

Comparing South African Apartheid to Israeli Apartheid.

Israeli Apartheid and South African Apartheid are not exactly the same thing. As a result of the South African experience, the international community defined and ratified several conventions on apartheid. **Israel as an apartheid state refers to Israel's breaches of international law, especially the International Convention on the Suppression and Punishment of the Crime of Apartheid (GA Resolution 3068 Link <http://untreaty.un.org/cod/avl/ha/cspca/cspca.html>), when the UN defined apartheid beyond the historic example of South Africa as a crime against humanity.** It is to this definition that we hold the state of Israel accountable. This essay explores and compares South African and Israeli apartheid.

The comparison between apartheid in South Africa and Israel has a long history and has been made in international and Israeli media by human rights groups, academics and politicians. One example is the 2011 Russell Tribunal on Palestine. Israeli treatment of the Palestinians amounts to a single integrated regime of apartheid. <http://kairossouthernafrica.wordpress.com/2011/11/07/the-russell-tribunal-on-palestine/>

The analogy was first made in connection with South Africa's close relationship with Israel during the apartheid years and based on the comparison of similarities and differences between the treatment of non-whites in South Africa between 1948 and 1994 and non-Jews in Israel/Palestine.

Apartheid is an Afrikaner word which also means separation. The term came into use in the 1930's, and from 1948 until 1994 became the official policy of the white South African government, referring to the system of segregation institutionalized to maintain the supremacy of white South Africans over non-whites. Non-whites were given citizenship in Bantustans and then were systematically deprived of any rights within the state of South Africa. Citizenship and rights in South Africa were primarily reserved for whites. See timeline of apartheid here http://cyberschoolbus.un.org/discrim/race_b_at_print.asp

The International Community began noticing the human rights infringements in South Africa in the 1960's. The term "Apartheid" was officially named a crime against humanity in 1966 by the United Nations General Assembly. The U.N. defined Apartheid as "inhumane acts committed for the purpose of establishing and maintaining domination by one racial group over persons of another racial group and systematically oppressing them." The National Security Council adopted a stance against Apartheid in 1984 as a criminal act. Link to 1966 and 1984 UN resolutions 2202a XXI. <http://untreaty.un.org/cod/avl/ha/cspca/cspca.html>

See our fact sheet on discriminatory laws inside the state of Israel: <http://www.itisapartheid.org/laws.html> and in the occupied territories. <http://www.itisapartheid.org/laws2.html>.

Side by side comparison of South African and Israeli Apartheid

Apartheid laws	Openly legislated in the South African Parliament; "Petty Apartheid"	The law governing Palestinians in the Occupied Territory (OPT) is largely contained in obscure military decrees and inherited emergency regulations that are virtually inaccessible.
Bantustans:	The South African apartheid regime broke the country into 10 noncontiguous Bantustans made of 13% of the total land, which were to serve as "homelands" for the black population. Black South Africans were made involuntary citizens of these homelands, losing their original South African citizenship and voting rights, which enabled whites to remain in control of South Africa. This way, the demographic majority of whites in South Africa was preserved.	Palestinians are confined in 12% percent of their original land. In the West Bank, Palestinian cantons are broken into 12 noncontiguous areas. In the OPT, Palestinian land is expropriated for settlement expansion and the construction of the Israeli wall in the West Bank. Homes, wells and tree orchards are demolished to make way for Israeli construction. There is consistent settlement expansion in the OPT and East Jerusalem.
Racial Ethnic differentiations	White/Non-White	Jewish/non-Jewish/Arab

