

THE APARTHEID SMEAR

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

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

Nelson Mandela, 1993

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

Martin Luther King Jr, 1967

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

Judge Richard J. Goldstone (former Justice of the South African Constitutional Court, who led the United Nations 2008-9 fact-finding mission on the Gaza conflict), 2011

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

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



Nelson Mandela. Archives de la Ville de Montréal/Flickr

1 Nelson Mandela, ‘Address by ANC President, Nelson Mandela, at the opening of the 37th Congress of the South African Jewish Board of Deputies’. 21 August 1993. <http://www.anc.org.za/show.php?id=4096>

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

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

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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.

— Amnesty International's Apartheid Report, 2022.

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 of any other democratic nation.

— Two of the examples of contemporary antisemitism listed in the IHRA Definition of Antisemitism.⁴

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.'⁵

— The Institute for the Study of Global Antisemitism and Policy.

The linguistic transition from 'The Arab-Israeli Conflict' to 'Israeli-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 declares 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 eliminationist, antisemitic agenda has always been fundamental to the apartheid accusation, and the Amnesty report reinforces it.

— Cary Nelson, President of the American Association of

University Professors, 2006-2012, now Professor Emeritus, University of Illinois at Urbana-Champaign.

This new introduction to the updated 2022 edition of *The Apartheid Smear*, (originally published by BICOM in 2013) critiques a recent Amnesty International report, one of a crop of very similar 'reports' published by NGOs and UN bodies in 2021 and 2022 that smear Israel as an 'apartheid' state.⁶ The introduction is organised in three parts, critically examining in turn the analysis, politics, and methods of Amnesty's report.

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 peacebuilding, 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.

In the real world, which is found at some distance from NGO-UN Reportland, the task of Britain, along with other European states, the US and Arab leaders, is not to make Israel an international pariah as the Amnesty report would have us do, but to prevent further deterioration on the ground, lower tensions, and find ways to improve the situation. This approach may not be well suited to winning applause from a campus audience, but it is well suited to encouraging a recommencement of the peace process down the line. The analysis, politics and methods of the Amnesty report would take us in the opposite direction, and should be rejected as a political dead-end by opinion-formers, policy makers and, not least, Palestinians.

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 *originated with the creation* of Israel in May 1948’. So Amnesty is not criticising Israeli policies but Israel’s *existence*. It is calling for the Jewish nation-state of Israel to be dismantled as an illegitimate and immoral racist state. Paul O’Brien, Executive Director of Amnesty International USA has removed any uncertainty: ‘We are opposed to the idea ... that Israel should be preserved as a state for the Jewish people’.

Amnesty gets wrong what ‘nation state of the Jewish people’ means.

‘Jewish state’ does not mean a *racial* state or a halachic-*religious* state, as Amnesty seems to think, and from which it ‘infers’ (we will see that Amnesty’s report does an awful lot of inferring) that Israel is an apartheid state.

‘Jewish state’ means Israel is a *nation*-state, the homeland of the Jewish *people*. Israel is the place where the Jewish people express their democratic right to a collective life as a people, their right to national self-determination. (The false claim that the Jews were colonialist outsiders who ‘stole’ the land is fully treated in sections 1.2 and 1.4 below.) Indeed, in the happy phrase of former Israeli peace negotiator Tal Becker, ‘the idea of a Jewish state is itself democratic’ (see pp 35 of *The Apartheid Smear* for Becker’s argument.) Nation-states are *normal* and, if they are also democratic, they enshrine rights for national minorities. Israel is democratic, and does enshrine those rights.⁷

Having made this all-defining, foundational blunder, Amnesty thereafter, and inevitably, misrepresents a long list of Israeli policies and practices as ‘apartheid’.

Example: Amnesty and ‘Jewish Majority’

Amnesty says it is ‘apartheid’ for a Jewish nation state to take steps to preserve a Jewish majority. It isn’t. It is a normal aspect of the exercise of the Jewish people’s – *any* people’s – democratic right to national

self-determination. Preserving a majority is what nation-states do because they are states which express the collective identity and collective self-determination *of a people*, as well as having equal citizenship rights for all. Nation states routinely use immigration policy to achieve that entirely legitimate end.

This is also an example of Amnesty’s systematic use of the double standard to infer Israel is an apartheid state. As Salo Aizenberg has pointed out, ‘While Amnesty recommends that Israel repeal its Nation-State Law, it does not recommend that the Palestinian Authority change its constitution calling itself part of the ‘Arab nation’ or that ‘Islam is the official religion of Palestine’ or that ‘Islamic Shari’a’ is the principal source of legislation...’⁸ Aizenberg goes on: ‘Amnesty’s refus[es] to accept that Israel can self-define itself as Jewish while having no problem with numerous Christian and Muslim states [the Islamic Republic of Iran or the Islamic Republic of Pakistan] doing the same. ... It is accepted worldwide that states can self define by religion or ethnicity and still be considered democracies – but not for Jews...’⁹

Example: Marriage and Citizenship

Amnesty infers that 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: Terrorists and Politics

Amnesty’s report (p.13) even infers that Israel’s policy of banning would-be election candidates who ‘support armed struggles by a hostile state or a terrorist organization against Israel’ is an example of its ‘apartheid system’. This is ludicrous. Even a refusal to commit national suicide is apartheid for Amnesty, if it is Israel doing the refusing.

Part 3 of *The Apartheid Smear* (see pages 35-40) explains at greater length why being a ‘Jewish state’, a homeland for the Jewish people, with rights for minorities, does not make Israel an apartheid state.

Amnesty infers from the existence of inequalities between majority and minority in Israel that Israel is an ‘Apartheid State’. This is ridiculous. Such inequalities are normal in more or less every nation state in the world.

Example. Infant Mortality | Inequality, yes; apartheid, no

Arab infant mortality is 5.4 (per 1,000 births) but only 2.4 for Jews. Amnesty infers *apartheid* from this kind of *difference*. But as Aizenberg has pointed out, ‘In the UK, infant mortality for blacks and Muslims is about 6 versus about 3.7 for whites. In Australia 6.3 for Aboriginal persons versus 3.1 for whites. In the US it’s a huge 10.8 rate for blacks (twice the rate for Israel’s Arab citizens) versus 4.6 for

whites.’ Aizenberg observes that, ‘The story should be how the Arab minority in Israel has a lower infant mortality rate than minorities in the UK, Australia and the U.S. as well as surrounding nations Lebanon (6), Turkey (8), Jordan (13) and Egypt (17)’.¹⁰

Example: Life Expectancy | Inequality, yes; apartheid no

Life expectancy is 83.1 years for Jews versus 79.5 for Arabs. An inequality? Yes. Can we infer apartheid from that inequality? Hardly. Arab Israelis 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.¹¹

Amnesty claims the Arab Citizens of Israel suffers ‘apartheid’. They don’t.

Israel is not an apartheid state.¹²

– Mansour Abbas, Arab Muslim leader of Ra’am party which sat in the Israeli government for a year, 2021-2022.

Israel has many problems but it is not an apartheid state.

– Issawi Frej, Arab member of the Israeli Knesset (Parliament) for the left-wing Meretz party.

The Amnesty report claims that Israel has been engaged from 1948 in the systematic ‘exclusion and intentional neglect of Palestinian communities inside Israel’ and that it does so because it is a ‘racist’, ‘apartheid’, ‘Jewish supremacist’ and ‘cruel’ state and society.

Among the mountain of facts that make clear that Amnesty’s claim is ridiculous, we can note the following:

– Israel within the 1967 Green Line is a society where the Arab minority are citizens with voting rights, who play a full role in society and use the same universities, hospitals, parks, beaches and shops as their Jewish counterparts.

– Issawi Frej, the Israeli Minister for Regional Cooperation (2021-22), is an Arab citizen of Israel. So are Salman Zarka, one of Israel’s Covid Czars; Osila Abu Assad, appointed Israeli District Court judge, and the chairman of Bank Leumi, the largest bank in Israel, Samer Haj Yahya. Arab Israelis are also university professors, doctors, lawyers, diplomats and business and property owners. In February 2021, Judge Khaled Kabub became the first Arab Muslim appointed to the Supreme Court, following earlier Arab Christian Supreme Court Justice appointees George Karra, Salim Joubran and Abdel Rahman Zuabi.

– 68.3 per cent of Israeli Arabs prefer to live in Israel over living in the US or in any other Western country.¹³

– There are over 400 mosques in Israel, 73 of which are located in Jerusalem. The number of mosques in Israel has increased

four-fold since 1988, when they were only 80. 300 Imams receive monetary grants from the Israeli government.

As Lorena Khateeb, a member of Israel’s Druze minority and social media officer for Israel’s Ministry of Foreign Affairs, tweeted, ‘As an Israeli Arab citizen, I condemn @amnesty report. I grew up studying and working with Muslims, Christians, Druze and Jews, we all put together the Israeli puzzle, despite the challenges, we enjoy equal rights and even work to fix what is not.’

Amnesty claims that ‘While Palestinian citizens of Israel can vote and run in national elections, in practice their right to political participation is limited, and they continue to be perceived as the “enemy from within”’. Amnesty ignores the presence in the Israeli Knesset (parliament) of 14 Arab MKs from six different parties. Mansour Abbas, a Palestinian Islamist, *was an integral part of the government*. His Islamist party, Ra’am was a key player in the Naftali Bennett-Yair Lapid coalition for a year until the dissolution of the government. Amnesty’s report *does not mention him once* in a report ostensibly about the relationship between majority and minority in Israel.

Amnesty uses four tricks to support its claim that Israel’s Arab citizens suffer ‘apartheid’

Amnesty’s First Trick: Never compare the Israeli Arab present with the Israeli Arab past

Amnesty’ first trick is to compare today’s measures of Israeli Arab outcomes (income, education, health etc) with Israeli Jews today, and never with Israeli Arab outcomes in the past. This allows Amnesty to present inequalities, normal in nation-states, as markers of a uniquely Israeli, uniquely Jewish, apartheid or ‘Jewish Supremacism’ (a phrase popular with the KKK, note, but also used freely by Amnesty).

If we compare today’s Israeli Arab outcomes with *yesterday’s* Israeli Arab outcomes, the picture changes radically. Here are some examples:

Arab High School Graduates, Past and Present

17 per cent more Jews than Arabs between the ages of 55 and 69 are high school graduates. But the disparity drops to 0.7 per cent among the 35-44-year-olds, and among the 25-34-year-olds the trend is reversed: 54 per cent of Jewish Israelis and 54.9 per cent of Arab Israelis are high school graduates.¹⁴

Arab University Students, Past and Present

‘Between the years 2009/10 and 2019/20 the number of Arab university students rose substantially: undergraduate students — from 13.1 per cent to 19.2 per cent. Masters’ degree programs from 7.4 per cent to 14.6 per cent, and doctoral degree programs from 5.2

per cent to 7.2 per cent.’¹⁵

Arab Educational Attainment, Past and Present

The median level of education among the Arab Israeli public has risen tenfold, from 2.1 in the early 1960s to 12.0 in 2017. The median level of education among the Jewish Israeli public rose by 4.8 during that same period to 13. Forty-six per cent of all medical students who were accredited as doctors in 2020 were Arab and Druze Israelis, which far outpaces their relative size in the population.¹⁶

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

Amnesty’s second trick is to never compare Israeli Arab outcomes with those in any other states, whether regional or international. Again, any inequalities can then be presented as ‘apartheid’ 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.’¹⁷

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 close gaps between Jewish and Arab communities. An October 2020 extension added another NIS 500 million to the program through the end of 2021. The November 2021 budget approved a programme for Arab society totalling NIS 30 billion to address health care, social welfare and education, including the construction of over 1,000 classrooms and nursery schools in Arab communities. It also allocates 650 million NIS to reduce health disparities between the Arab community and the rest of the population, and hundreds of millions of shekels to integrate Arabs into Israel’s hi-tech sector. In a separate part of the budget, the Public Security Ministry was provided NIS 2.5 billion to counter violence and organised crime in Arab communities.

A report on the progress of this equalising programme noted that ‘Arab Israeli MKs largely hailed the move to extend the 922 funding and remove obstacles to its use by local municipalities.’ An official from the widely respected Arab-Jewish NGO Sikkuy, which has been central to the ‘close the gaps’ agenda has highlighted some of 922’s key achievements, including ‘improving the integration of Arab women in the workforce, expanding public transportation in Arab

villages, and increasing public trust and collaboration between Arab municipalities and the Israeli government.’

Amnesty’s report includes nearly a full-page sidebar about how exemption of Palestinians from military service is somehow an element of Israel’s apartheid system, as it excludes Palestinians from the economic benefits of serving. (pp. 83-4) Amnesty downplays the fact that Arabs *can* join the military, and many choose to do so. [They are just not *compelled* to do so.] One can only imagine Amnesty’s outrage if Israel *forced* Israeli-Arabs to join the IDF and fight other Arabs when they attack Israel. For Amnesty, it is apartheid if you do and apartheid if you don’t.¹⁸

Amnesty’s fourth trick: Invent special, new, unique meanings for the words ‘apartheid’ and ‘race’ to trap Israel

The true meaning of ‘apartheid’ in international law was discussed in two recent reports by legal experts Joshua Kern and Anne Herzberg: ‘False Knowledge as Power: Deconstructing Definitions of Apartheid that Delegitimise the Jewish State’ (December 2021) and ‘Neo-Orientalism: Deconstructing Claims of Apartheid in the Palestinian-Israeli Conflict’ (March 2022). Both made clear that Amnesty has engaged in what the academics call ‘concept stretching’, i.e. pulling a concept so far out of shape that it takes on a qualitatively different meaning.

Amnesty’s changes the meaning of both ‘apartheid and ‘race’ in order to present what is really a *national* conflict between two *peoples* as a *racial* conflict between two *races*.

Amnesty claims their report does not seek to ‘argue that, or assess whether, any system ... as perpetrated in Israel and the OPT is ... the same or analogous to the system as perpetrated in South Africa’. But they should have. The 1976 International Convention on the Suppression and Punishment of the Crime of Apartheid insists that the definition of apartheid ‘shall include similar policies and practices of racial segregation and discrimination as practised in southern Africa.’

Amnesty relies on the 1973 Apartheid Convention, adopted during the Cold War. There are several problems with this. In 1973 Stalinist dictatorships and Islamic states took the lead. They would go on to use their numerical if not moral superiority at the UN to pass the notorious ‘Zionism is Racism’ resolution two years later in 1975. The 1973 Convention was not signed by any Western countries, nor by Israel, and it is not customary international law. Israel is not bound by it.

Academic expert Cary Nelson points out that because Amnesty’s non-stop racialising of the conflict is ‘accusatory but undocumented’ it

‘amounts to race-baiting’. Amnesty’s admits it can find no Israeli ‘plan to subject one racial group to oppression and domination’ but then claims this does not matter because ‘the plan can simply be inferred’ (51). Nelson objects to this move: ‘South Africa had an elaborate set of discriminatory laws covering virtually every aspect of social and political life. Israel has nothing of the kind. ... Israel has Basic Laws and multiple court decisions guaranteeing equality within its pre-1967 borders’.

Nelson also points out that Amnesty twists the meaning of the word ‘race’ until it becomes a synonym for *national* group. By doing this, Amnesty is able to misrepresent a national conflict as a racial conflict. ‘National origin’, writes Nelson ‘should not ... substitute for race as historically understood ... Palestinians are not a race; they did not even cohere as a people, a cultural and political entity, until the 1960s. And Israelis are not a race, as a day spent in Jerusalem or Tel Aviv makes obvious. Nor are Jews a race.’

Part 1 of *The Apartheid Smear* is a more detailed survey (updated for 2022) of the true position of the Arab minority in Israel today, covering both the grounds for celebration and the areas where further reform and change are still needed to close the gaps.

1.2 Amnesty’s Second Analytical Error: Erasing the 100-Year War on the Jews
Amnesty systematically decontextualises history to demonise Israel, first by erasing the 100-year Arab war against the Jews

Amnesty is guilty of a *double demonising erasure*. First, Amnesty erases the 100-year Arab war against the Jewish presence. Second, Amnesty erases the peace process and the offers made by Israel to divide the land, each rejected by the Arab and Palestinian leadership.

Before considering some examples of the first form of historical erasure, it is important to understand why both forms of erasure are *strategic* on Amnesty’s part and pivotal to the game Amnesty is playing with Israel in its report.

As we have seen, Amnesty admits there is no Israeli apartheid plan or law. Instead, Amnesty infers apartheid by claiming that Israel’s policies and practices towards the Palestinians are *motivated* not by genuine security concerns, or by the exigencies of an unresolved national question, but by racism. In Amnesty’s *own words* then, to qualify as apartheid Israeli policies and practices must be shown to have been ‘committed with the *intention* to maintain’ a system of racist domination of the Palestinians.

Amnesty then hides from its readers the all-determining *contexts* that

would, if taken into account, make clear that Israeli *intentions* stem not from racism but from the existential need – and solemn duty – to maintain the security of its citizens, Jewish and Arab, against war and terror. Ditto when Amnesty excludes from consideration that other context of Israeli policy and practice – Israeli peace efforts and Israeli proposals to divide the land into two states for two peoples from 1947, and repeated Palestinian rejections, which have left an unresolved national question.

