granted citizenship but were subject to military rule in the early years of the state. The policy was ended in 1966.

Israel, by contrast, absorbed hundreds of thousands of Jewish refugees from Arab countries. In 1947 and 1948, the Jews of Algeria, Egypt, Iraq, Libya, Morocco, Syria, and Yemen (Aden) were persecuted, their property and belongings were confiscated, and they were subjected to severe anti-Jewish riots instigated by Arab governments. Zionism was made a capital crime in Iraq and anti-Jewish pogroms erupted in Aleppo in Syria. Bombings were set off in the Jewish quarter of Egypt, killing dozens. Algeria saw anti-Jewish decrees and Yemen witnessed terrible pogroms and the death of nearly 100 Jews. 856,000 Jews fled Arab countries in four years after Israel was created in 1948. The value of assets lost by the Jewish refugees is estimated at $700 million – roughly $6.7 billion (64bn) today. While over 100 UN resolutions have been passed about the Palestinian refugees, not one has specifically addressed the Jewish refugees.

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

A peace deal will have to define a solution. The Palestinians claim the right of the descendents of refugees from the 1948 war to return to the homes of their parents, grandparents or even great-grandparents. Israel does not believe it is responsible for resettling the refugees and their descendents, believing their plight to be the responsibility of the Arab states that rejected the 1947 Partition Plan, started a war, and then refused to resettle the refugees created by that war in their own territory. In previous negotiations with the Palestinians, Israel has been willing to contribute to an international compensation fund for Palestinian refugees, and absorb a number into Israel, but believes the final agreement must preserve the principle of “two states for two peoples”.

**DIDN’T THE ZIONIST LEADERS HAVE A PLAN – “PLAN D” – TO EXPEL THE PALESTINIANS?**

‘Plan D,’ or Tzachi Dalet in Hebrew, was not a plan to expel the Arabs. Dalet is simply the fourth letter of the Hebrew alphabet and Plan D was nothing more than the fourth version of the Hagana’s evolving plan to defend the infant Jewish state. The historian Benny Morris concluded from his intensive study of the archives that “Tzachi Dalet (Plan D) was not a political blueprint for the expulsion of Palestine’s Arabs.” He went on: “There was no Zionist “plan” or blanket policy of evicting the Arab population, or of “ethnic cleansing.””

At the end of 2020, the population of Israel stood at approximately 9,289,760, including 1,957,270 Arabs, representing 21.1 per cent of the total.

**ISRAEL CALLS ITSELF A ‘JEWISH STATE,’ DOESN’T THAT MEAN IT DISCRIMINATES AGAINST NON-JEWS?**

The term “Jewish state” does not mean that Israel is a theocracy (rule by clerics), or an ethnic state exclusively for Jews. Israel is a democratic state (rule by the people), governed by the rule of law. As drafted by an elected parliament, the Knesset, all faiths vote and enjoy freedom of worship.

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

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

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

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

He goes further: ‘Most democracies are nation states in this way. These states realise and express the rights of the ethnic majority to self-determination, but they are still democracies because of their systems of government and because the rights of the minority are protected in terms of equality before the law, and so on.’

To take just one European example, Slovenia, a member of the European Union, states in its constitution that ‘Slovenia is a state of all its citizens and it is founded on the permanent and inalienable right of the Slovenian nation to self-determination.’

Being a ‘Jewish state’ means being a state in which Jewish peoplehood, traditions, language and customs are given full expression. Thus, Jewish holidays are observed by the organs of the state, Hebrew is the official language, and so on. There is nothing discriminatory in this, as long as minority rights to express their traditions, language and customs are protected too. And they are. For example, Israel’s civil service allows non-Jewish civil servants to celebrate their own religious holidays without having those days docked off their annual leave.

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

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

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

Denying Israel’s right to define itself as a ‘Jewish state’ with rights for minorities, while allowing other countries to define themselves in religious and/or ethnic terms, without rights for minorities, is a double-standard.
ISRAELI JEWS WISH TO PRESERVE A ‘JEWISH MAJORITY’ IN ISRAEL. ISN’T THAT A FORM OF RACISM TOWARDS NON-JEWS?

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

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

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

Dr Tal Becker

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

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

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

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

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

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

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

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

Professor Gil Troy and Martin J. Raffel, authors of Israel: Jewish and Democratic.

IS THE ABSENTEE PROPERTY LAW A CASE OF ISRAELI APARTHEID?

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

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

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

Indeed as Shany Mor has noted “In urban settings, both Israel and Jordan were keen to use abandoned property for resettlement of refugees. There were political aspects to this, to be sure, but mostly this was a practical response to the massive waves of refugees both countries absorbed after 1948. In most places, this meant that title to abandoned property transferred to new owners. In this manner, much formerly Jewish property in East Jerusalem was transferred by Jordan’s custodian to Arabs and much Arab property in West Jerusalem was transferred by Israel to Jews.’

In Israel’s case, the 1950 law was passed to deal with large areas of uninhabited land in a small, newly established country struggling to integrate a massive influx of immigrants. The law includes provisions for compensation for those who fled – at least 14,692 claims have been filed, claims have been settled with respect to more than 200,000 dunums of land, more than 30,000,000 NIS (£2.3m) has been paid in compensation, and more than 54,000 dunums of replacement land in Israel has been given in compensation;113 It is envisaged by the Israeli-Government that those Arabs who fled in 1948, and their heirs, who have not yet received compensation for property they abandoned, will receive compensation in the framework of a peaceful settlement of the Middle East dispute.

