

## Palestine/Israel and Apartheid South Africa: A Historico-Political Reading

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### Introduction

This paper makes for a historical, political, and conceptual-discursive investigation into the apartheid imaginary in Palestine/Israel. It is historical in the sense that it conveys the manner in which the apartheid regime unfolded in South Africa; namely, it depicts its course of development into a distinctive and generic regime. Thus, it portrays political events as representing a dynamic, unfolding process, rather than a foundational structure. The paper is also political in the sense that it is contrasted with the legal. Whereas the legal considers apartheid – the way it prevailed in South Africa – a phenomenon prohibited and criminalised by international law, the political deals with the particularity of apartheid as a juridico-political regime that regulates life in all its aspects. Hence, this paper does not aim to adjudicate whether Israel is guilty of the crime of apartheid as defined by international law, though we are aware of such debates (cf. HSRC, 2009; Dugard & Reynolds, 2013; ESCWA, 2017). Instead, the paper aims to disclose how modalities of apartheid get coded in the political imaginary of the affected people.

This paper is also conceptual-discursive; our intervention aims to comment not only about “reality” but also about the way reality is construed and perceived, as well as the conceptual apparatus that tries to capture such reality; i.e. political discourse. Accordingly, apartheid is not only a reality, but also a lens through which one perceives political realities as well. To that end, this paper alternates between describing reality and the way reality is perceived, and not necessarily in analytical or empirical socio-legal terms. Rather, it sustains its thrust through conceptual and political analysis. Specifically, it investigates why the analogy to Apartheid in the case of Palestine/Israel

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took off in the scholarly discourse only in the past two decades.<sup>1</sup> It is indeed quite puzzling that “apartheid analogy” started gaining momentum only in recent times despite the fact that Israel has maintained clear and dynamic systems of separation and domination since its establishment in 1948 (cf. Yiftachel, 2006; Weizman, 2007).

Concretely, the paper realizes its aims through taking stock of four factors that shaped and regulated the Apartheid regime and its dynamics in South Africa (SA) and compares how these factors have performed in the case of Palestine/Israel (PS/IL). The factors are: (1) the political economy of labour; (2) dominant political theology; (3) integrity of the geo-political unit and (4) the role and function of language(s). We argue that these factors, separately and jointly, have been decisive in creating a common background of potential unity in twentieth-century SA which rendered Apartheid both necessary and visible.

The reality produced by these factors required the establishment of a regime of racial separation precisely because of their inherent potential for unity. Apartheid was a practice of separation and segregation within a unifying framework. It is a regime that curtails the evolution of shared life while reinforcing the sentiments and demands of separation. Against this exposition, we show that these same factors play different roles in PS/IL, which impede the construal of reality as apartheid and the consequent sensemaking of anti-apartheid consciousness.

In light of the above mentioned, it seems plausible to argue that the political configuration of PS/IL does not resemble that of the one prescribed by the Apartheid paradigm, and that these are two different stories, historically, legally and morally. Counter-intuitively, we will argue that in part this is the case and in part this is not. More specifically, we aspire to elaborate in what historical, political and discursive senses the two stories are similar and in what senses they are not.<sup>2</sup>

## **1. How Apartheid became possible and desirable: a historico-political perspective**

Historically, the Apartheid policy in SA was officially established only in 1948 following the elections that brought the National Party led by D. F. Malan to power. However, white-sanctioned segregation, separation, and domination between whites, blacks, and coloureds was conceived and codified decades before. The end of the South African War (1899-1902; aka the Second Anglo-Boer War) was a turning point in establishing an official, pervasive racial order in colonial SA. Racial supremacy was central to reconciling the competing Afrikaner and English-speaking South African

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<sup>1</sup> In this regard, Uri Davis's *Apartheid Israel: Possibilities for the Struggle Within* (2003 [1987]) is an exception.

<sup>2</sup> Ran Greenstein (1995, 2006) rightly argues that the valuable comparisons with the Apartheid regime require an examination of the historical background and the social and legal conditions from which this regime emanated.

nationalisms within a unified white racial identity and nation (Marx, 1998; Dubow, 1992). Following SA's establishment as a republic in 1910, the whites enacted plenty of discriminatory laws against the local population and stripped it from many basic rights, among them the right to vote<sup>3</sup> as well as the right to purchase lands and make residence – the latter was confined to only 7.3 percent of the “reserves” inhabited by the black communities (Marx, 1998).<sup>4</sup>

However, what was different in the Apartheid regime (1948-1994) is the fact that it was adopted as a systematic official policy based on an organising double-principle of separation and segregation, which formatted all spheres of life. Life as a whole was split into two. This separation was legally codified and was also enforced by brutal violent means (Alsheh, 2017). But why was it formalised at that point in history?

Little was off-hand in the installing of Apartheid as a doctrine of rule. Prior to the national elections in 1948, the National Party established the “Sauer Commission” to inform the policy options the “question of colour” posed (Stultz, 1974). It concluded that the republic must choose between two options, namely between “integration and national suicide” and “apartheid ... and the protection of pure white race” (quoted in *ibid*, p. 136). The Commission, however, deemed the latter preferable and more desirable. This report by the National Party with its clear-cut statement was drafted in response to a somewhat hesitant report on the system of segregation by the United Party-led government known as the “Native Laws Commission” (aka the “Fagan Commission”) (Stultz 1974). While the Fagan report endorsed a policy of segregation, it still declared that “the idea of total segregation is utterly impracticable” (quoted in Welsh, 2009, p. 19) and that “European and Native communities will permanently exist side by side in the cities, bound together by economic ties” (Stultz, 1974, p. 138).<sup>5</sup> Nonetheless, if we consider that the colonisation of SA started about two hundred and fifty years prior to the establishment of the Apartheid regime as an official policy,<sup>6</sup> a valid question arises: Why did it take such a long period for the white settlers to establish a juridical Apartheid regime in SA? Providing an account to this question, we

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3 For detailed overview of the racial legislation in pre-Apartheid South Africa between 1806-1947-, see Pádraig O'Malley Online Resource: <https://www.nelsonmandela.org/omalley/index.php/site/q/03lv0153804/lv01646.htm> (last accessed: July 17, 2016).

4 The Native Land Act of 1913 was not only designed to entrench white power and property privileges in the countryside but intended also to solve the “problem” of African peasant farmers working for themselves and denying their labour power to white employers (Plaatje 1998[1914]). For more on administrative separation, territorial segregation, population relocation and issues of land, see Dubow (1989, 2014).

5 One need not be confused as if the government's Fagan report was against segregation. Both reports endorsed segregation but the Fagan Commission report had some hesitation whether this policy could be implemented strictly. For further discussion see Peter Joyce (2007) *The Making of A Nation: South Africa's Road to Freedom*

6 The first colonialists arrived as early as the seventeenth century, yet the eventual defeat of the Zulu Kingdom took place only in 1879. See <https://www.britannica.com/event/Anglo-Zulu-War> (last accessed: June 25, 2016).

believe, better prepares us to answer why the apartheid consciousness in PS/IL has gained prominence only recently.