The impact of Amnesty’s 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 ‘cruel’ and intentional ‘Jewish supremacism’.

Amnesty excludes *any* consideration of Arab war and terror against the Jews because these ‘violations’ – a weasel word for the bloody reality – are ‘not the focus of this report’. This is ludicrous because these ‘violations’, from the early 20th century to today, are an absolutely key context of what *is* the focus of the report: the evolving relationship between the Jewish majority and the Arab minority. Amnesty erases the determining contexts of that relationship until what’s left is a blank page on which Amnesty can write the word ‘apartheid’.

Amnesty Erases the Wars against Israel

Amnesty and the 1948 War

Amnesty tells us that Israel made ‘territorial gains ... in 1948’ and this 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 Jew remains in the Jewish Quarter. Not a single building remains intact. This makes the Jews’ return here impossible.’

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-

genocidal Arab war on the Jews is presented as a racist takeover of land by the Jews. (And note, by the way el Tell’s easy passing reference to ‘1000 years’. What a recent invention is the idea, so popular on campuses, that the Jews are 19th century ‘European settler colonialists’!)

Amnesty and the 1967 War

Amnesty says Israel annexed East Jerusalem and occupied the rest of the West Bank and the Gaza Strip in 1967 because it is an apartheid state. Again, Amnesty erases the basic facts: Israel won a war of self-defence (again) after being surrounded by Arab armies vowing to drive the Jews into the sea (again), after the Egyptian army had demanded the UN leave the previously demilitarised Sinai desert and subsequently massed on Israel’s borders, holding a knife to Israel’s throat. Amnesty also erases the fact that Israel’s peace overtures in the aftermath of the Six-Day War were famously rejected by a united Arab League cry of ‘No peace! No recognition! No negotiations!’ at Khartoum.

Amnesty and the 1973 War

The Yom Kippur War took place in 1973 when Egypt and Syria tried to destroy Israel on the Jewish holy day, and came closer to succeeding than many appreciate. Amnesty’s response is to simply cut the war tout court from the report’s historical timeline.

So, three wars of conquest which were by the Arabs’ own proud boasts genocidal wars of conquest, yet Amnesty manages to infer from each evidence of... Israel’s Cunning Apartheid Plan For Jewish Supremacy.

Amnesty Erases Terrorism

Again and again, Amnesty infers apartheid from Israeli policy responses to terrorism. By erasing the terror threat Israel faces, by putting the word security in scare quotes, the Amnesty report further distorts our understanding of the conflict.

Amnesty’s attitude is ‘Terror, What Terror?’

Amnesty does not mention the Iranian-sponsored antisemitic terrorist group Palestinian Islamic Jihad or once use the words ‘terror’, ‘bombing’, ‘suicide’ ‘stab’ or ‘stabbing’ in its 280-page report. Not one Palestinian terrorist attack against Israelis is discussed. One critic registered the *moral* significance of Amnesty’s omission: ‘It is simply amazing that an organization ostensibly devoted to “human rights” would work so hard to *dehumanize* these [Israeli] victims of Palestinian terrorism, in effect to bury them a second time.’¹⁹

Amnesty Gets Hamas Wrong

Amnesty whitewashes the antisemitic terrorists of Hamas. For

example, Amnesty decries the Israeli revocation of residency status of four Jerusalem residents in 2006, inferring from this decision another example of apartheid. In fact, the four, [Muhammad Abu Tir](#), [Ahmad Attoun](#), [Muhammad Totah](#) and [Khaled Abu Arafah](#), were all Hamas members.²⁰ By hiding this fact Israel can be portrayed as an apartheid state revoking the rights of random non-Jews.

Amnesty infers an ‘apartheid system’ from Israel’s ‘repeated military offensives’ in Gaza. In fact, each operation was undertaken in *self-defence* to restore deterrence against indiscriminate Hamas rockets falling on the Arab and Jewish civilians of Southern Israel, and after repeated Israeli demands, unheeded, that Hamas desist. Amnesty also erases the fact that these rockets have been getting progressively more potent, at times including Iranian-supplied Fajr 5 missiles able to reach Tel Aviv.

One critic notes that Amnesty infers as an example of Israel’s apartheid system the ‘USD 27 million loss in the agriculture sector’s greenhouses, agricultural lands and poultry farms as a result of the destruction caused by Israel’s military offensive in May 2021’. But once more, Amnesty erases all context. Hamas began the 2021 exchange by firing over 4,000 rockets into Israel. Israel was responding in self-defence to this massive barrage against its cities. Amnesty also erases Israel’s own economic loss of \$166 million.²¹

Amnesty infers apartheid from the fact that ‘Israel imposed a “dual use” policy in Gaza in 2007, restricting the entry of any goods it deemed to potentially have military, as well as civilian, use, including chemicals and technology.’ And what do we think might have happened in Gaza that year that made Israel decide this policy was necessary? Amnestinian Silence. No mention of the takeover of the Strip by an eliminationist antisemitic terror gang committed in its Charter to Israel’s destruction as an Islamic duty. No space in 280 pages for that. No space to explain to the reader that Hamas was using the Strip as a terror base from which to attack Israel.

Amnesty even infers as another example of the apartheid system that ‘this [dual use] policy only applies to Palestinian importers in the West Bank and Gaza Strip, not to their Israeli counterparts or even to Israeli settlers in the OPT’ (18) Again, can Amnesty really think of no reason for Israel to make that kind of practical discrimination other than ‘cruel’ ‘Jewish supremacism’?

Amnesty infers that Israel’s naval restrictions around the Gazan coast are unnecessary and illegal and an example of the ‘apartheid system’. Amnesty hides from the reader the 2011 UN Palmer Commission which concluded ‘Israel faces a real threat to its security from militant groups in Gaza...The naval blockade was imposed as a legitimate security measure in order to prevent weapons from entering Gaza by

sea and its implementation complied with the requirements of international law.’

Just once, Amnesty lets Israel get a word in edgeways. About the aerial-spraying of herbicides over Palestinian crops along the fence between Gaza and Israel, Amnesty tell us that ‘Israel claims that the spraying is intended to “enable optimal and continuous security operations”’. But this is just a bit of throat-clearing by Amnesty who immediately go on to say there is no *evidence* to support Israel’s claim. So Amnesty requires us to believe two impossible things before breakfast. One, that Hamas rocket teams – who use hospitals, schools and tower blocks without a qualm – have never, and would never make use of the cover provided by agricultural growth along the border fence. Two, that only cruel Jewish racism could have motivated the spraying, even though *at the very same time* Israel is shipping over the very same border – to a regime committed to its destruction – many tons of food and medical equipment every month, as well as facilitating access to Israeli hospitals for thousands.

Amnesty Gets the West Bank Wrong

Amnesty infers that the security barrier is part of a racist Israeli ‘Apartheid system’. But Amnesty erases what led up to Israel’s decision to construct the barrier: the so-called ‘second intifada’, which included waves of Palestinian suicide bombings, Israeli teenage kids being blown to pieces in pizza parlours and the Dolphinarium discothèque, atrocity upon atrocity, day after day, *for years* before the construction of the barrier was begun. Neither does Amnesty tell the reader about the barrier’s huge contribution to reducing terror attacks and so the number of dead Jews.

Amnesty infers it is part of the ‘apartheid system’ that West Bankers have to apply for a permit to cross into Israel for medical treatment. It does not mention the terror attacks that have been launched under the cover of medical visits, some of which are cited in *The Apartheid Smear* (see p. 48) and which prompted the introduction of the policy. With that context removed, Amnesty can throw yet another policy on the pile marked ‘Infer Cruel Jewish Apartheid From This’. In 2021 13.5 million individual crossings were registered of Palestinians who entered Israel from the West Bank for work, commerce, medical treatment, and humanitarian aid.²²

Amnesty Gets Rioting Wrong

Amnesty infer that the anti-Jewish riots in Israel in May 2021 – prettified by Amnesty as ‘peaceful protests’ – are a case of apartheid, in part because more Arabs than Jews were arrested. What Amnesty erases are these inconvenient facts: ‘between May 11-16 Arab rioters set fire to 10 synagogues, 112 Jewish homes and 849 Jewish-owned cars, in addition to significant looting. In contrast, Jewish rioters did not burn down any mosques, no Arab homes were reported looted, 13 Arab properties were damaged and 13 Arab-owned cars burned. In two pages of detailed

statistics, Amnesty did not find room to state these facts because they would have contradicted their demonizing “apartheid” narrative.’²³

1.3 Amnesty’s Third Analytical Error: Erasing International / Israeli Peace Offers And Palestinian Rejectionism

Amnesty decontextualises history to demonise Israel by erasing the history of the peace process

It is not only the 100-year Arab war against the Jews that Amnesty erases. They also erase the history of the peace process and the Israeli offers to divide the land between the river and the sea.

Looking through the Amnesty report, the reader might think none of the following events happened: the 1948 Jewish acceptance of the November 1947 UN Partition Plan (rejected by the Palestinian leaders and the Arab states who launched a war to stop it); the Jewish Peace Offer of 1967 (which followed another predatory Arab war) met by the Arab League’ ‘No, No, No’; the Madrid Talks in 1991; the Oslo Accords of 1993; the return of the PLO and establishment of the Palestinian Authority and the Israeli partial withdrawals from the West Bank following the 1995 Oslo II Agreement and 1997 Hebron Protocol; the Camp David peace talks of 2000 and the follow-on Taba peace talks and the Clinton Parameters of December 2000 (the rejection of which by then PLO Chairman Yasser Arafat was called a ‘crime’ by Saudi Arabia); the Israeli withdrawals from part of the West Bank; the Israeli withdrawal from all of the Gaza Strip in 2005; the Annapolis talks in 2008 (during which Olmert offered the equivalent of 100 percent of the West Bank and to which PLO Chairman Mahmoud Abbas did not formally respond); and the Kerry-Obama led talks of 2013-4 (to which – once again – Abbas did not formally respond).

Instead of telling that story, Amnesty’s narrative leaps 17 years in a single bound, from the 1993 Oslo Accords to Prime Minister Netanyahu’s 2020 stated (but never enacted) plan to annex parts of the West Bank.

1.4 Amnesty’s Fourth Analytical Error: urning an unresolved national question between two homeland peoples into a ‘racial’ conflict between ‘settler colonials’ and ‘indigenous’

Amnesty fourth analytical error is to misrepresent a national conflict between two homeland peoples as a racial war between White, Racist, European, Settler Jews and Black, Indigenous Palestinians.

‘The past is being rewritten so fast that we just don’t know what will happen yesterday’. (A joke told in the Soviet Union.)

Amnesty presents Israel’s very existence as a form of ‘white supremacy’, claiming that ‘the State of Israel considers and treats

Palestinians as an inferior non-Jewish racial group'. The report is stuffed full of 'race-baiting' language. The phrase 'Jewish domination' crops up 145 times, alongside 'racialized policing of protests', 'racially motivated disposessions', '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.'²⁴

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 Israel 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-colonialists' 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 zeitgeist, with Black Lives Matters and Critical Race Theory. Amnesty's charge of 'Jewish supremacism' is an accusation of *racism*, just like the charge in the US of 'white supremacism'. Note that Amnesty does not make the accusation of 'Arab supremacism' or 'Islamic supremacism' 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 supremacism' 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 *homeland* peoples. In its place is the revanchist (and frankly genocidal) alternative of ending the existence of Israel, the one Jewish state in the world, and chanting '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 peoplehood. The land from which they had been forcibly expelled, though 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-1789 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 from the 19th 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 Israel 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 end 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 that 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 date 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-Zionist' 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 delegitimize 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.²⁵ (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 is time for Amnesty to receive some training in what antisemitism is'.²⁶

A Modern Blood Libel?

Some commentators have compared Amnesty's systematic decontextualisation of Israeli responses to terror attacks to the medieval blood libel. Aizenberg offers the example of Amnesty devoting much space (p. 183) to the case of Ms. Nisreen Qudeh, a Gazan farmer whose house and plant nursery [in Kuza'a] were destroyed in Israeli strikes in 2014. But Aizenberg 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

attacks were launched.’ He contends that when Israel’s actions are shorn of all context in this way, ‘Amnesty simply promotes blood libel: Israel attacked Khuza’a to promote its cruel system of apartheid.’

In many ways, the daily, global, mass communication of decontextualised, demonising and antisemitic online messages, ostensibly about ‘Israel’ but drawing deep from the well of antisemitic tropes, images, and prejudices, *is* the blood libel of our times. Whatever Amnesty’s intentions, its ‘apartheid’ report will make worse an already hostile environment for Jews in the West. As 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 antisemites’.

Antisemitism changes over time and place according to the needs of the antisemites. Medieval Priests, Enlightenment 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 the clannish obstacle to an Age of Reason; the Jews are a biological pollutant of the Aryan Race; the Jews are Uber-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 antisemitism 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 are acts of pure cruelty and ‘Jewish supremacism’ it has helped put into global circulation a demonising and dehumanising discourse about Jews. How could this *not* have antisemitic effects? The ADL believes the apartheid smear is putting a target on the back of everyone who supports a Jewish and democratic state, ‘including the vast majority of Jews around the world’ and is helping to create a ‘fertile ground for a hostile and at times antisemitic discourse.’

Cary Nelson, a former head of the US association of university professors, warns that Amnesty is trying to racialise our understanding of the conflict. ‘Amnesty’s relentless repetition of the racism accusation crosses a threshold,’ he believes. With its drumbeat of ‘Jewish Supremacism’ ‘Amnesty ‘goes beyond indicting Israel to indict Judaism itself for a nonexistent racist inclination to see itself as superior to other religious and national groups’ and he contends that this is ‘one of the ways the Amnesty report crosses a line into antisemitism.’²⁷

CONCLUSION: ENOUGH IS ENOUGH

Luke Akehurst 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 genocide.’²⁸

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, hitherto unresolved national question between two homeland peoples, and tries to ensure one’s actions and statements support if possible, but at least *do no harm* to, the efforts of the 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’.²⁹ In 2021-22 a crop of reports from NGOs and UN bodies have updated that same claim: Israel is racist because Israel is Zionist, so Israel and its supporters must be cancelled.

The time for being polite about this kind of antisemitic demonisation has long passed. Its real world consequences are visible all around us: a rising tide of antisemitism 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-ocracies have colonised this or that UN committee, or is published in the name of a once great human rights NGO captured by antizionism, makes no difference.³⁰ It’s still demonisation.

And enough is enough.

APPENDIX: AMNESTY IS A BIASED MESSENGER 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 MESSENGER

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 ‘omits material which would help the defense.’

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’ ‘moral obtuseness’ and the organisation’s ‘climate of tolerance [of] inhuman acts by “the underdog.”’³¹

Amnesty has a history of making false charges against Israel (e.g. [here](#), [here](#), [here](#), and [here](#)). Its leader Agnès Callamard ‘had to apologize after her [bizarre anti-Israel tweets](#) were publicized.’³²

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’.³³

Salman Rushdie charged Amnesty International with ‘moral bankruptcy’ in 2010.³⁴

The Director of Amnesty Israel, Molly Malekar has been blunt about the organisation’s failings. ‘I have a problem with Amnesty International’s approach on antisemitism. Amnesty is supposed to fight antisemitism. It does, but not enough, and sometimes I feel that it needs to be pressured into action (on the issue).’ Malekar has also rejected Amnesty’s claim that Arab Israelis who identify as Palestinian were ‘perpetual, passive victims of apartheid, devoid of any rights and

agency’ which she pointed out is ‘neither true nor helpful’.³⁵

In 2019, a 200-page report commissioned by [Jewish Human Rights Watch](#), ‘*Amnesty International: From Bias to Obsession*’, was published online.³⁶ It provided links to dozens of social media accounts and monitored 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 is a good word said about Israel.’
- ‘Time after time, important Amnesty officials were found sharing more material attacking 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 Amnesty use as 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 “f**k Israel”, 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 clearly be labelled antisemitic.’

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 based almost entirely on all one-sided sources, does not bother to engage with civil society organizations 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 smearing 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 professional.’ He added: ‘Amnesty International’s reports are written anonymously’ so ‘there is no way to know who authored the report, how many researchers were involved in its preparation, what their professional experience is and so on.’

I now cite some examples of Amnesty’s dubious methods, quoting liberally from Salo Aizenberg’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:

In addition, when examining the sources on which the current [Amnesty] report is based, a disturbing picture emerges. The report contains about 1,600 footnotes, the majority of which refer to past reports and policy papers by Amnesty International, B’Tselem, Adalah, HaMoked, Ir Amim, Bimkom, Al-Haq, and

additional far-Left Israeli organizations, as well as reports by the UN Human Rights Council and similar international bodies. When these are the sources for ‘research’ that purports to examine the State of Israel’s attitude toward its Arab population from 1948 to the present, it is clear that the result will be biased and one-sided.³⁷ [D]espite the fact that the report claims to confirm the theory that Israel, since its inception, has aspired to discriminate against Arabs on racial grounds, the number of sources concerning Israel’s first fifty years is negligible compared to those concerning recent decades.