HISTORICAL CONTEXT

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

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

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

CONTEMPORARY DEBATES

The Absentee Property Law is the subject of intense legal controversy within Israeli society. Attempts to apply the law in East Jerusalem114 have prompted legal debate and scrutiny. One Jerusalem District Court
IS IT TRUE THAT SOME ISRAELI TOWNS HAVE ‘ADMISSIONS COMMITTEES’ TO STOP NON-JEWS MOVING IN?

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

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

In December 2021, Minister Ayelet Shaked proposed to extend the Admission Committee Law to communities of up to 700 families (Admissions Committees are currently restricted to communities of 400 households or less). The Ministerial Committee on Legislation discussed the bill in mid-December 2021. Moments called the proposal “the most salient example of legislation that undermines democratic values and equality.”

A test case heard by the Israeli Supreme Court in 2007 determined that admissions committees cannot have a membership selection process that discriminates against Arabs. In the Kfar Darom Land Authority case, the Supreme Court ruled that the Arab Kafar Darom family had the right to move into Katzir, a Jewish Agency cooperative settlement, given the democratic character of the Israeli state. ‘The principle of equality,’ the Supreme Court ruled, ‘establishes that the land may not discriminate among individuals when deciding on the principle of equality,’ the Supreme Court ruled, ‘establishes that the land may not discriminate among individuals when deciding on the principle of equality,’ the Supreme Court ruled, ‘establishes that the land may not discriminate among individuals when deciding on the principle of equality.’

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

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

The Citizenship and Entry Law was not enacted for discriminatory purposes. It was passed after huge debate because of terrorism; specifically, persons ‘who were granted legal status in Israel based on their marriage to an Israeli citizen, and took advantage of their Israeli ID to pass checkpoints and carry into Israel either suicide bombers or explosives.’

It was adopted as an emergency security measure adopted following a wave of attacks in 2002 that killed 75 Israeli civilians (and injured many more) in a single month.

Yuvia Diklon, former head of the Shin Bet (Israel’s internal security service) speaking in 2005, said that Palestinian citizens with reunification residency were involved in 36 suicide bomb attacks. For example, on 31 March 2002, Shahid Tubasi, who was recruited by Hamas in Jenin, blew herself up at the Matza restaurant in Haifa killing 15 Israelis. Tubasi was granted Israeli citizenship as her mother is from the Nazareth region.

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

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

There has been a fierce debate in Israel about the Citizenship and Entry Law since its passage through the Knesset and it has been opposed by several Israeli NGOs. It has also been argued over by Israel’s most senior jurists, and minority opinions have been published. In July 2021 the Law expired and the government is again struggling to come to a consensus on the law’s renewal.

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

IS ISRAEL’S LAND ONLY SOLD TO JEWS?

No. Some 93 per cent of Israel’s land cannot be sold to anyone – Arab or Jew. 80 per cent of this land is state-owned and leased long-term to Israeli citizens by the state through an organisation called the Israeli Land Authority (ILA). The ILA leases land to both Arabs and Jews with no discrimination. A further 13 per cent of this land is owned by an organisation called the Jewish National Fund (JNF). This is a not-for-profit organisation that has existed since 1905 (47 years before Israel was established) in order to facilitate and help Jews from around the world (often fleeing persecution) move to the land of Israel. It bought land legally, and then developed it and began leasing it to Jews.

Only 7 per cent of Israel’s land is privately traded as a commodity (as in other countries), and sold to whoever offers the best deal.

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

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

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

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

In the 2010s the Israeli government tried to resolve the issue and improve the lives of the Bedouins, by consulting with the Bedouin about a new planning regime, which would have recognised the majority of ‘unrecognised’ Bedouin villages, and begun a series of development projects. The Israeli Ministry of Finance approved NIS 7 Billion (£1.2 brn) for a five-year plan for the economic, social and educational development of the Bedouin community of the Negev, with the aim of raising the community out of poverty.

However, the ‘Prawer Plan’ proposed by the government involved up to 30,000 Bedouins relocating. The reasons had nothing to do with apartheid or ‘clearing the land for Jews’. 17,000 lived in areas considered to be polluted and unsuitable for habitation. The other 13,000 lived in communities that were either too spread out, or too small for the Israeli government to provide basic infrastructure such as sewage, water and electricity at a reasonable cost. Each Bedouin community was consulted, with Minister Benny Gantz taking the lead, in order to determine the best option for them, and will have the choice of being settled in an urban, semi-urban or rural community.

Israel also proposed to recognise Bedouin claims to ownership of land, which currently have no legal status, and exchange them for either landy or will own legal or financial compensation. Under the proposals, Bedouin would exchange land claims that have never been recognised in law, for a combination of legally owned land and financial compensation. Unfortunately, discussions about the plan between the government and the Bedouin became stalemated in 2014. Whether one agrees with the specific plan proposed by the government to close the gaps between the Bedouin and the rest of Israeli society, it was clearly not ‘Apartheid’.
DOES ISRAEL DISCRIMINATE AGAINST CHRISTIANS?

Israel’s Christian community grew by 1.4 percent in 2020 to number 182,000 people, with 84 per cent saying they were satisfied with life in the country, the Central Bureau of Statistics said in a report released ahead of Christmas 2021. Arab Christian women had some of the highest education rates in the country. 803 Christian couples married in Israel in 2019. The report also found lower numbers of Christians signing up for unemployment benefits compared to the Jewish and Muslim populations.