The institutionalisation of Apartheid in 1948 was in part due to a crisis within the South African state (whose economic and demographic particulars are beyond the scope of this paper). Three decades of mass blacks' relocation to the white settler cities in pursuit of earning a living preceded Apartheid's institutionalisation in 1948. Between 1921 and 1936, the African population in cities increased by 94.5 percent and, between 1936 and 1946, increased again by 57.2 percent approaching the number of two million Africans in the cities (Welsh, 2009, p. 34). Therefore, it is imperative to view the formalisation of Apartheid against this background of the "threat of mixing": the city and its social and economic activities embodied the potential of shared life which threatened conservative as well as poor Afrikaners' status and power in the prevailing order of the time – living, working, dining together became a threat (Dubow, 1989; Dubow, 1992). A commission of the largest church of the Dutch Reformed tradition from that period concluded her report on the question of race-colour: "In the slums, all races live next to one another, sometimes in the same large building. And they work alongside one another in the same factory. Urban employers are people who are less concerned with the maintenance of the dividing line of colour than the Afrikaner; they want the cheapest labour, regardless of colour or race" (quoted in Welsh, 2009, p. 11).

The point that we want to develop here is that Apartheid is a policy, or a regime, that is developed against the background of mixing and potential unity or oneness. Apartheid is not simply realised through a series of arbitrary separations. It primarily consists of separations that happen within a common frame or unity. Put differently, if there is no unity within which the separation is taking place, there is hardly any apartheid. Henceforth, we notice that which is excluded against the background of its potential inclusion.<sup>7</sup>

Twentieth century SA tells us that, on the one hand, at a certain stage of its history, (potential) unity was becoming prominent, whereas, on the other hand, the urge and need to separate were growing. It was this conjuncture that rendered Apartheid, as a regime "essential" for the white minority's ruling elite (cf. Dubow, 1992; Mamdani, 1996).

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<sup>7</sup> To illustrate, we suggest the following example: All American citizens are entitled to vote for the congress, and the fact that citizens of Mexico are not entitled to vote for the American congress is not by itself a situation of apartheid - no one thought or even considered that they might be entitled at the first place. However, if Hispanic or Black citizens of America were to be excluded from voting, we would notice their exclusion. We perceive what is excluded against the background of its potential inclusion. In other words, the frame of the whole is necessary in order to see what is being separated.

## **2. What made South Africa's Apartheid generic and generalisable?**

In this section, we will elaborate a set of factors we deem necessary for the configuration of Apartheid. These factors are: (1) the political economy of labour; (2) dominant political theology; (3) integrity of the geo-political unit; and lastly (4) the role and function of languages. The constellation of these factors, we argue, articulated a frame within which Apartheid was rendered visible and imperative for the white minority in SA. Those same factors have also enabled the formation of the anti-Apartheid movement, and led to the regime's end. In the following sections, we will demonstrate how these very factors have played different roles in PS/IL and which resulted in the late emergence of the apartheid imaginary as a conceptual-discursive key to understanding the politics of the conflict and the intensifying anti-apartheid struggle.

### **2.1 The political economy of labour in South Africa**

Schematically, settlement societies employed three potential labour forces, or combinations thereof. Mixed colonies incorporated the native peoples; plantation colonies "imported" slaves or indentured workers, while pure settlement societies preferred poor white settlers, thus creating separate economy and society with no mixing (Shafir, 1996, p. 14; cf. Kimmerling, 1983). The choice made between these alternatives will become crucial in shaping the structure of the colony in SA. The whites in SA exploited and wanted to exploit the local black population in a sweeping manner only by the end of the nineteenth century (Fredrickson 1981). In this sense, blacks were in a way indispensable for the whites' wealth and lifestyle (Dubow, 2014). Records show that, already in 1716, when faced with the problem of shortage in labour power, the governor of the Cape (of Good Hope) Colony and his Council of Policy met to decide on the matter and it was faced with two options; either importing free and "semi-free" white labour power from Europe or importing slaves from the Dutch East Indies. Eventually, they opted for the latter option (Tiryakian, 1957, p. 387). This historical decision meant that the whites were condemned to be a minority, on the one hand, and dependent on black labour, on the other.

Since European colonialism in SA was driven mainly by economic motives, though not exclusively, a decision in favour of a "mixed type" society was made early on, unlike Australian settler colonialism or Zionism in Palestine, who opted for the "pure colony" model (Shafir, 1996). In reality, things were more complicated. The (Dutch) Afrikaner nationalism was in part developed in the early decades of the twentieth century in reaction to the mixed model of British classical colonial exploitation (Dubow, 1992). In its beginnings, it articulated itself against this background of classical colonial exploitation of the mixed type rather than pushing for a pure model. Later on, however, the picture would flip and the racial-supremacist dimension would overtake

and ordain the entire vision and practice of dominant Afrikaner nationalist thought (Alsheh, 2017).

This process resulted in a unique and asymmetric mix of the pure and mixed labour force throughout the Apartheid state: One pushing for mixing and the other for separation. Paradoxically, the consolidation of this very contradictory logic of labour force regulation from the 1960s onward both reduced and hardened the degrees of freedom for combining the two aforementioned types.<sup>8</sup> Economically speaking, this would later on bring the Apartheid regime to a critical decision node (Welsh, 2009).

## 2.2 Political theology in South Africa

The development of society in modern South Africa was strongly impacted by Christianity's political theology brought by the settler groups. The earlier settlers to arrive in South Africa were members of the Dutch Reformed Church (DRC), and were followed by French Huguenots half-a-century later. Both groups were part of the Protestant faith, and this common religious background soon became a unifying force. In many ways, Protestant Christianity preordained the making of the Boer collective, and was concomitant with distinguishing racial features within the local native population. More specifically, being a white person and being Christian were two mutually reinforcing sides of the same self-identification. The colonialists were "civilised" whites and Christians while the locals were black, "barbarian," and pagan; and thus, the opposition was complete (Tiryakian, 1957).<sup>9</sup>

From the beginning of their settlement, these groups, and other several colonial British members of the London Missionary Society who preached for religious equality, began missionary work and managed to convert few non-whites to Christianity (which entailed suffrage from slavery since there could be no Christian slaves) (Tiryakian, 1957). Nevertheless, the policy of segregation was started in fact by and in the churches already in the middle of the nineteenth century. At the beginning of the nineteenth century, the DRC Synod decided that any person of colour who has been accepted as a member of the church should receive communion on an equal basis, just as the whites would, and, as a result, whites and non-whites attended the same ceremonies (Dubow, 1992). That is precisely what created tension and raised hostility against non-whites. Under the pressure of this popular sentiment, the Synod of Cape Town issued a contradicting decree allowing segregation while stressing that it was still desirable

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<sup>8</sup> In 1970, 69 percent of the total labour force in SA were Africans and the demand for cheap labour was only growing (Welsh, 2009, p. 93).