It has been noted that Amnesty ‘does not name the authors of the report or the experts it consulted for its analysis ... [interviewees] are not named, how they were selected is not explained, whether Palestinian “minders” were present during interviews is not disclosed’ More: ‘Amnesty asserts that its report is the product of ‘engaging with and seeking advice from external experts on international law,’ [but] these individuals are not named. The citations on points of law are remarkably thin and circular (using sources that simply cite to each other).’ Moreover, Amnesty does not engage with legal opinion that differs from its own.³⁸

Example: ‘Trigger Happy’

Amnesty writes that ‘Israeli forces 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: “PHR-Israel documented eight cases where Israeli forces targeted medics and injured them...” 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 similarly offer no evidence.’³⁹

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’.⁴⁰

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.

Example of Amnesty’s Perfection Standard: Life Expectancy

Amnesty infers apartheid from the fact that Jews live on average for 83.1 years while Arabs live only for 79.5 for Arabs, even though ‘Arab Israelis have the highest life expectancy compared to all 21 Arab countries including the Gulf states, and commensurate with life expectancy in the U.S.’⁴¹

3. Amnesty’s dubious uses of Data

Example. Poverty rates

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 more 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.⁴²

Example: Measuring GDP

Amnesty writes: ‘Since 1999, Palestinian gross domestic product (GDP) in the OPT has effectively remained stagnant clearly pointing to the “suppression of human potential” and economic growth resulting from Israel’s oppression and domination of Palestinians.’ (p. 168) This is incorrect. World Bank data shows that GDP has grown consistently in the West Bank and Gaza at \$15.5 billion in 2020 versus \$4.3 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 2018, itself the lowest rate since 2012.’ (p. 168). As Aizenberg points out, for Amnesty, ‘consecutive years of growth is “apartheid”’.⁴³

Example: Reversing the historical timeline to demonise 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. Israel left in 2005, but only began controlling the

entry points in June 2007, ‘*after Hamas violently took over Gaza and threatened Israel*’.⁴⁴

4. Amnesty’s Unsourced Claims

Example: Policing 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.”’⁴⁵

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. 82-3). Actually, Palestinian Citizenship Orders of 1925-1942 were a form of citizenship granted by the British government authorities under the British Palestine Mandate. After Britain withdrew in May 1948, all persons who held this citizenship, lost it, Jews 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 800 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, 4,249 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

Example: 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 though, as the 20 per cent of classrooms built for Arabs are in the same proportion as their population.⁴⁶

7. Amnesty’s false 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

to the UN.⁴⁷

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.’⁴⁸

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 or making any bank transactions given that banking mechanisms continue to be linked to the Palestinian authorities in the West Bank and ultimately, to Israel.’ (p. 92) Footnote 343 cites a 2012 Norwegian Refugee Council report, where on page 73, the only place in the report where a bank account is mentioned, it discusses the case of one woman who had some difficulty opening a bank account but as the report concludes ‘She was eventually able to open the bank account.’ So even though the bank account was eventually opened, simply the difficulty experienced is evidence of apartheid. The report’s source (note 298) is a verbal interview with this woman. Amnesty’s complaint about banking is based solely on this one third-party interview.⁴⁹

9. Amnesty leaves on the cutting room floor whatever does not fit the ‘apartheid’ narrative

Example: Amnesty cuts Egypt out of their narrative

Amnesty blames Israel and only Israel for Gaza being ‘cut off’ from the rest of the world. In fact it is Egypt that controls Gaza’s southern border, not Israel.

Example: Amnesty erases court rulings when inconvenient for their narrative

‘Amnesty cites a November 2020 ruling by a magistrates’ court in Krayot that invoked the Nation-State Law as one of the reasons to reject certain school funding for Arab students. (p. 66) However, Amnesty deliberately omits a February 2021 ruling from a higher court that said the lower court was wrong in how it interpreted the Nation-State Law. The article on the matter noted that the judge

explained that the Nation-State Law did not repeal other laws such as the Basic Law on Human Dignity and Liberty or the fundamental principles included in the Declaration of Independence and also quoted portions of the Declaration of Independence guaranteeing equal rights to all of Israel’s citizens. Why would Amnesty hide this higher court ruling that happened well before the publication of Amnesty’s report? Because the ruling contradicts the fabricated apartheid narrative.’⁵⁰

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 Israel stealing Palestinian bank accounts is a complete fabrication.’⁵¹

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.’⁵²

Example: Amnesty erases Arabs and Bedouin who serve in the IDF

Amnesty writes: ‘It is inconceivable for almost any Palestinian citizen of Israel to serve’ in the army. (p. 83). In fact, record numbers enlisted in 2020, with more 1,000 new Arab soldiers. The Bedouins have a long history of military service, with 1,500 currently in the IDF.⁵³ (And remember, Amnesty previously criticised Israel for not making Arabs serve. Apartheid if you do, apartheid if you don’t.)

Example: Amnesty erases the rise in the Arab population in East Jerusalem

Amnesty says Israel has ‘restricted the number of Palestinians living in East Jerusalem to maintain a Jewish majority in the city’ Aizenberg points out ‘The Arab population in East Jerusalem has soared over the decades, up about 33 per cent since 2009 (nearly a 90,000 person increase). The ratio between Jews and Arabs has also narrowed, from 70 to 30 to 66 to 34.

10. Amnesty mangles quotes to demonise Israel and Israelis

Example: Former Prime Minister Netanyahu on the Jewish Nation-State

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.

Here is what Netanyahu actually wrote, in response to a post by Israeli actress and model Rotem Sela:

Dear Rotem, an important correction: Israel is not a state of all its citizens. According to the Nation-State Law that we passed, Israel is the nation-state of the Jewish People – and them alone. As you wrote, **there’s no problem with the Arab citizens of Israel – they have the same rights as us all and the Likud government has invested in the Arab sector more than any other government.** (emphasis added)

Amnesty’s report cut what Netanyahu said (in bold above), misleading the reader about his views. Amnesty’s cuts turn a statement about Israel being the nation-state of the Jewish people, *not a bi-national state* (Netanyahu’s point), into a quote about Israel being only for the Jews.

Example: The UN 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].’ So Amnesty cites the recommendation but deliberately omits the UN acknowledgment of Israel’s ‘serious security situation.’⁵⁴

11. Amnesty’s wild exaggerations to demonise Israel

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

Example: Bulldozing Agricultural land

Amnesty claim ‘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.⁵⁵

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 libel.’⁵⁶

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.’⁵⁷

Example: ‘Deliberate Impoverishment’

Amnesty says Israel pursues ‘the deliberate impoverishment of the Palestinian population both within Israel and in the OPT’ (A 15). Note that claim carefully: ‘deliberate impoverishment’. In fact, as discussed above and in *The Apartheid Smear*, an historic government spending programme in Israel’s Arab communities, celebrated by Jewish-Arab NGOs active in the field, has been boosting Arab well-being and closing the gaps with the Jewish majority.

THE APARTHEID 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.
- This pamphlet shows that this is factually wrong, malicious, politically polarising and damages the peace process.

WHY ISRAEL IS NOT AN APARTHEID STATE

- Israel is not an apartheid state for the 21 per cent of its citizens who are Arabs, as is sometime claimed. Although they are critical of a range of discriminations and inequalities. In 2021 the annual Israel Democracy Institute poll found that 81 per cent of Israel’s Arab citizens would prefer to stay in Israel even if promised nationality in another Western country.¹
- A 2021 [survey](#) undertaken by the Palestinian Shfa publication showed that 93 per cent of Palestinian Arabs in Jerusalem—all non-Israeli citizens—prefer to remain under Israeli rule. Only 84 respondents out of 1,200 surveyed said they would prefer to live under the Palestinian Authority (and only a handful of those 84 said they would be willing to give up their Israeli identity card).
- Most Arabs (57.2 per cent in 2019) feel that Israel is a good place to live and prefer (55.6 per cent) to live in Israel than in any other country in the world.²
- Israel is a multi-racial, multi-ethnic democracy. The Arab, Druze and other minorities in Israel are guaranteed equal rights. All citizens vote in elections on an equal basis. Discrimination based on race is against the law. The universities are integrated. Some Israeli towns and cities are mixed Arab-Jewish (e.g. Acre, Haifa, Jaffa, Lod and Ramle). The Israeli Courts are effective in countering unfair discrimination. Israel’s Arab minority participates fully in the political process and the Arab Raam party is part of the coalition government.
- Israel’s Arab citizens also hold some collective rights as a national minority. Arabic has “special status”, and there is a thriving Arabic mass media, literature and theatre scene.

- The Israeli government is working to reduce the gaps between the minority and majority. Especially since the Or Commission of 2000, Israel has been closing the economic gaps, opening up the civil service, equalising welfare, introducing Arabic into Jewish schools, and improving access to higher education.

ZIONISM IS NOT RACISM

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

BEING A ‘JEWISH STATE’ DOES NOT MAKE ISRAEL AN APARTHEID STATE

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

ISRAEL AND THE TERRITORIES

Since 1967 Israel has occupied the West Bank after winning the Six Day War against Arab armies that were once again massed on its borders, intent on ‘driving the Jews into the sea.’

- The occupation persists 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. Palestinian terrorism against Israeli civilians reached unprecedented heights during the Second Intifada (2000-2004).
- Israel does not give Israeli citizenship to West Bank Palestinians because they do not wish to become subject to Israeli law. They want their own state, and Israel is prepared to make an agreement on that basis.
- Israel’s does not simply walk out of the West Bank without any peace deal or security guarantees because in recent experience, Israeli withdrawal from territory (south Lebanon in 2000 and the Gaza Strip in 2005) has led to Iranian-backed extremists taking over and using the territory as a base to attack Israel. So Israel seeks a negotiated solution.
- Israel is serious about dividing the land through negotiations. In 1937, 1947, 1967, 2000, 2001, and 2008 Israel made or accepted proposals to divide the land. It has peace treaties with Egypt and Jordan 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.³
- The pamphlet challenges some powerful myths about the Territories. For example, settlements have not killed the two state solution: a final peace settlement is expected to see the restitution of almost all of the West Bank to the Palestinians. The exceptions – the land along the ‘Green Line’ that contains about 80 per cent of the settlers – will be compensated by ‘land swaps’, a principle which has already been agreed with the Palestinian negotiators, and is endorsed by President Obama and the EU and, since April 2013, the Arab League.

THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS

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

THE HISTORY OF THE APARTHEID SMEAR

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

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 Forms of Racial Discrimination (ICERD) defines apartheid as 'governmental policies based on racial superiority or hatred.' All signatories to the Convention, including Israel, 'condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.'⁵⁸

In 1976, the Communist bloc, Islamic bloc and the Non-Aligned Movement combined to draft the 'International Convention on the Suppression and Punishment of the Crime of Apartheid.' As international law expert Anne Herzberg notes, 'This instrument attempted to define apartheid so broadly as to apply to all Western states ... as a Cold War tactic by the Soviet Union ... no Western governments have become a party to it. Articles 1 and 2 of the International Convention on the Suppression and Punishment of the Crime of Apartheid defined it as 'inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them.'

Article 7 of the 1998 Rome Statute of the International Criminal Court defines 'the crime of apartheid' as 'inhumane acts ... committed in the context of an institutionalised regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.'

WHAT IS THE 'APARTHEID SMEAR' AGAINST ISRAEL?

It is the claim that Israel is an 'apartheid state' just like South Africa was from 1948 to 1994. This claim is the intellectual foundation stone of 'BDS' – the effort by anti-Israel pressure groups to boycott, divest from and sanction Israel. These groups have an extremist political agenda: to make Israel into a pariah state shunned by global civil society, diplomatically friendless, and eventually vulnerable to those in the region who have always opposed the very existence of a homeland for the Jewish people. They want to pass their campaign off as a reprise of the globally popular boycott of apartheid South Africa, which helped bring white minority rule to an end in that country. As Ben Cohen notes, 'pregnant within the accusation that the State of Israel practices apartheid is the recommendation for Israel's termination.'⁵⁹



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

IT'S A SMEAR – SO WHY NOT IGNORE IT?

It's tempting. As former Israeli Ambassador Robbie Sabel has observed, calling Israel an 'apartheid state' is a calumny – 'a deliberately malicious misrepresentation of the facts about a particular matter in order to ruin the reputation of whomever is its target.' There is a dilemma when rebutting any calumny: 'To respond puts the responder in the invidious position of having to prove his innocence and to engage in a dialogue on the subject, a dialogue which by its very nature may serve to spread the calumny.'⁶⁰

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

The promotion of the Apartheid Smear encourages the Palestinians not to accept Jewish national rights and the State of Israel. Without

this acceptance, Israel will not be prepared to consider the territorial compromises it must make for the creation of a Palestinian state alongside Israel. *The Apartheid Smear* also creates a poisonous climate for negotiations, by demonising Israel. It marginalises moderate voices on both sides and undermines the possibility of reconciliation.

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

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

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

They have come close to a deal in recent times at Camp David in 2000, Taba in 2001 and Annapolis in 2007-8. In 2013 and 2014 they tried again, with US, European and Arab League backing. The Apartheid Smear just gets in the way of both a proper understanding of the conflict and of peace-making efforts.

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

Enough is enough.

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

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

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

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

Kenneth Meshoe, South African MP, 31 October 2011.

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.⁶¹ 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,

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 Arab groups. Most Bedouin live in the Negev region of southern Israel, with a sizeable population in the Galilee in northern Israel.

Although they are very critical of a range of discriminations and inequalities, 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 per cent of Arabs see Israel as a good place to live. 81 per cent would prefer to stay in Israel even if promised nationality in another Western country.⁶²

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."⁶³ The contrast between his balanced approach and the Amnesty International report's bizarre claim that a Jewish state must be an 'apartheid' state is striking.



Mansour Abbas speaks during a plenary session at the Knesset, 29 November 2021. Photo by Yonatan Sindel, Flash90.

Other polls have found that a majority were willing to recognise Israel as a Jewish state as long as they were given full rights and protected against discrimination, and strongly supported greater economic, political and social integration.

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

According to a 2021 Israeli Democracy Index [survey](#), 81 per cent of Arab citizens of Israel would prefer to remain in Israel then move abroad. 22 per cent and 49 per cent of the Arab citizens of Israel have confidence in the police and Supreme Court respectively.

A poll undertaken by the Konrad Adenauer Stiftung at Tel Aviv University's Dayan Center in 2017 found that 60 per cent of Arabs in Israel had a favorable attitude towards the State of Israel.

In 2020, Israeli social statistician Camil Fuchs found that only 15 per cent of Palestinians picked "Arab" as their identity, and only seven percent opted for "Palestinian." On the other hand, 23 per cent chose "Israeli," and 51 per cent went with "Arab Israeli." That's 74 per cent choosing some form of Israeli identity.⁶⁴

These are not figures one would expect in an 'apartheid state'.⁶⁵

Yes, there are inequalities in Israeli society and Israel's Arab citizens suffer from a number of disadvantages. Whilst 23 per cent of the Israeli 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).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 direr — 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 2020, 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).

While matriculation rates are still below those of Jewish students, between 2001 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.⁶⁷

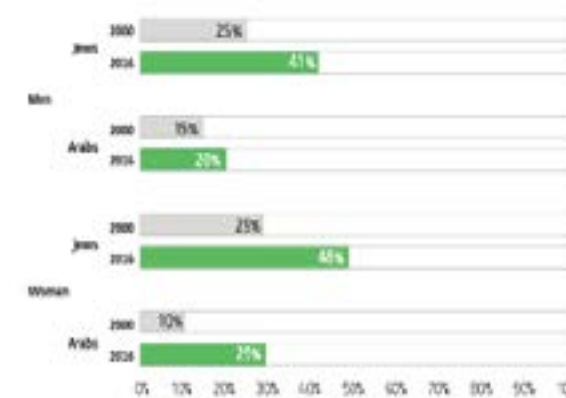


Figure 1: Percentage with 16+ Years of Education, Arab and Jewish Men and Women, Ages 25-34, 2000 and 2016

The average [life expectancy](#) for Arab women is 81.4 years, compared to 85 for Jewish women. For Arab men, average life expectancy is 77.2 years, compared to 81.5 for Jewish men.

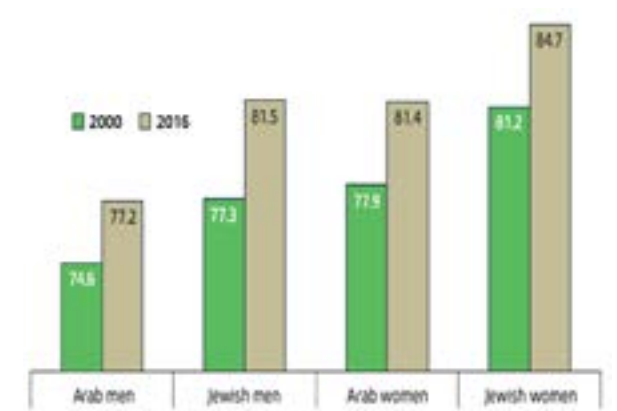


Figure 2: Life Expectancy in Years for Arab and Jewish Men and Women, 2000 and 2016

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

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

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

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 criticise 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 Beiteinu (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 February 2021, Judge Khaled Kabub 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

2000, to 7.5 per cent in 2010 and 13.2 per cent in 2020.⁶⁸ Arab politicians such as Raleb Majadele and Esawi Frej have served in the Cabinet.