However, Fr. Francesco Patton, the Catholic Church’s Custos of the Holy Land and guardian of the Christian holy places in the Holy Land has warned that “radical local groups with extremist ideologies” seek to make the lives of Christians unbearable.132

Indeed ‘Christians are in some ways better off economically than Israel’s majority-Jewish population. They do better in the national matriculation exams, with some 62 per cent passing in 2010 compared with 58 per cent of the Jewish population and 46 per cent of Muslims. The unemployment rate for Christians, at 4.9 per cent, is lower than for the general population.133

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

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

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

There are nine state recognised churches, which allows for the self-regulation of status issues, such as marriage and divorce. Christians enjoy full freedom of religion and equality of rights. The Christian population of Israel has grown from 34,000 in 1948 to 182,000 in 2020. Across the entire Middle East, only in Israel is the Christian population growing. Elsewhere, including in Iraq, Syria, Egypt and indeed the Palestinian territories, anti-Christian persecution and discrimination has seen the Christian population of those countries drop dramatically in recent years.

A new pro-Israeli Christian Arab political party has been formed. ‘The New Alliance’ supports Arabs participating in national service and recognises Israel as the home of the Jewish people. ‘We are completely Israeli and then comes religion,’ says one of its leaders, Bishara Shlayan of Nazareth.134 The party participated in the September 2019 election under the name Christian Liberal Movement.

PART 4: ISRAEL AND THE TERRITORIES

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

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

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

Israel has a moral responsibility to do all it can to end the occupation, but it also has a responsibility to do so in a way that does not endanger the lives and future of 600,000 citizens, or bring about the circumstances for a future conflict. That is Israel’s dilemma.

Many of Israel’s actions in the Territories that are labelled ‘apartheid’ – the so-called ‘apartheid Wall’ for example – are actually security measures. Palestinian terrorism against Israeli civilians reached unprecedented heights during the Second Intifada. In the period between 29 September 2000 and 31 December 2001, 1,178 persons were killed and 8,022 more were injured as a result of Palestinian terrorist attacks – of those killed, 790 were Israeli civilians (67 per cent), 328 were members of Israeli security forces (29 per cent) and 60 were foreigners (5 per cent).134

Since 1967, the Israeli presence in Gaza and the West Bank has been the subject of entirely legitimate criticism (much of it coming from within Israel itself, including from Israeli Prime Ministers, Ministers, security chiefs, and intellectuals).135 But it is not a case of apartheid. As Judge Richard Goldstone a former Justice of the South African Constitutional Court, who led the United Nations fact-finding mission on the Gaza conflict of 2008-9, has written: ‘In the West Bank there is no intent to maintain “an institutionalised regime of systematic oppression and domination by one racial group”’ (the definition of apartheid under the 1998 Rome Statute).136 South Africa’s enforced racial separation was intended to permanently benefit the white minority, to the detriment of other races. By contrast, Israel has agreed to the existence of a Palestinian state in Gaza and almost all of the West Bank, and is calling for the Palestinians to negotiate the parameters.137

The Palestinian population in the Territories has continued to expand rapidly. According to the UN, the total Palestinian population in all the disputed territories (it means Gaza, the West Bank, and East Jerusalem) was 1,944,000 in 1970, 2,152,000 in 1990, and now stands at almost 5 million.

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

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

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

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

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

• Israel ‘just got out’ of a security zone it controlled in Southern Lebanon in 2000 and there are now 60,000 rockets aimed at Israel in the hands of the Iranian proxy, the antisemitic and terrorist organisation Hezbollah.

• Israel ‘just got out’ of the Gaza Strip in 2005 and 16,205 rockets have since been fired from the Strip onto Israeli civilians.137 And those rockets are getting more powerful; in May 2021 Hamas launched rockets at Jerusalem, forcing the Knesset to be evacuated, which started the 11-day conflict.

• To ‘just get out’ of the West Bank without any security guarantees would be extraordinarily risky because of the topography of the land. The West Bank is the strategically critical high ground overlooking Israel’s narrow coastal plain where most of its population, and industry, and its only major international airport, are situated. Unilateral withdrawal from the high ground of the West Bank could be followed by an Iranian-backed Hamas takeover of the PLO and the West Bank, and the conversion of a Palestinian state into an Iranian-supplied rocket base from which missiles could rain down on the Israeli cities strung along the narrow coastal plain.

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

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

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

But is Israel serious about negotiating the division of the land into two states?

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

• In 1997, the Zionist movement accepted two states for two peoples when it was proposed by the British Peel Commission, but the Arabs rejected it.

• In 1947 the Zionist movement accepted the United Nations Partition Plan, but the Arabs rejected it.

• In 1967, in the immediate aftermath of the defensive Six Day War, Israel hoped that the Arab states would seek peace in return for Israeli withdrawal from territory it had captured. But in September 1967, at a conference in Khartoum, the Arab League made its famous ‘three nos’ declaration: no peace, no recognition and no negotiation with Israel.138

• In 1979, Israel signed a peace treaty with Egypt. Israel agreed to return the Sinai Peninsula and to evacuate settlements and oil fields developed in the Sinai to implement the agreement.