<sup>9</sup> This separation in churches was enshrined in the constitution itself of the Transvaal Republic in 1858, which stipulated: "The people shall not permit any equality of persons of coloured persons with white inhabitants, neither in the church nor in the State" (quoted in Tiryakian, 1957, p. 391).

that they worship together, not separately (Tiryakian, 1957). The Boer/Afrikaner, in particular, emphasized the doctrine of predestination and the “community of the elect.” This reading of the Bible viewed Blacks to be outside God’s grace and thus incapable of obtaining salvation. They focused on the Old Testament and identified themselves with the Israelites, regarding themselves as the chosen people, while identifying the local non-whites with the cursed sons of Ham, and saw their actions as being imbued with divine meanings (Buis, 1975). These developments in the practical doctrine of the DRC make the role of guarding the borders of Afrikaner nationalism “logical”.

By the time the National Party won the election in 1948, *Die Kerkobde* –the official publication of the DRC– stated that “[a]s a church we have always worked purposefully for the separation of the races. In this regard Apartheid can rightfully be called a church policy” (quoted in Matheba, 2001, p. 114). Afrikaner nationalism was very much intertwined and mixed with Protestant fervour. This brought the Council of Churches in the USA to write: “It is not surprising to find that among the Afrikaners church, nationhood, language and politics are so interconnected with each other that it is extremely hard to arrive at clear distinctions” (quoted in Tiryakian, 1957, p. 393). Still, the debates within the DRC regarding the issue of segregation persisted and, under the influence of the struggle against Apartheid during the twentieth century, things changed until eventually, DRC’s mission labelled the attempt to justify Apartheid as “heresy”. By the middle of 1980s, its synod withdrew its biblical justification and other forms of support of Apartheid (Matheba, 2001). How did this critical change come about?

While amalgamating Apartheid, South African Christian political theology sowed the seeds of its resistance. Christianity, as a missionary religion whose credo entails a universal expansionary intent, reached out to the black local population. With the formal establishment of the Apartheid, the percentage of black Christians reached a high point in terms of numbers (Elphick, 1997). Part of the mission included colonising the minds of the pursued local communities through transforming traditional agriculture and Christian schooling.<sup>10</sup> A member of the Xhosa people commented ruefully on this process: “[A]t first we had the land and the white man had the Bible, now we have the Bible and the White man has the land” (quoted in Welsh, 2009, p. 30). In fact, when the South African Native National Congress (SAANC, which would later metamorphose into the African National Congress, ANC) was established in 1912, most of its leaders were Christian educated Africans who attended missionary schools (Elphick, 1997; cf. Anderson, 1988). The spread of Christian dogma and ethic meant that even black Africans who resisted its religious message had internalised to a certain

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10 The first independent South African Church was established in 1883 known as the Thembu Church that was run by Africans and rejected white supremacy (Matheba 2001).

extent not only its fundamental categories of time and work but also its values (e.g., equality of, and between, believers) (Kiernan, 1990). As such, while, on the one hand, Christianity (read settler white Christians) modified the time and worldviews of African religions, blacks (read native black Christians) in turn appropriated and reinterpreted the Christian message and deployed it as a theo-political weapon in the struggle against supremacy and racial separation (Elphick, 2012).

Hence, while Christian theology acted as an ideological resource deployed to establish domination and Apartheid, it was the very resource that helped overcome the total racial opposition between whites and blacks.<sup>11</sup> The fact that both sides drew on the terms of the same Christian theological doctrine kept the “opponents within a certain humanitarian bounds” (Adam & Moodley, 1986, p. 198). Indeed, although the DRC facilitated establishing, maintaining and justifying the Apartheid regime, it played a role in its de-legitimisation and consequently its demise (Matheba, 2011). Ergo, in becoming a common denominator for large sectors of SA’s various socio-cultural groups Christian political theology contributed significantly to bringing the oppositions of settler/native and black/white from an existential opposition to one of mutual accommodation (cf. Kiernan, 1990; Elphick, 2012).

### **2.3 South Africa as a unitary polity**

Eight years after the end of the South African War, the South African Republic was established in 1910 as a single united polity. Its creation saw the British siding with the Boer/Afrikaners to the effect of forming white unity. Yet “[i]f Union in 1910 unified white politics,” David Welsh writes, “it also drew into existence a country-wide African organisation for the protection of their interests” (quoted in Welsh, 2009, p. 36). Consequently, a black unity opposing the white unity took form and shape in the next two decades (Clark & Worger, 2013). Slowly, but steadily thereafter, all South Africans –be they whites, Indians, coloured, or blacks– understood and identified themselves as South Africans, in the sense of belonging to the polity of South Africa and co-sharing its fate.

This sense of one integral political unit persisted even at the height of the Apartheid regime. If one would follow the black reaction to the Bantu Homeland Citizenship Act of 1970, one realises that the blacks viewed themselves first and foremost as South African. The Bantu Homeland Citizenship Act of 1970 instigated a process whereby the blacks, carved out of the original boundaries of the South African state, and accorded citizenship within their Bantustans and as such were deprived of their South African nationality. Hence, blacks were excluded from participating in the central

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11 For the role of liberation theology and the role of the South African Council of Churches and Desmond Tutu, see Walshe (1987).

political process that determines their overall legal-political status within the territory of the state, which had not seceded the Bantustans' territories (Dugard, 1980). This measure meant that blacks were categorised as belonging to the Bantustans and ceased to be South African nationals. Thus, they became citizens of states that are not internationally recognised, and that are still defined as part of the South African Republic territory. The denationalisation measures were met by strong opposition by the ANC and even some of its rival black leadership (ibid). The objection by the ANC and other oppositional black forces to the homelands independence and the denationalisation of blacks was massive, and was eloquently stated by Bishop Desmond Tutu shortly before Transkei was declared independent:

Overnight they [blacks of Transkei] will become foreigners in what for many of them has been the land of their birth and be forced to adopt the citizenship of a country that many do not know at all and in whose creation they have played no part at all. They have contributed in their various ways to the prosperity of this beloved South Africa and now it seems at the stroke of a pen they will forfeit a cherished birthright (quoted in Dugard, 1980, p. 23).

This political unity laid a common background against which the struggle would be carried out. As early as 1909, the publication of the South African Act draft, which included several discriminatory clauses against native Africans, created a wave of protest all over the country and consolidated the blacks nationwide. They acted in concert, with such mobilisation largely affecting the nature of their organised political opposition and having far reaching consequences on a national scale (Leatt et al., 1986). The anti-Apartheid struggle was meant indeed to create a new SA; a polity for all national and cultural groups – a united body politic.

## **2.4 The role and social function of language(s) in South Africa**

SA was and still is a multi-lingual country. The post-Apartheid Constitution recognises eleven official languages (Saul & Bond, 2014). Nevertheless, English –the language of the British colonisers and who arrived to SA a hundred and fifty years after the Dutch– became the common language of the black majority and the dominant medium of communication in SA. How did English end up playing a uniting role in Anti-Apartheid South Africa?