The December 2015 Government Resolution 922 allocated NIS 12.3 billion (nearly \$4 billion) to the development of the Arab sector to close gaps between Jewish and Arab communities while an October 2020 extension added another NIS 500 million to the program through the end of 2021. Partially influenced by Mansour Abbas’ decision to join the Bennett-Lapid coalition, the government’s November 2021 budget approved an expanded programme for 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 provided significant sums to counter crime within Arab society with over 2.5 billion NIS budgeted to fight violence and organised crime in Arab communities.

Arabs have freedom of movement, assembly and speech. They serve as the heads of hospital departments, university professors, as senior police and army officers. In February 2022 Judge Khaled Kabub became the first Arab Muslim appointed to the Supreme Court. In 2017 Prof. Mouna Maroun became the first Arab woman in Israel to hold a university faculty position in neuroscience. She is head of the Sagol Department of Neurobiology at Haifa University. In 2021 the IDF appointed its first female Muslim-Arab major in the country’s history. Major Major Waweya is deputy commander of the military’s Arabic-language spokespersons’ unit. Maj. Gen. Jamal Hakroosh was appointed the first Arab deputy commissioner in the police force in 2016 to lead outreach efforts to Israel’s Arab minority. The current chairman of the board of directors at Bank Leumi is an Israeli Arab, Samer Haj Yehia, the bank’s first Arab chairman. The percentage of Arab board members in government companies has risen dramatically from 1.2 per cent in 2000 to 12 per cent in 2018.⁶⁹ Meretz’s Issawi Frej is minister for regional cooperation.

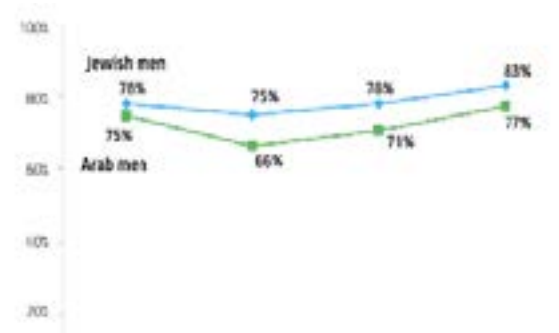


Figure 3: Employment among Arab men and Jewish men, Ages 25-64, 1997-2016

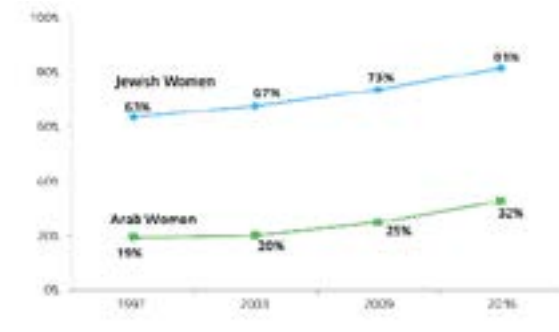


Figure 4: Employment among Arab women and Jewish women, Ages 25-64, 1997-2016

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

In 2020, 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 1000 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. Amnon Rubinstein, the former MK for the left-wing Meretz party, published revealing statistics showing that ‘In rich and developed France, the infant mortality rates among Arabs (most of whom speak the language of the country, and some of whom are already second, third and fourth generation natives of France) are not only much higher than in Israel [but in addition] the gap between the minority and the majority [in France] is considerably larger than in “racist Israel.”’

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.’⁷⁰

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

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

Israel’s Arab citizens do not simply enjoy individual rights under the law. They also hold some collective rights as a national minority. Arabic has “special status”, though there is much to do before all government agencies are fully bi-lingual. The Abraham Fund is working with the government to ensure information leaflets about accessing welfare services are available in Arabic. There is a thriving Arabic mass media (i24 News was established in 2014 in Hebrew, English and Arabic) as well as a vibrant Arabic literature and theatre scene.

ISRAEL IS PURSUING EQUALITY FOR ITS ARAB CITIZENS

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

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

The Or Commission: a turning point

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

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

While the Or Commission’s findings served as a reminder for many Israelis about the difficulties faced by their fellow Arab citizens, it is difficult to imagine the government of Saudi Arabia publishing a report critical of its treatment of women, Shiites or non-Muslims.

Robert Philpot, former Director of Progress, the British left-of-centre think tank.

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

Closing the economic gaps

In late 2021 the Israeli coalition approved a new five-year, 30 billion-shekel (£6.8 billion) socioeconomic development programme for the Arab community. The programme runs from 2022 to 2026 and is aimed at addressing issues such as health care, social welfare and education. Twenty-one ministries signed on to the new programme. The government also approved an additional NIS 2.4 billion (£580m) over five years to fight rising violence and crime in Arab cities in a separate government plan. Social Equality Minister Meirav Cohen and United Arab List chairman Mansour Abbas, who promoted the plan, called it a “historic” step towards equality between Jews and Arabs in Israel.

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

Furthermore, in March 2022 the Israeli government passed another five-year plan for the social and economic development of the Bedouin community for 2022-2026 at the inclusive cost of 5.2 billion shekels (£1.24bn). This is the budgetary portion of the Bedouin community in the five-year plan for the Arab sector, which continues the five-year-plan passed in 2017 that ended in 2021.

Several unrecognised Bedouin villages were legalized in 2021 under agreement with Mansour Abbas’ Ra’am party and another 10 to 12 are in planning to be recognized.⁷¹ Amnesty omitted these events from its recent report along with any mention of Mansour Abbas or the Israeli government’s recent announcement of a major NIS 5 billion five-year development plan for Bedouin communities.

Ala Ghantous, 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,” Ghantous said.⁷²

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 bagrut (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.⁷³

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.⁷⁴

Labour Participation Rates

Amnesty in 2022 cited lower labor participation rates among Arab-Israel women, at 34 per cent, versus 68 per cent for Jewish women as evidence of apartheid. (p. 167) In Jordan the female labor participation rate is 15 per cent and in West Bank and Gaza it is about 10 per cent -- in line with other Arab nations like Iraq and Syria. In the entire Arab world the female labor participation rate is 22 per cent, so Israel's rate for women is 55 per cent higher – yet Amnesty seeks to use this

statistic as part of Israel’s cruel policies towards Arab women. ... 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.⁷⁵

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.”

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

A changing civil service

The government have set quotas to increase the representation of Arabs in the Civil Service. In 2007 the government set a target for 10 per cent of employees to be from the non-Jewish communities. According to 2019 statistic, 11.7 per cent of government employees are Arab, exceeding the government goal of 10 per cent.⁷⁶ 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 reformed 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 2018.⁷⁷ 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.’⁷⁸ In 2013 the Ministry of Welfare also appointed a consultant to tackle welfare disparity between Jewish and Arab municipalities.⁷⁹ 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’⁸⁰ while ‘the Ministry of Transportation initiated a process to introduce public buses to Arab communities and has succeeded so far in Rahat, Kafr Qasim and other communities.’⁸¹

More Arabic in Jewish schools

In 2010 the government introduced ‘Ya Salam’, an Arabic language requirement for fifth graders in 170 Jewish schools in northern Israel. Today, the ‘Ya Salam’ program is used in 100 schools throughout Israel in fifth and sixth grade. Most teachers in the program are Arab – trained in language instruction by The Abraham Fund Initiatives in cooperation with the Ministry of Education – and are integrated into Jewish school staff. Each year throughout the country, training workshops are held for Arabic teachers – for both elementary and high school – in order to create pedagogical continuity between the elementary and high school curricula. These workshops are organised by a partnership of The Abraham Fund Initiatives, The Ministry of Education, and local authorities. The scheme has been expanded. By 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 recognised in the Knesset, reported *The Jerusalem Post*.⁸²

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.

Greater access to higher education

In 2010, the Israeli Council of Higher Education signed a multi-year agreement with the Ministry of Finance, allocating NIS 305 million (£52.6 million) towards the development and implementation of a strategic, long-term approach to enhancing accessibility of higher education for the Arab community.⁸³

The tables on **px** 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 (surpassing the rates for Arab men).⁸⁴

The plan provides an overarching strategy to remove barriers and address weaknesses along the path to higher education for Arab citizens – from high school through advanced degrees and into employment. The Israeli government has announced a matched funding scheme for charitable donations from the private sector.⁸⁵

The Israeli government also launched its first-ever Scholarship Fund for first degree Arab students to run alongside the plan and address the economic needs of students. It includes a 1:1 matching scheme between the Council for Higher Education’s Planning and Budgeting Committee (PBC) and other governmental bodies on the one hand, foundations and philanthropists on the other. The UK-based Pears Foundation became the first partner with the Israeli government, pledging £100,000 over three years in May 2013.⁸⁶ The chair of the Israeli Council of Higher Education, Manuel Trajtenberg, said ‘Acquiring an education is crucial to enabling social mobility. This is an important mission for Israel in general, and this is the best way to generate that change.’⁸⁷ In 2013 over 4000 students applied for these Irtika (Rise) scholarships. In 2014 650 higher education scholarships, worth NIS 13 million were opened for Arab, Druze and Circassian students.⁸⁸

Of course, Israel has a very long way to go before it can say its minorities are completely free of institutionalised discrimination as a national minority. Arab areas often face significant challenges in relation to infrastructure, housing, education, employment, access to municipal services and crime.⁸⁹ Arabs are hugely underrepresented as heads of hospital departments, university professors and senior police. Only two per cent of the 174 senior staff members of state-funded institutions are Arab.⁹⁰

But of what European society is it not true to say that minorities suffer from disadvantage and discrimination? What matters is that Israel is addressing the problem and making positive steps forward.⁹¹

The journalist Amira Hass argues that Israel is an apartheid state not because there is apartheid in Israel – indeed she admits there is not: ‘if one visits our hospitals one can find Arabs and Jews among doctors and patients’ – but because Israel shares apartheid South Africa’s racist philosophy of ‘separate development’.⁹² The data surveyed in this section has shown that this claim is not true. Israel’s response to Arab minority has not been to repress it as a group of helots but to introduce reforms and programmes to decrease poverty and increase participation in state and society.

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

In fact, experts say, the Apartheid Smear damages all these efforts to close the gaps between minority and majority in Israel. Why? Because it demoralises Arab youth and is an obstacle to them ‘aiming higher’. This is one of the most pernicious consequences of the smear. As Gerlitz and Kallus point out, ‘Arab youth, who absorb the message that the totality of the government of Israel in relation to Arab society is aimed at harming Arab citizens, will not make an effort to apply for positions in government service or in high tech companies.’ It is a ‘dangerous claim which weakens Arab society and ... harms the struggle for equality.’⁹³

Israeli Government Schools Anti-Racism Programme, 2022

An Education Ministry committee is set to propose the first 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.”

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 make those countries ‘apartheid states’. So why claim it makes Israel an 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 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.’⁹⁴

Yes, small numbers of extremists have made headlines by burning and desecrating mosques and other places of worship, and engaging in street violence towards Arabs. But at the base of Israeli society, the picture is very different. An opinion survey conducted by Nohad Ali and Shai Inbar for Sikkuy found that 74 per cent of Israeli Jews acknowledge that Arab Citizens suffer discrimination; 60 per cent of Jews believe that promoting equality is in the interest of the country, and 53 per cent of Jews are disturbed by levels of inequality.⁹⁵ The mass Israeli social protest movement of 2011 co-ordinated with Arab community leaders to raise the demand for state recognition of unrecognised villages throughout the country, especially the Bedouin communities in the Negev.

Israel has been a signatory of the International Convention on the Elimination of All Forms of Racial Discrimination treaty since 1966. In 1988, the Central Election Commission banned the anti-Arab ‘Kach’ party.⁹⁶ In 2013, an Arab party produced an election advert that mocked the Israeli national anthem – the Hatikvah – and the Central Election Commission banned it. The Supreme Court reversed this decision, and upheld the right to attack the Hatikvah.⁹⁷

As Dr. Mohammed Wattad, 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. Is it good – No? But it means we have to deal with the problem from within ... the existence of discrimination in a state does not mean it is an apartheid state ... there is a big difference between apartheid and discrimination.”

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 it were said not to sell an apartment to Jews? We would be infuriated’ he said, adding, ‘These things should not be said in a Jewish and democratic state that respects the morality and the tradition of Israel and the Bible. The State of Israel, therefore, categorically rejects these statements [by the Rabbis].’⁹⁹

Israel’s anti-discrimination law, officially titled ‘The Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law’ (passed in 2000), was assessed by the UN International Convention on the Elimination of all Forms of Racial Discrimination in 2005. The report stated that – particularly in the media – human rights awareness is high and that, ‘The language of rights has permeated the daily life of Israel.’¹⁰⁰

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.’¹⁰¹ And when Khaled Shakra, a teacher at the Ajial school in Jaffa, was unable to book an end of year visit to the Superland amusement park on certain days due to the park reserving certain days solely for Jewish students, Israel’s Education Minister, Rabbi Shay Piron MK released a statement saying ‘I am shocked by phenomena like this that have no place in Israeli society. I see Jews and Arabs living together as one of the basic values on which the Declaration of Independence is based. The values of equality, partnership and tolerance are at the heart of Education Ministry policy.’¹⁰²

PART 2: WHY ZIONISM IS NOT RACISM

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

WHAT IS ZIONISM?

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

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

The differences between the two cases [Apartheid and Zionism] are obvious. First, the South African regime was based, as with their Nazi mentors, on the theory of racial superiority. Racism was its official creed. The Zionist ideology of Israel is not racist, in this sense, but rather based on a mixture of nationalism and religion, though the early Zionists were mostly atheists. The founders of Zionism always rejected accusations of racism as absurd. It's the anti-Semites who are racist. Zionists were liberal, socialist, progressive.

Uri Avnery, Israeli peace activist, famous for meeting Yassir Arafat in Beirut on 3 July 1982, the first time the Palestinian leader ever met with an Israeli.

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

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

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

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

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

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

In 1947, the General Assembly of the United Nations passed Resolution 181 which approved the partition of Mandate Palestine into 'Independent Arab and Jewish States.' The Jewish leadership in

Palestine accepted the UN plan, even though the borders for the Jewish state were drawn with no consideration for its security 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.¹⁰³ 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 deliberate, coordinated Israeli policy to expel the Arabs of Palestine. The historian Benny Morris, in his detailed and highly praised book 1948, concludes that 'The Palestinian refugee problem was born of war, not by design, Jewish or Arab'. He goes on: 'It was largely a by-product of Arab and Jewish fears and of the protracted, bitter fighting that characterised the first Israeli-Arab war; in smaller part, it was the result of actions by Arab military commanders and politicians.'¹⁰⁴

Morris points out that the 'Mainstream (Haganah-Jewish Agency) Zionist policy, until the end of March 1948 – meaning during the first four months of the war – was to protect the Arab minority in the Jewish areas and to try to maintain peaceful coexistence.' However, Haganah intentions had to change in April, 'when the Yishuv was with its back to the wall, losing the battle for the roads and facing potentially political and

genocidal pan-Arab invasion.' Jews had fled every area that came under Arab control including Gush Etzion and the Old City of Jerusalem.

Morris has noted how it was touch and go whether this Arab attack would be repelled. 'After reviewing in detail the balance of forces between the Arab states and the Yishuv, [chief of operations of the Jews forces, Yigael] Yadin concluded cautiously that "at the minute, I would say that the chances are very even [hashansim shkulim]. But to be more candid, I would say that they have a big advantage, if all this force is deployed against us."' [Israel's Prime Minister David] Ben-Gurion was more optimistic "We can withstand [an invasion] and defeat it, [but] not without serious losses and shocks."¹⁰⁵

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.¹⁰⁶

- 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. Terrorists or 'fedayeen' from neighbouring Arab countries regularly crossed into Israel to murder civilians at weddings, synagogues, on buses, trains, and in homes. A massacre of 48 people took place in the village of Kafr Qasim on 29 October 1956 by Israeli Border Police.¹⁰⁷

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

- **Because there was no peace agreement between Israel and the Arab world, Palestinian refugees remained in UN- administered refugee camps, principally in the Jordanian- controlled West Bank, Egyptian-controlled Gaza, Lebanon, Syria and Jordan.**

The bulk of the territory that was meant to become the Palestinian state according to the 1947 UN partition plan was captured by Jordan and Egypt, but these states made no attempt to create an independent Palestinian Arab state. The War of Independence ended in 1949 with an armistice agreement but neither a peace treaty with, nor recognition from the surrounding Arab states. Fearing an armed uprising, the Arabs who remained in Israel were granted citizenship but were subject to military rule in the early years of the state. The policy was ended in 1966.

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

- **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 descendants, believing their plight to be the responsibility of the Arab states that rejected the 1947 Partition Plan, started a war, and then refused to resettle the refugees created by that war in their own territory. In previous negotiations with the Palestinians, Israel has been

willing to contribute to an international compensation fund for Palestinian refugees, and absorb a number into Israel, but believes the final agreement must preserve the principle of ‘two states for two peoples’.