• In 1993 Israel withdrew from Palestinian population centres in Gaza and the West Bank as part of the Oslo Accords signed with the PLO.

• In 1994 Israel signed a peace treaty with Jordan. Jordan made territorial concessions to Jordan as part of the deal.

• In December 2000, after a period of negotiations, US President Bill Clinton presented both sides with a proposal. It gave the Palestinians a state in 94 per cent of the West Bank plus an additional swap of land, and a sovereign capital in East Jerusalem. Israel broadly accepted this proposal but it was rejected by Palestinian leader Yasser Arafat.

• In 2000, Israel complied with Security Council resolutions relating to Lebanon by withdrawing all its forces from southern Lebanon.

• In 2005, Israel withdrew unilaterally from all of the Gaza Strip and parts of the northern West Bank.

• In 2008, after the Annapolis Conference, Ehud Olmert, the Israeli Prime Minister at the time, made the most generous proposal of any Israeli leader to date: he proposed a Palestinian state in 95.7 per cent of the West Bank and the whole of Gaza (with a road across Israel connecting one to the other) and offered to give Israeli land—equivalent to 5.8 per cent of the West Bank—to a new Palestinian state. The Palestinian capital would be in East Jerusalem, and there would be international consortium of countries, including Jordan and Saud Arabia, that would work with the sides to address future arrangements for the Old City and its holy sites. This amounted to a serious, comprehensive offer from the Israeli side to make peace. Mahmoud Abbas, President of the Palestinian Authority, did not respond.139

• In 2009 then Prime Minister Benjamin Netanyahu made a second offer in the United Nations to Israel, in which he endorsed the two state solution. He said ‘In my vision of peace, there are two free peoples living side by side in this small land, with good neighbourly relations and mutual respect, each with its flag, anthem and government, with neither one threatening its neighbour’s security and existence.’

• Between the end of July 2013 to the end of April 2014, Israelis and Palestinian negotiation teams met dozens of times under the auspices of US Secretary of State John Kerry. After nine months, talks ultimately broke down, beset by ongoing misunderstandings and disagreements over continued Israeli settlement building and the release of Palestinian jailed terrorists. With mutual mistrust high, talks ultimately collapsed following the P4’s application to accede to 15 UN and international bodies and agreed a reconciliation deal with Hamas. Martin Indyk, the American representative during the Kerry talks later testified that the Americans believed that by the end of the process, they had moved Netanyahou in the zone of a possible agreement. The Kerry talks followed a more informal, negotiation track that took place in London in 2012-2013 involving officials close to both Netanyahou and Abbas. Michael Herzog, one of the Israeli participants in that process, described it as the most serious and promising attempt of its kind in many years to usher the parties into negotiations on a solid basis.

• In mid- to late-2020, in the framework of what would become known as the Abraham Accords, Israel signed normalisation agreements with the United Arab Emirates, Bahrain, Sudan and Morocco.

• The signatories of these accords committed to “recognise the importance of maintaining and strengthening peace in the Middle East and around the world based on mutual understanding and coexistence, as well as respect for human dignity and freedom, including religious freedom. Furthermore, they ‘encourage efforts to promote interfaith and intercultural dialogue to advance a culture of peace among the three Abrahamic religions and all humanity.’

• In the time since the Abraham Accords were signed, many diplomatic visits have taken place, including trips by Israeli Prime Minister Naftali Bennett and President Isaac Herzog to the UAE, and the foreign ministers of the UAE, Bahrain, Morocco, and Egypt holding a summit in Israel. The agreements have also led to significant growth in foreign trade. In the first eight months of 2021, exports from Israel to the UAE reached US$68 million, and imports reached US$245 million (compared to exports from Israel to the UAE totalling $11 million in 2019 and $18 million in 2020). Sectors such as tourism and hi-tech have also seen huge growth.

Every Israeli government since 2009 has endorsed the two state solution. The Israeli people back the two state solution by a two-thirds majority. While some—including in Israel—may feel that Israel could do even more to promote peace, laying the responsibility for the failure to reach a peace agreement solely at Israel’s feet shows a disregard for the history of the conflict.
FREQUENTLY ASKED QUESTIONS ABOUT ISRAEL AND THE TERRITORIES

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

Bantustans (separated districts) were puppet regimes for blacks, created and controlled by the white supremacist regime in South Africa. They had no power and were not recognised by a single state other than white minority South Africa government. The journalist Amira Hass has argued that the PA controlled areas in the West Bank are ‘similar to the Bantustans in South Africa’.142

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

Second, since 1993, as part of the peace process, the PA has civilian jurisdiction over the overwhelming majority of Palestinians in the West Bank. Hamas, which splintered off from the PA, has jurisdiction over the whole population of the Gaza Strip, while vast majority of Palestinians in the West Bank live under Palestinian administration.143

In fact, the PA is nothing like a Bantustan. It was created in 1994 by the internationally supported Oslo Accords, which were voluntary, based on negotiations between Israel and the PLO, the internationally recognised ‘sole representative’ of the Palestinian people. The creation of the PA was secured without prejudice to the Arab citizens of Israel. The peace process that created the PA gained its signatories, Israeli Prime Minister Yitzhak Rabin, Foreign Minister Shimon Peres, and Palestinian President Yasser Arafat, Nobel Peace Prizes. The agreement was also signed, as an act of support, by the United States and the Russian Federation. The Interim 1995 Israeli-Palestinian Agreement was signed as an act of support by representatives of the United States, the Russian Federation, Egypt, Jordan, the European Union, and Norway.