With the arrival of the Dutch colonisers in the seventeenth and eighteenth century, the native population learned some Dutch language in order to meet the needs of the colonisers. However, the dominance of the Dutch (which morphed later into a local dialect thereof; namely, Afrikaans) was soon replaced by the dominance of the English as soon as the British seized the Cape of Good Hope in early nineteenth century. The

British colonisers initiated a policy of Anglicisation with the aim of effecting cultural transformation, and they perceived English as far superior to the Afrikaans. As early as 1822, English was declared the only official language and the courts proceedings would be conducted in English thereafter (Giliomee, 2003). The British colonial rule aimed first and foremost to assimilate the Dutch, among others. The local native population was targeted as well, though on a smaller scale. The targeted native African elites were not only educated in English language but were also schooled in the spirit of British ideas, manners, and habits (Orman, 2008). English continued to be the only official language used throughout the nineteenth century, and this attempt of assimilation and Anglicisation resulted in negative reactions among the Boer, who developed their Afrikaner nationalism in part as a resistive reaction to enforcing English as the dominant and sole official language of the country. Only after the end of the South African War in 1902 was Dutch assigned again an official status as a formal language; as such, it turned unitary SA into a *de jure* bi-lingual entity (Saul & Bond, 2014).<sup>12</sup> This brawl over language policy since the onset of the British colonisation rendered the Dutch language the primary marker of the Boer national and ethnic/racial identity. So, while the Boer/Afrikaner marked themselves as whites and Christians versus the native Africans, they also marked themselves as a community of Dutch/Afrikaans speakers versus English speakers (Clark & Worger, 2013).

During the Apartheid era, the language policy pursued by the regime meant to preserve separation between all groups – between whites and blacks but also between Afrikaans and English. The government never aimed to forge any common language. Actually, it enacted the Bantu Education Act in 1953 that aims to impose compulsory mother tongue schooling for primary education, and allows to obtain secondary education in English or Dutch. The government's aim was to ensure a mechanism of separation, thus reinforcing tribal and local identities at the expense of a common/shared one. It even launched a campaign against missionary schools teaching in English that were active within the black community (Orman, 2008).

Consequently, the Apartheid regime came to be associated with two policies on part of anti-Apartheid political forces: with the mother-tongue policy that encouraged tribal identity at the expense of a national one, on the one hand, and with the exclusivist Afrikaans/Afrikaner nationalism which was also associated with antagonism to the English language, on the other hand. The anti-apartheid movement developed

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12 The component of intra-African linguistic diversity is constitutive of the southern African identity-formation. A central distinction is drawn between those speaking the Sotho family of languages and those speaking the Nguni family of languages. In this regard, it is worth mentioning that the post-Apartheid Constitution recognizes eleven official languages: Ndebele, Pedi, Sotho, Swazi, Tsonga, Tswana, Venda, Xhosa, and Zulu, beside English and Afrikaans (Saul & Bond, 2014).

excessive suspicion versus those policies that aim to divide the groups and erect boundaries between races and tribes/peoples, and the mother tongue language policy was not so much seen as a reflection of care for the local culture as a practice of divide and rule and of racial superiority. At any rate, the black communities perceived Afrikaans as the language of their oppressors (Welsh, 2009).

In 1955, the ANC articulated the Freedom Charter, which spoke the language of universal human rights and was anchored in individual rights rather than particularistic identities (along tribe-specific lines). As such, the Charter laid out a political program that addressed all South Africans – a common language that can address the nation as a whole. Slowly, English had become the *de facto* language of the ANC and through it they expressed their resistance to the Apartheid regime. It was to become the language “of aspiration and eventually the language of national unity and of the liberation for the black elites” (quoted in Alexander, 2011, p. 312).

This account, henceforth, suggests four major reasons that effectively made English the dominant language for the anti-Apartheid movement. Firstly, Afrikaans was considered, as previously mentioned, as the language of white oppressors. Secondly, during the second half of the twentieth century, English was becoming the common language of Black South Africans and the global language of economy and diplomacy (cf. de Klerk, 1999). Thirdly, many black leaders were taught and educated in English missionary schools (Anderson 1988; cf. Elphick, 1997). And fourthly, no single dominant language of the local native population existed as potentially capable of unifying all other tribes, socio-cultural groupings, and colours around it. Slowly but steadily, English became the “neutral” medium through which all groups could communicate.

### **3. Palestine/Israel and the re-presentation of Apartheid**

A ground of commonality between all South Africans was constituted by the dynamic constellation of the four above-discussed factors – political economy of labour, political dominant political theology, the unity of the concerned geo-political unit, and the role and social function of the language. In other words, this constellation of factors across time, we argue, imbued the category of “being South African” with meaning and a political horizon. Against the backdrop of this commonality arose the need for separation within the perceived/imagined unity in order to disrupt its potential. Still, it is precisely these factors, pushed to their ultimate universalising ends, that enabled the anti-Apartheid mobilisations to gather momentum in the dynamic that toppled the very regime. Altogether, we do not claim that these factors are comprehensive or conclusive. Yet, we contend that these four factors were essential for sketching the contours of the anti-Apartheid struggle in SA.

When turning to PS/IL to draw on its analogy to Apartheid, there are several crucial caveats to consider and with which to reckon. To start with, one caveat pertains to the different legal and socio-political realities/fragmentation of the Palestinians – who can be categorised in (at least) three different groups and which have generated different sets of demands on their part, respectively. The Palestinian refugees demand their return, first and foremost; the Palestinians in the Occupied Territories (OPT) demand ending the occupation and the right to national self-determination<sup>13</sup> while Palestinians in Israel frame their demands in the form of full civic and national equality within the frame of Israeli citizenship (cf. Zreik, 2003a, 2003b, 2004). The second caveat stems from, or relates to, the many phases of Zionism, which has developed different tools and means through different stages towards the various different Palestinian territorial-political groupings. For instance, pre-1948 Zionism is not the same as the post-1948 one in its manifest attitudes; likewise, the control modality that it implements within the OPT is different from the one it deploys within “Israel proper” (within the 1949 Armistice Agreements Lines) toward its Palestinian citizens (despite some apparent similarities which have been augmented in the past decade) (Sa’di, 2013; Jabareen, 2014).<sup>13</sup>

In spite of the above, we want to proceed in comparing our modicum of four Apartheid-constituting/de-constituting factors while taking into account the different phases and faces of Zionism. Still, we do think that we can make valid comparisons between the projects of Apartheid and Zionism (Davis, 2003; Jacobs & Soske, 2015; Pappé, 2015; Peteet, 2016). In the following, we shall elucidate and substantiate this claim.

### **3.1 The political economy of labour relations in Palestine/Israel**

Labour relations between Jews and Palestinian Arabs in the past century can be roughly divided into four stages: the first ranges from the Second Aliyah (the second wave of mass Jewish immigration and settlement, 1904–1914) until 1948 and the establishment of the state of Israel – a stage which was of utmost importance to the formation of the nature of the Hebrew Yishuv (the Jewish/Zionist community governance during the British Mandate of Palestine); the second concerns the Palestinians in Israel and ranges from 1948 onward; the third relates to Palestinian workers from the OPT from 1967 till the early 1990s; while the fourth relates to the post-Oslo Accords period and until the present day. As we shall see, we consider the proceedings of the first stage as formative to the stages that followed and as one that set their subsequent structure.

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<sup>13</sup> Especially if one factors in the military rule over Palestinian citizens between 1948 and 1966, or, for instance, the different modes of control and domination Israel deploys upon the Palestinian natives of the OPT: Jerusalemites, Gazans or West Bankers.