<p>Control of Land</p>	<p>The Group Areas Act reserved 87 percent of the land for the minority white population and confined black workers to urban townships, labor camps or distant “Bantustans”. Apartheid was about keeping the best parts of the country for the whites and sending the black population to the least habitable, least desirable parts of the country. Black persons could be evicted from neighborhoods reserved for white occupation and homes were demolished.</p>	<p>Within Israel proper, 92% of the land is defined as the “inalienable property of the Jewish people,” meaning it is reserved for the exclusive use of Jews—not for all Israeli citizens. Before 1948, Palestinians controlled 90% of the land, now they are mostly a landless people only inhabiting 3% of the land. In Israel, Palestinians live in separate areas and go to separate schools. In the Occupied Territories, Israel’s wall and settlements have broken the Palestinian territories (West Bank, Gaza Strip and East Jerusalem) into 12 noncontiguous cantons.</p>
<p>Ethnic cleansing</p>	<p>The creation of the apartheid system in South Africa, which began in 1948 but reached full flower in the 1960s and 1970s, involved some ethnic cleansing, including the separation of blacks, Colored, and whites into separate residential areas and private spheres. The government created Bantustans , which involved forced removal of non-white populations to reserved lands.</p>	<p>During the 1947-48 war, nearly 700,000 Arabs left due to fear, deception and propaganda. They were displaced and their villages were destroyed. More than 60% of the total Palestinian population was expelled. More than 530 Palestinian villages were depopulated and completely destroyed, in violation of international law. To this day they have not been allowed back to their homes.</p>
<p>Control of movement</p>	<p>Pass system: In apartheid South Africa, Blacks could be arrested for being in so-called “white areas” outside of Bantustans and townships without government issued “passes.”</p>	<p>Over 600 check points on the West Bank: Areas A, B and C, Separation wall, separate license plates and roads. Jewish/non-Jewish/Arab Identity cards. Palestinians in the OPT have lived as non-citizens under Israeli rule since 1967. Palestinians rely on Israeli-issued “permits” to travel through a system of more than 600 checkpoints <i>within</i> the Occupied Territories. Israeli refusal to issue permits regularly prevents Palestinians from getting to schools, jobs, and even hospitals.</p>
<p>Land expropriation</p>	<p>Black persons could be evicted from neighborhoods reserved for white occupation and homes were demolished. Blacks were forcibly removed and relocated to black homelands and much of their land seized during Apartheid.</p>	<p>Apartheid is about keeping the best parts of the country for the Jews, confiscating sources and expansion of Jewish controlled areas of the country. Hundreds of Arab owned villages were seized and Palestinians forcibly evicted to seize most of the country for the Jewish population.</p>
<p>Criminalization</p>	<p>Arrest of non-whites without passes. indefinite detention without trial.</p>	<p>Administrative detention. Detention without trial for up to 6 months that can be renewed.</p>
<p>Torture</p>	<p>Major record of torture meant to break resistance and punish</p>	<p>Major record of torture meant to break resistance and punish.</p>
<p>Labor</p>	<p>Central purpose of SA Apartheid is about exploitation of labor.</p>	<p>The state of Israel has severely limited opportunities for Palestinians from the West Bank to work in Israel. Need permits. Separate and lower minimum wages exist for Palestinians than for Israelis in the West Bank.</p>
<p>Demographic politics</p>	<p>Establishment of Bantustans to keep white majority rule.</p>	<p>Democratic threats to Jewish domination lead to a whole range of policies from occupation, house demolitions and ethnic cleansing.</p>
<p>Mixed families</p>	<p>Mixed marriage act prohibition of marriage between different races.</p>	<p>Everyone in the world is entitled to become a citizen of Israeli if they marry an Israeli, except Palestinians.</p>
<p>Citizenship</p>	<p>Black homeland act of 1970 deprives residents of Black homelands of citizenship in South Africa.</p>	<p>Palestinians living in the Occupied Territories are not citizens of any state, and Palestinian citizens of Israel have different citizenship rights than Israeli Jews. Palestinian residents of Jerusalem are not citizens of Israel--instead, they have a partial "residency" status, one that can be taken away by the state if an individual is deemed to "no longer reside" in their city of birth. Citizenship laws also discriminate against Palestinian refugees, who are denied their right of return while Israel grants citizenship to anyone who is Jewish.</p>
<p>Apartheid roads</p>	<p>No Separate roads</p>	<p>Separate roads for Israelis and Palestinians exist in the West Bank. East Jerusalem and the West Bank are splintered by a network of roads leading to illegal Israeli settlements (where residence is open only for Jewish citizens of Israel). These roads can only be used by Israelis, while Palestinians must use older, often unpaved roads.</p>
<p>Economic and political siege</p>		<p>Unlike in South Africa, in violation of international law, Israel’s near total siege of Gaza after election of Hamas in 2006 has caused wide spread malnutrition and hardship throughout the Gaza strip.</p>
<p>Military operations</p>		<p>Unlike South Africa, Palestinians in the OPT are subject to daily military strikes, ground operations and targeted assassinations.</p>

Laws Governing South African and Israeli Apartheid

Some of the more egregious laws passed in the early stages of Apartheid were: Afrikaners separated themselves from the native people of South Africa and systematically abused and impoverished them.

1910, The South Africa Act: Takes away all political rights of Africans in three of the country's four states.