The division of the West Bank into Areas A, B and C, with varying degrees of Israeli and Palestinian security and civic control, was not imposed unilaterally by Israel but agreed by the Palestinian delegation in 1995 as part of the Oslo Accords, with Egyptian support. The architect of the arrangement, Joel Singer, has explained at length that the division was conceived as a transitional arrangement ‘to empower the PA and the Palestinian Police (including in the area of internal security), while preserving Israeli’s interests’, until peace talks could secure a final status agreement. It has been the failure of those talks, not Israeli “apartheid”, which has left the West Bank still divided into A, B and C today.144

The Bantustan analogy is false because Israel is not creating ‘independent homelands’ within its own territory for purposes of denying the putative “citizens” of such homelands their citizenship rights. The West Bank and Gaza were captured in a defensive war in 1967 against Arab armies determined to crush the Jewish homeland that were massed on Israel’s borders. They are not “homelands” since they do not constitute part of Israel, and its inhabitants therefore are not and never were Israeli citizens.

Israel has no obligation under international law to annex these Territories and accord their inhabitants Israeli citizenship – indeed, international law demands Israel withdraw from them once a peace agreement has been negotiated.

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

Israeli law applies to Israeli settlers in the West Bank while the local Palestinian population is subject to Israeli military administration.145

Amira Hass has argued this as an example of “Israel apartheid,”146 But she misses two things.

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This Palestinian autonomy in civil affairs was intended to be a stage towards a final status agreement in which they were expected to assume full sovereignty over nearly all of the West Bank.

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

As a result of the 1993 Oslo Accords and the establishment of the PA, Israel agreed the first steps towards securing the Palestinian people’s ability to rule their own lives – a key and legitimate demand – but there is no doubt that as a result of the failure thus far to reach a final status deal, individual Palestinian political rights are nowhere near being fully realised. However, as opposed to the situation under apartheid in South Africa, this is not because a dominant race is denying rights to a dominated race, but because the realisation of those rights has been deemed by the key international actors – including the Palestinian leadership itself – to be a function of the effort to negotiate Palestinian national rights. And those negotiations have failed so far.

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

No. There are some roads that have been closed to some Palestinian traffic – and some bypass roads have been built – due to shootings, bombings, and other attacks on Jewish and Arab road users.147 Before such attacks there were no restrictions. The Apartheid Smear ignores three facts: Israeli traffic is also banned from Palestinian areas because of security concerns; “Israeli traffic” includes the vehicles of over one million Arab citizens of Israel who have also faced terrorist attacks;148 and all road closures are temporary and subject to constant

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review by the Israeli courts.

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

Although hostile to Israeli policy, the Associated Press reported in 2000 that “where two-lane roads pass through military checkpoints and Palestinian villages … clashes and rock-throwing can erupt at any time. The new roads promise to change all that.” At least 14 Israelis have been killed by Palestinian stone-throwing, including three Arabs mistaken for Jews. Rocks thrown by two Palestinian men in 2011 hit Asher Palmer in the head, causing his car to veer off the road and overturn, killing both him and his infant son Jonathan. “Not every distinction between people, in all circumstances, is unnecessary, unjustified, and not every improper discrimination is apartheid. (…) We must be careful and cautious about using definitions which characterize security measures taken for the purpose of protecting travellers on the roads as being based on illegitimate racial and ethno-national foundations. The comparison which the applicants made between the use of separate roads for security purposes and the policy and practices of apartheid South Africa is inappropriate. (…) The great distance between the security measures which the state is taking as protection, including three Arab men mistaken for Jews, and the illegitimate practices of apartheid, require that all comparison or usage of the grave term be avoided. (…) The comparison between the prevention of Palestinians’ traffic on route 443 to the crime of apartheid is extreme and exaggerated to the point where it should never have been raised.”

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

Question 4: Has Israel built an ‘apartheid Wall’?
The Separation Barrier, built after 2000, is a defensive security response to terrorism. It does not separate races, but protects Israeli population centres, both Jewish and Arab, from terrorists, including waves of suicide bombers, who set out from Palestinian population centres.

After the failure of the Camp David negotiations in 2000, the Palestinian leader Yasser Arafat launched the Second Intifada. A wave of suicide bombings and other terrorist attacks hit Israel. Whilst the country has experienced terrorism throughout its history, the attacks had never been so intense. In 2002, a fatal suicide bombing was carried out in Israel nearly every two weeks on average, which killed over 1,000 Israelis and left thousands severely injured. The attackers predominantly came from the West Bank.

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

Around 90 per cent of the security barrier is an electronically monitored chain-mail fence. Only 10 per cent can be described as a ‘wall’ in built-up areas where there is not enough room for a monitored fence, or where there is a need to protect against sniper fire. In April 2012 the Israeli announced the completion of a barrier running the length of the Gaza Strip both above and, critically, below ground. The $7.35 billion ($1.1 billion) project is meant to end the threat of cross-border terrorist attack tunnels. The route of the security barrier is determined by the need to save Israeli lives by preventing Palestinian terrorists from reaching Israeli towns and cities. The final border between Israel and the Palestinians will be resolved by negotiations. Israel has shown in the past that it can and will remove security (and other) installations in the framework of a peace accord.