Upon commencing in the last two decades of the nineteenth century, Jewish/Zionist settlement in Ottoman-controlled Palestine had no coherent or ideological conception of a labour force model and had to rely on cheap local labour – pure and mixed motivations of settlement interacted haphazardly. However, during the times of the Second Aliyah, Zionist factions in Palestine crystallised their mission as a settler movement that needed simultaneously to secure land for its settlers and settlers for its land (Shafir, 1996). This first and formative stage in the development of Zionism's double objective of settlement resulted in a celebrated and decisive controversy, or dilemma, between two camps/strategies: one advocating the "conquest of land" versus another advocating the "conquest of labour." Eventually, the camp rallying for the primacy of the redemption of labour had the upper hand, and it was made a guiding principle for the redemption of land. As a result, structural constraints were put on Zionism's demand for territorial expansion (ibid). Thus, the Zionist movement opted already, from its late beginnings in Palestine, for recruiting Jewish labour rather than incorporating Palestinians into their workforce.<sup>14</sup> Put differently, it opted for the pure colony akin to the Australian and North American types, not to the North African and South African ones (Shafir, 1996). It was ready to prioritise Jewish labour over the Palestinian one despite the fact that Palestinian labour was cheaper than Jewish labour, thus creating a divided and segregated economy and labour relations early on. Following Shafir (1996) and Farsakh (2005a, 2005b), one may argue that whereas Apartheid SA sought the land with the people (though with segregation), Zionism/Israel has principally sought the land without the people.

The first minor drift in the aforementioned paradigm took place after the establishment of the state of Israel, when the state started incorporating cheap Arab labour within the Israeli economy (in correspondence with the tightening of the military rule over them) due to the dire need for a workforce.<sup>15</sup> Those were Palestinian Arabs who became citizens of Israel following the establishment of the state in 1948 (Sa'di, 1995; Farsakh, 2005b). It is very telling that the unification of Israel's body politic and the constitution of the category of Israeli citizenship preceded the incorporation of Palestinian labour. In this sense, labour relations and economic dependencies followed politics, contrary to the SA case. Only after it managed to gain sovereignty within a state could Zionism allow itself to "depend" on Palestinian labour. Since then, there has been an ongoing incorporation of the Palestinian citizens in the Israeli market force (Kimmerling, 1983; Sa'di, 1995).

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14 Except for certain circumstantial episodes of its history where the potential of instrumental gain was substantial.

For more on Zionism's pragmatism, instrumentalism, and resort to force and other means, see Shapira (1999).

15 Restrictions on movement were tightened during the 1950s and 1960s partly because the state wanted to facilitate the incorporation of immigrant Mizrahi Jews into the workforce (Sa'di, 1995).

The second period during which this paradigm shifted took place in the post-1967 war where Jewish employers employed many Palestinians from the OPT for cheap labour. This resulted again from the increase in confidence following Israel's consolidation of its security and expansion of its border in the aftermath of the 1967 war (Farsakh, 2005b).

A marked and opposite shift to the aforementioned political economy of labour took place during the 1990s with the onset of the work permit and closures policies culminating in the building of the separation wall in the OPT, which significantly reduced the number of Palestinians therefrom (Farsakh, 2005a; Farsakh, 2005b). In the last twenty years, Israel does not incorporate Palestinians from the OPT, or areas of the Palestinian Authority; rather, it prefers to count on migrant labour instead of Palestinians labour.

The above-outlined four stages suggest a nuanced and complicated picture of Israel's political economy of labour vis-à-vis the Palestinians: while in the past two decades the exclusion of Palestinian workforce from the OPT has been dramatic, the incorporation of the Palestinian citizens in the Israeli labour market has been gradually broadening (Yashiv & Kasir, 2015). Notwithstanding the domestic transformation of the Israeli economy from the collectivist to the neoliberal modality, these complex dynamics have wielded their impact on the way we may draw on the apartheid analogy. For Palestinians in Israel, structural barriers and discrimination have always been a lived reality, but there is insufficient tangible segregation in the labour force to render apartheid an accurate characterisation, whereas the situation for OPT Palestinians is quite the opposite: segregation is so intense and incorporation so absent that it seems they lack the commonality/unity (especially in the case of the Gaza strip), which is the precondition of apartheid consciousness.

### **3.2 Zionist political theology in Palestine/Israel**

If religion in SA allowed for commonality and certain space of interaction and potentiality for cooperation between the superordinate settlers and the subordinated natives, then the case of Zionism in PS/IL suggests a different story.

The relation between religion and nationalism can take many shapes (Brubaker, 2012). For some modernists, nationalism is just a new phenomenon that emerged in modern times and it represents the cultural shape that the modern state adopts while coping with modern economics. Here, the story is one of rupture (cf. Gellner, 1983). For others, there exists a more intimate relation between the two. One way to read such relation is by way of analogy; namely, nationalism plays a role to that of religion in terms of self-identification and self-orientation, imbuing meaning to human existence. Both do that with the help of symbols, ceremonies, hymns, holidays, and both try to connect

the self to something bigger and larger. Both are expressions of “religious sense” which signifies “[f]aith in some God, some mysterious and controlling power, outside of myself” (Hayes, 1960, p. 11).

Yet, another way to understand the relation between religion and nationalism is to perceive it as a matter of historical explanation.<sup>16</sup> In this sense, one could trace the role of Protestantism, for example, in the shaping of English nationalism (cf. Greenfeld, 1992). Alternately, one could study how nationalism deploys religious sentiments, images, and symbols in order to enhance its enterprise and to muster masses to rally behind it, such as the case of Greek nationalism (cf. Smith, 2000). Lastly, the most important relation is the one taking form through a defining attribute; i.e., “religious nationalism” (Brubaker, 2012; cf. van der Veer, 1994). Here, religion is not understood as a phenomenon outside nationalism; it is an internal rather than an external explanation to it, and is not viewed to play a mere instrumental role. In this case, the relation is more intimate; each of the categories is imbricated in the construction of the other and both compete intensively on the way the group intuitively and understands itself and its others, in inevitable ways (ibid). It is this forth relation of “religious nationalism” that we want to follow and further elucidate in the case of Zionism. In fact, we want to argue that Zionism is a unique religious nationalism that hindered the possibility of creating a common political background and imaginary shared with the Palestinians.

Zionism has been viewed by many of its adherent liberal supporters as a revolt against religion, for it claims salvation for its people by human action, not a divine will that is contingent on observing its commandments and communal laws (cf. Avineri, 1998). No wonder that, from its beginnings and until the Holocaust, the majority of Orthodox Jews and Rabbis went out of their way to oppose Zionism (Ravitzky, 1996). However, even scholars who, like Shlomo Avineri, see Zionism as the secularisation of Jewish politics, are aware that there is a certain dialectics in Zionism: it represents not only revolt against religion but a continuation and reinterpretation of the religious myth (ibid). Theodor Herzl, the father figure of Zionism and the visionary of the Jewish state, was clearly not hoping to establish a theological state ruled by Rabbis, but rather a “secular” state ruled by modern “secularised” laws modelled after the European nation-state and the separation of church and state. Still, Herzl himself resorts to religious texts to develop his argument. He ends his major book *Altneuland* with a scene of wonder about the miracle of creating a new state and society. The last word was given to Rabbi Shmuel who “rose solemnly and said God” (Herzl, 1964, p. 217).