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

‘Plan D’, or Tochnit Dalet in Hebrew, was not a plan to expel the Arabs. Dalet is simply the fourth letter of the Hebrew alphabet and Plan D was nothing more than the fourth version of the Haganah’s evolving plan to defend the infant Jewish state. The historian Benny Morris concluded from his intensive study of the archives that ‘Tochnit Dalet [Plan D] was not a political blueprint for the expulsion of Palestine’s Arabs.’ He went on: ‘There was no Zionist “plan” or blanket policy of evicting the Arab population, or of “ethnic cleansing.”’¹⁰⁸

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.¹⁰⁹

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

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

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

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



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.’¹¹⁰ To take just one European example, Slovenia, a member of the European Union, states in its constitution that ‘Slovenia is a state of all its citizens and is founded on the permanent and inalienable right of the Slovenian nation to self-determination.’

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

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

20 per cent of Israeli citizens are non-Jews. However, the Palestinians envision a state that is exclusively for a particular national and ethnic group – ‘In a final resolution, we would not see the presence of a single Israeli – civilian or soldier – on our lands,’ the Palestinian President Abbas has said.¹¹¹

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

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

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

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

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

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

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

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

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

would, by definition, be open to Jewish immigration.

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

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

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

International law recognises the legitimacy of *taking history into account* when designing law in this area. The International Convention on the Elimination of All Forms of Racial Discrimination (1965) legally mandates the establishment of ‘special measures’ for the ‘advancement of certain racial or ethnic groups’ for protecting the ‘equal enjoyment or exercise of human rights and fundamental freedoms.’ As noted by the UN Committee for the ICERD, this provision is intended to remedy ‘inequalities resulting from the circumstances of history that continue to deny to vulnerable groups and individuals the advantages essential for the full development of the human personality’ and to ‘prevent further imbalances from arising.’¹¹²

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 evicted from Gush Etzion, Jerusalem, Neve Yaakov and other places captured by Jordan during the Arab-Israel war of 1948.¹¹³ 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.¹¹⁴

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 10,000,000 NIS (£2.3m) has been paid in compensation, and more than 54,000 dunums of replacement land in Israel has been given in compensation.¹¹⁵ 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 Israel today. Attempts to apply the law in East Jerusalem¹¹⁶ have prompted legal debate and scrutiny. One Jerusalem District Court

judge in 2006 described use of the Absentee Property Law in East Jerusalem as a “legal manoeuvre that has no basis in any sort of reality”.¹¹⁷

In 2015 Israel’s Supreme Court ruled that the law can be applied to East Jerusalem only in the “rarest of rare cases” and must be approved by the attorney general each time. “The authorities should avoid wherever possible to use the law,” Judge Asher Grunis said. Nonetheless, Jerusalem lawyer and expert on the city Daniel Seidemann described the law as the settlers’ “most effective tool” in the Old City and Silwan.¹¹⁸

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. *Haaretz* called the proposal “the most salient example of legislation that undermines democratic values and equality”.¹¹⁹

A test case heard by the Israeli Supreme Court in 2007 determined that admissions committees cannot have a membership selection process that discriminates against Arabs. In the Ka’adan v Israeli Land Authority case, the Supreme Court ruled that the Arab Ka’adan family had the right to move into Katzir, a Jewish Agency cooperative settlement, given the democratic character of the Israeli state. ‘The principle of equality,’ the Supreme Court ruled, ‘establishes that the state may not discriminate among individuals when deciding on the allocation of state lands to them ... We have held that the State may not discriminate directly on the basis of religion or nationality in allocating state land.’¹²⁰

In 2011, the Knesset passed a law legalising the use of admission

committees in rural villages built on public land in the Negev and Galilee, of less than 400 families in size. The law’s explanatory notes state that its purpose is to protect the unique character of rural villages and to maintain social cohesion. This law has been criticised by some Israeli civil rights groups for potentially creating legal cover for the use of admissions committees to discriminate against Arabs. Israeli civil rights groups have submitted to the Israeli High Court to dismiss the law as unconstitutional. However, in 2014 the High Court rejected the appeal by a vote of 5-4 on the basis that the law had yet to be fully enacted and therefore it was not possible at the time to determine if discriminatory practices had occurred.

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.’¹²¹ It was adopted as an emergency security measure adopted following a wave of attacks in 2002 that killed 75 Israeli civilians (and injured many more) in a single month.

Yuval Diskin, former Head of the Shin Bet (Israel’s internal security service) speaking in 2005, said that Palestinians with reunification residency were involved in 16 suicide bomb attacks.¹²² For example, on 31 March 2002, Shadi 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.¹²³

Again, these are **the consequences of the absence of a peace agreement**. When a state of war exists between two countries, it goes without saying that the citizens of one will rarely be permitted as a matter of course to immigrate to the other. It would have been absurd, for example, to demand of Britain that it allow German or Japanese citizens to immigrate there during World War Two, and to

accuse it of racism for not agreeing to do so. There have been exceptions made to the Citizenship and Entry law for humanitarian reasons, and it does not apply to those under the age of 14, or to women over the age of 25 or men over the age of 35.¹²⁴ 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.¹²⁵ It has also been argued over by Israel’s most senior jurists, and minority opinions have been published.¹²⁶ 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 wrestling with the excruciating dilemma of striking the correct balance between terror and rights. Whether or not you think Israel has struck the right balance in this case, it is plainly not comparable to the racist discrimination that defines apartheid.

IS ISRAEL’S LAND ONLY SOLD TO JEWS?

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

Only 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 Israel’s non-discrimination laws and so JNF land should also be leased to Arabs.¹²⁷ 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.¹²⁸

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.¹²⁹ The Israeli Ministry of Finance approved NIS 7 billion (£1.2 bn) 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 reason 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 Begin 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 land they will own legally or financial compensation. Under the proposals, Bedouin would exchanged 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’.¹³⁰

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.¹³¹



Amal Elsansa Alih'jooj, director of AJEEC briefs participants on positive social change projects in the Negev, 2012. UK Task Force/Flickr.

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 populations of those countries drop dramatically in recent years.

A new pro-Israel Christian Arab political party has been formed. 'The New Alliance' supports Arabs participating in national service and recognises Israel as the home of the Jewish people. 'We are completely Israeli and then comes religion,' says one of its leaders, Bishara Shlayan of Nazareth.¹³² The party participated in the September 2019 election under the name Christian Liberal Movement.

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 Sweid and Basel Ghattas. Israel proudly advertises its Christian heritage sites and makes accommodation for Christian festivals. The Ministry of Religious Affairs deliberately refrains from interfering in their religious life, but maintains a Department for Christian Communities to address problems and requests that may arise.

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

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

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 its own citizens, or bring about the circumstances for a future conflict. *That* is Israel's dilemma.

Many of Israel's actions in the Territories that are labelled 'apartheid'—the so-called 'apartheid Wall' for example—are actually security measures. Palestinian terrorism against Israeli civilians reached

unprecedented heights during the Second Intifada. In the period between 29 September 2000 and 31 December 2009, 1,178 persons were killed and 8,022 more were injured as a result of Palestinian terror attacks—of those killed, 790 were Israeli civilians (67 per cent), 328 were members of Israel's security forces (29 per cent) and 60 were foreigners (5 per cent).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.'

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



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

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,¹³⁸ 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.

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



Israel’s former prime minister Ehud Barak and Yasser Arafat shake hands during peace negotiations under President Clinton. Wikimedia Commons.

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 1937, the Zionist movement accepted two states for two peoples when it was proposed by the British Peel Commission, but the Arabs rejected it.
- In 1947 the Zionist movement accepted the United Nations Partition Plan, but the Arabs rejected it.
- In 1967, in the immediate aftermath of the defensive Six Day War, Israel hoped that the Arab states would seek peace in return for Israeli withdrawal from territory it had captured. But in September 1967, at a conference in Khartoum, the Arab League made its famous ‘three no’s’ declaration: no peace, no recognition and no negotiation with Israel.¹³⁹
- In 1979, Israel signed a peace treaty with Egypt. Israel agreed to return the Sinai Peninsula and to evacuate settlements and oil fields developed in the Sinai to implement the agreement.
- In 1993 Israel withdrew from Palestinian population centres in Gaza and the West Bank as part of the Oslo Accords signed with the PLO.

- In 1994 Israel signed a peace treaty with Jordan. Israel made territorial concessions to Jordan as part of the deal.
- In December 2000, after a period of negotiations, US President Bill Clinton presented both sides with a proposal. It gave the Palestinians a state in 94 per cent of the West Bank plus an additional swap of land, and a sovereign capital in East Jerusalem. Israel broadly accepted this proposal but it was rejected by Palestinian leader Yasser Arafat.
- In 2000, Israel complied with Security Council resolutions relating to Lebanon by withdrawing all its forces from south Lebanon.
- In 2005, Israel withdrew unilaterally from all of the Gaza Strip and parts of the northern West Bank.
- In 2008, after the Annapolis Conference, Ehud Olmert, the Israeli Prime Minister at the time, made the most generous proposal of any Israeli leader to date. He proposed a Palestinian state in 93.7 per cent of the West Bank and the whole of Gaza (with a road across Israel connecting one to the other), and offered to give Israeli land – equivalent to 5.8 per cent of the West Bank – to a new Palestinian state. The Palestinian capital would be in East Jerusalem, and there would be international consortium of countries, including Jordan and Saudi Arabia, that would work with the sides to address future arrangement for the Old City and its holy sites. This amounted to a serious, comprehensive offer from the Israeli side to make peace. Mahmoud Abbas, President of the Palestinian Authority, did not respond.¹⁴⁰
- In 2009 then Prime Minister Benjamin Netanyahu made a speech at Bar Ilan University in Israel, in which he endorsed the two state solution. He said ‘In my vision of peace, there are two free peoples living side by side in this small land, with good neighbourly relations and mutual respect, each with its flag, anthem and government, with neither one threatening its neighbour’s security and existence.¹⁴¹
- 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 PA’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 Netanyahu 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 Netanyahu and Abbas. Michael Herzog, one of the Israeli participants in that process,

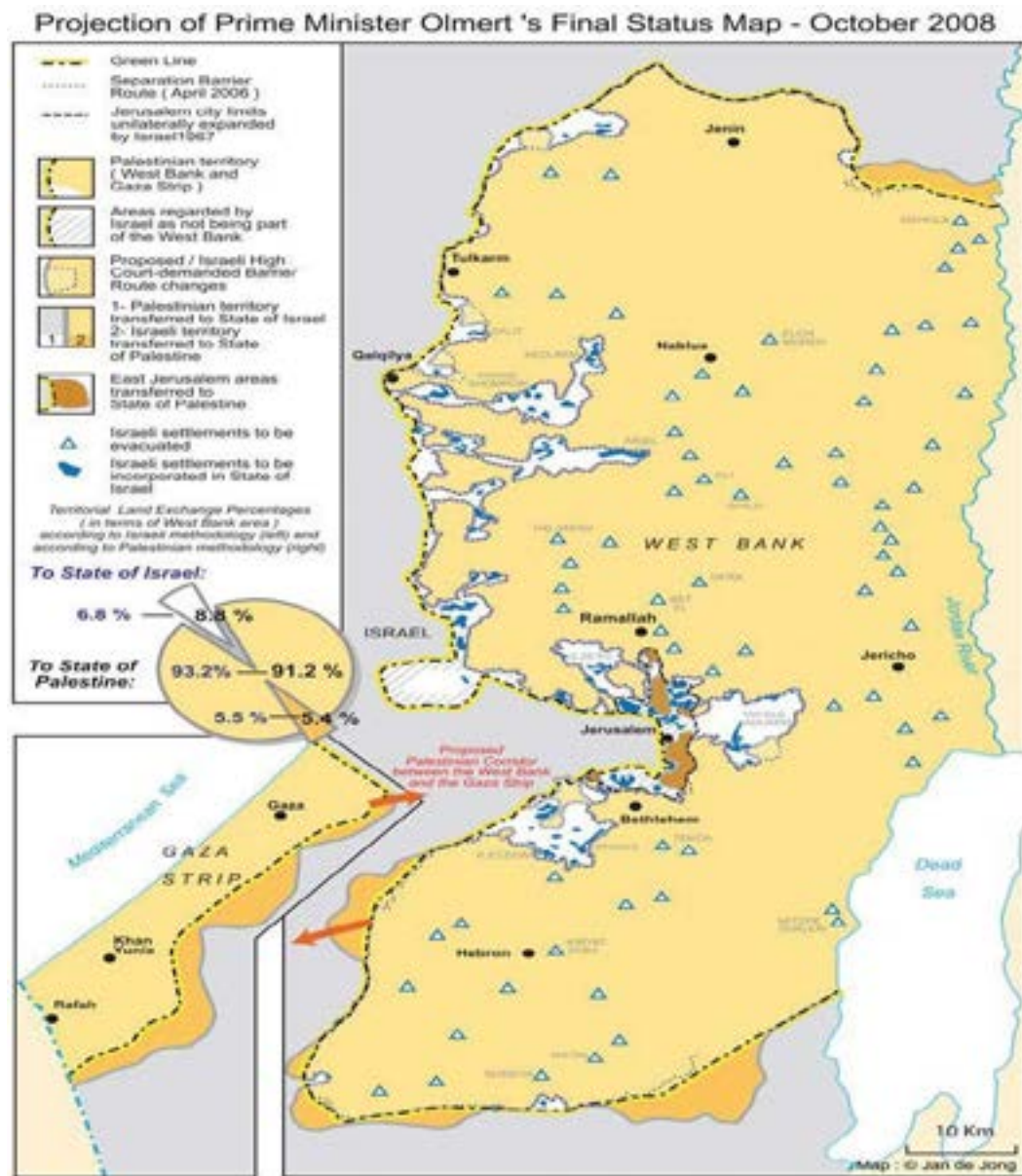
described it as the most serious and promising attempt of its kind in many years to usher the parties into negotiations on a solid basis.

- 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 \$68 million, and imports reached \$241 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 2000 has endorsed the two state solution. The Israeli people back the two state solution by a two-thirds majority. While some – including in Israel – may feel that Israel could do even more to promote peace, laying the responsibility for the failure to reach a peace agreement solely at Israel’s feet shows a disregard for the history of the conflict.



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



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

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 Israel'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.¹⁴³

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.¹⁴⁴ Amira Hass has argued this as an example of 'Israeli apartheid'.¹⁴⁵ But she misses two things.

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

Second, since 1993, as part of the peace process, the PA has civilian jurisdiction over the overwhelming majority of Palestinians in the West Bank. Hamas, which splintered off from the PA, has jurisdiction over the whole population of the Gaza Strip, while vast majority of Palestinians in the West Bank live under Palestinian administration and their laws, courts, police, prisons, taxes, etc., are Palestinian and Israel has no jurisdiction over their civilian and administrative affairs.

This Palestinian autonomy in civil affairs 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 Israel Supreme Court to petition against the Israeli army and government. The Israeli Supreme Court has upheld Palestinian petitions in some significant cases, for example over the route of the security barrier. In South Africa, blacks could only address grievances to the Bantustan 'Supreme Court'.

As a result of the 1993 Oslo Accords and the establishment of the PA, Israel 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.



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

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

No. There are some roads that have been closed to some Palestinian traffic – and some bypass roads have been built – due to shootings, bombings, and other attacks on Jewish and Arab road users.¹⁴⁶ 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;¹⁴⁷ and all road closures are temporary and subject to constant

review by the Israeli courts.

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

Although hostile to Israel's policy, the *Associated Press* reported in 2020 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..."¹⁴⁸ 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 Yonathan.¹⁴⁹

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

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

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

The Separation Barrier, built after 2002 is a defensive security response to terrorism. It does not separate races, but protects Israeli population centres, both Jewish and Arab, from 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 terror 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 2022 Israel announced the completion of a barrier running the length of the Gaza Strip both above and, critically, below ground. The NIS 3.5 billion (\$1.1 billion) project is meant to end the threat of cross-border terror attack tunnels.¹⁵⁰

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



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

Palestinians living in the West Bank are able to appeal to the Israeli Supreme Court against the route of the fence where it causes disruption to their lives, and have done so successfully in some cases.

The Israeli Supreme Court has reviewed the route of the barrier as well as its impact on Palestinians in more than 100 cases,¹⁵¹ and has ordered changes where its impact was viewed as disproportional to the security benefit gained, such as in Bil'in.¹⁵² 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.¹⁵³ Under the laws of armed conflict and human rights law, Israel – like any sovereign country – is legally allowed to construct a barrier for 'control and security' and for 'national security,' 'public order,' or to protect the 'rights and freedoms of others' including the 'right to life.'

One legal scholar, John Strawson, has shown that the apartheid analogy has 'no resonance in international law' and 'the international community in reflective mood has never constructed the conflict in that framework.'¹⁵⁴

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

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

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

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. Israel 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.'¹⁵⁵

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.¹⁵⁶ 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'.¹⁵⁷

Nevertheless, Palestinian terrorist groups in the West Bank continue to plan and execute attacks against Israelis.¹⁵⁸ This creates a dilemma: how to balance between the need to promote Palestinian

development, and the need to maintain security for Israel.