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

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

One legal scholar, John Strawson, has shown that the apartheid analogy has ‘no resonance in international law’ and ‘the international community in repetitive mood has never constructed the conflict in that framework.’

A strong objection to the ICJ ruling was made by the British Judge, Rosalyn Higgins QC.

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

I think the Court should also have taken the opportunity to say, in the clearest terms, what regrettable today apparently means: ‘apartheid’ or ‘apartheid-like’ actions which are tantamount to realisation even among international lawyers, namely, that the protection of civilians remains an intrinsically obligating obligation of humanitarian law, not only for the occupier but equally for those seeking to liberalise themselves from occupation.

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

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

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

As a result of the improved performance of Palestinian security forces, and a reduction in Palestinian violence emanating from the West Bank, Israeli restrictions on movement were considerably reduced. A report by the UN Office for the Coordination of Humanitarian Affairs published in June 2010 noted that as a result of changes in 2008 and 2009, movement between Palestinian population centres was much improved. It stated that ‘large segments of the Palestinian population enjoy better access to services, places of work and markets.’

In the period 2003-2006 there were between 376 and 735 checkpoints. By 2018, there were 140 fixed checkpoints, according to the UN Office for the Coordination of Humanitarian Affairs. The Israeli anti-occupation NGO B’tselem reported on the reduction in the number of checkpoints, concluding Palestinians ‘travel relatively freely within the West Bank.’

Nevertheless, Palestinian terrorist groups in the West Bank continue to plan and execute attacks against Israelis. This creates a dilemma: how to balance the need to promote Palestinian
There is understandably much concern about Palestinians in need of medical treatment being held up at checkpoints. Following a petition that Physicians for Human Rights filed in 1996, Israel’s State Attorney’s Office announced two procedures to regulate the crossing of Palestinians in case of medical emergency, when a permit would not be needed, and in non-emergency cases.

In 1997 Israel handed control of 80 per cent of the city of Hebron to the Palestinian Authority, keeping control only of the area housing the historical centre of the city are difficult and tense. For Palestinians there are curfews, road closures, and businesses that have forced out of operation. Some areas of the city have simply become a ‘ghost town’, with Palestinians leaving the areas near where the settlers live due to the restrictions on their daily lives. The Israeli authorities (mainly the Israeli police) have also, though, taken some steps to protect the Palestinians from settler activities, such as putting up a protective grate on the market to protect Palestinian shoppers from settlers who throw garbage and rocks at them.

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

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

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

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

Today, Hebron has over 200,000 Palestinian and about 1000 Jewish residents. Construction of 31 new units for the Jewish community began in 2021, the first expansion in two decades. Peace Now is appealing this development to the Israeli Supreme Court. 80 per cent of the city, known as H2, is wholly controlled by the Palestinian Authority. 20 per cent of the city, known as H1, is controlled by the IDF and includes the holy sites adjacent to the Jewish communities. The old centre of Hebron (in H2 and at the heart of much of the violence) is held as sacred by both Jews and Muslims and there are special arrangements to administer access and prayer for both religions.

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

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

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

The apartheid accusation regarding water and Israel is based on three faulty assumptions: 1) Israel is stealing water in the West Bank that rightfully belongs to the Palestinians and diverting it into Israel or to Israeli settlers; 2) Israel is taking more than its fair share of the aquifer in the West Bank, leaving Palestinians thirsty; and 3) Israel purposely restricts the amount of water available to Palestinians to a level which does not meet their needs.

Let’s take each assumption in turn. Water does not respect man-made boundaries. It is a resource that is very difficult to ‘claim ownership’ over: streams often run through borders and water in the West Bank flows naturally either east or west. In most of the world there are bilateral or multilateral agreements in place governing how this water is shared and owned. In the absence of a final-status agreement, this has not materialized in Israel. The mutual need for the same resource will invariably result in some friction in the absence of a proper agreement. It is also worth noting that Israel did not ‘conquer’ this water resource in 1967; Jews had been using water from this basin since the 1920s, and there was no change in Israel’s water usage after 1967.

Regarding the second assumption, Israel and the Palestinians agreed in the 1995 Oslo II Accords to define the amount of water allocation from the mountain aquifer for their respective populations. According to Article 40, Palestinians in the West Bank are entitled 196 million cubic meters (mcu) of water per year, plus an additional 31 mcm that Palestinians have access to 248 mcm of natural water, because Israel supplies an extra 21 mcm beyond its obligation. Furthermore, in 1967, only four of 708 Palestinian towns and villages were connected to a running water network; as a result of Israeli investment, this increased to 309 by 1995. By 2010, more than 96 per cent of the Palestinian population in the West Bank had access to running water. That said, the allocation of water agreed in 1995 to the Palestinians as per the Oslo Accords is not enough for today’s West Bank population and it remains down to both sides to reach a new agreement on a fairer allocation of water.