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16 In many ways, historical explanation is relevant to the explanation of the way a phenomenon came to be, but, in many cases, the conditions of the birth of a phenomenon are not the conditions of its reproduction, and, as such, could evolve on its own. See Mahoney et al. (2009).

As we shall show, for Zionism, religion is not just a matter of historical explanation, nor is it deployed to charge nationalism with some myth and sacredness only. However, Zionism is unique for the “internal” role that religion plays and its intertwining with nationalistic thought (Kohn, 1971). The intimate relation has twofold nature. First, there is an overlap of the audience of the national and the religious discourse, and second, there is an overlap in the national and the religious missions.

As for the first, one can argue that there are many cases of overlap in national and religious discourse. Irish Nationalism in Northern Ireland could not be thought and conceptualised without the denominational difference (Catholic versus Protestant) between the Irish and the British: the two people spoke English.<sup>17</sup> The same holds true for Croats in former Yugoslavia compared to the Serbs: both spoke the same language, but it was mainly the Croats’ Catholicism as opposed to the Serbs’ Greek Orthodoxy that played a role in shaping their national identity and, subsequently, their political behaviour (Brubaker, 2012). Nonetheless, what both cases clearly share is the fact that while Irish nationals are Catholics, not all Catholics are Irish; the same holds true for the Croats. There is no total overlap between these two pools of primary affinities. A pivotal aspect of Zionism is its nearly total overlap. The audience of the religious discourse is the same audience of the national one (i.e., the same consumers of the discourse); it is addressed to them and only to them. Zionism is a religion addressed to one nation, and, to a certain degree, nationalism addressed to one religion.<sup>18</sup> This mutual imbrication and intertwining of the religious and the national in the case of Zionism makes the Jewish nation it fashioned in its image obstinate in the face of civic transformation (Kohn, 1971). Still, one could argue that there is a space that permits speaking of Jewish nationalism as separate from the Jewish religion (Myers, 2006). Analytically, this point is sound as there is no full identity overlap among the two. The thing is, however, that the Jewish “national” as figuring in the Law of Return is being defined by religious terms, or in relation to them. Put differently, the religious definition of the Jew is an indispensable link in national definition. Despite the emanating tensions, the two categories establish one another. The religious is thus imperative to defining the borders of the nation. Ergo, Zionism exemplifies a form of “religious nationalism” (cf. Juergensmeyer, 1993; van der Veer, 1994).

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17 This is not to deny that the Irish people have had their own ancient language.

18 We say “to a certain degree” for the simple reason that for many secular Jews the category of the Jew as part of a national group does not fully overlap with the religious definition. One can be part of the Jewish nation while he was born for a non-Jewish mother (though not considered Jewish in religious terms). In fact, the Israeli Law of Return establishes such a distinction, where a “Jew” could immigrate to Israel and be a part of the Jewish nation, though, according to religious criteria, he is not a “Jew” (Kimmerling, 2001).

The second overlap relates to the way the mission of the Zionist project is framed and articulated in terms of "Redemption," "Return," "Negation of 'Galut'/Exile," and "Construction of the Temple" (Don-Yehiya, 1992; Ravitzky, 1996). In a strong sense, Zionism espoused national-historical consciousness that is rooted in a theological myth as a national myth. This figures by the "negation of exile" motto, which is based on the perception of Zionist settlement and sovereignty in Mandatory Palestine (made as identical to the biblical term "Eretz Yisrael"). The return and the ingathering of the Jews in their ancient promised homeland, which was regarded as either empty or a land in exile with no culture or inhabitants of its own, was seen as the ultimate negation of undesirable exilic life (Raz-Krakotzkin, 2002). As such, the Zionist project has been seen as the fulfilment of Jewish history and the realisation of Jewish messianic expectations.<sup>19</sup> Hence, Zionism's secularity was articulated by a nationalisation of religion, on the one hand, and by a sacralisation of the political field, on the other. Zionist ideology was considered the sole and exclusive interpretation of the religious myth, of the Scriptures (Raz-Krakotzkin, 2013). In short, this form of nationalism made religion a guiding and organising element. Thus, Jewish religious belonging is necessary for Zionist Jewish nationalism; the two principles are bound up together and cannot be separated (Kimmerling, 2001).<sup>20</sup> Even outwardly, secular socialist prominent figures such as Theodor Herzl and Aaron David Gordon illustrated the national characteristics of Zionism and its organic embodiment of the religious Jewish conviction. Given the Bible and its promise, Gordon wrote: "[W]e gained our right to the land, a right that will never be abrogated as long as the Bible and all that follows from it is not abrogated" (quoted in Sternhell, 1997, p. 57). De facto, Gordon and the "secular" labour movement

19 The spiritual leader and mentor of the "redemptionist" religious-Zionist camp (and later the settlement movement in the West Bank after 1967), Rabbi Zvi Yehuda ha-Cohen Kook, considered Zionism as "the movement for concrete redemption in our time" (quoted in Ravitzky, 1996, p. 79). According to Kook, both the religious and secular Jews, on a deeper level, are moving toward the fulfilment of messianic biblical vision of redemption – they all fit into one objective plan (Ibid).

20 Still, through the move from a national ethnic movement to statehood in 1948, things went through some change. The civic state, by definition, must speak the civic language to all its citizens. The ethnic-religious "base" of the Israeli state had to face tensions generated by the state-civic apparatus or superstructure that it created. One facet of this tension relates to the fact that Jewish state has within it non-Jewish citizens whose status has to be straightened. Another tension was within the Jewish public itself regarding issues related to the Law of Return and who is entitled to its benefits. For example, a Jewish mother's unborn can become a Jew only according to Halacha (Jewish religious law); yet, according to the amended Law of Return, such condition is not necessary for her to become an Israeli citizen (Kimmerling, 2001). The Law of Return, which originally applied only to Jews as defined by the Halacha or to persons born to Jewish mothers, gives subjects born to a Jewish father as well as to the grandchildren of a Jewish grandparent the opportunity to acquire Israeli citizenship. This exception from (or the opening in) the regulative norm of Halacha as the ultimate threshold for becoming part of the Jewish nation imparts significance to Israeli citizenship as an amenable "inclusive" category that makes room for difference. These two tensions suggest that there is no full overlap between Jewish religion and Jewish nationalism, on the one hand, and no full overlap between Jewish nationalism and the state of Israel on the other. Still, the relation is very intimate and tense.

leaders in Ottoman and Mandatory Palestine developed a form of “semi-secular” nationalism.