There is understandably much concern about Palestinians in need of medical treatment being held up at checkpoints. Following a petition that Physicians for Human Rights filed in 1996, Israel’s State Attorney’s Office announced two procedures to regulate the crossing of Palestinians in case of medical emergency, when a permit would not be needed, and in non-emergency cases.¹⁵⁹



IDF soldier and a Palestinian shepherd at a checkpoint, 2012. Flash90.

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

- December 2004: A Hamas agent with forged documents claiming that he was a cancer patient in need of medical treatment from an Israeli hospital was arrested by security forces. Hamed A-Karim Hamed Abu Lihya was to meet up with another terrorist, obtain weapons from allies inside Israel, and carry out an attack.
- December 2004: A man recruited by the al-Aqsa Martyrs Brigade to plant a bomb on the railway tracks near Netanya tried to use false papers indicating he needed hospital treatment to enter Israel.
- March 2005: A Hamas terrorist planning a suicide bombing was arrested after pretending to be a kidney donor.
- June 2005: 21-year-old Wafa Samir Ibrahim Bas was arrested attempting to smuggle an explosives belt through the Erez crossing. When she realised soldiers had discovered the explosive belt, she attempted unsuccessfully to detonate it. Bas had been admitted on humanitarian grounds to Soroka Medical Centre in Beersheba several months earlier for treatment of

massive burns she received as a result of a cooking accident. After her arrest, she admitted that the Fatah al- Aqsa Martyrs Brigade had instructed her to use her personal medical authorisation documents to enter Israel to carry out a suicide attack. In an interview shown on Israeli television, Bas said her ‘dream was to be a martyr’ and that her intent was to kill 40 or 50 people – as many young people as possible.¹⁶⁰ Dr. Izzeldin Abuelaish, a Palestinian obstetrician and gynaecologist from the Jabalya refugee camp in the Gaza Strip, who has worked at the Soroka Hospital, wrote that he was ‘outraged at the cynical and potentially deadly suicide bombing attempt.’¹⁶¹ In 2014 alone there were 1,793 attempted attacks against Israelis in Jerusalem and the West Bank. Although there were 239 major terror attacks thwarted in 2015, there were 190,000 individual medical border crossings from the West Bank into Israel in that year. The following year, 2016, saw 1,719 attacks against Israelis in the so-called “Stabbing Intifada.”¹⁶²

- May 2007: Two female suicide bombers were arrested at the Erez border crossing. The two received authentic entry permits to Israel by means of false medical cover, and planned to carry out a double suicide attack in Tel Aviv and Netanya, masterminded by Palestinian Islamic Jihad activists from the Gaza Strip.¹⁶³

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

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

Hebron is an ancient West Bank city revered by Jews and Muslims as the site of the tomb of the Patriarchs. For Jews this is the burial site of the patriarchs Abraham, Isaac and Jacob and matriarchs Sarah, Rebecca and Leah. Jews claim a presence on and off for the last 4000 years. An ancient Jewish community dating back to the 11th century lived there until dozens of its members were massacred in 1929 by local Arabs, and the rest were forced to flee.¹⁶⁴

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

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

Today, Hebron has 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 zone H1, is wholly controlled by the Palestinian

Authority. 20 per cent of the city, known as H2, is controlled by the IDF and includes the holy sites adjacent to the Jewish communities. The old centre of Hebron (in H2 and at the heart of much of the violence) is held as sacred by both Jews and Muslims and there are special arrangements to administer access and prayer for both religions.

In the H2 area, there are around 30,000 Palestinians living alongside the Jewish settlers. In 1994, the Jewish settler Baruch Goldstein killed 29 Muslims worshipping at the Cave of the Patriarchs. Recently there have been attacks by settlers on local Palestinians, 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 a protective grate above the market to protect Palestinian shoppers from settlers who throw garbage and rocks at them.¹⁶⁵ Jews also live in a very tense situation, living in the midst of a large and hostile Palestinian population.

The situation is clearly extremely difficult, though as a *Daily Telegraph* reporter noted, ‘all the anti-settlement organisations I spoke to, including Peace Now, B’Tselem and Rabbis for Human Rights, acknowledged that Hebron is the exception rather than the rule.’¹⁶⁶ If the IDF simply abandoned the area, there would almost certainly be an eruption of violence. What is clear is that, as agreed during the Oslo process, Hebron will be part of a final status agreement. The city is now a place of mutual distrust and religious tension but the Israeli authorities are not enforcing apartheid. They are seeking to separate, and prevent violence between, two warring communities.



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

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 it is very difficult to ‘claim ownership’ over: streams often run through borders and water under 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 materialised in Israel. The mutual need for the same resource will inevitably result in some friction in the absence of a proper agreement. It is also worth noting that Israel did not ‘conquer’ this water resource in 1967; Jews had been using water from this basin since the 1920s, and there was no change in Israel’s water usage after 1967.

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 respected populations. According to Article 40, Palestinians in the West Bank are entitled 196 million cubic meters (mcm) of water per year, plus an additional 31 mcm that Israel supplies from its own water infrastructure. In reality, West Bank 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

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 labelling 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 hiatus. 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 3G 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 by approving new drilling, the introduction of water tariffs, agricultural water use and promoting hydrological matters. The agreement is also intended to pave the way for laying new pipes for 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.¹⁶⁷

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

A final peace settlement between Israel and the Palestinians is expected to see the restitution of almost all of the land currently under Israel’s control as the occupying power in the West Bank. The exceptions – the land along the Green Line that contains about 80 per cent of the settlers – will be compensated by ‘land swaps’, a principle which has already been agreed with the Palestinian negotiators, and endorsed by President Obama and the EU and, since April 2013, the Arab League.¹⁶⁸

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.¹⁶⁹ 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.

PART 5: HOW THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS

As Nelson Mandela argued, the right approach to the Israeli-Palestinian conflict is to ‘recognise the legitimacy of Palestinian nationalism just as we recognise the legitimacy of the Zionism as a Jewish nationalism’ and to ‘insist on the right of the state of Israel to exist within secure borders but with equal vigour support the Palestinian right to national self-determination.’¹⁷⁰

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

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

THE APARTHEID SMEAR 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.’¹⁷¹

Essentialist arguments that construct Zionism as only colonialist and expansionist have a paralysing impact on the effort needed in both scholarship and politics to change the current situation.
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 been supported by the US, EU, the Arab League and both peoples. As the veteran left wing Israeli peace activist Uri Avnery puts it, ‘The mistaken assumption that the Israeli- Palestinian conflict resembles the South African experience leads to a mistaken choice of strategy. The Israeli policy is not based on race theories, but on a national conflict.’¹⁷²

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.

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

THE APARTHEID SMEAR CAUSES POLITICAL POLARISATION

There are many supporters of Israel, indeed leading Israeli politicians, who warn that if the status quo continues indefinitely into the future without the establishment of an independent Palestinian state, then the situation could become comparable to apartheid South Africa.¹⁷³ This is one of the reasons most Israelis support their government engaging in negotiations with the Palestinian Authority to reach a two state solution. It is why some Israelis argue that if peace talks fail Israel should consider unilateral withdrawal.¹⁷⁴

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

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

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



London, 2011. Graham Mitchell/ Demotix/Press Association Images.

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

The New Israel Fund is a major Israeli NGO that works for ‘human rights, social justice and religious pluralism’. It believes these things are ‘the natural complement of ... the two-state solution and the peace process.’ So it matters hugely that the NIF describes the entire BDS campaign, of which the *Apartheid Smear* is a part, as ‘inflammatory and counter-productive’, arguing that, ‘Anyone who is truly interested in a peaceful, multicultural and just Israel should realise that global BDS condemns these Israelis, and millions like them, to isolation and vilification. In a small and interconnected society like Israel, the blunt force of global BDS ... pushes moderates towards right-wing nationalism, and spurs rejection of progressive and humanist values.’¹⁷⁵

TEN WAYS THE APARTHEID SMEAR DAMAGES THE PEACE PROCESS

1. The Apartheid Smear sends a message to the Palestinian leadership that their narrative has been adopted exclusively, and that history has been skewed to omit Israeli grievances, offers and rights.
2. The Apartheid Smear signals to the Palestinians that they will not have to make the painful sacrifices all parties must inevitably make to reach a deal.
3. The Apartheid Smear tells the Palestinians that the international community will force Israel into submission.
4. The Apartheid Smear stigmatises Israel and Israeli citizens, arguing that they should be ostracised, marginalised and avoided in a way that few if any other nations or peoples have ever been. This has the effect of weakening the Israeli left and supporting hawkish elements within Israel.
5. The Apartheid Smear deepens Israel’s sense of fear and suspicion. The smear ignores the Israeli national psyche, particularly the importance placed on survival and security. Israel was born after the Holocaust of European Jews and has faced existential threats since its inception, with its civilian population enduring brutal campaigns of terror.
6. The Apartheid Smear breeds in Israelis a feeling of isolation, mistrust and a siege mentality which militates against the desire of the government and the majority of the Israeli population to take risks for peace. Israelis read the world media. They note that no other country in the world is being singled out for such treatment
7. The Apartheid Smear makes conflict resolution more difficult. Experts say dehumanisation and prejudice towards the ‘Other’ is a crucial stumbling block in achieving peace.¹⁷⁶
8. 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.’¹⁷⁷
9. The Apartheid Smear provides a spurious intellectual justification for the ‘BDS’ and ‘anti-normalisation’ campaigns. (The latter opposes any contact between Israelis and Palestinians, even for the purpose of reconciliation and peace-making.) David Hirsh again: ‘That too only ... creates a siege mentality and pushes peace further away ... It should be obvious that if Israeli academics or dancers or writers are ‘banned’ throughout the world, while Zimbabwean or Sudanese or North Korean cultural producers are welcomed onto our campuses and into our theatres, that this will be experienced by Israelis as an antisemitic attack.’¹⁷⁸

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, Starmer 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*, equates 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 South African struggle was between a large majority and a small minority. Among a general population of almost 50 million, the whites amounted to less than 10 per cent. That means that more than 90 per cent of the country’s inhabitants supported the boycott, in spite of the argument that it hurt them, too. In Israel, the situation is the very opposite. The Jews amount to more than 80 per cent of Israel’s citizens, and constitute a majority of some 60 per cent throughout the country between the Mediterranean Sea and the Jordan River.

99.9 per cent of the Jews oppose a boycott on Israel. They will not feel the ‘the whole world is with us,’ but rather that ‘the whole world is against us.’

Uri Avnery, veteran Israeli peace activist, Against the Israel Boycott, 2009

10. The Apartheid Smear encourages Western activists to treat Palestinian moderates as ... ‘collaborators’! Noam Chomsky, for example, has attacked the Palestinian Authority, accusing it of ‘playing the role of indigenous collaborators under imperial rule such as the Black leadership of South Africa’s Bantustans.’¹⁷⁹

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

Take another example – the Western anti-Israel activist Tony Greenstein. He has viciously attacked the Palestinian Trade Union leader Shaher Saeed as someone who is ‘always willing to dance to Israel’s tune’ and abused him as ‘no different from Mahmoud Abbas and the quislings running the Palestinian Authority whose security forces are specially trained by the USA with the purpose of repressing and torturing their own people.’¹⁸⁰ Saeed’s crime? While Greenstein (who lives in the UK) wants UK trade unions to break their historic links with the Israeli trade union federation (the Histadrut), Saeed (who lives in Ramallah) signed an agreement with the Histadrut. That agreement was facilitated, and celebrated, by the International Trade Union Congress and the British TUC, and was cheered by all the global trade union federations. But not by the ‘Apartheid Smear’ activists. Greenstein was angry, he said, because ‘Saeed has effectively undone the work of pro-Palestinian activists [in the West].’¹⁸¹

This is madness. Not least because, Mahmoud Abbas, the Palestinian Authority President has been very clear that he does not support the boycott of Israel.¹⁸² ‘We do not want to boycott goods coming from Israel’ he has said. ‘We do not ask anyone to boycott Israel itself. We have relations with Israel, we have mutual recognition of Israel.’ Abbas knows the Western activists do not represent the Palestinian people. According to one survey, 85 per cent of Palestinians want to cooperate more with Israel.¹⁸³

THE ALTERNATIVE: BUILDING THE PEACE NOT PROMOTING THE WAR

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

It is very odd that often the same anti-Zionist forces that go out of their way to celebrate Palestinian nationalism insist on negating Zionism. Mutual respect for each people’s collective sense of self is a better approach.

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

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

The 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



Education through technology. 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.



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

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

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 antisemitism, the word ‘Zionist’ understood by all as a fig-leaf for ‘Jew’. The huge impact of these well-financed campaigns has been underestimated. In the view of Stan Crooke, author of *The Stalinist Roots of ‘left’ Anti-Zionism*, Communist propaganda ensured that the following ideas spread around the world, especially amongst ‘progressives’: ‘Zionism equals racism; Zionism equals imperialism; Zionism equals South African apartheid; Israel is the USA’s “watchdog” in the Middle East; Zionism is complicit with, or even promotes, antisemitism.’ These themes are now commonplace on the far left in Europe.

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

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

In the late 1960s a new official ‘anti-Zionist’ campaign was launched in the Soviet Union, in the aftermath of Israel’s victory in the Six Day War over Arab states friendly to the Soviet Union. It increased in the 1970s, as Israel inflicted another defeat on Arab states in the Yom Kippur War of 1973 and Jewish organisations internationally stepped up their campaign for Soviet Jews. (...) The core of the Stalinist argument was their old technique of ‘the amalgam’. Zionism, so the Stalinists claimed, was tied up with, allied to, linked with, or responsible for, every reactionary force that right-minded people might detest – capitalism, imperialism, even antisemitism and Nazism.¹⁸⁴

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

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

THE UNITED NATIONS MOMENT: ZIONISM TREATED AS RACISM

The second key moment in the rise of the Apartheid Smear came in 1975 when a coalition between the Soviet Bloc, the authoritarian Arab states, and the so-called ‘Non-Aligned Movement’ emerged. This bloc used its built-in majority at the UN General Assembly to pass Resolution 3379, which equated Zionism with racism. (The UN rescinded the resolution in 1991.) Bishop John M. Allin of the U.S. Episcopal Church declared that the UN resolution was ‘an inexcusable offense against those legitimate aspirations of the Jewish people for a homeland which the UN itself certified back in 1947.’¹⁸⁵

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

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

Ben Cohen, *The Ideological Foundations of the Boycott campaign Against Israel*, 2007.

Is it reasonable that more than 70 per cent out of some 40 resolutions adopted by the United Nations Human Rights Council since 2006 target Israel? Or that in 2006-07, 100 per cent of its condemnatory resolutions were passed against Israel? Brutalities in Darfur, the Congo, or Burma, human rights abuses perpetrated against minority religions, women and gays are ignored as human rights issues. The Council is dominated by countries like China, Cuba, Libya, Pakistan and Saudi Arabia, none of which are noted for their human rights records.¹⁸⁶



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

THE DURBAN MOMENT: ZIONISM TREATED AS APARTHEID

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

They used their control of the gathering to launch a global campaign to label Israel as a ‘racist, apartheid state’ and Israel itself as a ‘crime against humanity’ and called upon the international community to ‘impose a policy of complete and total isolation of Israel as an apartheid state’ and demanded the ‘establishment of a war crimes tribunal’ to ‘bring to justice those who may be guilty of ... the crime of Apartheid.’¹⁸⁷

South Africa’s then Deputy Foreign Minister, Aziz Pahad, responded in these terms: ‘I wish to make it unequivocally clear that the SA government recognises that ... [the Durban Conference] was hijacked and used by some with an anti-Israel agenda to turn into an antisemitic event.’¹⁸⁸

The 2001 Durban NGO conference was marked by antisemitic hate speech. On the grounds of the U.N. conference itself, the Arab Lawyers Union distributed pamphlets filled with grotesque caricatures of hook-nosed Jews depicted as Nazis, spearing Palestinian children, dripping blood from their fangs, with missiles bulging from their eyes or with pots of money nearby. Attempts to have the group’s U.N. accreditation revoked were refused. In a Palestinian-led march with thousands of participants, a placard was held aloft that read ‘Hitler Should Have Finished the Job.’ Nearby, someone was selling the most notorious of anti-Jewish tracts, ‘The Protocols of the Elders of Zion’, a forgery which purports to be the minutes of a world Jewish Conspiracy, and which has been called a ‘warrant for genocide’.¹⁸⁹ Mary Robinson, the former President of Ireland and the UN High Commissioner for Human Rights has said ‘There was horrible antisemitism present – particularly in some of the NGO discussions. A number people said they’ve never been so hurt or so harassed.