On the third assumption, Israel does not restrict water that is allocated to the Palestinians to a level which does not meet their needs. In fact, over the years the Palestinian share of aquifers has actually increased. There is no legally accepted number of what constitutes a minimum amount of water required per capita. According to the World Health Organization, between 50 and 100 litres of water per person per day provides enough for basic needs to be met and few health concerns to arise, and access to 20-25 litres per person per day represents a bare minimum. According to the Palestinian Authority’s own numbers for

**Image 1:** IDF soldier and a Palestinian shepherd at a check point, 2012. Flash90.

**Image 2:** Gaza Strip.162

**Image 3:** Protective grate covering Hebron market. Justin McIntosh/ Wikimedia

**Image 4:** Daily Telegraph
2018, the average rate of water availability per person across the entire West Bank is 90.5 litres per day, with no area dropping below 50 litres per day. In fact, the Palestinian Authority has failed to properly invest in water treatment plants and supply infrastructure because of a desire not to cooperate with Israeli settlements. It is estimated by the World Bank that the PA loses between about 10 litres of water per person every day due to distribution losses at the service provider level, and the amount coming out of the tap is even lower. While Palestinians do consume less water than Israelis, the extent of this discrepancy is often exaggerated.

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

In 2017 Israeli and Palestinian Authority (PA) officials signed an agreement to jointly advance water infrastructure and development in the West Bank and Gaza Strip. The agreement, renewed the activities of the Joint Water Committee, following a six-year lull. Maj Gen Yoav Mordechai, head of Israel’s Coordinator of Government Activities in the Territories (COGAT) office said: “Over the past year and half, we’ve (Israel and PA) signed four agreements: electricity, water, mail and XG cellular infrastructure.”

The committee was tasked with ensuring the allocation of additional water for the West Bank and Gaza Strip, the increase of water sources and half, we’ve [Israel and PA] signed four agreements: electricity, water, sewage and effluent, plus improving the sharing of water reservoirs as the summer months approach. In addition, the committee will work to formulate a long-term strategic water plan for the region until 2040, taking into account expected population growth during the interim period.

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

A final peace settlement between Israel and the Palestinians is expected to see the restitution of almost all of the land currently under Israeli control as the occupying power in the West Bank. The exceptions – the land along the Green Line that contains about 80 per cent of the settlers – will be compensated by ‘land swaps’, a principle which has already been agreed with the Palestinian negotiators, and endorsed by President Obama and the EU and, since April 2013, the Arab League. Col. [res.] Shaul Arieli, former head of Israel’s administration for negotiations with the Palestinians, has challenged the idea that settlements have killed the two state solution. He points out that regardless of where one stands on the wisdom or otherwise of past or future settlement construction in various parts of the West Bank, creating a border between Israel and the West Bank remains entirely possible. The continuing viability of partition from an Israeli perspective is enhanced by the fact that most Israeli settlers are concentrated in blocks, the Israeli settlement presence beyond the blocks is limited, most working settlers are employed inside Israel and Israeli settlements use largely distinct infrastructure from West Bank Palestinians.

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

**THE APARtheid SmeAr STOPS US UNDERSTANDING THE CONFLICT**

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

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

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

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

**PART 5: HOW THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS**

In South Africa there was total agreement between the two sides about the unity of the country. The struggle was about the regime. Both whites and blacks considered themselves South Africans and were determined to keep the country intact. The whites did not want partition, and indeed could not want it, because their economy was based on the labor of the blacks.

In [Israel], Israeli Jews and Palestinian Arabs have nothing in common – not a common national feeling, not a common religion, not a common culture, and not a common language. The vast majority of the Israelis want a Jewish (or Hebrew) state. The vast majority of the Palestinians want a Palestinian (or Islamic) state. Israel is not dependent on Palestinian workers. Because of this, there is now a worldwide consensus that the solution lies in the creation of the Palestinian state next to Israel. In short: the two conflicts are fundamentally different.

Uri Amery, veteran Israeli peace activist, Against the Israel Boycott, 2009.
The Apartheid Smear discourses mutual recognition between the parties, blocks cultural exchanges, and poisons the climate for peace.  

The New Israel Fund is a major Israeli NGO that works for ‘human rights, social justice and religious pluralism’. It believes these things are ‘the natural complement of … the two-state solution and the peace process.’ So it matters hugely that the NIF describes the entire peace process. ‘The Apartheid Smear diverts attention from the heart of the conflict: the Jewish state and the Palestinian National Authority.’ It is a crucial stumbling block in achieving peace.  

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

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

The Apartheid Smear makes conflict resolution more difficult. Experts say dehumanisation and prejudice towards the ‘Other’ is a crucial stumbling block in achieving peace.  

The Apartheid Smear promotes a culture of polarisation that pushes many Israelis into the arms of those who say ‘the West is biased against us, the West cannot be trusted to protect our interests.’ In short, the smear harms the Israeli peace camp.

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

The Labour Party leader Sir Keir Starmer has made clear his support for the two state solution and his firm opposition to boycotts. ‘Israel’s most precious features are its Jewish and its democratic identities. To retain both, and to respect the Palestinian people’s right to self-determination, we must have a two-state solution. Our approach to this complex conflict will be guided by a simple principle: we are pro-Israel, pro-Palestine, and pro-peace. Our allies will be all those – Israeli or Palestinian – who seek to further the cause of reconciliation, peace, and progress.’

In sharp-contrast to Amnesty International, Stammer has argued that ‘tackling antisemitism is … also about cultural change: identifying, confronting, and rooting out the scourge of anti-Zionist antisemitism. This ideology – which denies the Jewish people alone a right to self-determination, equals Zionism with racism, and seeks to paint the actions of Israel as akin to the crimes of those who sought to annihilate European Jewry – is the antithesis of the Labour tradition.’ (emphasis added)

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

The Apartheid Smear is opposed by those working for peace and reconciliation.

