



**CYCLE DE CONFERENCES  
SUR LES RELATIONS ENTRE ISRAEL ET L'AFRIQUE DU SUD**

*Organisé par le CETIM et l'IUED*

Titre de la conférence:

**La situation politique en Palestine/Israël ressemble-t-elle  
à l'apartheid sud-africain ?**

27 mai 2004

Titre de l'intervention:

**The Jewish National Fund (JNF):  
Comments on the Political Situation in Palestine/Israel**

Par Uri Davis

**Does the Political Situation in Palestine/Israel Resemble South African Apartheid?**

**What Are the Similarities and the Differences that Can Be Observed?**

**Is Apartheid Still a Reality?**

I believe the answer to the first and the third questions above has to be, regrettably, in the positive:

Yes, the political situation in Palestine/Israel resembles South African apartheid, and yes, apartheid remains a reality in that after the dismantlement of the legal and political structures of apartheid in South Africa, Israel remains, to the best of my knowledge, the only apartheid state that is a member state of the UN.

I propose to devote most of my address to comment on the second question, namely, what are the similarities and the differences that can be observed between Israeli apartheid and South African apartheid.

As to the similarities:

The State of Israel, like the Republic of South Africa was established as a settler colonial state. The core conflict underpinning settler colonial states is the conflict over control of the land, both soil and subsoil between the settler colonial state on the one part and the indigenous population on the second part.

In this regard, Israeli apartheid is even more radical (in the negative sense of the term) than South African apartheid. At the height of apartheid in South Africa some 87 per cent of the land was designated IN LAW for the settlement, development and cultivation by 'Whites' only. In Israel, to date, 93 per cent of the land remains designated IN LAW for the settlement, development and cultivation of 'Jews' only.

Racism is not apartheid and apartheid is not racism. Apartheid is a political system where racism is regulated in law through Acts of Parliament. Racism is regrettably prevalent in all states, including liberal democratic states such as the current western liberal democracies. But in liberal democratic states, those victimized by racism have legal recourse to seek the protection of the law under a democratic Constitution, namely a Constitution that embodies the values of the Universal Declaration of Human Rights. In an apartheid state, on the other hand, the state enforces racism through the legal system, criminalizes expressions of humanitarian concern and obligates the citizenry through Acts of Parliament to make racist choices and conform to racist behaviour.

With the establishment of the State of Israel in May 1948, the legal status of the landholdings, properties and operations of inter alia the World Zionist Organization (WZO), the Jewish Agency for the Land of Israel (JA) and the Jewish National Fund (JNF) inside the State of Israel had to be regularized. Following the establishment of the state, a fundamental legal and political circle had to be squared. On the one hand, the new state was politically and legally committed to the values of the Universal Declaration of Human Rights, the Charter of the United Nations Organization, and the standards of international law, which since the Second World War inform most, if not all, liberal western democracies and enlightened world public opinion. On the other hand, the driving force underpinning the efforts of political Zionism since its establishment at the First Zionist Congress was not liberal democratic, but ethnocentric, namely, the attempt to establish in Palestine a state that would be as 'Jewish' as England was 'English', in other words, establish and consolidate in the country of Palestine a sovereign state, a Jewish state, that attempts to guarantee in law and in practice a demographic majority of the Jewish tribes in the territories under its control - an apartheid state.

Clearly, the political Zionist efforts to create in all or in a part of the country of Palestine a Jewish majority ex nihilo, could not but further entail the dispossession and expulsion of the majority of the native indigenous population from the territories of the projected Jewish state, and the legislation of the remnants of the non-Jewish, largely Palestinian Arab, population remaining under Israeli rule

into the status of second and third-class citizens. But it was equally clear to the political Zionist leadership that successfully steered the establishment of the Jewish state from its modest beginning in the first Zionist Congress in 1897 through to its admission as a member state in the UN some 50 years later in 1949, that for a state constituted by a UN General Assembly resolution Resolution 181(II) and admitted to the UN on the basis of its declaration that the State of Israel 'unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day when it becomes a member of the United Nations' it was imperative to be able to project the Jewish state as 'the only democracy in the Middle East'. Israel's admission to the UN, let alone its continued membership in the UN, depended on it.

The Nazi occupation of Europe and the holocaust notwithstanding, the State of Israel would not have been able to project itself in the West as successfully as it has done since its establishment in 1948 as the 'only democracy in the Middle East' without elaborately veiling its apartheid legislation.

As to the differences:

The most significant difference between Israeli apartheid and South African apartheid is that Israeli apartheid is veiled in a way that South African apartheid was not. The Israeli apartheid legislator, unlike the South African apartheid legislator, did not insist on petty apartheid, and the Jewish National Fund (JNF), notably, JNF afforestation department, continues to have a critically important and central role in veiling Israeli apartheid and related war crimes. The JNF, since 1948, has been actively engaged in veiling Israeli apartheid, both in the physical sense of the term, by planted its forests over the ruins of the villages of the indigenous Palestinian Arab population ethnically cleansed by the Israeli army in the course of and in the wake of the 1948-49 war, and in the ideological sense of the term, by projecting itself as a 'green' organization and its activities as activities concerned with the defence of sustainable development,

JNF forests, like all public spaces in Israel, are not segregated. There are no benches designated in law for 'Jews only' and benches for 'non-Jews'; buses for 'Jews' and buses for 'non-Jews'; beaches for 'Jews' and beaches for 'non-Jews' etc - but the JNF forests are, more often than not, planted over the ruins of the destroyed Palestinian Arab villages, veiling the war crime of the mass expulsion of its native indigenous population under the cover of the 1948-49 war, made stateless refugees outside the State of Israel and internally displaced persons inside the State of Israel. There are hundreds of such cases across the State of Israel. War crimes on such a scale are defined under international law as crimes against humanity.

It is this veil that has enabled all official instruments of the State of Israel and the World Zionist Organization, notably the JNF, to project Israeli apartheid as 'the only democracy in the Middle East'.

Once the veil is removed, and I hope my contribution to this round table discussion will have assisted in the lifting of this veil, the reality of Israeli apartheid will become apparent for all to see.

The State of Israel ought not be singled out because it identifies itself as a 'Jewish state' (it is not the only member state of the UN that identifies itself with reference to a confessional term). Nor should the State of Israel be singled out for the popular racism and communal xenophobia that seems to characterize public opinion in its Jewish sector (there are many member states of the UN where, regrettably, analogous situations obtain).

On the other hand, the State of Israel should be singled out from among all other member states of the UN as an apartheid state. To my knowledge, the State of Israel remains the only apartheid state that is a member state of the UN, and as such deserves the same treatment under international law as did apartheid South Africa, including boycott of Israeli produce, suspension of scientific and cultural exchanges (including sports exchanges), and international sanctions, with the view to assist the rogue Government of the State of Israel in motivating the dismantlement of the legal and political structures of Israeli apartheid and their replacement with a democratic constitution.

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