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

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

The pattern is clear: whatever the good intentions of some supporters of the Apartheid Smear, in the minds of its hard-core promoters there is a darker purpose: the demonisation of Israel as a pariah state in order to prepare the ground for its eventual destruction.¹⁹⁰

ENDNOTES

1 TOI Staff, ‘Annual poll: Public’s faith in institutions, satisfaction in state of country dire’, 6 January 2022. <https://www.timesofisrael.com/annual-poll-publics-faith-in-institutions-satisfaction-in-state-of-country-dire/>

2 Sammy Smootha, ‘Arab-Jewish Relations in Israel After the May 2021 Unrest: A Survey by Sammy Smootha’, *Fathom*, October 2021. <https://fathomjournal.org/arab-jewish-relations-in-israel-after-the-may-2021-unrest-a-survey-by-sammy-smootha/>

3 Israel Defense, ‘Survey: Half of Israelis think Biden will not make significant progress in peace process’, 21 January 2021. <https://www.inss.org.il/wp-content/uploads/2021/01/Survey-Half-of-Israelis-think-Biden-will-not-make-significant-progress-in-peace-process-INSS-survey-Israel-Defense-for-site.pdf>

4 International Holocaust Remembrance Alliance, ‘What is antisemitism?’, 2016. <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>

5 ISGAP Fellows Reject Antisemitic Tropes in Amnesty Report’, ISGAP, 23 April, 2022. <https://isgap.org/post/2022/04/isgap-rejects-amnestys-report-on-israel/>

6 Amnesty International, *Israel’s Apartheid against Palestinians: Cruel System of Domination and Crime Against Humanity*, 2022.

7 See Alexander Yakobson and Amnon Rubinstein, *Israel and the Family of Nations: The Jewish Nation-State and Human Rights*, Routledge, 2003.

8 Salo Aizenberg, *Amnesty International’s Cruel Assault on Israel: Systematic Lies, Errors, Omissions and Double Standards in Amnesty’s Apartheid Report*, April 2022, p. 10. https://www.ngo-monitor.org/pdf/SaloAizenberg_Amnesty_Rebuttal.pdf

9 Ibid, p.54.

10 Ibid.

11 Idib, p.119.

12 Joseph Krauss, ‘Ra’am head Abbas rejects Amnesty’s apartheid label for Israel’, *Times of Israel*, 11 February 2022. <https://www.timesofisrael.com/raam-head-abbas-rejects-apartheid-label-for-israel/>

13 Philip Podolsky, ‘Most Arabs prefer living in Israel, accept Jewish character of the state’, *Times of Israel*, 6 June 2012.

14 Cited in Ben-Dror Yemini, ‘This Experiment Hasn’t’ Failed,’ *Yediot Ahronot* (Hebrew), 14 June 2022.

15 Ibid.

16 Ibid.

17 Aizenberg, p. 84.

18 Ibid p. 44.

19 Alex Safian, ‘Amnesty International’s Big Lie About Israel’, 31 January, 2022. <https://www.camera.org/article/amnesty-internationals-big-lie-about-israel/>

20 Aizenberg.

21 Reuters, ‘Palestinians and Israelis count cost of 11 day fight’. 20 May, 2021. <https://www.reuters.com/world/middle-east/palestinians-israelis-count-cost-11-day-fight-2021-05-20/>.

22 COGAT Summary of Activities, 2021, Ministry of Foreign Affairs, <https://www.gov.il/en/departments/news/cogat-summary-2021-2-feb-2022>

23 Honest Reporting, ‘Media Draw False Equivalence Between Arab Rioting and Internally Denounced Jewish Response’, 19 May 2021. <https://honestreporting.com/media-draw-false-equivalence-between-arab-rioting-and-internally-denounced-jewish-response/>

24 Sharon Nazarian, ‘Amnesty’s Israel Report has dangerous implications – for Jews and Palestinians alike’, *The Forward*, 8 February, 2022. <https://forward.com/opinion/481994/amnesty-israel-report-has-dangerous-implications-for-jews-and-palestinians/>

25 ‘JTA and TOI staff, ‘Amnesty’s US director: Israel shouldn’t exist “as a state for the Jewish people”’, *Times of Israel*, 12 March 2022. <https://www.timesofisrael.com/amnestys-us-director-israel-shouldnt-exist-as-a-state-for-the-jewish-people/> Even J Street tweeted that ‘Amnesty USA would be well-served to ... not try to assess Jewish public opinion.’

26 David Rose, ‘Calls for Amnesty charity probe over Israel ‘apartheid’ smear’, *Jewish Chronicle*, 3 February 2022.

27 Cary Nelson, ‘Amnesty International, Israel and Race-Baiting’, *Fathom*, March 2022, <https://fathomjournal.org/amnesty-international-israel-and-race-baiting/>

28 Luke Akehurst, ‘Amnesty’s apartheid slur is an attack on Jewish self-determination,’ *Times of Israel*, 31 January 2022. <https://blogs.timesofisrael.com/amnestys-apartheid-slur-is-an-attack-on-jewish-self-determination/>

29 Dave Rich, *The Left’s Jewish Problem: Jeremy Corbyn, Israel and Anti-Semitism*, Biteback Publishing, 2016.

30 It is not only Amnesty’s treatment of Israel that has raised concerns. Amnesty’s Summer 2022 intervention in Putin’s war on Ukraine shocked many. See *CNN*, ‘Russia uses NGO report to fuel war propaganda’, 9 August 2022. <https://edition.cnn.com/videos/world/2022/08/09/russia-ukraine-amnesty-international-pkg-marquardt-nr-intl-ldn-vpx.cnn>.

31 Cited in Gilead Ini, ‘Case study: the anatomy of one of Amnesty’s Falsehoods’, *JNS*, 14 February 2022. <https://www.jns.org/opinion/case-study-the-anatomy-of-one-of-amnestys-falsehoods/>

32 Alex Safian, ‘Amnesty Intenational’s Big Lie about Israel’, JNS, 1 February 2022.

33 Lazar Berman, ‘Israel blasts Amnesty UK for ‘antisemitic’ report accusing it of apartheid’, *Times of Israel*, 31 January 2022. <https://www.timesofisrael.com/lapid-attacks-delusional-amnesty-uk-ahead-of-report-accusing-israel-of-apartheid/>

34 Richard Kerjab, ‘Salman Rushdie: Amnesty International is morally bankrupt,’ *The Sunday Times*, 21 February 2010. <https://www.thetimes.co.uk/article/salman-rushdie-amnesty-international-is-morally-bankrupt-lt3zrmfxqp>

35 Tani Goldstein, ‘Amnesty International chief criticizes group’s report accusing Israel of apartheid’, *Times of Israel*, 21 February 2022. <https://www.timesofisrael.com/amnestys-israel-chief-criticizes-groups-report-accusing-israel-of-apartheid/>

36 David Collier, ‘Spotlight on Amnesty International: From Bias to Obsession’, 2019. <https://david-collier.com/amnesty-international-obsession/> See also ‘Amnesty takes disciplinary action over official’s “Jewish MPs” tweet’, *Jewish Chronicle*, 21 November 2021.

37 Michael Ehrlich, ‘Behind the Scenes of Amnesty International’s Report on Israel’, *Jewish Journal*, 22 March 2022. <https://jewishjournal.com/commentary/opinion/346357/behind-the-scenes-of-amnesty-internationals-report-on-israel/>

38 NGO Monitor, Analysing Amnesty’s Antisemitic Apartheid Attack’, 2 February 2022. <https://www.ngo-monitor.org/reports/amnesty-apartheid-analysis/> See also Joshua Kern and Anne Herzberg: *‘False Knowledge as Power: Deconstructing Definitions of Apartheid that Delegitimise the Jewish State’* (December 2021) and *‘Neo-Orientalism: Deconstructing Claims of Apartheid in the Palestinian-Israeli Conflict’* (March 2022).

39 Aizenberg.

40 Ibid, p.7.

41 Ibid, p.119.

42 Ibid, p.85.

43 Ibid, p.86

44 Ibid, p.73 (Emphasis added.)

45 Ibid, p.56.

46 Ibid, p.128.

47 Ibid, p.32.

48 Ibid, p.22.

49 Ibid, p.47.

50 Ibid, p.33.

51 Ibid, p.63.

52 Ibid, p.130.

53 Ibid, p.20-21.

54 Ibid, p.122-3.

55 Ibid, p.97.

56 Ibid, p.111.

57 Ibid, p.11.

58 United Nations, Office of the High Commissioner for Human Rights, ‘The International Convention on the Elimination of All Forms of Racial Discrimination’, 1965. <http://www.ohchr.org/en/ProfessionalInterest/Pages/cerd.aspx>

59 Ben Cohen, The Ideological Foundations of the Boycott Campaign Against Israel. American Jewish Committee, 2007. http://www.ajc.org/atf/cf/%7b42d75369-d582-4380-8395-d25925b85eaf%7d/ideological_foundations.Pdf

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

61 TOI Staff, ‘Israel’s Christian community is growing, 84% satisfied with life here – report’, 22 December 2021. <https://www.timesofisrael.com/israels-christian-community-is-growing-84-satisfied-with-life-here-report/>

62 TOI Staff, ‘Annual poll: Public’s faith in institutions, satisfaction in state of country dire’, 6 January 2022. <https://www.timesofisrael.com/annual-poll-publics-faith-in-institutions-satisfaction-in-state-of-country-dire/>

63 TOI Staff, ‘Ra’am head Abbas says Israel will remain a Jewish state’, 21 December 2021 https://www.timesofisrael.com/liveblog_entry/raam-head-abbas-says-israel-will-remain-a-jewish-state/

64 James Sinkinson, ‘If Israel is so terrible, why do so many Arabs prefer to live under Israeli rule?’ 28 December 2021. <https://www.jns.org/opinion/if-israel-is-so-terrible-why-do-so-many-arabs-prefer-to-live-under-israeli-rule/>

65 Some Arab leaders do make the ‘apartheid’ claim but in 2012 Tel Aviv University Professor Avi Degani found that 61.4 per cent of Israel’s Arabs have a less than favourable opinion of the way the Arab Knesset members represent the interests of Arab citizens. See Gil Ronen, ‘Arabs: Arab MKs Don’t Represent Us Well.’ *Israel National News*, 23 July 2012. <http://www.israelnationalnews.com/news/news.aspx/158161#.ue9QmZfovgl>.

66 Maariv Online, ‘About two million Israelis live below the poverty line – report’, 22 January 2021. [https://www.jpost.com/israel-news/israel-report-about-two-million-people-live-below-the-poverty-ne-](https://www.jpost.com/israel-news/israel-report-about-two-million-people-live-below-the-poverty-ne-Myers-JDC-Brookdale,TheArabPopulationinIsrael.FactsandFigures2018)

67 Myers-JDC-Brookdale, *The Arab Population in Israel. Facts and Figures 2018*. https://brookdale.jdc.org.il/wp-content/uploads/2018/03/MJB_Facts_and_Figures_on_the_Arab_Population_in_Israel_2018-English.pdf

68 Dr. Muhammed Khalaily, Dr. Arik Rudnitzky, Ben Fargeon, ‘Statistical Report on Arab Society in Israel :2021’, 17 March 2022. <https://en.idi.org.il/articles/38540>

69 Ibid.

70 Hamoked: Center for the Defence of the Individual, Translation of HCJ 114/78 – Muhammad Said Burkan vs The Minister of Finance et al. Judgment. 26 February 1978. http://www.hamoked.org/files/2010/112340_eng.pdf.

71 TOI Staff, ‘Amid crisis, government said advancing plan to recognize 10-12 Bedouin villages’, 13 January 2022. <https://www.timesofisrael.com/amid-crisis-government-said-advancing-plan-to-recognize-10-12-bedouin-villages/>

72 Jack Koury et al, ‘Five-year Plan for Israel’s Arab Community: \$9 Billion Won’t Bridge a Gap Decades in the Making’, 28 October 2021. <https://www.haaretz.com/israel-news/2021-10-28/ty-article/.premium/five-year-plan-for-israels-arab-community-9-billion-wont-bridge-the-gap/0000017f-e224-df7c-a5ff-e27e91760000>

73 Esawi Freige, ‘Arab Education Is Our Responsibility’, 8 December 2019. <https://www.haaretz.com/israel-news/.premium-arab-education-is-our-responsibility-1.8230350>

74 Khoury et al, op cit.

75 Aizenburg p.85.

76 Inter Agency Task Force, *‘Fact Sheet: Arab Citizens of Israel’*, September 2021. <https://www.iataskforce.org/sites/default/files/resource/resource-2064.pdf>

77 Tal Lev Ram, ‘IDF sees sharp increase in Muslim draft’, *Jerusalem Post*, 18 July 2021. <https://www.jpost.com/israel-news/exclusive-idf-sees-sharp-increase-in-muslim-draft-674227>

78 Ron Gerlitz and Batya Kallus, ‘A dangerous position’. +972, 19 October 2012. <http://972mag.com/a-dangerous-position/58002/>.

79 Danielle Ziri, ‘Welfare Ministry appoints consultant for Arab sector’. *Jerusalem Post*, 4 August 2013.

80 *Authority for the Economic Development of the Arab, Druze and Circassian Sectors*. Inter-Agency Task Force Educational Fact Sheet. <http://www.iataskforce.org/sites/default/files/authority%20for%20the%20economic%20development%20-%20July%202013.pdf>.

81 Nancy K Kauffman, ‘Community Organising in the Negev, National Coalition of Jewish Women’. 13 October 2013.

82 Donna Rachel Edmunds, ‘Educators urge comprehensive roll-out of Arabic studies for co-existence’, *Jerusalem Post*, 15 October 2020. <https://www.jpost.com/israel-news/educators-urge-comprehensive-roll-out-of-arabic-studies-for-co-existence-645456>

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

84 Myers-JDC-Brookdale, *The Arab Population in Israel. Facts and Figures 2018*. https://brookdale.jdc.org.il/wp-content/uploads/2018/03/MJB_Facts_and_Figures_on_the_Arab_Population_in_Israel_2018-English.pdf

85 OECD, ‘The Galilee, Israel. Higher Education in Regional and City Development’, 2011. <http://www.oecd.org/edu/imhe/49001753.pdf>.

86 Simon Rocker, ‘Arab students aided by Pears Foundation £100,000 grant’. *The Jewish Chronicle*, 24 May 2013. <http://www.thejc.com/news/uk-news/107861/arab-students-aided-pears-foundation-%c2%a3100000-grant>

87 Gil Shefler, ‘Israeli economist peddling new plan to equalize Arab university presence’. *The Jewish Telegraph Agency*, 4 March 2013. <http://www.jta.org/2013/03/04/news-opinion/israel-middle-east/israeli-economist-peddling-new-plan-to-equalize-arab-university-presence#ixzz2Rlq8vWyu>

88 Lidar Grave-Lazi, ‘Council for Higher Education offers scholarships to Arab students’, *Jerusalem Post*, 24 August 2014. <https://www.jpost.com/israel-news/council-for-higher-education-offers-scholarships-to-arab-students-372125>

89 UK Task Force, ‘Briefing: Arab populations in mixed cities’, 2 January 2012.

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

91 Amnon Rubinstein, ‘Israel in Arabs and Jews: Dispelling the Myths, Narrowing the Gaps’. http://duncankennedy.net/documents/Is-Pal/first-syllabus/amnon-rubinstein_Israeli-arabs-Jews-dispelling-myths.pdf

92 Amira Hass, ‘What does Apartheid mean anyway?’ *Haaretz*, 9 December 2013, <http://www.haaretz.com/news/features/.premium-1.562477>.

93 Ibid.

94 Adam Hug, *Full and Equal Citizens? How to Deliver Equality for Israel’s Arab Community?* Foreign Policy Centre, 15 December 2010: p. 42.

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

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

97 ‘Supreme Court Unanimously Overturns Ban of Balad/Tajammoa’s Hatikva Election Ad’. Adalah, 16 January 2013. <http://adalah.org/eng/articles/1904/supreme-court-unanimously-overturns-ban-of-ad>.

98 UK Task Force *““Price Tag Attack” in Baqa Al-Gharbiyye*’, 9 December 2013. <http://www.uktaskforce.org/latest-news/price-tag-attack---in-baqa-al-gharbiyye.php>

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

100 The UN International Convention on the Elimination of all Forms of Racial Discrimination. Israel Ministry of Justice: YouTube, 2005. <https://www.youtube.com/watch?v=gjbkhjebg6a>.

101 UK Task Force, ‘PM Netanyahu condemns racism against Arab citizens of Israel’, 3 June 2013. <http://www.uktaskforce.org/latest-news/pm-netanyahu-condemns-racism-against-arab-citizens-of-israel.php>.

102 Ibid.

103 See Matthias Kuntzel, *Jihad and Jew-Hatred: Islamism, Nazism and the Roots of 9/11*. New York, Telos Press. 2009; Barry Rubin and Wolfgang G *Schwanitz, Nazis, Islamists, and the Making of the Modern Middle East*. New Haven: Yale University Press, 2014.