The new Israeli Fund is a major Israeli NGO that works for ‘human rights, social justice and religious pluralism’. It believes these things are the ‘natural complement of … the two-state solution and the peace process.’ So it matters hugely that the NIF describes the entire peace process. ‘The Apartheid Smear diverts attention from the heart of the conflict: the Jewish state and the Palestinian National Authority.’ It is a crucial stumbling block in achieving peace.

The Apartheid Smear makes conflict resolution more difficult. Experts say dehumanisation and prejudice towards the ‘Other’ is a crucial stumbling block in achieving peace.

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

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

For world peace, Israel must be destroyed.
The Alliance for Middle East Peace (ALLMEP) is the largest and fastest growing network of Palestinian and Israeli peacebuilders. Founded in 2006 and with offices in the US, Europe, Israel, and Palestine, ALLMEP works to strengthen its 160+ member organisations—who encompass every activity imaginable that brings together Israelis and Palestinians, or Israeli Arabs and Jews—so that they can lead their societies toward and beyond a sustainable peace.

ALLMEP does this by first of all delivering a suite of programmes and member services that introduce best-in-class methodologies into the peacebuilding fields. Its growing suite of programmes include capacity building, alumni engagement, and visibility: all predicated on partnership and cooperation, so that the 160+ peacebuilding organisations can be more than just the sum of their constituent parts.

Secondly, ALLMEP advocates to governments right around the world for greater resources and amplification to be directed toward the work of peacebuilders, growing government resources for the Israeli/Palestinian people-to-people sector, and placing their work at the top of the agenda for policymakers. To date, ALLMEP’s efforts have helped secure:

• $250 million via The Nita M. Lowey Middle East Partnership for Peace Act (MEPPA), representing the largest-ever investment in peacebuilding;
• Over $130 million from USAID/CMM’s People-to-People Reconciliation Fund;
• £3 million from the United Kingdom’s People For Peaceful Change Fund; and
• $3 million from the Government of Canada for people-to-people programming.

ALLMEP’s flagship campaign is for an International Fund for Israeli-Palestinian Peace, envisioned as a $200 million annual fund dedicated to creating the civic foundations upon which a lasting peace can be built. Based on the International Fund for Ireland, the Fund would provide unprecedented scale and institutionalisation to the peacebuilding field. ALLMEP has briefed over three dozen countries around the world on this transformational concept. Already, ALLMEP’s campaign has directly resulted in the U.S. government investing $250 million via the Lowey Fund, the U.K. government (as well as both the Labour Party and the Liberal Democrats) endorsing the International Fund concept, and support from both the pro-Israeli and pro-Palestinian delegations in the European Parliament.

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

MEET Facebook.

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

The Peres Center for Peace is a non-governmental, non-political organisation that brings Israelis and Palestinians together from many spheres. Their projects include the highly successful ‘saving children’ programme that takes Palestinian children into Israeli hospitals for complex procedures and diagnosis where such services are unavailable in the Palestinian Authority. They also have a project called ‘training doctors’ that aims to enhance the Palestinian healthcare system by providing advanced training opportunities for Palestinian doctors in Israeli hospitals.
APPENDIX 1: THE APARTHEID SMEAR
THE HISTORY OF THE APARTHEID SMEAR

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

THE STALINIST MOMENT: ZIONISM TREATED AS CAPITALISM AND IMPERIALISM

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

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

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

It is time to dump the politics of the Cold War and along with it the wholly inaccurate analogies of Zionism with apartheid which was mobilised for Soviet foreign policy interests and not in the interests of the Middle East.

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

THE UNITED NATIONS MOMENT: ZIONISM TREATED AS RACISM

The second key moment in the rise of the Apartheid Smear came in 1975 when a coalition between the Soviet bloc, the authoritarian Arab states, and the so-called ‘Non-Aligned Movement’ emerged. This bloc used its built-in majority at the UN General Assembly to pass Resolution 3379, which equated Zionism with racism. (The UN rescinded the resolution in 1993.) Bishop John M. Akin of the U.S. Episcopal Church declared that the UN resolution was an ‘irresistible offense against those legitimate aspirations of the Jewish people for a homeland which the UN itself certified back in 1947.’

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

THE DURBAN MOMENT: ZIONISM TREATED AS APARTHEID

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

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

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


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ENDNOTES


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12 Philip Polsby, ‘Most Arabs prefer living in Israel, accept Jewish character of the state’, Times of Israel, 6 June 2022.

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THE AUTHOR

Professor Alan Johnson is the editor of the journal *Fathom: for a deeper understanding of Israel and the region*. He is Senior Research Fellow at BICOM. His publications include *Global Politics After 9/11: The Democratiya Interviews* (Foreign Policy Centre, 2008). A regular commentator on radio and TV about Israel, he has published essays and columns in *Radical Philosophy, Historical Materialism, Sociology Review, Oral History, Renewal: a Journal of Social Democracy, Jacobin, Dissent, Prospect, World Affairs, New Politics, Guardian Comment is Free, and The Times of Israel.*
As a movement we recognise the legitimacy of Palestinian nationalism just as we recognise the legitimacy of Zionism as a Jewish nationalism. We insist on the right of the state of Israel to exist within secure borders, but with equal vigour support the Palestinian right to national self-determination. We are gratified to see that new possibilities of resolving the issue through negotiation ... we would wish to encourage that process, and if we have the opportunity, to assist.

Nelson Mandela

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

Simon Schama and Anthony Julius