Furthermore, Zionism was overwhelmingly inspired by the Eastern European (EE) model of nationalism where membership in the nation was constructed through primordial, ethnic and cultural terms, in contrast with the legal-civic Western nationalism (Sternhell, 1997). It also predestined the state as the “servant” of the nation first and foremost (ibid; Kimmerling, 2001). That has meant that Zionism belongs to a “closed” strand of nationalism, among others. While in many other cases the EE nations were relatively gathered within territories which are, roughly speaking, well circumscribed or contiguous, the Jews supposed-to-become-a-modern-nation were truly scattered and in dire need of a secularised myth and set of symbols that reinvent their modern togetherness. It was religion, reinterpreted and secularised, that played a crucial role. In contrast with SA or other settler societies, the Jews immigrated to Palestine/Eretz Yisrael, because they were Jews, not the other way around; whereas Australians became Australian after they immigrated to Australia; i.e. after the fact. Being Australian is the result of, not the reason for immigration. In the case of Zionism, the identity of the immigrant was defined beforehand, later to define the contours of the nation’s body politic. This resulted in having well defined boundaries of the Zionist enterprise, well-sealed before the fact of immigration.

The argument is that through the mix of the overlap of audiences and missions, Judaism as a non-missionary religion, combined with anti-exilic, ethnic nationalism promoting a settler project – all together create a nearly total opposition between the political subjectivity of the (Israeli) Jew and that of the native Palestinian, who is living in his/her midst.

In closing this subsection, it is important to mention the following caveat to avoid over-simplification. In spite of what we explained above, Israel is not a theocratic state. Formally, Rabbis are not the source of law; the Knesset is the body that enacts laws and the body politic is still the sovereign, while non-Jewish people have a margin for them to freely worship and practise their religion. Zionism also managed to create some difference between Jewish nationality and being Jewish in the religious sense (a space between religion and nationalism), and created the state of Israel that includes non-Jewish citizens; i.e. the Palestinian citizens of Israel (a space between Jewish nationalism and citizenship). Still, Rabbis do not have to “impose” their opinions – the agenda and discourse “already” embody religious language and myths (Abulof, 2014). Moreover, these spaces have been thin and under a constant and increasing threat of collapse (e.g. Trigger 2014).

### 3.3 The role and social function of language(s) and Palestine/Israel

Article 82 of the Palestine Order in Council<sup>21</sup> stipulates that English, Hebrew, and Arabic are the official languages of Mandatory Palestine. De facto, this article established the country and society as bi-lingual.<sup>22</sup>

As a matter of fact, the bi-lingual reality in mandatory Palestine was mainly official at the level of authorities and government, but one can hardly say that the society in Mandatory Palestine was bi-lingual. The two communities interacted but did not fully mix. Palestinian Arab schools taught only in Arabic and the Jewish Yishuv schools taught only in Hebrew. However, the fact that both communities were subjected to the British rule created an atmosphere that allowed for some forms of cultural exchange that would become impossible following 1948 (Mendel 2014). The Jewish Yishuv has grown into a fully-fledged administration within the Mandate and enjoyed considerable autonomous self-organisation such as in education, health, insurance, transportation, and trade unions (Horowitz & Lissak, 1978).

The state of Israel preserved the legal status quo that prevailed on the eve of its establishment in 1948, unless this was changed by later legislation.<sup>23</sup> Israel thus inherited (at least officially) the bi-lingual character that prevailed prior to its establishment. However, the regions of Mandatory Palestine that came under the control of Jordan and Egypt (the West Bank and Gaza, respectively) continued to use Arabic as their sole official language.

Withstanding the fact that Arabic is an official language of “Israel proper,” it is still not fully clear what that means in reality. Hebrew is a mandatory language in all Arab Palestinian schools in Israel, and many Palestinian citizens of Israel work/are employed in Jewish locales, bi-lingualism is a prevalent phenomenon in the Palestinian community in Israel proper. The opposite case, however, is not a mirror image, but far from that: Arabic is not mandatory in the Jewish schools and is stigmatised as an inferior language (Jabareen, 2006).<sup>24</sup> On a practical level, most of the recent laws of the state of Israel are not translated to Arabic, the language of the courts is Hebrew, and

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21 Effectively, The Palestine Order in Council (August 10, 1922) amounted to the constitution of the country. Available at: <https://unispal.un.org/DPA/DPR/unispal.nsf/0/C7AAE196F41AA055052565F50054E656> (last accessed May 10, 2016).

22 For a short background regarding the language-scape during the mandate period, see Mala Tabory (1981).

23 See Section 11 of the Law and Administration Ordinance No.1 (57081948-). See full text at: <http://www.adalah.org/uploads/oldfiles/Public/files/Discriminatory-Laws-Database/English/49-Emergency-Orders-derived-from-Law-and-Administration-Ordinance-1948.pdf> (last accessed May 11, 2016).

24 For a recent news item on the state of Arabic teaching in the Israeli Jewish schools, see Abraham Frank (2013, September 24). Teaching Arabic in Schools – A Waste of 100 Million Shekels Annually. *TheMarker*. Retrieved from <http://www.themarker.com/opinion/1.2125528> [Hebrew] (last accessed: September 20, 2016). For an overview of the attitude of the Jewish society and the Israeli state to Arabic and its framing of Arabic as the language of the enemy, see Mendel (2014).

the courts' decisions are never translated into Arabic. Still, on the rhetorical level, the Arabic language gained some recognition in a famous case brought to the Supreme Court (Saban & Amara, 2002).<sup>25</sup> And yet, some scholars do think that the status of Article 82 of the Palestine Order in Council has been eroded and is being negatively transformed by a series of recent Supreme Court decisions, and indirectly through legislation.<sup>26</sup> These decisions, so it is claimed, have asserted the symbolic supremacy of Hebrew.<sup>27</sup>

On the other hand, the Arabic language in the OPT has ever been the primary language of society and the educational system. Both the military occupation of the West Bank and Gaza in 1967 and the establishment of the Palestinian Authority (PA) in 1994 have not affected its status. Moreover, if one considers the fact that Israel has a very limited number of Palestinian workers from the West Bank and Gaza strip (only about 100,000 both "legally" and "illegally"),<sup>28</sup> then the un-official spaces where Palestinians outside "Israel proper" could learn Hebrew – e.g. factories, construction sites, prisons and supermarkets – is very restricted and paradoxically happens mainly in the West Bank settlements (with the notable exception of annexed East Jerusalem).<sup>29</sup>

Thus, the linguistic reality that we have now in PS/IL is one where the vast majority of Jews in Israel do not speak any Arabic and the vast majority of Palestinians in the West Bank and Gaza do not speak any Hebrew. The Palestinian citizens of Israel make for the only bi-lingual group. Accordingly, we see, on the one hand, a lack of a third medium of language in PS/IL – akin to the role English played in SA – while on the other hand, we have a reality whereby there is not enough overlap in the command of the other's language – a minority of few Palestinian Arabs speak Hebrew, while very few Jews speak Arabic.

25 See Adalah's petition to the Israeli High Court of Justice and the latter's decision delivered on July 25, 2002 (H.C. 411299/, *Adalah et al. v. The Municipalities of Tel Aviv-Jaffa et al.*). Available at: <http://www.adalah.org/en/content/view/6099>; <http://www.adalah.org/uploads/oldfiles/features/landlangrep/4112decision-eng.pdf>.