1950, The Population Registration Act 30: This Act required all inhabitants of South Africa to be designated as White, Black, Indian or "Colored."

The Group Areas Act 41: Also passed in 1950; people of color were forcibly removed from their ancestral homes to outlying areas, forcing them to travel long distances to find employment and food.

1951, The Bantu Homelands Act: Through this law, the white government declares that the lands reserved for black Africans are independent nations. In this way, the government strips millions of blacks of their South African citizenship and forces them to become residents of their new "homelands." Blacks are now considered foreigners in white-controlled South Africa, and need passports to enter. Blacks only enter to serve whites in menial jobs.

1952, Pass Laws Act: This law required all Native South Africans under the age of 16 to carry a "passbook". These passbooks allowed South Africans to enter White areas to work for a living; however, most disturbingly, these passbooks also included personal notations by employers of the passbook carrier's behavior and attitude.

1953, Preservation of Separate Amenities Act: This law created "separate but not necessarily equal" beaches, parks, post office, and other public places for Africans (blacks), coloreds (the term used for Asian and mixed-raced people) and whites.

1954, The Natives Resettlement Act 19: all Native South Africans and Indian migrant workers were forcibly removed from Johannesburg and moved to outlying areas of town. This act completed the removal of Blacks from Johannesburg.

1956, The Native Prohibition of Interdictives Act 64: This act was passed in 1956, and disallowed any Native South African to appeal a court decision involving physical displacement following forced removal from ancestral homes.

Israel/Palestine also has a whole set of discriminatory laws.

1950, The Law of Return and the Citizenship Law {1952}20: privilege Jews and Jewish immigration over non-Jews. Jews are granted the right to immigrate and become Israeli citizens even if they have no connection to Israel, while 750,000 Palestinians and their descendants expelled in 1948 have no such right. It is nearly impossible for Palestinians outside Israel to become Israeli citizens.

1965, Population Registry Law: requires all residents of Israel to register their nationality [i.e., Jewish, Arab, Druze] with the Population Registry and obtain an identity card carrying this information. The Office of the United Nations High Commissioner for Human Rights says: "a dual system of laws discriminates between Jewish Israelis and indigenous Palestinians based on a constructed status of 'Jewish nationality'. This prejudicial application of law is apparent in all processes of the legal system, from the rights to information and fair trial to detention and prison treatment."

2003, Family Unification law: under the 2003 policy for "family unification," non-citizen spouses and children of Arab Israeli citizens are prohibited from entering Israel [and living with their spouse/parent]. This means if you are a Palestinian from outside Israel, married to an Israeli, you are barred from living with your spouse in Israel. This does not apply to any other nationality beside Arabs. This "interim" provision has been regularly extended, most recently in January, 2011.

1950, Absentee Property Law: a law to confiscate property from Palestinians inside the state of Israel. It confiscated land from 750,000 refugees ethnically cleansed from Palestine in 1947-49 and "internally displaced" Palestinians who remained in Israel. Before 1948, Palestinians owned 90% of the land in Palestine; in 1952 they owned 3%; today, they are a mostly a landless people. The law classifies the personal property of Palestinians forced to flee (or internally displaced) as "absentee property" and places it under the authority of the Custodian of Absentee Property.

1979, The Emergency Powers (Detention) law and the Prevention of Terrorism Ordinance {1948}: have been used to detain Palestinian Arab citizens of Israel without benefit of trial and without permitting contact with lawyers. The Criminal Procedure (Powers of Enforcement, Detentions) Law {1996}.

Sources:

www.jus.uio.no/English/services/library/treaties/02/2-10/crime-apartheid.xml

www.sahistory.org.za/pages/governance-projects/liberation-struggle/legislations_1940's.htm

www.untreaty.un.org/cod/avl/ha/cspca/cspca.html

www.anc.org.za/un/un-chron.html

www.nelsonmandela.org

www.youtube.com/watch?v=IGWFnsqLPVE

<http://ngm.nationalgeographic.com/2010/06/south-africa/fuller-text.html>

<http://www.hsrc.ac.za/Publication-Keyword-1194.phtml>

<http://www.anc.org.za/un/>

<http://www.anc.org.za/ancdocs/history/campaigns/legal/index.html>

<http://www.cs-students.stanford.edu/~cale/cs201/apartheid.hist.html>

<http://africanhistory.about.com/od/apartheid/u/Apartheid-4-D.htm#s5>

<http://africanhistory.about.com/library/bl/blsalaws.htm>

<http://itisapartheid.org/laws.html>