104 Benny Morris, *The Birth of the Palestinian Refugee Problem*, 1947-1949. Cambridge, 1989: p. 286.

105 Benny Morris, *1948: A History of the First Arab-Israeli War*. Yale University Press, 2009: p. 176.

106 Yair Sheleg, ‘The death and rebirth of Kfar Etzion’. *Haaretz*, 3 May 2007. <http://www.haaretz.com/weekend/week-s-end/the-death-and-rebirth-of-kfar-etzion-1.219660>

107 Shirley Racah and Abed Kannaneh, ‘48 human beings were massacred – and we have forgotten them’. *+972*, 3 November 2013. <http://972mag.com/48-human-beings-were-massacred-and-we-have-forgotten-them/81313/>

108 Benny Morris, ‘*Letter to the Irish Times*’. 21 February 2008: p. 17.

109 Central Bureau of Statistics, ‘Population of Israel in the Eve of 2022’ <https://www.cbs.gov.il/en/mediarelease/pages/2021/population-of-israel-on-the-eve-of-2022.aspx>

110 Tal Becker, ‘The idea of a Jewish state is itself democratic: an interview with Tal Becker’, BICOM, 6 November 2013 <http://www.bicom.org.uk/analysis-article/6082/>

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

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

113 Michael R. Fischbach, *Jewish Property Claims Against Arab Countries*. Columbia University Press, 2008.

114 <http://mha.nic.in/pdfs/ceP-mumbai-0212.pdf>

115 Alex Safian, ‘Myths and Facts: New York Times Gaza Edition’, 21 May 2021. <https://www.camera.org/article/myths-and-facts-new-york-times-gaza-edition/>

116 Greg Myre, ‘Israel Revokes Decision on East Jerusalem Land’. *New York Times*, 2 February 2005. http://www.nytimes.com/2005/02/02/international/middleeast/02mideast.html?pagewanted=print&position=&_r=0

117 Anna Roisner, ‘The Jerusalem family at risk of losing their home – and how we can help’, *Times of Israel*, 24 May 2020. <https://blogs.timesofisrael.com/the-jerusalem-family-at-risk-of-losing-their-home-and-how-we-can-help/>

118 Anna Roisner, ‘Why we need to speak about the Absentee Property Law’, *Times of Israel*, 5 July 2020. <https://blogs.timesofisrael.com/why-we-need-to-speak-about-the-absentee-property-law/>

119 Editorial, ‘Ayelet Shaked, the Minister of Discrimination’, *Haaretz*, 6 December 2021. <https://www.haaretz.com/opinion/editorial/2021-12-06/ty-article/ayelet-shaked-the-minister-of-discrimination/0000017f-f98c-dcea-a7ff-fdbee6c00000>

120 Reports submitted by states parties under Article 9 of the convention. Thirteenth periodic reports of States parties due in 2004. Addendum. Israel.

121 Ben Lynfield, ‘Marriage Law Divides Israeli Arab Families’. *Christian Science Monitor*, 8 August 2003. See also <http://www.jewishvirtuallibrary.org/jsource/antisemitism./hrpa.html>

122 JP Staff, ‘ISA: Reunifications a real terror threat’, *Jerusalem Post*, 14 February 2006. <http://www.jpost.com/Israel/Isa-reunifications-a-real-terror-threat>

123 Ibid.

124 Adalah v. Minister of Interior (HCJ 7052/03) http://elyon1.court.gov.il/files_eng/03/520/070/a47/03070520.a47.pdf

125 Badil (<http://www.badil.org/en/press-releases/144-2013/3738-press-eng-14>), Adalah (<http://adalah.org/eng/?mod=articles&ID=1185>), Association for Civil Rights in Israel (<http://www.acri.org.il/en/2005/12/28/citizenship-and-entry-into-israel-law-enacted-with-no-factual-basis/>)

126 http://elyon1.court.gov.il/files_eng/03/520/070/a47/03070520.a47.pdf (ibid Adalah vs Min of Interior)

127 Amiram Barkat and Yuval Yoaz, ‘AG Mazuz rules JNF land can now be sold to Arabs’. *Haaretz*, 27 January 2005. <http://www.haaretz.com/print-edition/news/ag-mazuz-rules-jnf-land-can-now-be-sold-to-arabs-1.148348>.

128 Shahr Ilan, ‘Deal would have state, JNF swap 60,000 dunams’. *Haaretz*, 30 October 2007. <http://www.haaretz.com/print-edition/news/deal-would-have-state-jnf-swap-60-000-dunams-1.232133>.

129 BICOM, Interview with Benny Begin, Minister for the Bedouin. <http://www.bicom.org.uk/podcast/8168/>.

130 *BICOM Briefing: Unrecognised Bedouin villages*, 6/10/2011, <http://www.bicom.org.uk/analysis-article/bicom-briefing-unrecognised-bedouin-villages/>; *BICOM Briefing: Israeli government policy on the Negev Bedouin*, 20/1/2012, <http://www.bicom.org.uk/analysis-article/11573/>; Law to settle Bedouin land claims passes first Knesset reading, 26/6/2013, <http://www.bicom.org.uk/news-article/15108/>.

131 TOI Staff, ‘Israel’s Christian community is growing, 84% satisfied with life here – report’, *Times of Israel*, 22 December 2021. <https://www.timesofisrael.com/israels-christian-community-is-growing-84-satisfied-with-life-here-report/>

132 Dror Eydar, ‘New Christian Arab party seeks to change face of Israeli society’. *Israel Hayom*, 9 July 2013. http://www.israelhayom.com/site/newsletter_article.php?id=10569

133 David Rosenberg, ‘Christians are both thriving, beleaguered in Israel’. *The Jerusalem Post*, 26 December 2011. <http://www.jpost.com/middle-east/christians-are-both-thriving-beleaguered-in-israel>

134 Ido Rosenzweig and Prof. Yuval Shany, ‘A Decade of Palestinian Terrorism – Report by the Israeli Security Agency’. The Israeli Democracy Institute. <http://en.idi.org.il/analysis/terrorism-and-democracy/issue-no-14/a-decade-of-palestinian-terrorism-%e2%80%93-report-by-the-israeli-security-agency>

135 Ehud Olmert, ‘Olmert: Two-state solution is crucial to Israel as a Jewish and democratic state’, *Haaretz*, 28 April 2013. <http://www.haaretz.com/news/diplomacy-defense/olmert-two-state-solution-is-crucial-to-israel-as-a-jewish-and-democratic-state.premium-1.518060>; Tzipi Livni, ‘Livni to Post: I have unfinished business in making peace with Palestinians’, *Jerusalem Post*, 21 October 2013. <http://www.jpost.com/diplomacy-and-Politics/livni-to-Post-I-have-unfinished-business-in-making-peace-with-Palestinians-329282>; Yuval Diskin, ‘Diskin: Israel nears point of no return on two-state solution’, *Jerusalem Post*, 13 July 2013, <http://www.jpost.com/diplomacy-and-Politics/diskin-Israel-nears-point-of-no-return-319701>; Amos Oz, ‘Amos Oz slams West Bank “occupation”’. <http://www.youtube.com/watch?v=m7luuZue9ho>

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

137 ‘News of Terrorism and the Israeli-Palestinian Conflict’, 11-17 May 2022. <https://www.terrorism-info.org.il/en/news-of-terrorism-and-the-israeli-palestinian-conflict-may-11-17-2022/>

138 AP Staff, ‘Hamas fires rockets at Jerusalem after clashes at mosque’, *Politico*, 5 October 2021. <https://www.politico.com/news/2021/05/10/israeli-police-and-palestinians-clash-at-jerusalem-holy-site-486540>

139 Elie Podeh, ‘From Three No’s to Three Yes’s’. Shaqiyya, 2010. http://dayan.org/sites/default/files/4_eliePodeh.pdf

140 Aluf Benn, ‘PA rejects Olmert’s offer to withdraw from 93% of West Bank’. *Haaretz*, 12 August 2008. <http://www.haaretz.com/news/pa-rejects-olmert-s-offer-to-withdraw-from-93-of-west-bank-1.251578>

141 Full text of Netanyahu’s foreign policy speech at Bar Ilan’. *Haaretz*, 14 June 2009. <http://www.haaretz.com/news/full-text-of-netanyahu-s-foreign-policy-speech-at-bar-ilan-1.277922>

142 Amira Hass, ‘What does “Israeli Apartheid” mean, anyway?’ *Haaretz*, 9 December 2013. <http://www.haaretz.com/news/features/.premium-1.562477>

143 Joel Singer, ‘West Bank Areas A, B and C: How did they come into being?’ 2020 <https://www.joelsinger.org/west-bank-areas-a-b-and-c-how-did-they-come-into-being/>

144 Robbie Sabel, *The Campaign to Delegitimise Israel with the False Charge of Apartheid*. Jerusalem Centre for Public Affairs, 2009. <http://jcpa.org/text/>

apartheid.pdf.

145 Amira Hass, ‘What does “Israeli Apartheid” mean, anyway?’ *Haaretz*, 9 December 2013. <http://www.haaretz.com/news/features/.premium-1.562477>

146 Noam Dvir, ‘Family attacked with stones on Route 443’. *Ynet*, 15 March 2013. <http://www.ynetnews.com/articles/0,7340,l-4356955,00.html>.

147 For example, the *Telegraph* journalist taken on these roads by an Israeli Arab taxi driver: 28 May 2010. <http://blogs.telegraph.co.uk/news/juliankossoff/100041337/the-opening-of-route-443-proves-israels-liberal-and-democratic-spirit/>.

148 AP, reprinted in *The Independent*, 7 December 2020. <https://www.independent.co.uk/news/new-roads-pave-way-for-massive-growth-of-israeli-settlements-west-bank-roads-palestinian-highways-israeli-b1767190.html>

149 Rock-throwing Palestinians have killed Israeli children, embassy tells Labour MP’, *Jewish Chronicle* 11 January 2016. <https://www.thejc.com/news/uk/rock-throwing-palestinians-have-killed-israeli-children-embassy-tells-labour-mp-1.57361>

150 Judah Ari Gross, “‘A wall of iron, sensors and concrete”: IDF completes tunnel-busting Gaza barrier’, *Times of Israel*, 7 December 2021. <https://www.timesofisrael.com/a-wall-of-iron-sensors-and-concrete-idf-completes-tunnel-busting-gaza-barrier/>

151 In a 2004 case the Israeli Supreme Court ordered 30km to be re-routed. http://elyon1.court.gov.il/files_eng/04/560/020/a28/04020560.a28.pdf; In 2005 it ruled that Arab village ‘enclaves’ included within Israel should not be cut-off from the West Bank. http://elyon1.court.gov.il/files_eng/04/570/079/a14/04079570.a14.pdf

152 News Agencies and Yuval Yoaz, ‘Court orders state to alter West Bank separation fence route at Bil’in’. *Haaretz*, 4 September 2007. <http://www.haaretz.com/news/court-orders-state-to-alter-west-bank-separation-fence-route-at-bil-in-1.228761>

153 International Court of Justice, Legal Consequences of the Construction of the Wall in the Occupied Palestinian Territory, 9 July 2004. <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>

154 John Strawson, ‘Zionism and Apartheid: The Analogy in the Politics of International Law’. *Engage Journal*, 2, 2006. http://www.engageonline.org.uk/journal/index.php?journal_id=10..&article_id=34

155 BICOM, Frequently Asked Questions, 2010. <http://www.bicom.org.uk/resources/faqs/>

156 OCHA, ‘Over 700 road obstacles control Palestinian movement within the West Bank’, 8 October 2018. <https://www.ochaopt.org/content/over-700-road-obstacles-control-palestinian-movement-within-west-bank>

157 ‘Easing of restrictions on Palestinian’s movement in the West Bank’ 24 December 2012 http://www.btselem.org/freedom_of_movement/20121217_restrictions_lifted

158 Amos Harel, ‘Bulldozer attack on Israeli base joins sequence of terror that can no longer be ignored’. *Haaretz*, 18 October 2013. <http://www.haaretz.com/news/diplomacy-defense/.premium-1.553135>.

159 <http://www.haaretz.com/news/diplomacy-defense/.premium-1.553135>. ‘Restriction of Movement’, B’Tselem, 13 March 2013. http://www.btselem.org/freedom_of_movement/checkpoints_and_forbidden_roads

160 ‘Palestinian “targeted hospital”’. BBC, 21 June 2005. http://news.bbc.co.uk/1/hi/world/middle_east/4113538.stm.

161 Dr. Izzeldin Abuelaish, ‘The attempt to bomb Israel’s Soroka hospital: “Open letter” by a Palestinian doctor’. Beyond Images, 1 July 2005. <http://www.beyondimages.info/b146.html>

162 FN Israeli Security Agency, 31 December 2014 <http://www.shabak.gov.il/English/EnTerrorData/Archive/Annual/pages/2014AnnualSummary1.aspx> and ‘2015 Annual Summary Terrorism and CT Activuty data and Trends, 3 October 2016, <http://www.shabak.gov.il/English/EnTerrorData/Archive/Annual/Pages/2015>

163 Exploiting Israel’s humanitarian policies for terror activities, Israeli Security Agency, PDF.

164 ‘Long shadow of 1929 Hebron massacre’. *BBC*, 26 August 2009. http://news.bbc.co.uk/1/hi/uk_politics/8219864.stm

165 Itamar Fleisman, ‘Palestinian officer punches soldier amid clashes in Hebron’, *Ynet*, 7 December 2012. <http://www.ynetnews.com/articles/0,7340,l-4316707,00.html>

166 Jake Wallis Simons, Why are European powers (and Oxfam) funding a radical Israeli group?, *The Daily Telegraph*, 17 December 2013 <http://blogs.telegraph.co.uk/news/jakewallissimons/100248886/why-are-european-powers-and-oxfam-funding-a-radical-israeli-group/>

167 ‘Israel, PA sign deal to boost water cooperation’, BICOM, 16 January 2017. <https://www.bicom.org.uk/news/israel-pa-sign-deal-boost-water-cooperation/>

168 ‘Arab states back Israel-Palestine land swaps’. *Al Jazeera*, 30 April 2013. <http://www.aljazeera.com/news/middleeast/2013/04/20134306544952976.html>.

169 Shaul Arieli, ‘Settlements have not killed the two state solution’. BICOM Expert View, 2012. <http://www.bicom.org.uk/analysis-article/11038/>.

170 Nelson Mandela. Speech to the opening of the 37th Congress of the South African Jewish Board of Deputies, 21 August 1993. <http://www.anc.org.za/show.php?id=4096>.

171 Robert Fine, ‘Blame game won’t lead us to peace’. *Engage Journal*, 8 October 2010. <http://engageonline.wordpress.com/2010/10/08/robert-fine-responds-to-desmond-tutus-call-for-a-boycott-of-israel-in-the-south-african-mail-guardian/>

172 Uri Avnery, ‘Against the Israel Boycott’. AntiWar.com, 2009. <http://original.antiwar.com/avnery/2009/08/30/against-the-israel-boycott/>

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

174 Hern Keinon, ‘Yadlin: Israel should consider ‘coordinated unilateral’ action if peace talks fail’, *Jerusalem Post*, 27 January 2014. <http://www.jpost.com/diplomacy-and-Politics/yadlin-Israel-should-consider-coordinated-unilateral-action-if-peace-talks-fail-339493>.

175 N. Paiss, Don’t Divest; Invest. Zeek, 2010.

176 Maoz, I, Bekerman, Z, Sheftel, M. ‘*Can Talking to each other really make a difference?*’ in *Beyond Bullets and Bombs*. Praeger, 2007: p. 191-196.

177 John Strawson, ‘Zionism and Apartheid: The Analogy in the Politics of International Law’. *Engage Journal*, No, 2, 2006. http://www.engageonline.org.uk/journal/index.php?journal_id=10..&article_id=34

178 David Hirsh, ‘Reply to The Palestinian campaign for the academic and cultural boycott of Israel’. *Engage Journal*, 2006. <http://www.engageonline.org.uk/blog/article.php?id=643>

179 Noam Chomsky, ‘Blinded by the Truth’. *Al-Ahram Weekly Online*, No. 506, 2 – 8 November 2000. <http://weekly.ahram.org.eg/2000/506/re9.htm>

180 Tony Greenstein ‘UNISON Boycott of Histadrut Sabotaged by PGFTU’s. Shaher Saeed’. 30 May 2011. <http://azvsas.blogspot.co.uk/2011/05/unison-boycott-of-histadrut-sabotaged.html>

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

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

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

184 Stan Crooke, ‘The Stalinist Roots of left “anti-Zionism”’. *Workers’ Liberty*, 2004. <http://www.workersliberty.org/node/1748>

185 Quoted in Robbie Sabel, The Campaign to delegitimize Israel with the false charge of apartheid. Jerusalem Center for Public Affairs, 2009: p. 5.

186 Nachman Shai, ‘Israel right to say ‘Enough!’ to grotesquely biased UNHRC inquiry’, *Haaretz*. 1 February 2013 <http://www.haaretz.com/opinion/israel-right-to-say-enough-to-grotesquely-biased-unhrc-inquiry.premium-1.500876>

187 See these readings on the Durban Strategy to delegitimise Israel. http://www.ngo-monitor.org/article/ngo_forum_at_durban_conference
Also see David Hirsh ‘Defining antisemitism down’, *Fathom* Issue 1. <http://www.fathomjournal.org/policy-politics/defining-antisemitism-down/>
188 Quoted in Benjamin Pogrund, ‘Israel is a democracy in which Arabs vote’. *Engage Online*, 2005.
189 See Norman Cohn, *Warrant for Genocide: The Myth of the Jewish World Conspiracy and the Protocols of the Elders of Zion*. Serif, 2005. http://archive.adl.org/durban/durban_083101.asp
190 For an excellent account of the historical development of the Apartheid Smear see Ben Cohen’s ‘The ideological foundations of the boycott campaign against Israel’. American Jewish Committee, 2007. http://www.ajc.org/atf/cf/per.cent7b42d75369-d582-4380-8395-d25925b85eafper.cent7d/Ideological_foundations.Pdf

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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

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