26 See for example, Aviad Bakshi's report from 2011: "Is It True that Arabic is an official Language in Israel?" published by the Institute for Zionist Strategy. Available at: <http://izs.org.il/papers/arabic.pdf>. For a contrary position, see Ilan Saban. (2003). *Lonely (Bi-lingual) Voice in the Darkness? Following the HCJ 411299/, Adalah v. The Municipalities of Tel Aviv-Jaffa*.

27 At the same time, there were recent bills brought before the Knesset that take a derogatory aim of the status of Arabic as an official language. See Lis, J. (2014, August 25). 'Arabic Out' Right-wing MKs Aim to Make Hebrew Israel's Only Official Language. *Haaretz*. Available at: <http://www.haaretz.com/israel-news/.premium-1.612357> (last accessed: July 7, 2016); and Lis, J. (August 4, 2011) "Lawmakers Seek to Drop Arabic as One of Israel's Official Languages". *Haaretz*. Available at: <http://www.haaretz.com/lawmakers-seek-to-drop-arabic-as-one-of-israel-s-official-languages-1.376829> (last accessed: July 7, 2016).

41 The figure is drawn from Bassok, M. (2015, March 4). Number of Palestinians Working in Israel Doubled Over Four Years, Central Bank Says. *Haaretz*. Retrieved from <http://www.haaretz.com/israel-news/business/.premium-1.645266> (last accessed: September 20, 2016).

29 See the following journalistic report: Sawafat, A. (2016). For many Palestinians, Israel settlement work the only option. Reuters. Retrieved from <http://www.reuters.com/article/us-israel-palestinians-workers-idUSKCN0VV1J6> (last accessed: September 20, 2016).

### 3.4 Palestine/Israel as an overarching geo-political unit

Can or should we speak of PS/IL from the Jordan River to the Mediterranean Sea as one geo-political unit? In this subsection we would like to start with outlining the complexity of perceiving the reality of apartheid in PS/IL, namely in the territorial and politico-juridical units that compose it. Then we would address the question of Palestinian refugees, which complicates the apartheid analogy.

The first territorial-political frame considers all of PS/IL from the River to the Sea as one political unit within which separation and domination is taking place. Here, the claim would be that the Palestinians in the West Bank and Gaza are living under an Apartheid-like regime compared to the rest of all others (Palestinians and non-Palestinians) living between the River and the Sea. The second frame conceives of the West Bank as being the political unit within which there is an apartheid regime between the Israeli Jewish settlers and the local Palestinian population. The third frame, or candidate for the analogy, would focus on "Israel proper" as the political unit and make the claim regarding the status of the Palestinian citizens of Israel as one of separation and subordination that amounts to apartheid. Detailed discussion of the three possible frames is out of the scope of this paper, which sets the ground for such an inquiry. Henceforth, we will discuss a preliminary and elementary issue that persists in casting its shadow on the discourse of the apartheid analogy, and which we think is unique to PS/IL, and that is the question of Palestinian refugees. The "open" question of the political status and destiny of the refugees, alongside the organising and open-ended reality of potential Jewish immigration, leaves the conflict's scope ill-defined and fuzzy (Greenstein, 2006).

For the Palestinian refugees, apartheid is part of the "solution" – it is not the generator of their primary problem, that of refugeeeness (Zreik, 2004). By that, we mean that apartheid and discrimination assume and affirm presence. Apartheid-like regimes put apart those it wishes to keep apart. In this regard, putting them apart means keeping them within the system but within a separate unit that exists within the overarching system. The refugees residing outside PS/IL are not part of any administrative system under Israeli control. They are simply "out." The Palestinian refugees were expelled from the Israeli system's realm of control, and, as such, by their characterisation as being "out", there is no need to discriminate against them (Zreik, 2008; Ophir et al., 2009). Discrimination assumes presence, and when there is no such presence, no need for discrimination arises.

Therefore, it is possible to argue that Israel saved itself the burden of institutionalised apartheid simply by expelling and driving the absolute majority of Palestinians to leave the locales within its 1949 armistice lines. Withstanding the return of refugees, Israel would have had to face one of two options: either granting full political rights for

the Palestinians and thus procedurally becoming a de-facto and inclusive democratic state, not a Jewish state; or opting for being Jewish without granting political rights for the Palestinian citizens, and, thus, becoming a de-facto apartheid state. The issue at stake is rather to decide what/who is/are the population(s) that count(s) and is/are involved and that has/have the right to shape the political regime of the state. The conflict in this sense is primordial to politics: it is not about the regime form and the rights entailed, but rather even more fundamental: Who counts as a political subject? What collectives are entitled to political subjectivity? How are the two related, and in what order? Also, shall we first settle the populations' demography then negotiate the politics? Or the other way around? Needless to say, in PS/IL, the question of demography is not settled at all.

In SA, there was no question of refugees. The populations that were fighting were known and lived in clearly defined demographic spaces and geographies. In PS/IL, the fighting groups are only representatives of larger groups: Palestinians have their millions of refugees and the Jews have their potential immigrant/Jewish citizens. The struggle is not only on the shape of the political regime but, even on the more elementary question of entitlement to right-claiming: Who is included? Apartheid struggle assumed some firmness of borders and population; i.e., of the frame itself that renders the political content as "the" issue. Conversely, in PS/IL, this frame is "frameless" or liquid.

#### **4. By Way of Concluding**

We suggested in this paper that apartheid is not only a factual construct of laws and practices but also a historical, political, and conceptual-discursive process of experience. Apartheid is a regime of separations within unity – it operates against a common background. Therefore, apartheid consciousness does not arise automatically from a reality of apartheid; historical and political processes condition it instead. The conditions that created the background of unity in SA were comparatively speaking absent in Palestine/Israel. We discussed, namely four such unifying factors: the political economy of labour; (2) dominant political theology; (3) integrity of the geo-political unit; and lastly (4) the role and function of languages. Our analysis has shown that in PS/IL these factors have played a different role than that in Apartheid SA. However, apartheid has been emerging as a thinkable and experienceable possibility in the wake of the collapse of the belief in a two-state solution and the rise in talks about a one-state solution, among others (Bakan & Abu-Laban, 2010). The gradual formalisation and juridification of separation and domination, as we have seen in this paper, that the state of Israel has been undertaking, especially within "Israel proper," contribute considerably to the apartheid imaginary on which the work of the analogy rests. This is not to undermine the crucial imaginary that the one-state solution –PS/

IL from the River to Sea as one geo-political unit– supplies for apartheid to be visible in the consciousness of the inhabitants of PS/IL. It is the solution to the problem of separation into units (namely, the one-state solution) that allowed the underlying problem of apartheid to emerge.

In closing, it is important to note that this paper has had a limited purpose: to allude to some of the similarities and differences between PS/IL and Apartheid SA in a historico-political fashion attuned to the conceptual and discursive frames that mould such experience. It aimed to argue that the factors that forced its emergence in South Africa are in many ways also responsible for consolidating the anti-Apartheid movement that brought to its demise. In this sense, our analysis has shown that what worked in the case of Apartheid SA is not necessarily mirrored in the Palestinian-Israeli case. The dissimilarities exhibited in the formation of the conceptual and discursive registers between the two cases, and which organise the experience of apartheid, make it possible to explain why no mass anti-apartheid movement has yet emerged in PS/IL.

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